

However, that opinion has since been subjected to closer scrutiny and it is now considered that there is some doubt regarding the original interpretation and that it would be wise to amend the Act to spell out specifically the power of the Institute to award degrees. The amendment has been prepared with this in view.

The Bill also provides for student representation on the council. This is in conformity with world-wide trends and is in recognition of the value of the students' viewpoint and of the need for this to be represented at the council's deliberations.

This principle is of course not new to the Institute. The students are already represented on the academic board, the boards of study, the library advisory committee, and various other relevant committees. The step to give student representation on the council is simply an extension of present policy and is its logical conclusion.

With the passage of this legislation there will be complete representation and consultation at all levels within the Institute.

It is believed that such representation will aid in maintaining a good council-student relationship, will promote confidence in the administration and organisation of the Institute, and a great degree of understanding of each other's problems.

By this it is not meant to imply that the present relationship between the council and the students is in any way unsatisfactory; in fact, it is very good, I am informed, but it is believed that student representation on the council will be a major factor in maintaining this happy association.

The Bill provides for the election of two student representatives, both of whom must be guild members and one of whom must be a voting member of the guild council.

Student representatives will hold office for a term of one year and will not be eligible for appointment for more than two terms.

The constitution of the council is also amended by the deletion of the Under Treasurer or his representative as an *ex officio* member.

The Under Treasurer is concerned that he and his senior officers have become increasingly involved in the administration of tertiary education establishments to the detriment of their prime function as Treasury officials and has accordingly asked that he be relieved of this obligation.

I commend the Bill to members.

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

### **EASTERN GOLDFIELDS TRANSPORT BOARD ACT AMENDMENT BILL (No. 2)**

#### *Receipt and First Reading*

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

#### *Second Reading*

**THE HON. L. A. LOGAN** (Upper West—Minister for Local Government) [6.09 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is merely to alter the constitution of the Eastern Goldfields Transport Board in order to accommodate some reorganisation of local governing bodies on the goldfields which are represented on the board.

The board conducts the public bus services in the Kalgoorlie-Boulder area, and at Kambalda. As at present constituted, it comprises two representatives of each of the Kalgoorlie Town Council, the Boulder Town Council, and the Kalgoorlie Shire Council, with one representative of each elected by the council and one by the rate-payers.

Consequent upon local government changes which were made last year, the Boulder Town Council and the Kalgoorlie Shire Council have ceased to exist as such, and have been replaced by the Boulder Shire Council. Members may recall that earlier in the year an amending Bill was passed to overcome the problem of election of new members to the board, which was due last May, but because of the local government changes it could not be implemented.

With that problem resolved, this second Bill amends the board's constitution to ensure that each of the two remaining local authorities is represented on the board by one member elected by the ratepayers and by two members elected by the council.

These elected members, together with an independent chairman to be appointed by the Governor, will constitute a board of seven members, the same as before. This new arrangement accords with the wishes of the two municipal councils involved and is commended to members.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

*House adjourned at 6.11 p.m.*

## **Legislative Assembly**

Tuesday, the 13th October, 1970

The **SPEAKER** (Mr. Guthrie) took the Chair at 4.30 p.m., and read prayers.

### **QUESTIONS (35): ON NOTICE**

#### **1. PORT OF ALBANY**

##### *Promotional Literature*

Mr. **COOK**, to the Minister for Industrial Development:

Will he table departmental promotional literature in which Albany is promoted as a port?

Mr. COURT replied:

For the honourable member's information, departmental promotional literature in which Albany is promoted as a port is tabled herewith.

- (1) *Albany Hinterland*—pages 26 and 27.
- (2) *Western Australia* folder—inside back page (Key Centres of the West).
- (3) *Albany Region* brochure—this brochure is currently being updated and will contain appropriate reference to the port.

In addition to the above there is the Albany film completed this year, 42 copies of which have been purchased by the Commonwealth Migration Department for distribution to its overseas offices and screening on migrant ships.

*The brochures were tabled.*

## 2. BUILDING BLOCK

*Chapman Road—Palmerston Street, Bentley*

Mr. MAY, to the Minister for Housing:

- (1) Does the commission own the block of land at the corner of Chapman Road and Palmerston Street, Bentley?
- (2) If so, will he advise the type of development which will be established on this site?
- (3) When will construction commence?

Mr. O'NEIL replied:

- (1) No. The property is owned by the Metropolitan Water Supply, Sewerage, and Drainage Board.
- (2) and (3) Answered by (1).

## 3. TRAFFIC CONTROL

*Signal Equipment: Research*

Mr. CASH, to the Minister for Works:

In view of the desirability of the continuous improvement of traffic control signal equipment, what research has been carried out to achieve this, and what have been the results?

Mr. ROSS HUTCHINSON replied:

No specific research has been carried out, but improvements and modifications are incorporated in the light of operational experience. There is also considerable interchange of ideas and experience through the various Australian State authorities responsible for the operation of traffic control signals. Much knowledge is gained of up to date operational

techniques by the Main Roads Department through representation at the Conference of State Traffic Control Engineers, a group which has national representation.

## EDUCATION

*Westfield School*

Mr. RUSHTON, to the Minister for Education:

- (1) Will he advise the extent to which contractors or developers will drain or fill the Westfield school grounds other than the land and surrounds occupied by the school buildings?
- (2) When will this work begin and be completed?

Mr. LEWIS replied:

- (1) and (2) No additional ground development will be undertaken by the contractors in the present contract. However, the Public Works Department is investigating the possibility of additional assistance.

## 5. CROWN LAND

*Extension Beyond High or Low Water Marks*

Mr. FLETCHER, to the Minister for Lands:

Adverting to question 3 of the 7th October, 1970, regarding the definition of Crown land—

- (1) Does this apply where freehold pastoral property has the coast as a boundary?
- (2) If not, what is the width of Crown land from low water mark to the coastal freehold boundary as mentioned in (1) where reserves do not exist between the coast and the boundary?

Mr. BOVELL replied:

- (1) and (2)—

(a) The boundaries of freehold locations adjacent to the coastline are, in normal circumstances, surveyed to provide a strip of reserved or Crown land, of varying width, between the location boundary and high water mark. In such a case, the land between high and low water mark is also retained by the Crown.

- (b) Some very old land grants extend to low water mark.
- (c) The boundaries of pastoral leases are usually fixed two chains above high water mark.

## 6. GREY KANGAROOS

*Annual Increase or Decrease*

Mr. COOK, to the Minister representing the Minister for Fisheries and Fauna:

Using 1961 as the datum, what has been the estimated increase or decrease annually to the present time of the population of grey kangaroos in the State?

Mr. ROSS HUTCHINSON replied:

The annual increases or decreases in numbers of grey kangaroos in Western Australia is not known. However, the population trend is a decline because of a progressive reduction in their habitat. The normal density of grey kangaroos in the south-west forest country is about 1:100-500 acres in undisturbed populations.

## 7. TRAFFIC ACT

*"Properly Qualified Analysts"*

Mr. T. D. EVANS, to the Minister for Traffic:

- (1) Are there any "properly qualified analysts" within the meaning of sections 32B to 32D of the Traffic Act who are not in the employ of the Government Chemical Laboratories?
- (2) If "Yes" what are their names and addresses?

Mr. CRAIG replied:

- (1) Yes.
- (2) Bruno Coniglio, Ph.D.,  
c/o Sheen Laboratories Pty. Ltd.,  
80 Railway Crescent,  
Queen's Park, 6107.

## 8. ROTTNESST ISLAND

*Geordie Bay: Housing Development*

Mr. FLETCHER, to the Minister for Lands:

- (1) Has an area adjacent to Geordie Bay been bulldozed and, if so, to what extent?
- (2) Does the Rottneest Island Board have any plans for residential development in this or other areas?
- (3) How extensive in area and number is the housing planned for Geordie Bay and what associated facilities will be provided?
- (4) Will the housing be pedestrian or vehicular orientated?
- (5) Is the housing to be in individual units on isolated sandy sites, as at Windy Reach, or will a more integrated total plan be developed?
- (6) What is the timetable for work on site?

(7) For how long before contracts are let will the layout and individual unit plans be made available for public scrutiny and comment, as is necessary for town planning schemes elsewhere in the State?

(8) Will the development be treated as a subdivision exercise and submitted for the Town Planning Board's approval?

Mr. BOVELL replied:

- (1) to (8) Levelling work by filling in the numerous depressions to create an undulating workable area has been carried out. A preliminary plan is currently being prepared and will be examined when finalised.

## 9. EDUCATION

*Correspondence School: Financial Assistance to Parents*

Mr. SEWELL, to the Minister for Education:

- (1) Is there any financial allowance made to parents who teach their children at home through the Education Department's correspondence school?
- (2) Are parents given assistance with—
  - (a) books;
  - (b) writing equipment;
  - (c) physical education equipment and all other equipment necessary for a school room?

Mr. LEWIS replied:

- (1) If a parent engages domestic help so that he or she is free to supervise the child or children's education, an allowance of \$200 per annum is paid.
- (2) (a) and (b) Children on correspondence lessons receive the same free stock as is issued to children attending school.
- (c) No.

## 10. ROYAL PERTH HOSPITAL

*Additions: Effect on Hollywood Medical Centre*

Mr. FLETCHER, to the Minister representing the Minister for Health:

- (1) Will the 150-bed addition to Royal Perth Hospital, mentioned in that hospital's recent report, be at the expense of plans for the Hollywood complex in respect of—
  - (a) alienation of funds from that complex to the Royal Perth Hospital project; or
  - (b) a diminution of bed accommodation planned for the complex?
- (2) If so, to what extent?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) Not applicable.

# 11. HOSPITAL

## *Armada-Kelmscott*

Mr. RUSHTON, to the Minister representing the Minister for Health:

- (1) When is the new maternity wing of the Armada-Kelmscott District Memorial Hospital expected to be ready for admitting patients?
- (2) In the long term, is it planned to increase the capacity of the abovementioned hospital by additions and/or another building on the present site?
- (3) If "Yes" will he elaborate on these intentions?

Mr. ROSS HUTCHINSON replied:

- (1) May, 1971.
- (2) Yes.
- (3) Additional hospital facilities on this site will occur when the need is established and higher priority work has been financed.

# 12. HEALTH

## *Care of the Sick, Aged, and Handicapped*

Mr. RUSHTON, to the Minister representing the Minister for Health:

Will he give the House an understanding of his department's forward planning for the care of the sick, aged, and handicapped within the metropolitan region?

Mr. ROSS HUTCHINSON replied:

Planning for hospitals to provide acute, chronic, and rehabilitation accommodation is based broadly on a report by a special committee of inquiry into metropolitan hospital needs—1961, with necessary modifications to meet changing circumstances which are constantly being reviewed.

The policy of providing long-term care beds in association with general hospitals has been adopted and 109 long-term care beds have been established at the Sir Charles Gairdner Hospital.

Planning includes mental health requirements. A new ward has been commenced at Heathcote and Claremont wards have been considerably improved.

Psychiatric beds will also be associated with general hospitals when required, and tenders will be called this financial year for a new psychiatric ward at the Sir Charles Gairdner Hospital.

Details of the Government's plan for the mentally deficient are contained in the booklet "Five Year Plan for Mental Deficiency" issued in August, 1969.

Domiciliary services are being extended in liaison with the major hospitals so that many persons who would otherwise have to be admitted to, or stay longer in, hospital may be cared for at home.

13. *This question was postponed.*

# 14. WATER SUPPLIES

## *Payment of Rates: Northam*

Mr. McIVER, to the Minister for Water Supplies:

- (1) What period of time are the householders in Northam given to pay their accounts for water usage?
- (2) Should these accounts not be paid within the period stated in answer to the above question, what action is then taken and in what period of time?
- (3) Do these requirements exist in other country water supply areas?
- (4) Was he aware of these very harsh instructions?
- (5) Is this requirement set out in regulations and, if so, which, and when was it *Gazetted*?

Mr. ROSS HUTCHINSON replied:

- (1) Six weeks.
- (2) Cut-off action.
- (3) Yes.
- (4) I am aware of the requirements but do not consider them to be unreasonable.
- (5) Section 33 of the Country Areas Water Supply Act 1947-1964 provides for the supply to be discontinued when accounts remain unpaid for 30 days.

# 15. WATER SUPPLIES

## *Greenhead and Lehmans*

Mr. BATEMAN, to the Minister for Water Supplies:

- (1) Have water bore tests been made at Greenhead or Lehmans to ascertain if a potable water supply is available to serve the respective townsites?
- (2) If "Yes" what is the location, or site, water will be drawn from to supply the townsites?
- (3) When is it anticipated the townsites of Greenhead and Lehmans will be supplied with a comprehensive water scheme?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) Answered by (1).
- (3) This will be dependent on future development at these localities, and the availability of finance in relation to other work priorities.

## 16. EDUCATION

### *Student Enrolments, 1960-1970*

Mr. MENSAROS, to the Minister for Education:

What was the number of enrolled students—

(a) full-time;

(b) others,

during each school year from 1960-70 inclusive in—

- (i) primary;
- (ii) secondary;
- (iii) technical;
- (iv) teachers training colleges;
- (v) other educational institutions, such as the Kalgoorlie School of Mines, Muresk Agricultural College, etc., before these were merged with the Western Australian Institute of Technology?

Mr. LEWIS replied:

(a) and (b) and (i) to (iv).

		Enrolments at the 1st August—										
		1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970 (P)
Primary—												
Full-time	....	....	....	....	98,025	100,320	102,213	105,882	110,321	115,217	120,032	123,255
Others	....	....	....	....	20	23	17	11	21	9	14	9
Total	....	92,236	94,160	96,237	98,045	100,343	102,230	105,893	110,342	115,226	120,046	123,264
Secondary—												
Full-time	....	....	....	....	34,553	36,706	38,143	40,429	43,514	45,529	48,163	50,769
Others	....	....	....	....	585	524	578	566	619	661	954	649
Total	....	27,552	30,472	33,218	35,138	37,230	38,721	40,995	44,133	46,190	49,117	51,418
Technical*	....	33,200	41,100	44,900	45,600	50,800	55,400	58,600	59,800	63,100	68,800	....
Teachers' Colleges*	....	1,310	1,352	1,354	1,278	1,281	1,408	1,628	1,771	1,924	2,187	2,490

\* Separate full and part-time statistics not compiled.

(P) Denotes preliminary.

.... Denotes data not available.

(v) These statistics are not available in the Education Department.

## 17. EXPORTS

### *Lucerne Pellets*

Mr. WILLIAMS, to the Minister for Industrial Development:

- (1) Has a survey been conducted for the possible export from Western Australia to Japan and other countries of lucerne pellets and other stock and poultry foods?
- (2) If "Yes" what are the results of the survey, the economics of exporting, annual imported requirements of each country, price, quality, etc.?
- (3) What countries or States are the main competitors with Western Australia in this field?
- (4) If (1) is "No" is it intended to conduct a survey, and when?
- (5) Have tests been carried out for the production of lucerne pellets for export; if so, where in Western Australia, and with what results?

Mr. COURT replied:

- (1) The department has made preliminary investigations into the potential South East Asian markets, including Japan, for lucerne pellets and other stock and poultry foods.

- (2) As there is no large-scale production of pellets from Western Australian dehydrated lucerne, it is not possible to give an accurate measurement of the economics of exporting from Western Australia.

Latest figures obtained by the department for the import into selected Asian countries of other animal feed, under which heading lucerne and various stock and poultry feeds are included, were as follows:—

Japan—\$A2,000,000

Hong Kong—\$A105,000

Singapore—\$A839,000

Prices for the three countries are as follows:—

Japan—dehydrated lucerne pellets—\$U.S.69 per metric ton C. & F. Japan,

Hong Kong—prices not available.

Singapore—Chinese lucerne meal \$A60 per long ton C.I.F.

N.Z. dehydrated lucerne \$A11 per long ton C.I.F.

I should advise the honourable member we are endeavouring to check what appears to be an anomaly between the price of the New Zealand meal and the Chinese lucerne meal. But they are two different products and it may be that the prices are accurate.

Quality specifications for lucerne meal in Singapore are—

Protein—16-18 per cent.

Moisture—10-11 per cent.

Fibre content—low.

For lucerne meal pellets (dehydrated) the Japanese specifications are—

Protein—17 per cent. minimum.

Vitamin A—125,000 units minimum.

Fibre—28 per cent. maximum.

Size—1/6 in. screen, 1/4 pellets.

No specifications are available for Hong Kong.

- (3) The main supplier to Japan is the United States of America.

Main suppliers to Singapore are Mozambique and the U.S.A.

Main suppliers to Hong Kong are the U.S.A. and Australia.

Exports of lucerne meal from Australia in 1968-69 were mainly to Japan and Singapore, with the major exporter being South Australia.

- (4) We will continue our studies of both the market potential and economics of production in Western Australia.
- (5) To the best of my knowledge pellets from dehydrated Western Australian lucerne are not produced in Western Australia.

18. *This question was postponed.*

## 19. LEGISLATIVE ASSEMBLY

### Costs

Mr. JAMIESON, to the Speaker:

What is the estimated cost per minute of running the Legislative Assembly while sitting—including all salaries of members, officers, Ministers, and attendants?

The SPEAKER replied:

- (1) The question does not specify the period during which the cost is to be calculated. It could only be calculated over a period which has expired as no-one could forecast the sitting times of the future.
- (2) If the question were intended to refer to the costs during the financial year ended the 30th June, 1970, the necessary information is not available to me.

- (3) The only figures of actual expenditure for the year mentioned which be can attributed definitely to the Legislative Assembly are those appearing on page 27 of the Consolidated Revenue Fund Estimates of Revenue and Expenditure for the year ending the 30th June, 1971 presented to the House by the Hon. the Treasurer on the 24th September, 1970. I could not make an accurate dissection of those figures to determine what proportion could be deemed properly to be expenditure in connection with the administration of the House while sitting.

- (4) Additional to the proportion mentioned in the previous paragraph, a portion of the expenditure appearing on pages 28 and 29 of the same Estimates would have to be treated as portion of the cost to be included in calculations necessary to answer the question. I am not able to make the necessary dissection of the expenditure referred to.

- (5) Further additional expenditure was incurred in Government Departments which should also be included in the necessary calculations to arrive at the answer to the question. The information concerning such further additional expenditure is not available to me.

- (6) Although I have supplied the reasons why I consider that this information is not available, I do not agree that this is a question which may be directed properly to the Speaker. The expenditure in connection with the Legislative Assembly is not controlled by me and the Estimates are neither prepared by me nor under my supervision.

20.

### MIDLAND WORKSHOPS Employees and Vacancies

Mr. BRADY, to the Minister for Railways:

- (1) What was the number of employees at the Government railway workshops, Midland, at the 30th June, 1960?
- (2) What was the number of employees at the 30th June, 1970?
- (3) What number of vacancies exist at the workshops at present?

Mr. O'CONNOR replied:

- (1) 2,895.
- (2) 2,276.
- (3) 47.

## 21. BUS SERVICE

*Lockridge*

Mr. BRADY, to the Minister for Transport:

- (1) How many buses run into and out of Lockridge at present?
- (2) How many buses ran into and out of Lockridge in January last?
- (3) Is it intended to step up bus services in and out of Lockridge in the near future?

Mr. O'CONNOR replied:

- (1) Weekdays—10 into Lockridge and nine out.
- (2) Weekdays—Seven into Lockridge and seven out.
- (3) New service approximately mid-December, 1970.  
Into Lockridge—Sunday 12, Monday to Friday 21, Saturday 14.  
Out of Lockridge—Sunday 12, Monday to Friday 21, Saturday 15.

## 22. TRAFFIC ACCIDENTS

*Great Northern Highway-Morrison Road Corner*

Mr. BRADY, to the Minister for Traffic:

- (1) How many accidents have occurred at the corner of Great Northern Highway and Morrison Road, Midland, in the last five years?
- (2) Is it anticipated that any steps will be taken in the near future to protect pedestrians and vehicle users at the above corner?

Mr. CRAIG replied:

- (1) Eight casualty, 28 major and 15 minor.
- (2) No. Compared with many other major intersections in the Perth region, this intersection has a relatively low priority.

## 23. NEW ERA ABORIGINAL FELLOWSHIP

*Government Financial Assistance*

Mr. COOK, to the Treasurer:

- (1) Has the Government given any financial assistance to the New Era Aboriginal Fellowship?
- (2) If so, would he detail the extent of the assistance?

Sir DAVID BRAND replied:

- (1) No.
- (2) Answered by (1).

## 24. TRAFFIC ACCIDENTS

*Commonwealth Research Group*

Mr. RUSHTON, to the Minister for Traffic:

- (1) Has the Commonwealth Government completed arrangements with State Governments for the

new expert group under the chairmanship of Sir James Darling, made up of experts in medicine, psychology, mechanical engineering, traffic and road engineering, statistics, and law, to study the causes of road accidents in States and provide them with the findings?

- (2) If "Yes" what are the arrangements?
- (3) Does his department consider this new group will obviate the State's need to establish its own traffic research group?

Mr. CRAIG replied:

- (1) No.
- (2) Answered by (1).
- (3) It is believed that research of this nature should be organised at Federal level, assisted by State committees.

## 25. MARGINAL FARMING AREAS 1937-1947

Mr. TONKIN, to the Minister for Lands:

- (1) Will he table a plan of the agricultural areas of the State showing clearly those areas which were during the period 1937-1947 regarded as marginal and from which many farming properties were abandoned and subsequently consolidated under a reconstruction plan?
- (2) What was the total area involved in the reconstruction of marginal areas in an endeavour to re-establish farming on a sound basis in those regions?

Mr. BOVELL replied:

I have already asked for this question to be postponed for one week and I would seek a further week's postponement. I might point out, however, that I am not too sure that the information will be available even at the end of that period. I am informed that the records have not been retained in the Lands Department. I have asked for any records to be submitted to me and, while I have not yet received these, I have also asked the department to see whether any records are available from the former Agricultural Bank. Some of the officers in that department have knowledge of the marginal areas of those times and they may be able to supply the information. I do, however, desire to obtain reliable information before I answer the question.

*The question was postponed for one week.*

26 to 28. *These questions were postponed.* 31.

## EDUCATION

### *Belmont High School*

Mr. JAMIESON, to the Minister for Education:

- (1) When is it anticipated that the canteen facilities at Belmont High School will be upgraded?
- (2) What other upgrading of facilities is planned for the future and when is it anticipated that these will be completed?

Mr. LEWIS replied:

- (1) The Public Works Department has been requested to investigate the most suitable method of extending the canteen. Information is not yet available to the Education Department.
- (2) The Public Works Department has also been requested to investigate the provision of the following facilities:—
  - (a) Additional staff toilets.
  - (b) Soundproofing in workshop area.
  - (c) Additional staff lockers.
 It is not known when this work will be put in hand.

32 to 34. *These questions were postponed.*

## EDUCATION

### *Public Address Systems*

Mr. H. D. EVANS, to the Minister for Education:

- (1) Is it a fact that the Public Works Department delivered public-address systems to schools in the metropolitan area on Wednesday the 23rd and Thursday the 24th September?
- (2) If so, how many of these systems were delivered on these days?
- (3) How long had these schools been waiting for these systems?
- (4) How long had these systems been in stock?
- (5) How many of the delivered systems had parts missing?
- (6) Were these delivered at the time so that parents and citizens' associations would have to subsidise their purchase, whereas if they had been delivered after the 1st January, 1971, the Education Department would have met full cost?

Mr. LEWIS replied:

- (1) Yes.
- (2) Two systems.
- (3) School A—the 12th November, 1969.  
School B—the 3rd June, 1970.

## 29. INDUSTRIAL DEVELOPMENT

### *Docking Facilities: Mangles Bay*

Mr. RUSHTON, to the Minister for Industrial Development:

Referring to the feasibility studies and proposals for docking, surveying, and repairing of ships at Mangles Bay, Rockingham, will he advise the present position and the expectations for the future?

Mr. COURT replied:

There is no proposal currently before the State Government.

As has been previously advised, it is the Government's objective to eventually negotiate a major ship dry docking, surveying and repairing industry.

Studies to date do not reveal such an industry as being economically viable for the next few years but the steep increase in our mineral exports and the increasing numbers of large tonnage ships operating to and from Western Australia will progressively close the economic gap.

We are hopeful that the current naval facility under consideration and particularly the proposed causeway may further enhance our prospects.

## 30. RAILWAY SLEEPERS

### *Exports from Albany*

Mr. COOK, to the Minister for Industrial Development:

- (1) Referring to my question asked on the 13th August, 1970, regarding supply of railway sleepers for the Goonyella project in Queensland, will he advise if there have been any further developments?
- (2) Will he undertake to keep both myself and the Albany industrial advisory committee informed of developments?

Mr. COURT replied:

- (1) To the best of my knowledge there have been no further developments since tenders for the supply of sleepers for the Goonyella project in Queensland were withdrawn. The Department of Industrial Development is continuing its inquiries to see what alternative supply arrangements (if any) have been made.

- (2) As far as is reasonably possible.

I should add that the information we have to date, though not necessarily reliable, indicates other arrangements may have been made locally and they will not be recalling tenders.



- (4) Major items of equipment received in the Public Works Department on the 31st July, 1970.
- (5) Two systems.
- (6) No.

### QUESTIONS (3): WITHOUT NOTICE

#### 1. PORNOGRAPHIC FACTORY

##### *Viewing of Documentary by Members*

Mr. HARMAN, to the Minister for Police:

Would he negotiate with TVW Channel 7 in order that members of Parliament might have the opportunity to view the documentary alleging the existence of a pornographic factory in Western Australia so that, having viewed the evidence objectively, members can decide whether, as members of Parliament, they can use their inherent right to initiate action in this House if necessary?

Mr. CRAIG replied:

I did not receive an invitation myself.

Mr. Tonkin: Why don't you issue one?

Mr. CRAIG: I would suggest that if any member is interested in viewing this documentary, as it is classed, he should make an approach to the television station itself. Perhaps the member for Maylands has in mind a similar move by the Federal Minister for Customs and Excise when he made available to members of Parliament for viewing certain films to more or less prove that the action taken by him and his department was correct. Possibly the honourable member now seeks to have the same facilities available to members of this House. I will discuss the matter with the management of the station, if that will satisfy the honourable member; but I do not know what the reaction will be from the station concerned or members themselves.

#### 2. WEEBO TRIBAL GROUND

##### *Aboriginal Reserve*

Mr. HARMAN, to the Minister for Native Welfare:

Will the Minister inform the House what action he has taken to have the area, generally known as the Weebo area which is a ministerial reserve under the Mining Act, made an Aboriginal reserve so that the area, which contains a proven Aboriginal sacred site, can in some way be protected until the

legislation promised by the Minister in the Governor's Speech in 1968 is finally introduced into this House?

Mr. LEWIS replied:

This particular site is gazetted as a ministerial reserve, or it has been reserved by ministerial authority, the authority being the Minister for Mines in this case. However, it is very difficult to know whether any further protection, other than it is getting now, could have been afforded had it been gazetted in any other way. It is obviously physically impossible to protect all reserves. They could have barbed-wire fences or walls around them, but we must make these reserves accessible to the Aborigines themselves, and so it is extremely difficult to know just how we could go about securing the contents of reserves; and some of them, of course, are fairly extensive.

#### 3. WEEBO TRIBAL GROUND

##### *Aboriginal Reserve*

Mr. HARMAN, to the Minister for Native Welfare:

With regard to the reply the Minister gave to the question I just asked, as it is so obvious the Minister and his Government are barren of any ideas as to how this problem of Aboriginal sacred sites can be tackled, will he invite the members of the Opposition who obviously have talent and enthusiasm to tackle the question—

The SPEAKER: Order! This is not a question. The question is disallowed.

### BILLS (6): ASSENT

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

1. Aerial Spraying Control Act Amendment Bill.
2. Lotteries (Control) Act Amendment Bill.
3. Honey Pool Act Amendment Bill.
4. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill (No. 2).
5. Local Government Act Amendment Bill (No. 2).
6. Factories and Shops Act Amendment Bill (No. 2).

### EDUCATION ACT AMENDMENT BILL (No. 2)

#### *Introduction and First Reading*

Bill introduced, on motion by Mr. Lewis (Minister for Education), and read a first time.

## STOCK (BRANDS AND MOVEMENT) BILL

### Further Report

Further report of Committee adopted.

### BILLS (2): THIRD READING

#### 1. Railways Discontinuance and Land Revestment Bill.

Bill read a third time, on motion by Mr. O'Connor (Minister for Railways), and transmitted to the Council.

#### 2. Western Australian Institute of Technology Act Amendment Bill.

Bill read a third time, on motion by Mr. Lewis (Minister for Education), and transmitted to the Council.

## EASTERN GOLDFIELDS TRANSPORT BOARD ACT AMENDMENT BILL (No. 2)

### Third Reading

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [4.58 p.m.]: I move—

That the Bill be now read a third time.

MR. T. D. EVANS (Kalgoorlie) [4.59 p.m.]: I do not wish to delay the passage of this Bill, which I supported at the second reading stage, but I wish to take this opportunity to ask the Minister a question which it was not appropriate to ask him on Thursday.

The Bill authorises the reconstruction of the board administering the transport system on the goldfields so that the personnel on the board will comprise two members from the Shire of Boulder and two from the Town of Kalgoorlie, together with an elected ratepayer representing each of these two local authorities, presided over by a Government-appointed chairman; but has any consideration been given to inviting the Shire of Coolgardie to participate in the board's transport system?

Coolgardie also includes the important centre of Kambalda. I understand that buses from the Transport Board regularly run to Kambalda and, also, there is a regular bus service from Kalgoorlie to Coolgardie. It would seem to me at least that Coolgardie could have been a participant in the system. I ask the Minister whether he knows if an invitation was extended and, if so, what the result was.

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [5.01 p.m.]: In reply to the question asked by the member for Kalgoorlie, to my knowledge no invitation to participate in this system was extended to Coolgardie. Of course, other shires were consulted prior to the reassessment in

Kalgoorlie. The Government has co-operated with the shires in that area, which have done a good job. The system operates extremely well and, I believe, it is profitable.

However, in answer to the honourable member's question, no invitation was extended to Coolgardie.

Question put and passed.

Bill read a third time and transmitted to the Council.

## GOVERNMENT RAILWAYS ACT AMENDMENT BILL

### Recommittal

MR. COURT (Nedlands—Minister for Industrial Development) [5.02 p.m.]: I move—

That the Committee's report be adopted.

Mr. O'CONNOR: I move—

That the Bill be recommitted for the purpose of making the amendment appearing in my name on the notice paper.

Question put and passed.

### In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clause 4: Repeal and re-enactment of section 64—

Mr. O'CONNOR: I move an amendment—

Page 2, line 26—Insert after the word "of" the passage "liquor pursuant to a railway refreshment room licence granted under that Act, the sale of other".

The purpose of the amendment is to clarify one or two points in the legislation. As members know the purpose of the Bill is to permit the Railway Department to sell liquor on trains throughout the State and also in railway refreshment rooms. It was considered that the Bill, as it is now worded, went a little further than that. The amendment has been drawn up by the Parliamentary Draftsman to clarify the position and it states what was actually intended in connection with this measure.

Amendment put and passed.

Clause, as amended, put and passed.

Bill again reported, with an amendment.

## FAUNA CONSERVATION ACT AMENDMENT BILL

### Second Reading

Debate resumed from the 8th October.

MR. NORTON (Gascoyne) [5.05 p.m.]: Just before the House rose last Thursday evening I gave the pastoralists' point

of view so far as the harvesting and protection of red kangaroos in pastoral areas is concerned. I should now like to deal briefly with the problems facing the kangaroo shooters.

The number of licensed shooters will be severely limited in comparison with the number who are now shooting, and the catch will be cut back quite considerably. I shall take a hypothetical case to illustrate my point. The Minister said that up to 60 shooters would be licensed throughout the State and a maximum of 200,000 kangaroos could be harvested each year. This would average out at approximately 66 kangaroos per shooter per week.

Let us look at the income which a shooter is likely to receive for 66 kangaroos. I suggest that we take an average weight per kangaroo of 60 lb., which would virtually be the average dressed weight after kangaroos have been cleaned and the head, legs, and tail removed. If a shooter received 3c per pound he would gross \$118.80 per week, out of which he would have to pay for the running of his motor vehicle. It is quite reasonable to assume that a shooter would cover 500 miles within a week. Indeed, I have known shooters to cover over 200 miles in a night. However, assuming for the purposes of this example that they cover 100 miles a night, weekly costs could reasonably be assumed to be \$50. On top of that shooters have to pay for ammunition which I would estimate at \$5 per week. On the figures I have mentioned, a shooter would, at 3c per pound, virtually net \$53.80 per week. If the price paid for kangaroo carcasses were 4c per pound, he would clear \$103.40 for a week's work.

This is not a great return for this type of occupation which, in itself, is not congenial. I know that I personally would not like to take it on, and I can imagine far better ways of earning that amount of money. Up to date shooters have stayed in the business because of the high returns available for large numbers of kangaroos. I consider that shooters will eventually dwindle away and we will see very few of them in the different areas of the State.

The Bill itself incorporates three main amendments. The first is to amend section 10 of the principal Act. It will separate the functions of the Chief Warden of Fauna from those of the Chief Executive Officer of the Western Australian Wild Life Authority. This is a reasonable suggestion and the amendment is purely administrative.

The proposed amendment to section 14 of the principal Act has, one might say, meat in it. Section 14 empowers the Minister to make four different proclamations. The proclamations vary and, in fact, even include the complete protection

of all fauna in Western Australia. I doubt whether the Minister has ever had the occasion to declare all fauna in Western Australia protected. However, we do not know what fauna has actually been protected under the provisions of this section. Section 14 (2) (a) says—

The Minister may from time to time declare—

that any of the fauna is not protected or is protected to such extent for such period of time throughout the whole or such part or parts of the State as he shall think fit . . .

It is extremely awkward for a person in the country who does not receive the *Government Gazette* regularly to know exactly what is going on.

The same section gives the Minister power to place restrictions on the disposal of any fauna which has been taken. Certainly the Minister has very considerable power under this provision. Unlike regulations, I understand that these proclamations do not have to be tabled and, therefore, cannot be challenged by Parliament.

Section 14 (2) (b) reads in part—

The Minister may from time to time, by Proclamation, vary the provisions and operation of a Proclamation promulgated pursuant to the power conferred upon him by this section . . .

It goes on to say that this may be done by cancelling provisions or by substituting other provisions.

Under the proposed amendment, the Minister will have the power to make a declaration. The new paragraph to be added reads—

(ba) The Minister may, from time to time by notice published in the *Government Gazette*, declare that any fauna specified in the notice is for the purposes of this Act fauna which is rare and likely to become extinct and while such declaration is in operation—

- (i) such fauna is wholly protected throughout the whole of the State at all times; and
- (ii) a person who commits an offence under section sixteen of this Act with respect to or in relation to such fauna is liable, notwithstanding any other provision of this Act, to a penalty of one thousand dollars.

As I have said, the Minister already has the power under subsection (1) of section 14 to protect fauna. As members will realise, the penalty in connection with an offence will be \$1,000.

If we look at the interpretation of fauna, we will realise it means that a person would need to have in his possession only a portion of an animal to be guilty of an offence. The interpretation provision reads in part—

... and also includes terrestrial or marine mammals, birds, reptiles and frogs, and also includes the whole or any part of the skin, plumage, body, eggs, nests, young and offspring of the fauna, and further includes fauna which is bred or kept in captivity or confinement.

I am sure that many young lads could be liable to a fine of \$1,000 for having nests or eggs in their possession. I am equally sure that they would know nothing about this provision.

For example, if I happen to knock and kill a kangaroo on my way to Carnarvon I could not remove the kangaroo from the road. I could not take the tail home to make soup because, under this provision, I would have protected fauna in my possession without having a license.

I see that the Minister is shaking his head; but the legislation does not state that a person would be exempt under these circumstances. If we take it a little further it would mean that pastoralists and their employees could not shoot kangaroos as meat for their dogs. They must not skin kangaroos, because if they have skins in their possession they would be liable. It means that pastoralists or landowners would not be able to feed their dogs, or themselves, on kangaroo meat.

Mr. Ross Hutchinson: They cannot exploit them commercially.

Mr. NORTON: The Act does not say that. It says that they must not have them in their possession.

Mr. Ross Hutchinson: Do you think that officers would charge people for this?

Mr. NORTON: It would be possible for them to do so under the legislation; and the Minister knows that certain officers are real fanatics and will do their very best to administer the Act.

The legislation states that a native will be exempt in certain circumstances provided the kangaroo has come from an unenclosed area. However, he must not sell the skin. This stipulation is laid down very clearly in the Act; namely, he may skin it but he must not sell the skin. I think the provisions of the Bill are too severe and that there should be some latitude.

In the interpretations in the Act it is stated that the Minister may declare as fauna any domestic animals that have gone wild. I hope he does not declare cats as fauna. There are thousands of cats in the bush which probably destroy

more of our fauna than anyone would realise. We constantly see them on the roads at nighttime, and they must dispose of a tremendous amount of bird life. Even domestic house cats in the country and the city destroy a considerable amount of bird life. I think something should be done to get rid of the wild cats in the country which destroy our exotic birds. At Carnarvon at the present time it is impossible to find any quail, for instance. That is not because they are being shot—I have never heard of anyone shooting quail in that area.

Crayfishermen will also be affected by this Bill. In the off-season crayfishermen go out and collect roo carcasses for bait. I cannot see any provision in the Bill whereby a crayfisherman will be able to buy a carcass from a licensed shooter. As I understand it, carcasses will have to go through processors, and a crayfisherman is not a processor. I think some leniency should be allowed in that respect.

Not long ago the euro was being poisoned off in large numbers in the Pilbara district, but no mention has been made of that particular animal in the Bill. No doubt the Minister can bring it under protection, but the point is: Who is to discriminate now between the red roo and the euro if the skins are removed? I understand that if someone had a large number of euros in his freezer, the regulations would not cover them. Some of the people in the freezing industry have been going into the Pilbara area and bringing back considerable numbers of animals which could be either euros or red kangaroos.

Mr. Ross Hutchinson: It is up to the department to prove it, and if the department cannot prove it the charge will not be sustained.

Mr. NORTON: I mention the points which I think are contentious and which will cause some concern throughout the country.

As regards royalties, I think the shooter should not have to pay any royalties; I think they should be paid by the processor. There are virtually two separate royalties to be collected—one on the carcass and one on the skin—and the only person who can pay those is the processor. The processor is able to pass the royalties on, which the shooter cannot do because he is given a set price for a carcass.

MR. BURT (Murchison-Eyre) [5.19 p.m.]: This Bill deals with the preservation and conservation of fauna likely to become extinct. In common with other members, both here and in another place, who have spoken on the subject of kangaroos and their control, I trust that I shall be permitted to refer to that subject whilst discussing this Bill.

I think a great deal of the worry and perturbation that have been caused throughout the pastoral industry in connection with the proposed alteration to the regulations to control the shooting of kangaroos has arisen from ignorance of the actual facts and of what the Minister intended should be the law in this respect. So far, nothing definite has come before Parliament, other than a number of statements which have been made verbally by officers of the department and in correspondence emanating from the department.

The fact of the matter is that a number of people, particularly in the Eastern States, have publicly stated that Western Australians were rapidly shooting out the red kangaroo, and, as is usual in such matters, those people have not ascertained whether or not that is true. As a result, protests have come from every possible quarter, not only in the Eastern States but also in this State. I think it is completely wrong even to suggest that the numbers of red kangaroos in Western Australia have been reduced.

Figures given to me recently, in answer to questions, show that approximately 175,000 kangaroos are being shot each year for commercial purposes—for skins and pet meat. That figure seemed to be constant year after year, until last year when the number rose alarmingly to 375,000 kangaroos. I think that was brought about partly because of seasonal conditions, partly because stronger measures to control the shooting of these marsupials had been taken in other States, which led to a number of those shooters migrating to Western Australia to see what they could get for themselves, and partly because of the depredations of weekend shooters from the metropolitan area who went out and blazed away at anything they could find, including large numbers of kangaroos.

I think we all go along with the proposal to control the kangaroo industry. If the number is limited to 200,000 a year there would not be the slightest danger of causing the red kangaroo to become extinct, and a certain amount of comfort would be given to pastoralists whose properties have been able to carry more sheep and stock since kangaroo-shooting for commercial purposes came into being some years ago.

Last Friday I attended an annual meeting of pastoralists in Meekatharra and, regrettably, I have never heard a more disastrous story than that told by those people because of the dry conditions that are being experienced and, more importantly, because of the low price of wool. Very few of those people have any hope at all while the price of wool remains at its present level. A number of them felt

they could do much better by commercialising in respect of the kangaroos which are found on their properties. I understand the Minister has agreed to allow pastoralists to exploit commercially the kangaroos that roam right through the pastoral areas of Western Australia.

The protests of the do-gooders—I do not mean that unkindly, but I refer to those who genuinely believe we are getting rid of the kangaroo—have caused a great deal of worry in the grazing areas; and, when we find school children and others taking part in protests, I think something must be done to correct the situation. I realise that it is very difficult to come out with a sound statement that the numbers of kangaroos are just as great as they ever were. We can only proceed on the basis of what we see for ourselves and what we are told by those who are engaged in the commercialising of kangaroos.

One fact remains: there never seems to be fewer kangaroos in any one year; the numbers are never reduced; in fact, they seem to be increasing. One only has to drive through the pastoral areas at night-time to realise just how many of these animals abound everywhere, and they cause a rather serious hazard to traffic, apart from anything else. I hope that the Minister, in his wisdom, will keep a good eye on the numbers of kangaroos and the numbers of shooters whom he will license to shoot them.

It is rather difficult to understand the figures that have been quoted. The member for Gascoyne referred to 60 shooters being allowed to kill 200,000 kangaroos a year, which works out at a little over 3,000 kangaroos per person, and he explained how this would not give the shooter a living from his very unpleasant and difficult occupation. Yet if we are to believe that the average figure up until 1969 was 175,000 kangaroos a year, and we know for a fact that well over 100 shooters were involved, the numbers are brought down to an even more uneconomical level. I think that most shooters do not make a year-round occupation of kangaroo-shooting, and that many of them go out at a time of year when the weather is cooler, or in a good season when they hear there is a number of kangaroos in a particular district, or something like that.

I think we could agree to 60 to 80 shooters and a limit of 200,000 to 250,000 kangaroos each year, which would not endanger the existence of the kangaroo, and it would be of great assistance to pastoralists who are experiencing considerable economic difficulty. I trust that the protests that will be made—particularly from the Eastern States and overseas—will not sway the Government to reduce the number of kangaroos that may be shot below the figure that it considers to be correct.

I want to make one remark about the purpose of this Bill, which is to preserve certain species of fauna. The wild turkey, or bustard, which has always abounded in the remote areas of Western Australia, is one of the most popular birds. Unfortunately, these birds seem to be becoming fewer, partly because they are gastronomically succulent, and partly because they are slow-moving, gentle birds, and foxes and other animals make a meal of them.

Mr. Graham: Especially the two-legged ones.

Mr. BURT: I intended to refer to that. One has only to enter a town in a motor car, and say, "I saw a turkey a few miles back," and all the inhabitants—including the Police Force, the postmaster, and others—rush to get their guns and go out there. As a result, these fine birds are gradually being eliminated from the fauna of Western Australia, despite the fact that they have been protected for many years. Even game wardens have been guilty of enjoying them. I hope that if this Bill does nothing else it will somehow publicise the fact that the wild turkey is rapidly disappearing from our midst, and that it will help to rectify this in some way.

MR. GAYFER (Avon) [5.30 p.m.]: I had not intended to take part in this debate, but some time ago I had reason to voice my concern about the possible consequences of protection given to the grey kangaroo in some parts of the State, especially those in the vicinity of State Forest No. 13, in the Dale and Brookton areas, and the York and Talbot areas that abut the State forest. At that time I pointed out the hazards that were faced by motorists who encounter these animals on the road, especially between midnight and 2 a.m., between 5 a.m. and 6 a.m., and also just after sunset. It is at these times that grey kangaroos seem to cross the road in large numbers, and there is no doubt that they cause frequent traffic accidents.

I cited many cases in the York and Brookton areas of motorists who have got into trouble because their cars have skidded after they have tried to avoid kangaroos. Any motorist knows full well that if he hits a boomer head-on the car usually stops, because the radiator is pushed into the fan. Therefore a motorist makes every endeavour to avoid hitting a kangaroo, and if one is avoided at speed very often there are disastrous consequences.

When I spoke previously I also referred to the experiences of farmers in the areas abutting State Forest No. 13 who are having great trouble in protecting their grain and cereal crops against the cavorting of

these animals. Neither fences nor crops, nor indeed anything else, is shown any reverence by the grey kangaroo. It is nothing unusual for those farmers who have properties adjoining State Forest No. 13 to find dozens of kangaroos in their paddocks and among their crops. Likewise, in the area I come from, in the centre of the Avon electorate, we are finding that the numbers of the grey kangaroos are increasing and they are causing damage to our crops as they did many years ago.

Like the honourable member who has just resumed his seat, I am aware of the forces that were brought to bear and the cudgels that were taken up by people from the Eastern States with a view to protecting this wonderful species of fauna that tourists find so attractive. We on the land do not find them distasteful, but we regard them as a nuisance when their numbers increase and they destroy much of the wealth of the State. We experienced similar trouble years ago with the rabbit and we had to take steps to effect its mass extermination. This has been accomplished to a great degree and with great benefit to the farmers concerned.

I would not like to revert to the position that was experienced by our fathers in the 1930s, when grey kangaroos were knocking down fences, roaming at will over crops and, in general, creating many problems. Indeed, our fathers often wondered who owned the land and who was to get a living from it: the kangaroos or themselves.

What I am most concerned about is the number of accidents kangaroos cause on the country roads of Western Australia. Only last weekend a newspaper report disclosed that 42 cars took part in a car trial, but only 12 of them completed the course. Kangaroos were the greatest trouble encountered by the 30 cars that did not finish. There is nothing worse, in the middle of the night, or at any other time, than for a motorist to strike one of these beasts head-on. The increasing number of dead carcasses that appear on the Dale and York roads—two of the roads I use two or three times a week—bear testimony to an increase in the number of grey kangaroos in State Forest No. 13. If the increase is occurring there—and farmers can vouch that it is—one can be sure that the numbers of grey kangaroos are increasing in other areas.

I do not say that I agree there should be an open slather in the killing of grey kangaroos—I would not like the Minister to think that I would condone an open slather—but I do agree with the member for Murchison-Eyre when he says that we will have to keep a close watch on any increase in their numbers. If it is found that the increase in the kangaroo population is getting out of hand, then I think

we will have to take heed of the protests that will come from country shire councils and allow drives to eradicate them to be conducted in those areas where the kangaroos are causing the most trouble.

I do not exactly know why there was a discontinuance of the old-fashioned kangaroo drive that used to be undertaken by farmers years ago. It became an annual event about this time of the year, more or less like a duck shoot, because whilst it was looked upon as a sport it was also regarded as a necessity for the purpose of driving kangaroos out of the paddocks back into the bush. When this Bill becomes law this practice will cease, and I will be a little disappointed. Also, I think many farmers who have properties on the edge of the State forests will, judging by some of the letters I have received, sincerely regret that they will no longer be permitted to engage in these kangaroo shoots which were conducted not so much with a view to the destruction of kangaroos, as with a view to the preservation of the farmers themselves. Therefore it is with reluctance that I will have to support the Bill.

**MR. ROSS HUTCHINSON** (Cottesloe—Minister for Works) [5.37 p.m.]: I found the remarks made by those members who contributed to this debate very interesting, although, in the main, their comments were directed more to the value of the kangaroo than to the prime purpose of the legislation before us.

The member for Gascoyne, who spoke first, prefaced his speech by saying that he believed in conservation measures for kangaroos and then with a big "but" proceeded to say how he virtually felt conservation measures were not required. He certainly said they should be relaxed in the field of administration much more than they have been. So I think that, in brief, he paid only lip service to conservation measures. He also queried that the red kangaroo population was between 1,500,000 and 2,000,000; he felt there were many more. He is, however, unable to estimate the figure and it is very difficult for anyone to estimate the figure with any guarantee that it is correct.

By this Bill the Minister is not only trying to conserve red and grey kangaroos, but he is also endeavouring to add to the protection already given to rare species of fauna throughout Western Australia. That is the prime purpose of the Bill. The fact that some section of the kangaroo population must be protected now is only one of the factors associated with the provisions of the Act and the regulations the Minister is empowered to make. But there are many other species of fauna that must be protected. The member for Murchison-Eyre made mention of one of them. He spoke of the succulent bustard. I wondered how he knew it was succulent.

**Mr. Graham:** One got accidentally killed; it was run over.

**Mr. ROSS HUTCHINSON:** What the member for Murchison-Eyre has said is a classical example of what will happen if our rare fauna species are not protected. One could tell by the manner in which the member for Murchison-Eyre spoke of this gentle bird that he hoped the proposed protection measures would be severe and made effective.

The member for Gascoyne spoke of the necessity, as he saw it, of having a fauna conservation officer attached to the Agriculture Protection Board to study, in particular, the habits of kangaroos. This is a suggestion he might make himself to the Minister for Fisheries and Fauna, or I could make the suggestion for him. Certainly the Minister could consider the suggestion to ascertain whether the appointment of such an officer were necessary.

**Mr. Norton:** It would be an economical way to study fauna.

**Mr. ROSS HUTCHINSON:** That could be so, and the honourable member could make the suggestion to the Minister himself, or I could do it for him. Perhaps the better way would be for the honourable member to do it himself.

Much of what has been said in this debate lies in the field of administration, and I think all the members who have spoken to the Bill understand this, because they spoke mainly on the kangaroo population and the exception that has been taken in various places against the enforcement of the regulations. If I can continue to speak outside the subject of the Bill, I point out that these regulations are the first indication of control measures.

I agree with the member for Murchison-Eyre and other members who felt that the situation should be watched closely in the future. I believe it should be, and I think the Minister for Fisheries and Fauna will continue to watch closely the population trends of fauna and hearken to the representations that are made to him from time to time in order to determine whether the control measures over one species of fauna or another should be relaxed or tightened. In this respect it should be a kind of fluid situation.

When I moved the second reading of the Bill I tabled a number of brochures produced by the Department of Fisheries and Fauna which indicate the steps that have been taken to publicise its work and to show the types of fauna, what species are rare and, generally speaking, the steps that are being taken to try to conserve fauna in Western Australia. I believe these brochures are of value and copies of them can be obtained from the department. I wonder how many members took the opportunity to study the brochures.

The member for Avon spoke only of kangaroos and the effect of conservation measures on grey kangaroos. He emphasised their nuisance value and compared them with the rabbit population years ago; but, as I said earlier, the Bill before us makes no mention of kangaroos.

The measure contains only three proposals, and obviously members have not attempted to criticise them. Therefore I believe the provisions in the Bill are sound and, to summarise, I consider that in the field of administration the Minister and the officers of his department will review closely the population trends of certain species of fauna to see whether regulations should be tightened or relaxed according to the situation that exists at the time. It is highly appropriate that representations should be made to the Minister.

In this field of conservation it will not be possible for him to satisfy everybody—and of that we can all be assured—because his decisions in regard to the conservation of species sometimes conflict very greatly with the views of those who exploit commercially one species or another of the fauna of this State. Many members of this House will recall the steps that Parliament, and subsequently the department, had to take in order to safeguard the possum population of Western Australia. At one time the possums, as a result of commercial exploitations, were almost killed off.

The principles of conservation are sound. It is on the administration of those principles that a close watch must be maintained.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## TOURIST ACT AMENDMENT BILL

### *Second Reading*

**SIR DAVID BRAND** (Greenough—Minister for Tourists) [5.49 p.m.]: I move—

That the Bill be now read a second time.

This Bill is a very brief document, and it simply aims to amend the Tourist Act in one particular. Section 9A of the Tourist Act, 1959-65, makes provision for the advancement of money on loan to hotel owners for improvements to the standard of accommodation. This is a very important factor in the expanding industry of travel and tourism.

Section 10A (4) provides that moneys raised for this purpose with the approval of the Treasurer shall not exceed \$200,000

in any one year. For a number of years little interest was displayed in the availability of this money, but recently a substantial number of applications have been received and now a stage has been reached where the Tourist Development Authority has insufficient funds to meet applications.

Moneys raised by the authority to date are as follows:—

1966-1967 (from the Super-annuation Board of Western Australia) .....	\$ 200,000
1967-1968 (from the Motor Vehicle Trust) .....	200,000
<b>Total</b>	<b>\$400,000</b>

In 1968-1969 and 1969-1970 no moneys were raised, because the demand did not exist. The following loans have been approved:—

	\$
Commercial Hotel, Northam	51,000
Margaret River Hotel .....	30,000
Amber Motor Hotel, Eucla	60,000
Victoria Hotel, Rosbourn	200,000
Palace Hotel, Ravensthorpe	30,000
Port Hotel, Carnarvon .....	100,000
<b>Total</b>	<b>\$471,000</b>

The amount of \$100,000 to the Port Hotel, Carnarvon, will be subject to the availability of funds.

Loans being considered are—

	\$
Commercial Hotel, Kojonup	50,000
Esplanade Hotel, Busselton	60,000
<b>Total</b>	<b>\$110,000</b>

It will be seen that loans already approved and under consideration could absorb \$181,000, and the total amount required this financial year may well exceed \$200,000.

With the continued increase in the tourist trade in Western Australia and the need to upgrade hotel accommodation in country towns, it is anticipated that the number of applications for loans will increase considerably. Before consideration of the loan application by the authority, the hotel owner must provide sworn evidence to the Licensing Court as to his inability to raise funds elsewhere. On approval of the plans, the court issues a certificate required under section 109 of the Liquor Act, and the application is referred to the authority for consideration.

The proposed amendment would remove the existing limit of \$200,000 referred to in section 10A (4) and enable the authority, with the approval of the Treasurer, to borrow the additional funds it may require each year.



It would save the authority from the need to borrow funds in a year when they were not required in order to ensure their availability in a subsequent year when they might or might not be needed; and this is not good business.

The Treasurer will continue to exercise full control over the amount which may be borrowed by the Tourist Development Authority for this purpose. This is a very simple amendment which will go a long way in helping to resolve the problems of the tourist industry by making funds available to those who are willing to extend their accommodation and to improve the standard of it. In order to attract visitors from overseas and other States it is essential to have a high standard.

Mr. Tonkin: Can the Premier suggest why in the first place a limit was imposed?

Sir DAVID BRAND: I cannot say. The limit was imposed in the days when the currency was in pounds, and in the particular document the limit was set at £100,000. It may be that it was felt this amount would be sufficient. As loan funds were difficult to obtain in those days, the limit might have been inserted in the Act because it was felt that it would meet all requirements. It might also be that the authority in those days could borrow £100,000 without the approval of the Loan Council.

Since then the amount has been increased to \$300,000. However, when I reply to the second reading debate I will find out the reason for limiting the amount to £100,000.

Debate adjourned, on motion by Mr. Davies.

#### *Message: Appropriations*

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

### **WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL**

#### *Second Reading*

**MR. ROSS HUTCHINSON** (Cottesloe—Minister for Works) [5.56 p.m.]: I move—

That the Bill be now read a second time.

This Bill proposes to amend division 6 of part V of the Western Australian Marine Act, 1948-68, in order to enable the State to comply with the recommendations of a recent conference of Commonwealth and State navigation authorities to bring about uniformity in the assignment of load lines to certain classes of ships and the adoption of regulations in accordance with the technical provisions of the International Convention on Load Lines, 1966.

The proposed amendments will also overcome certain shortcomings in the existing legislation and, it is felt, give much improved control for the prevention of the overloading of ships. They will also be instrumental in considerably reducing the risk of marine casualties caused by the foundering of overloaded vessels with possible loss of life, and obviate as far as possible oil pollution of our harbours and coastal waters.

As they stand, sections 81 and 82 of the Act provide that all coast trade ships and harbour and river ships over 80 tons register must be marked with deck lines, and that only coast trade ships over 80 tons register must be marked with load lines. Harbour and river ships and coast trade ships under 80 tons register are not required to be marked with load lines.

Deck lines are horizontal marks on the sides of ships to indicate the location of the uppermost continuous water tight deck of the vessel. They serve no useful purpose at all to indicate the depth to which vessels may be safely loaded.

Load lines are large circular international markings with horizontal lines that are located on the sides of ships, vertically below—that is, underneath—deck lines to indicate the maximum depth to which vessels may be safely loaded.

The vertical distance between the horizontal deck and load lines on a ship indicates the freeboard of the vessel and the amount of reserve buoyancy it has when loaded. If a ship does not have load line markings, there is nothing to indicate to the authorities concerned the maximum depth to which it can be loaded so as to retain a reasonable safety margin.

When the Marine Act was proclaimed in 1948 there were few, if any at all, coast trade ships under 80 tons register operating in the State and at that time there was no apparent necessity for harbour and river ships to be marked with load lines. Consequently the Act did not require those classes of vessels to be marked with load lines.

In recent years, however, the pattern has changed and we now have an increasing number of small coast trade ships under 80 tons register operating on the coast and many more different types of harbour and river ships operating in our harbours. Some examples of these are—

- (a) Limited coast trade ships under 50 tons register carrying passengers and engaging in charter work on the coast.
- (b) Large bulk fuel barges operating in harbours such as Fremantle and Port Hedland.
- (c) Large contract dredges operating under harbour and river certificates within harbour limits.

As it stands, the Act does not require any of these vessels to be marked with load lines. Officials of the State Navigation Authority responsible for the administration of the Act, safety of life at sea, and the prevention of pollution of waters by oil are very concerned over this situation and the possibility that these vessels can be overloaded to such a degree as to cause them to founder with possible loss of life, or to cause serious oil pollution in harbours or along coastlines.

Consequently, this Bill proposes to repeal and re-enact sections 81 and 82 of the Act to provide that the following classes of vessels shall be all permanently marked with deck lines and additionally, with load lines before they go to sea or ply within harbour limits as prescribed by regulations and that they shall not be loaded beyond limits prescribed in regulations. These are—

- (a) All coast trade ships.
- (b) Limited coast trade ships over 15 tons gross register.
- (c) Supply, store, and transport ships connected with the fishing, pearling, and whaling industries.
- (d) Harbour and river ships, excepting those that operate in protected inland waters or on the basis of a maximum passenger loading.

The next amendment proposes to repeal and re-enact section 83 of the Act to authorise the Minister to exempt particular vessels from all or part of the requirements of this division and its attendant regulations when he is satisfied that it would be unreasonable or impracticable to apply them. This amendment proposes further that the Minister may impose alternative conditions as he thinks fit to ensure the safety of vessels and their passengers and/or crew that have been granted exemption under this section.

The Bill also proposes to amend subsection (1) of section 84 of the Act by repealing and re-enacting that subsection to authorise the Governor to appoint competent authorities to survey vessels and issue certificates on behalf of the department for the purpose of the application of the requirements of this division of the Act and the appropriate regulations made under it, and to prescribe fees for such approvals and certificates.

And, finally, it is proposed that subsection (1) of section 85 of the Act shall be amended to enable the Governor to make regulations similar to those made under the Commonwealth Navigation Act for the implementation of the requirements of this particular division of the Act. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Fletcher.

## BUILDERS' REGISTRATION ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 6th October.

**MR. GRAHAM** (Balcatta—Deputy Leader of the Opposition) [6.04 p.m.]: I do not know whether or not the Minister for Works, who introduced this Bill, is proud of it, but in my view it is a miserable and insignificant measure which will be of no use to anybody. My feeling is that the measure is a desperate gesture because the Minister found himself in a spot in offering opposition, earlier this year, to a Bill introduced by my colleague, the member for Belmont, which sought to establish some sort of order out of the chaos existing in the plastering trade, and in particular for the purpose of protecting the public. I endeavoured to protect the public by submitting amendments to the Builders' Registration Act.

In both cases the Minister had the numbers, albeit without arguments, and he was able to defeat those attempts. The Minister now trots out this Bill, which I shall endeavour to show adds up to exactly nothing. On the surface it may appear that it has some merit and, indeed, I must confess that was my impression after listening to the Minister speak when he introduced the Bill. However, an analysis of the Bill, in relation to the Act, shows very largely that we were subjected to a series of words, and nothing more.

First of all I want to say that the extent of the Bill is limited in the extreme, which all members should appreciate. In other words, the Bill will apply to not one single builder outside the confines of the metropolitan area, and it will have no application whatsoever to builders who are engaged in activities where the price of any one job does not exceed \$2,400.

Those who are jobbers—those who enclose a verandah, build a sleep-out, put on an additional room, modernise a house, or carry out renovations—will still be able to go about their business to their heart's content. The public, in many cases, are the victims and unable to do anything about the situation. This Bill, of course, does not have application to those jobbers.

The people about whom I speak—the jobbers—were the subject of my proposed legislation earlier this year. My legislation was to apply to those who are jobbers because experience had shown that many hapless families had been left carrying the baby. That is to say, a job which, when completed, was not entirely satisfactory to the owner, or a job which did not measure up to the requirements of the local authority. Such a jobbing builder was able to shrug his shoulders, as had been done on many hundreds of occasions, and the

luckless person was left with an unsatisfactory building and without the means to do anything about it.

That position, because of the attitude of the Minister and those who sit beside him, will be allowed to continue. I refer to the jobbers who are not required to have any qualifications whatever. This paltry measure gives the appearance—and I will give some emphasis to this matter later—of doing something in respect of the registered builders; a comparative handful who operate in the metropolitan area only.

Because the registered builders are qualified, and because they have something to lose, they are the more responsible people and are less likely to commit any serious breaches. Because of their names and reputations, and their desire to continue in business, they would be most likely to make good any defective work. Of course, by and large, that is what has applied. Such builders can be disciplined under the existing legislation. Their registration can be suspended or cancelled; and I want to emphasise that is a power which is in existence at the present moment. This Bill affects that power in no way whatsoever, but it pretends to go a little beyond that.

Mr. Ross Hutchinson: The power has not been in the Act to compel them to remedy defective work.

Mr. GRAHAM: Neither is it here. If the Minister will listen to me he will find that that is, indeed, the situation. I repeat: The Bill I introduced some six months ago sought to give protection to the public in respect of every job that was done in the subject area—that is to say, the metropolitan area—where such work cost more than \$200. That was getting down to the grass roots; that was meeting the situation. However, the Minister said, "No."

The Minister is the same Minister who chides members of the Opposition when they seek to introduce legislation for the protection of the public; he chides us for bringing down legislation for the purpose of making a "closed shop" or a preserve for certain people; to fence them in so that others cannot compete; because, in other words, our proposed legislation is restrictive in its application; it is contrary to the much proclaimed Liberal Party doctrine of free enterprise, and for those reasons it should not be permitted.

The very essence and basis of moves from this side of the House have been to protect the public. However, the only tears shed by the Minister in respect of the Builders' Registration Board were to the effect that if some imaginable or unimaginable event occurred the board might not have sufficient funds to do the job with which we were charging it. The Minister's concern for the public was exactly nil.

The Minister told us, and I was taken in by his haughty words, as follows:—

It has become apparent, however, that over the years the man in the street has come to believe that the board—

That is, the Builders' Registration Board. To continue—

—has not only the powers clearly enunciated in the Act, but also has the right to demand of the registered builder remedial work when it is considered such builder has been guilty of incompetence or negligent work.

It is to give legal form to this belief that the amendment contained in Clause 2 of the Bill has been designed.

In other words, the Minister wants us to believe that if we pass this Bill, wherever faulty work is done then the Builders' Registration Board will have the power to enforce the builder to remedy the work or, in any event, to have the faulty work set right. Of course, the Bill does not do anything of the sort.

Mr. Ross Hutchinson: It will apply to a registered builder.

Mr. GRAHAM: It does nothing in respect of a registered builder, or anybody else! This provision is in sharp contrast to the provision of the Painters' Registration Act under which it is possible for the Painters' Registration Board to insist and ensure that faulty work is set right.

It is comforting for me to learn from research, following the sniping and sneers of the Government of the day—and it is still this Government—that in the seven years from 1963 to 1969, inclusive, 514 complaints were lodged with the Painters' Registration Board. The people complained of faulty and unsatisfactory work and in 390 of those cases—nearly 80 per cent.—the complaints were sustained. In other words, the Painters' Registration Board billed the painters concerned for their faulty work. In every single case but one it was possible for the Painters' Registration Board to make the offending painter put the work right—the subject of the complaint.

In the exceptional case, the Painters' Registration Board had the work carried out by somebody else and billed the offending painter and then, through the process of the law, recovered the cost of the work.

That is legislation which has some teeth; that is legislation which is no longer experimental; that is legislation which has proved itself in the interests of the public. Its value was proved so much so that last week at the Commonwealth Conference of the Master Painters' Associations of Australia every other State in the Commonwealth paid a compliment to Western Australia for its progressive thinking in having a piece of legislation along those lines.

Mr. Ross Hutchinson: Have the other States got such an Act on their Statute books?

Mr. GRAHAM: No, they have not. However, the representatives hot-footed back to their capitals for the express purpose of speaking to members of Parliament—either Government or Opposition—with the object of having suitable legislation introduced in their States. I might say I offered my services to any of the States in order that I could give advice and warning of the possible attitudes—such as I encountered here—of the Conservative Governments in those States.

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

Mr. GRAHAM: If I adjudge the Minister aright, he does not appear amused that I am castigating both him and the measure. Perhaps at this stage I should tell him the reason.

Before I had the opportunity to study the Bill I had been taken in—and I use those words advisedly—by the words of the Minister, and I believed that the Bill genuinely set out to do something effective. The very next day a gentleman and his lady called to see me in connection with this measure. They were concerned about it because they had been the victims of a builder—a non-registered builder, incidentally—and they could see that the Bill would effect precisely nothing so far as they, and people similarly circumstanced, are concerned. They could also see that there was virtually an escape clause and that the legislation would be worth next to nothing in respect of registered builders.

As I say, I had taken the Minister at his word and, consequently, I endeavoured to put them at their ease by assuring them that there would be ample protection; in other words, the Builders' Registration Board would have the power to compel a defaulting builder to make good the offending work. However, they had done their homework and had obtained a copy of the Bill. They were able to demonstrate to me that I did not know what I was talking about.

Mr. Ross Hutchinson: The Deputy Leader of the Opposition did not read my speech.

Mr. GRAHAM: Believe it or not, a private member does not have a staff at his disposal. I am at my wit's end to do my work, notwithstanding that I spend more time in this place than any other member of Parliament and have no assistance whatsoever. I had in my office a copy of the Minister's speech, a copy of the Bill, and a copy of the parent Act to attend to when I had the opportunity.

I had accepted the Minister's statement that the Bill would do certain things, but these people were able to demonstrate that it would not. I was not particularly

happy over this state of affairs and I am conveying my sentiments—and I trust theirs—to the Minister.

Perhaps I should repeat that the Minister stated the public has come to accept, or believe, that the Builders' Registration Board has the right to demand that the registered builder undertake remedial work when he has been guilty of incompetence or negligence.

Mr. Ross Hutchinson: What is wrong with that?

Mr. GRAHAM: That is what the Minister said. I shall point out in a moment what is wrong. The Minister went on to say—

It is to give legal form to this belief that the amendment contained in clause 2 of the Bill has been designed.

The position is of course that a defaulting or shoddy builder, only provided he is registered, can be asked to make good faulty work.

Mr. Ross Hutchinson: That is right.

Mr. GRAHAM: He is not required to make good faulty work.

Mr. Ross Hutchinson: I did not say that.

Mr. GRAHAM: This will be the third time, but I shall read every word that the Minister said in respect of this. I shall read it word for word as he uttered it; indeed, as it was already typed out for him to read. He said—

... over the years the man in the street has come to believe that the board has not only the powers clearly enunciated in the Act, but also has the right to demand of the registered builder remedial work when it is considered such builder has been guilty of incompetence or negligent work.

It is to give legal form to this belief that the amendment contained in clause 2 of the Bill has been designed.

I repeat that, if the contents of this Bill become law, it will be possible for the Builders' Registration Board to ask the builder to make good faulty work but the builder is quite entitled to put his thumb to his nose at the board. Under the legislation the most that could happen is that he would be fined \$500. However, we know the process in the courts. For a first offence the fine is approximately one-fifth of the amount. In other words, a builder who has made a complete botch of a building project is likely to be fined \$100 and will then be free to go about his business.

I want to tell the Minister a case which I know about because it affects a member of my family. The person concerned made arrangements with a registered builder for the construction of a house

in the Scarborough locality. The block of land had been purchased because of certain natural features and the house was to be sited a certain distance from the front boundary to take advantage of those natural features. The builder in question has constructed the house 15 feet out of position and the person's project is completely ruined. There is nothing he can do about it except take the builder to court, but he has been told by his solicitors that it is extremely doubtful whether he could win.

If this Bill which we are considering had teeth in it, as the Painters' Registration Act has, the board could require the builder to construct the house in accordance with the plans. It could require him to do it at his own expense and, if he failed to do it, the board itself could arrange for the work to be done and would have the power to sue the builder through the court. This is the process that has been followed hundreds of times under the provisions of the much maligned Painters' Registration Act. It is 100 per cent. successful, but there is no such provision in this measure.

Instead, the fine will be an insignificant amount. What does it amount to? It means that the greater the extent of the shoddy and faulty work—which, of course, is the more expensive to make good—the greater is the incentive for a practising builder to thumb his nose at the Builders' Registration Board, even if he is fined the maximum amount provided of \$500. The case in the Scarborough locality which I have mentioned would cost about \$5,000 to make good. This being so, what is that builder going to do? He will laugh at the Builders' Registration Board and leave the house where it is. He would sooner pay a maximum fine of \$500 than expend the amount of \$5,000 to do the work which he initially contracted to do.

These are the facts of life. They are not honeyed words, such as the exercise we received from the Minister himself, to give the appearance of doing something. What protection will this afford the public? Surely it is the prime purpose of any registration legislation to ensure that only competent persons engage in a certain trade or profession, and to provide for some relief, recompense, or rectification of an error when faulty and negligent work has been done. This Bill does not do that. It is possible for any builder to opt out with the payment of a fine. Compared with the extent of the work, the fine is \$500, or some lesser amount—because it is most unlikely that the maximum would ever be imposed, unless there were recurring defaults. That would be chicken-feed to the builder. That will virtually be the upshot and general result of this legislation, if it is passed.

I hazard that the Minister will come to the House and say, "Yes, but the Deputy Leader of the Opposition has overlooked the fact that the board will be able to suspend, or indeed cancel, that person's registration." If the Minister said that, he would be quite right, but the fact of the matter is that the board can do that at the present moment; it does not require this Bill to do that.

If I may quote from the Act itself, paragraph (c) of section 13 (1) reads as follows:—

(1) The Board may cancel or suspend registration of any builder under this Act . . .

(c) who has been guilty of any negligence or incompetence in connection with the performance of any contract in connection with any building or who has been convicted of any offence against this Act or any regulation;

The useful part of the Builders' Registration Act is already there. What the Minister proposes to insert is just so much window dressing. It will have no beneficial or useful effect to speak of.

If the builder is sensitive he will prefer to protect his name—in other words, not to be convicted or fined by the court for refusing to obey a lawful instruction to make good. What earthly use is it to the person who has a house that is falling over; or, as in the case I cited here six months ago, if the builder completely ignores the conditions of the building license he has received from the Shire of Perth, and erects a structure, by way of additions, that cannot be lived in, following which the shire council issues an order on the owners—not on the builder—to demolish and put right?

If this legislation is passed, and assuming it applies to the builder I have quoted—which in fact it does not—and assuming that work had been done by a registered builder, the builder would be fined \$100, \$200, or \$300, and that would be the end of that. This luckless family would be left lamenting, with nothing whatsoever done. There is no proposal in the Bill that anything should be done to set right the faulty work.

I want to know why the Minister has been so remiss in this matter. He is aware of the situation. As I have already pointed out in respect of painting operations, in a period of seven years 514 complaints were made, of which 390 were sustained, and in every single case the Painters' Registration Board was able to have the work put right. Surely that means the Painters' Registration Act is in the interests of the public, and that it is doing a job to protect people who are victims of wantonly shoddy work. But if we pass every line and word of what the Minister

has introduced in this Bill, it will not make a difference of one cent to any person who is the victim of poor work along the lines I have indicated.

Let us have a look at the realities of the situation. A registered builder is one who can engage in building contracts to the value of a few cents and upwards; but, generally speaking, to the value of from \$2,400 up to millions of dollars. If such a builder incurred the full displeasure of the law, what would a fine of \$500 mean to one who was erecting a \$5,000,000 structure somewhere about the city? This is fantastic and absurd. The fine would not be any deterrent whatsoever to him, and once again this legislation does nothing for the owner of premises that have been so faultily constructed.

In other words, what purpose does it serve other than to create the illusion that the Minister or the Ministry is doing something about this? Is it perhaps to atone somewhat for the attitude of the Minister six months ago when he summarily rejected two attempts to protect *bona fide* members of the public in respect of plasterers, registered builders, as we know them, and jobbing builders? At the end of the session the Minister put up some pathetic story, and that was the end of the work and discussions that had taken place—as I indicated at the time—between myself, master builders, jobbing builders, local authorities, and people who were the victims of shoddy and unsatisfactory work.

I do not want it to be thought that this is a wholesale condemnation of builders. I believe that, generally speaking, registered builders are honest and conscientious in the performance of their work. I would say that because they are registered builders they are the people who are least likely to produce an unworkman-like job. They have some qualifications and experience, and under the Act as it stands at the present time they can lose, either temporarily or permanently, their right to operate in the metropolitan area. It would still be possible for them to go to the country and continue their misdeeds there.

As things are, I believe it is most unlikely that any builder would refuse to make good his faulty work, because of his pride in his name and reputation, and because of the penalty of suspension or cancellation which could confront him. My point is that those provisions are already in the Statute, and the Minister proposes to insert words that will mean virtually nothing.

I insist that even if there were something worth while in the Minister's proposition, it does not go nearly far enough, because the bulk of the complaints—an ever-increasing percentage of the complaints—is in respect of what I call the jobbing

builders, those who are not registered. The Minister does not have to take my word for that; if he makes inquiries from the Builders' Registration Board, he will find out that that is so.

The jobbing builders do comparatively minor work, such as the addition of a room, or the alteration of a structure, within the limit of \$2,400, for pensioners and ordinary working people, who do not go to architects to have plans drawn and to have somebody to supervise the work after tenders have been called. Those people engage builders as a result of recommendations or advertisements in the paper.

These people have not the resources or the knowledge of the law in order to take action and, confronted as they are with the payment, or loss of money already paid, and having something that should be a building but does not conform with building by-laws and, in any event, is completely unsatisfactory from their point of view, they do not feel disposed to risk the loss of further money—which they would probably have to borrow anyhow—in order to take action against the offending builder.

If this is the Builders' Registration Act, under which a board is set up with the primary duty of ensuring that competent work shall be done, and for that reason registers people and carries out some supervisory work, then surely any amendments should be designed to strengthen that position and not, as the Minister has done, give no thought whatsoever to the victim of the shoddy worker. But the Minister comes out with the poor excuse that if the board obtained the services of another builder to make good the faulty work, it may not be able to recover the cost of such work from the original builder and, therefore, it could be involved in much expense. Based on the experience of the Painters' Registration Board, that is not likely to happen; but even if it did, if the Minister and the Government have some concern for the interests and the welfare of the people and seek to protect them in the matter of building, surely a little Government subsidy would not be amiss.

In recent days we have heard plenty of how in the last several years—I am told; I have not totted it up for myself—the Government has paid about \$6,000,000 in handouts to certain engineering consultants and others for advice, notwithstanding that it has professional men and experienced top-ranking public servants of its own. That \$6,000,000 represents an average of \$2,000,000 a year handed out in that direction; but not a cent to help the Builders' Registration Board if it sought in a particular case—and this is hypothetical—to recover the cost of making good some faulty work that had been carried out by a registered builder.

Now, this smacks of hypocrisy to me in the fact that the Government has no real intention of assisting the people. I notice the Minister is shaking his head. I would like him to point out to me which provision in the Bill says that so much as a single cent will be paid to any house owner or any owner of a building where faulty work has been done. The only person who will benefit financially from this is the Treasurer. If a fine is imposed, the money will go to the Treasury or, perhaps, the Builders' Registration Board, but nothing will be done for the person who has an addition made to his house, or some building erected, and that work has been unsuccessfully completed.

I hope and trust that the Minister is under no illusions as to my attitude with regard to this Bill. The amendment contained in the measure will not, in my view, do much good—if any—but it certainly will not do any harm. Frankly, I think it is largely a waste of Parliament's time because the greatest penalty that can be applied in respect of any poor workmanship or unsatisfactory work is the suspension or cancellation of the builder's registration so that he cannot continue; and the board already has that power.

The few dollars in fines that will be paid over to the Treasury or the Builders' Registration Board will not act as a deterrent because these builders are in big money. They are erecting structures that cost big money and a few hundred dollars is neither here nor there. In any event, I come back to the all-important point that whatever be the effects of this, one certainly will not be that where it has been established that faulty work has been performed something will be done within the terms of the Act, as amended, to assist a person in having the faulty work rectified.

So that we have the record straight, I think I ought to quote from the Painters' Registration Act because these are the words that I thought, in my innocence—indeed, in my ignorance; because I had not at that stage studied the Bill—indicated what the Minister set out to do. I quote from section 16 (3) of the Painters' Registration Act—

Where the complaint is made on either of the grounds mentioned in paragraphs (b) or (c) of subsection (1) of this section . . .

which I will now read out—

- (b) a registered painter has been guilty of negligence or incompetence in carrying out painting; or
- (c) a registered painter has been guilty of fraudulent conduct in the carrying out of painting;

I now refer back to subsection (3)—

. . . and the Board finds the same proved it may in addition to imposing any of the penalties mentioned in subsection (2) of this section—

That is, to cancel the registration or suspend the registration. To continue—

—by direction in writing order the registered painter against whom such complaint is made to rectify within such time as it shall fix and to its satisfaction any painting the subject of such complaint which it considers to be faulty or inferior, and if default shall be made in carrying out any such direction within the time so fixed the Board may procure such faulty or inferior painting to be so rectified and all costs, charges and expenses incurred by it in so doing shall be payable by the registered painter in default upon demand and in default of such payment the same shall be recoverable by the Board in such manner as it may think fit.

In other words, that provision, accepted by Parliament in 1961, is the complete formula to give the registration board the complete and unfettered power to require a registered painter who defaulted by some shoddy and unsatisfactory work to make good that work within a time set down by the board. If he failed to do that, the board may secure the services of somebody else and then take appropriate action to recover from the defaulting painter not only the cost of the work but also any expenses whatsoever which might have been involved.

That was a worth-while proposition, and it was agreed to by the Legislative Assembly and the Legislative Council. After the experience of the operations of that measure—as I have pointed out, it has been highly successful—the Minister chooses to come along with something which is just words and which, in my view, is completely meaningless. It will not achieve what I thought the Minister set out to achieve and he misled me, at any rate, by the words he used, when introducing the measure, which I have read out on three different occasions.

Mr. Ross Hutchinson: You watch your words. I did not mislead you; you misled yourself.

Mr. GRAHAM: The very definite inference was that the public have thought for a long period that where faulty work was done the Builders' Registration Board could require it to be made good; and the Minister told us this Bill was to put that thought into being; in other words, what certain of the public had become accustomed to believing would become a concrete fact after the Bill became law. Of course, that is not so. I have already

established—and, indeed, repeated it *ad nauseam*—that any person offended against will not, by the acceptance and passage of this amendment, be able to recover a single cent nor will he be able to have any work done to rectify the faulty work.

Mr. Ross Hutchinson: I do not know how you can say that; I just do not know!

Mr. GRAHAM: In addition to what exists in the Act at present, where there is some weight to coerce the builder to do the right thing, and certainly nothing to assist the person who is on the receiving end of an unsatisfactory job, all that can happen under the terms of this amendment is that the Builders' Registration Board will be empowered to ask the builder—

Mr. Ross Hutchinson: To order the builder.

Mr. GRAHAM: —to do the work, and if he does not he will face a maximum fine of \$500; whereas under the Painters' Registration Act the board can compel a painter to do the job, or can arrange to have it done at his expense. In other words, something is done for the person who engages the painter in the first instance to do the work, but under this amendment the person offended against will receive no compensation whatsoever.

Mr. Ross Hutchinson: He is compensated by the fact that the builder is ordered to remedy the work.

Mr. GRAHAM: Under this loosely prepared Bill, the builder—and I am now repeating myself—can put his thumb to his nose and say, "I shall not do it"; because it will probably cost him \$5,000 or \$10,000 to carry out the work, and the most that can happen is that he can be taken to court and fined, say, \$200, or a maximum of \$500. In this situation he can leave a heap of bricks and mortar on the block and he is under no obligation to do anything about it, and the poor unfortunate person who engaged him to build the house is left lamenting.

The Minister says, "He can be taken to court." I have quoted the instance of a house at Scarborough. Many of the people who have been offended against are afraid of the law. They are in doubt as to whether they are throwing good money after bad if they take the builder to court. In this Bill there is certainly no protection for them, and it is this Bill I am criticising. I know it is possible for such people to take action through the court under other Statutes. I know it is possible for the Builders' Registration Board to take action under this Statute, but what I am criticising is this ineffectual amendment. I know that the Minister has provided a penalty against the offending builder which does nothing but take

a few cents away from him and places them in the coffers of the Treasury, or the Builders' Registration Board. That is the whole burden of my complaint.

The Minister can try to take us up a few garden paths, but I defy him to be able to establish that this Bill will be able to achieve all that he stated it will when he introduced it. For reasons I have already given, the Bill will, in my view, amount to exactly nothing, but it cannot do any harm. The Minister has the numbers and therefore there is not much purpose to be served by my speaking any further on the measure. I have spoken very largely in the manner I have because I object strongly to being placed in the position of assuring people on certain matters and then finding that I am wrong. The people, incidentally, are not constituents of mine, and they bear the surname of the Minister for Works. This gentleman and his wife called into my office, and they were able to teach me a few things about the legislation and prove that the impression I gained from the information that was given to us by the Minister was without foundation. I was placed in a rather humiliating position and it is for that reason I have spoken in the manner I have.

This Bill is not worth the paper it is written on. It is merely an empty gesture to the public, in part designed to cover up the terrible mistakes the Minister made earlier in the year when dealing with the two measures I mentioned previously.

MR. TOMS (Ascot) [8.05 p.m.]: I do not think the Minister has been left in any doubt by the honourable member who has just resumed his seat as to his feelings on this measure. Personally I think the Deputy Leader of the Opposition covered the situation very well, but there are one or two points I would like to make on the Bill. One has already been mentioned by the Deputy Leader of the Opposition; that is, the measure will cover only the metropolitan area and will therefore have no effect outside that region.

The Minister made great play on the fact that the Bill will empower the Builders' Registration Board either to expel a builder who has performed inferior work or to take away his license for a period. Such a provision is already in the Act, as pointed out by the Deputy Leader of the Opposition. If the Minister would care to check the records, he would possibly find that during the life of this legislation only one builder has been suspended by the Builders' Registration Board. That builder is still building and performing the work to which the Deputy Leader of the Opposition referred a short time ago. He is still carrying out work under the value of \$2,400 which a number of jobbers round the metropolitan area are doing, and they are the men who will be right outside the scope of this amending legislation.



Members should be aware that anyone can contract to do building work up to a value of \$2,400 without being registered. The Minister has said that the person who has been offended against can take the builder to court, but the majority of those people who may wish to take action against a jerry-builder through the court cannot afford to do so, and they are the people about whom we are concerned. The builder who can engage in any contract up to a value of \$2,400 can add a room to an existing home, enclose a back verandah, and do a great deal of work on the ordinary modest home. These are the men who will continue to carry out jerry-built work and get away with it.

As the Deputy Leader of the Opposition has said, this Bill contains no teeth whatsoever. There is mention of a \$500 penalty, but that will apply only to those builders who are registered. Every word that has been spoken this evening by the Deputy Leader of the Opposition in regard to this measure is true. The Bill has very little teeth. In fact, I do not think it is capable of cutting teeth. Until such time as the principal Act is amended to follow the lines of the Painters' Registration Act, complaints will be received from time to time by members on both sides of the House about inferior work being performed without any redress to the person who engages the builder.

This measure will merely add words to the Builder's Registration Act which will be of no benefit whatsoever to the people in this State who are most affected. The members on this side of the House are obliged to support the Bill, but I would have preferred to see a much stronger measure that would give protection to the little people. They will not be protected in any way by this Bill. As I say, we are compelled to support the measure, but its passing will only add to the verbiage of the Builders' Registration Act.

**MR. ROSS HUTCHINSON** (Cottesloe—Minister for Works) [8.10 p.m.]: At the outset I suppose I should thank the members who have spoken for their support of the legislation before the House; and I do just that. In a flow of what might almost be termed invective—of the type he used many years ago—the Deputy Leader of the Opposition tried to persuade the House that I had misled him; that I had humiliated him, because he read into my speech and into the Bill I had introduced something which he thought was there. After he was instructed by some friends of his that the terms of the Bill were not as he thought they were, the honourable member said I misled and humiliated him.

What a lot of nonsense that is. All the honourable member has done is to show how he has misled himself. At no time have I attempted to lead the members

of the Chamber into wrong thinking in regard to the amendments contained in the Bill.

I have a copy of the speech I made and I have had another look at it, and I say emphatically that it does not mislead this Chamber. Accordingly I take exception to the honourable member saying that I have misled the House. Subsequently in his speech the Deputy Leader of the Opposition virtually admitted that he must have misled himself; at least that was implied in the flow of words he uttered.

It is not pleasant to listen to the half-smearing invective that emanates from the Deputy Leader of the Opposition, but it is possible that for others it might have some entertainment value. For me however, it is not at all pleasant. I stand by what I have said.

In some mysterious way the Deputy Leader of the Opposition has again tried to read into the remarks I have made in relation to what people thought existed in the Bill, and the legal form it was to take, the suggestion that I was not carrying out what I had represented to the Chamber.

In this Bill, however, I have endeavoured to give the matter legal form as it affects the people concerned and to indicate that where a registered builder fails to properly discharge his duties and responsibilities he can now be ordered to carry out the remedial work and, should he fail to do so, he can be subjected to a penalty of \$500.

**Mr. Graham:** That is what I said.

**Mr. ROSS HUTCHINSON:** The honourable member said I was not carrying out what I said I would; he said I had misled him; he read out something in my speech and said it did not jell with what was in the Bill.

**Mr. Graham:** The board can ask a man to do a job and he can laugh at the board and merely pay a paltry fine. That is the position.

**Mr. ROSS HUTCHINSON:** Without this Bill there would be no specific provision in the Act which would give the board power to order a builder to carry out remedial work. The Bill merely gives the board that power.

**Mr. Graham:** What good is an order if it is unenforceable? That is only playing with words.

**Mr. ROSS HUTCHINSON:** It is enforceable.

**Mr. Graham:** No, it is not.

**Mr. ROSS HUTCHINSON:** The whole point is that the Bill provides that the order will be enforced and it contains a penalty of \$500 for failing to comply with such order.

**Mr. Graham:** And that is the end of that.

**Mr. ROSS HUTCHINSON:** In addition, there is power in the Act at present for the board to suspend or cancel a registration.

**Mr. Graham:** That is the whole point; it is already there. Your Bill does not put anything in.

**Mr. ROSS HUTCHINSON:** It does.

**Mr. Graham:** No; it is already there.

**Mr. ROSS HUTCHINSON:** There is no specific power in the Act to enable the board to order a builder to carry out remedial work. The board would not be empowered to make the order suspend or cancel without this particular provision. But now the provision is there and it is given legal form.

**Mr. Graham:** Words, words. If there is faulty or negligent work there is power to suspend.

**Mr. ROSS HUTCHINSON:** Not only does the Deputy Leader of the Opposition mislead himself in his misinterpretation of the Bill, of my speech, and of his discussion with his friends, but he also misleads himself into thinking that I tried to carry out legislatively what he proposed in the last parliamentary session.

That was not my intention at all. Indeed I did take his suggestions in as fair a form as I could to the Government of the State and to the combined Government parties of the State and, after consideration, it was resolved not to include them in this piece of legislation.

**Mr. Graham:** Is there a secret parliament somewhere else in this building?

**Mr. ROSS HUTCHINSON:** We do not act as the Labor Caucus does.

**Mr. Davies:** You would not know.

**Mr. ROSS HUTCHINSON:** Do not put us on the level of that body.

**Mr. Graham:** It would be for the better if we did.

**Mr. ROSS HUTCHINSON:** I am glad to say that is an opinion which the majority of the people of this State do not hold.

**Mr. Graham:** What would you know about the Labor Caucus?

**Mr. ROSS HUTCHINSON:** Both the Deputy Leader of the Opposition and the member for Ascot criticised the Bill because we did not include provisions giving it State-wide application. We have also considered this aspect. There are points for and against this proposition just as there are points for and against the proposition advanced by the Deputy Leader of the Opposition that the registration of jobbers should be included in the new legislation.

I have, however, attempted to explain the situation. It was resolved that we would not act on either of these points. On the question of the State-wide application of the Builders' Registration Act,

let me say at once that only one other State has the protection of a Builders' Registration Act—and this has been passed very recently. The protection that is provided in our metropolitan area by the Builders' Registration Act does not exist in any of the other States.

So when the Deputy Leader of the Opposition talks about the heinous crime we have committed in that we have not made this State-wide in its application so far as registered builders are concerned, I would ask the honourable member how he feels about the actions of Liberal and Labor Governments over the years on the other side of Australia.

At least this protection is provided in our metropolitan area and, what is more, there are educational courses provided in the regional centres of the State which lead to registration. Classes are held in these regional centres for this purpose. Accordingly there are many registered builders in other parts of the State.

At the same time there are those who are coming up from the bottom; those who feel they would like to make a living in the building industry; those who find it difficult to pass registration examinations. Many of these people could turn out to be fine builders.

**Mr. Davies:** But they will never get registered.

**Mr. ROSS HUTCHINSON:** But they can still work in the industry.

**Mr. Davies:** Under somebody else's registration.

**Mr. ROSS HUTCHINSON:** The point I am making is that the Act has application only in the metropolitan area. As the member for Victoria Park said, here are men who are unable to obtain registration. If we follow the line adopted by the Deputy Leader of the Opposition these people will be denied the right of earning a living in the building industry.

**Mr. Davies:** Now they use somebody else's license.

**Mr. ROSS HUTCHINSON:** I do not know what the honourable member is talking about.

**Mr. Graham:** Why do you not apply the same reasoning to doctors, dentists, and chemists?

**Mr. ROSS HUTCHINSON:** The two subjects are completely different.

**Mr. Graham:** It is a matter of whether you believe in having qualified and competent persons doing the work, or whether you believe otherwise.

**Mr. ROSS HUTCHINSON:** This is a very difficult form of legislation. Of course, to the Deputy Leader of the Opposition all things seem simple, particularly when he looks at the Painters' Registration Act—a baby he brought forth and nurtured.

Mr. Graham: It has upset the Minister that that Act was passed; but it has worked very well.

Mr. ROSS HUTCHINSON: This Bill states plainly that where the board is of the opinion that any building work carried out by a builder has not been performed in a proper and workmanlike manner, the board may order, in writing, the builder to remedy the faulty work.

Mr. Graham: And the builder can ignore the order.

Mr. ROSS HUTCHINSON: Provision is made for appeal against any order which the board may make.

Mr. Graham: That is to help the faulty builder.

Mr. ROSS HUTCHINSON: This is a principle which the Deputy Leader of the Opposition has talked about, and which he wanted to include in other legislation.

Mr. Graham: I am not disagreeing with that. I am pointing out how fruitless it will be in helping the person offended against.

Mr. ROSS HUTCHINSON: Obviously the Deputy Leader of the Opposition sways with the wind, and he says the thing that suits him. In any case the builder who fails to complete the work commits an offence, and the penalty prescribed is a fine of \$500.

Mr. Graham: I miserable \$500 maximum!

Mr. ROSS HUTCHINSON: I was waiting for the Deputy Leader of the Opposition to say just that—a miserable \$500. Just a moment ago he was making all sorts of outcries about the little man who has \$100 worth of work done, and he was pouring it out on behalf of those people. Here a penalty of \$500 has been prescribed! In addition, the board will now have, as it has in the past, power to suspend and deregister.

Mr. Graham: When a grower sells a few potatoes illegally the penalty is much more than that; but a \$5,000,000 building job can be faulty, and the maximum fine is only \$500. That is ridiculous.

Mr. ROSS HUTCHINSON: Once again the Deputy Leader of the Opposition has tried to compare the provisions of the Painters' Registration Act—and the functions of that board—with those in the Act now under discussion. He has mentioned the provision in the Painters' Registration Act which has been left out of this amending Bill. The provision is that where an offending builder fails to carry out remedial work then such remedial work may be carried out by the board by engaging another builder, and charging the offending builder with the expense. We looked closely at such a provision, but as a responsible Government we felt we could not adopt it.

Mr. Graham: What were the reasons?

Mr. ROSS HUTCHINSON: One of them I advanced when I introduced the second reading of the Bill. I said that offending builders could be involved in quite large amounts of money in remedying faulty workmanship. I also said that a defaulting builder could abscond, move elsewhere, go bankrupt, or fail to pay up, and that in those circumstances the board itself would have to bear the cost. In that event one would find that all other registered builders could have to meet that cost. This was never envisaged when the Act was placed on the Statute book.

Mr. Graham: The Government should have done something about this situation.

Mr. ROSS HUTCHINSON: The cost involved in effecting remedial work cannot be borne by the Builders' Registration Board; so, what is the use of including the provision mentioned by the Deputy Leader of the Opposition?

In regard to the Painters' Registration Act—I speak from memory and am open to correction; no doubt the Deputy Leader of the Opposition will try to find this out—let me say this: Under this provision when a defaulting painter refuses to comply, the board can order the remedial work to be done by another painter and charge the expense of the work to the defaulting painter. As I understand the position this has been done only once by the Painters' Registration Board. Who paid for the cost of that work?

Mr. Graham: It was paid by the defaulting painter.

Mr. ROSS HUTCHINSON: As I understand the position, the cost was met by the board.

Mr. Graham: No.

Mr. ROSS HUTCHINSON: The board paid it because it could not get the money from the defaulting painter. In saying this I am open to correction.

Mr. Graham: Most assuredly you will be corrected.

Mr. ROSS HUTCHINSON: The Painters' Registration Board has done that only once. I am anxious to hear in the future whether or not that is so.

Mr. Graham: You supplied me with the information in the first place.

Mr. ROSS HUTCHINSON: That is the position as I understand it. This Bill will do no more and no less than what I have said it will do. I made no false claim about it. It was quite obvious that when the Deputy Leader of the Opposition was speaking in this debate—and this is borne out by the manner in which he sometimes says such things—he was trying to unload all the vilification and castigation he could on me.

Question put and passed.

Bill read a second time.

*In Committee*

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

Clause 1 put and passed.

Clause 2: Section 12A added—

Mr. GRAHAM: If I were less seasoned I would move to strike out the clause and replace it by inserting suitable amendments to comply with the provision in the Painters' Registration Act so as to make the Builders' Registration Act workable in this respect. I know that the little tin soldiers on the other side of the Chamber are so trained that they will vote to a man against such amendments; therefore it would be a waste of time for me to move them.

The principal reason that I rise to my feet is to put the record straight. It should have been obvious to everybody that the Minister was in desperate straits, and was grasping where there were straws or where he imagined there were straws. That is why the Minister hazarded the guess—unluckily for him the guess was wrong—that whilst he could be wrong he was pretty certain that in one case under the Painters' Registration Act the board itself had to pay the cost of remedying faulty work.

This is very interesting because on the 28th August, 1969, I asked some questions and, after giving me some statistics, Mr. Ross Hutchinson replied, as follows:—

- (3) (a) Work has been carried out satisfactorily. In all cases except one where complaints have been sustained and remedial action ordered by the board.
- (b) Only once has the board directed work to be carried out by another painter. The cost of such work was borne by the original painter.

In other words, not by the board itself. Therefore, the histrionics and imaginary situations of which the Minister speaks are most unlikely.

Mr. Ross Hutchinson: That was only one minor part of what I said. I also said I was open to correction.

Mr. GRAHAM: And I said that I would correct the Minister, and true to my word. I have done that by quoting him against himself.

Mr. Ross Hutchinson: You can see my memory was not reliable. One was—

Mr. GRAHAM: We can all make an error along those lines, but I am endeavouring to point out how watertight the case is that I have presented. It has not been necessary for me to call on my memory or to exaggerate the situation.

The Minister gave us a discourse for some 15 minutes or thereabouts and at no time did he endeavour to convince us, for the simple reason that he could not, that if a builder refuses to do anything about it, that is not where the matter finishes, in contradistinction to the other legislation which has received considerable mention this evening, under which the board, notwithstanding the refusal, can do something about it and, in fact, has done something about it at the expense of the offending operator. That is all we ask, and that is something the Minister refuses.

So, whilst this legislation will no doubt pass and appear in our Statute book, as my colleague the member for Ascot would say, its worth will be practically nothing. Additional pages will be included to make the Act a little more difficult to read, but from the practical point of view of achieving anything in the interests of those offended against, its value is virtually nil. That is what I stated at the outset and that is what I still maintain. Nothing the Minister has said causes me to deviate one iota from that statement.

Clause put and passed.

Clause 3 put and passed.

Title put and passed.

*Report*

Bill reported, without amendment, and the report adopted.

## PAINTERS' REGISTRATION ACT AMENDMENT BILL

*Second Reading*

Debate resumed from the 6th October.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [8.34 p.m.]: This is a very simple Bill embodying two principles, one designed to tighten up the Act as it affects firms which have a qualified person who is the basis of their registration, and it is to have effect particularly where there happen to be any offences or breaches against the Act. The other amendment about which I intend to say a little, although not a great deal, concerns penalties.

I appreciate the amendment of a daily penalty where there is a continuing offence; and beyond that all the Bill does is to increase the penalty for a first offence from the existing \$20 to \$50.

It is quite interesting to refer to *Hansard* and to find that when the Bill was introduced in 1961, \$50 was the amount proposed as the penalty for the first offence; that is, for a person being unregistered and engaging in the trade of painting in the metropolitan area and undertaking work of a value in excess of \$100. A Minister of the present Government, the present Minister for Education, moved for

a reduction from \$50 to \$20. I do not know why he took such an interest in this legislation, as it did not affect the country districts. As a matter of fact, when he moved the amendment it caused such consternation in the galleries, which were pretty well filled, that the Chairman had to call, not once, but several times, for order in the gallery.

Mr. Lewis: When was that?

Mr. GRAHAM: In 1961. The Minister need have no doubt that he spoke on this matter. During the whole of the session he spoke I think on only five Bills, and this was one of them. He was successful in his move to reduce the figure to such a nonsensical amount that even the Government he supports finds it necessary to remedy—I do not know whether I am entitled to say this—the Lewis mistake, and make the figure a reasonable one.

I was also interested in the fact that the present Minister for Labour spoke on only about five Bills during that same session and one of them was the Painters' Registration Bill, and he spoke on the all-important point of penalties and backed up the present Minister for Education in making a penalty—speaking of the language employed in those days—of £10 to be the maximum imposed for a person who was defrauding the terms of the Act; in other words, the customers. Having regard to the fact that the penalty imposed for a first offence is usually a fifth, it meant a penalty of £2, quoting the currency in use at that time.

If anything were designed to allow people to flout, disregard, or disobey the law, then that irresponsible action on the part of two present Ministers of the Crown was it. I compliment the present Minister for Works for somewhat belatedly rectifying the mistake created by those who are now his parliamentary colleagues.

I say no more than that, except for this: I am aware that the Master Painters' Association, the Operative Painters' Union, and the Painters' Registration Board all expected that some worth-while legislation would be introduced this session, and that all of them will be mightily disappointed with what the Minister has produced. It admittedly overcomes or resolves a fault created by some of the Minister's colleagues, but the Bill is famous rather for what it omits than for what it contains.

I only wish I had noted the page numbers to make it easier for the Minister for Education who, I see, is checking back on history, in 1961—

Mr. Lewis: I have found it.

Mr. GRAHAM: —when he used the classic words, "I think the penalties are a little excessive." I hope he can find those words. The penalty, in practice,

was £2 for laughing at and breaching legislation seriously passed by this Parliament.

Enough of past history. The fact is that there are, I repeat, two principles in this Bill. I agree with both of them, and accordingly I support the second reading.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## TRAFFIC ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 8th October.

MR. GRAHAM (Balcatta — Deputy Leader of the Opposition) [8.42 p.m.]: I only wish the Premier, in arranging the notice paper, had allowed a little break between the Bills on which I had the adjournment.

Mr. Ross Hutchinson: We are a little sorry, too, for another reason.

Mr. GRAHAM: I am pleased we can agree on something.

I have no objection to the provisions contained in this Bill; perchance it offers an opportunity for one to embark on excursions regarding traffic matters generally and, in so doing, involve quite a number of members; because I think most of us regard ourselves as traffic experts.

Perhaps one could be excused if one proceeded along the lines—which I do not intend to do today—of castigating the Government for not having made a positive move in respect of something which is absolutely inevitable; namely, that there will be, one day, a single traffic authority in Western Australia. Whether it will come because of a change of Government—and it is the policy of the Labor Party that it should be so—or whether it will be by the process we have been witnessing of first one local authority and then another ceding their rights in traffic matters to allow the police to take over, the change is inevitable. I understand it is because of a matter of high principle, as they regard it, on the part of certain Country Party members that the Government is unable to proceed.

It is a shocking state of affairs that we should have this jumble of approximately 100 different authorities in charge of traffic administration in Western Australia. The change will come; it is happening slowly. Why does not the Government face up to the situation and accept realities? The Government should get on with the job and see that proper provision is made for local authorities in the matter

of revenue, and then undertake the entire job of policing the movement and behaviour of traffic in the State of Western Australia.

Mr. Craig: It would be impossible to bring in single control overnight.

Mr. GRAHAM: The decision could be made now, and then the Government could implement the system in an orderly fashion. At the present moment, it depends upon the feelings of a local authority here, or the feelings of a local authority in an isolated part of the State, instead of being done sensibly and progressively.

I repeat: It is inevitable, so why does the Government not face up to the situation? As I leave this particular point might I quote the example of a country member of Parliament who approached me several years ago. He asked me the attitude of my party to this matter of a single licensing authority. I told him that the Labor Party was in favour of a single authority, and that was part of the platform of the party. That speaks for itself. The country member of Parliament said that he had not thought much about the matter, but many people had spoken to him. He said that to be perfectly frank the only ones who wanted to retain control were the members of the local authorities. So far as the people were concerned, they thought the police ought to control the traffic; or else they could not care less.

I repeat: That was the opinion of a member representing a distant country constituency. If the Government went into the matter I think it would find that evidence was overwhelming. There have been numbers of inquiries, and I think a conference of the Liberal Party has decreed in favour of this move, as did a conference of the Australian Labor Party.

Mr. Gayfer: But that is not the view of the Parliamentary Country Party.

Mr. GRAHAM: I want to remain friends with the honourable member who has just interjected, but I do not think the Country Party is of much consequence. That is the story I hear from many farmers and from many people in the country districts. Of course, the members of the Country Party are able to do a certain amount of pushing in the Cabinet room, as the D.L.P. is able to do a certain amount of pushing in the Senate of our Commonwealth Parliament. However, enough of that.

Whether the opinion derives from the general confusion and unsatisfactory nature of so many authorities, I know not, but I expressed the opinion four years ago, when I returned from a trip to the other side of the equator, that out of some 12 countries I visited, the worst drivers in the world were those in Western Australia.

Mr. Craig: That is not true, and you know it.

Mr. GRAHAM: That is the impression I gained.

Mr. Craig: Well, you walked around with your eyes closed.

Mr. GRAHAM: My viewpoint has been confirmed: Australia has one of the worst records in the world, accidentwise, and Western Australia is at the bottom of the class in the Commonwealth of Australia.

Mr. Craig: It is not, and you know it.

Mr. GRAHAM: This country, because of its climate and terrain, has everything. Our country is relatively safe when compared with other parts of the world. We do not have the narrow, ancient winding roads, and we do not have the zig zags up and down the alps. We do not have highways and byways of that nature. We do not have the hazard of snow or ice upon our roads. Generally speaking, our weather conditions are exceedingly good compared with those of other nations of the world.

Our roads are amongst the best in the world, but notwithstanding those factors, so many of our motorists seem to be not only irresponsible, but their behaviour would suggest they had never learnt the rudiments of driving. I know it is easy for me to say that our drivers are at the bottom of the class, and so easy for somebody to interject and say they are not.

Mr. Craig: They are not.

Mr. GRAHAM: The feats which can be performed by motorists in other parts of the world, because they have to on account of the nature of the roads and because of the volume of the traffic, are performed with comparative safety. In this country, where there are none of those inbred hazards, we find that motorists are all over the road.

They are committing the most palpable breaches. It is the exception if a motorist travels on the extreme left of the road. If a motorist goes to the centre of the road, one can bet one's bottom dollar that he intends to turn left. On one of the rare occasions when a motorist does go to the extreme left of the road, which is an obligation under the Traffic Code, one can be equally certain that he is doing it to make it easier for him to make a right-hand turn. I have noticed motorists on narrow roads travelling, perhaps, three feet from the white line. The road widens but the motorists still travel about three feet from the centre line.

On many occasions I have said that it does not matter how wide our roads are because motorists in Western Australia still hug the centre of the road. This is why so many of our streets appear to be crowded and used to capacity when, in

fact, they are being used only to half capacity. Regardless of the road width, motorists in Western Australia seem to be in the habit of travelling single file. This being so, it only requires a motorist up front to be particularly slow and we see a queue of vehicles half a mile long, or even longer. This was my experience yesterday. Somewhat naturally, people become impatient and seek to get around the vehicles ahead of them although there is not a break for, perhaps, a quarter of a mile.

Mr. O'Connor: You must have been on the Yanchep Road.

Mr. GRAHAM: It does not matter which road it is. This is a common performance and takes place on many streets as well. Motorists travelling in the opposite direction try similar tactics. There is something about motorists. If an individual beats somebody at taking off or passes him, that person immediately becomes annoyed and wants to do the same thing. Before we know where we are 50 or more motorists are snarling at one another and generally behaving in an anti-social fashion.

Over the past several months it has been my good fortune to see motorists passing one another without any difficulty and travelling two and three abreast on what would be regarded in Western Australia as not unduly wide roads. They are able to do this with complete safety. I saw whole hordes of them proceeding in both directions and using the roads virtually to capacity. Certainly this is in sharp contrast to what happens in Western Australia where, on similar roads, there are single lanes of traffic in either direction. Any motorist in Western Australia who for reasons of his own seeks to pass those in front takes his life into his own hands whereas, overseas, a motorist is able to pass another or move from one lane to another depending on which lane is moving more quickly or slowly. This is done by people in their countless thousands. Indeed, it is done by visitors to those countries. Nevertheless there is very little road sense in this country, despite all its natural attributes. Enough of the general. Now to the particular.

Mr. Craig: This is not in the Bill.

Mr. GRAHAM: No, but the purpose of the Bill—

Mr. Craig: It is a worthy contribution.

Mr. GRAHAM: —and traffic legislation, generally, is to do something to encourage the better behaviour of motorists—even if we cannot enforce this—and to take action against those who breach the law. The purpose of this type of legislation, generally, is to make things a little safer than they are at any given time.

Mr. Craig: I agree.

Mr. GRAHAM: First of all, I shall deal with the amendments as they appear. I am pleased to see a provision for the staggering of the licensing of motor vehicles for the country licensing authorities. I can well remember introducing the legislation—I think section 10 is the relevant section—to make this procedure apply in the metropolitan area. For some unaccountable reason local authorities in country districts did not want it. They preferred all the rush and the revenue to be at the one time of the year. I suppose they even had to put on extra staff. I thought it would have been a much better provision—and spoke to them accordingly—to allow the renewal of licenses at 12 intervals instead of at the one time or, in the case of those who took out half-yearly licenses, twice in a year.

Little by little they have apparently learnt and I am glad to see another instance where the country section is being brought into line with the metropolitan area, because there is merit in uniformity where it can be achieved. Before there was a difference without any real rhyme or reason for it.

The second point on which I desire to make some reference is the compulsory wearing of safety helmets by motorcycle riders. I find no fault with this provision. Perhaps the Minister has been a little slow in coming to the party. I say that advisedly because in so many instances, of which we had one illustration tonight from the Minister for Works, this Government seems to think that a proposition has merit provided that it is adopted by a certain number of other States.

If it be the will of the people that the Government continue for another three years, although I do not think or hope it will, I suggest that the Government should do a few things on its own initiative instead of trailing behind the other States. Whether it is the question of reflective number plates or something else the Government waits to see what happens in other places before implementing legislation in this State. So far as helmets for motorcycle riders are concerned the Government has taken the attitude that if this is compulsory in Victoria, South Australia, and Tasmania, it should be compulsory in Western Australia. This seems to be the type of thinking.

Let us get out in front and accept responsibility for inventiveness and initiative which used to be the case in this State compared with our sister States and, in so many matters, used to be the case in regard to the Commonwealth of Australia compared with other parts of the world. We were the enterprising nation in the world. I am afraid that we have now slipped from that role and in so many respects we wait to see what the old world is doing. If we think it has worked out

reasonably satisfactorily we decide to give it a go. I forgive anybody for making a mistake but I appreciate a little initiative, something which seems to be sadly lacking.

One of the other provisions in the measure is to correct what we might describe as a drafting error in respect of the apprehension of overseas travellers who commit offences. The power to do this was confined to officers of the Police Force and, obviously, it should include traffic inspectors as well to cater for country areas.

Finally, there is to be an increase in penalties for overloading offences. The Minister has devised a scheme under which penalties will be graded in accordance with the degree of overloading that takes place. I wholeheartedly agree with him that overloading is an extremely serious offence. I remember being in consultation with a previous Commissioner of Main Roads. He mentioned a journey made between Perth and Northam, I think it was. Practically every culvert on the entire length of that road had been fractured or damaged by the passage of one vehicle that was considerably overloaded. In other words, one thoughtless, careless, or irresponsible individual cost the people of Western Australia many thousands of dollars for a single journey. This sort of thing has to be stopped.

The Minister has pointed out that there is already a 10 per cent. tolerance and a further concession to allow for any slight variation in the actual physical undertaking; namely, the weighing of the load upon a particular axle. I think this provision is eminently fair. In view of the concession which is allowed, nobody should have the right to do the amount of damage which can be done. This kind of damage not only costs the taxpayers money but serious accidents could perhaps follow the train of such a vehicle if some undue damage or strain were caused to a culvert, bridge, or something of that nature.

My colleague, the member for Gascoyne, will probably have something to say on this matter and perhaps more especially on the detail of it. However, in general principle I think the Minister has moved in the right direction. The more grossly the vehicles are overloaded the heavier the penalties shall be. I think that in order to get some consistency it is desirable that a formula should be set out in the regulations, so that it will be there for the guidance of the courts.

That is all I have to say about the Bill, except for one other matter which perhaps the Minister can check. As I read the Bill, it proposes to make it compulsory for the riders of motorcycles to wear protective helmets of an approved design and

standard at all times when they are on their motorcycles, with the exception of those people who are excused on medical grounds. I have endeavoured to relate that section to the Statute as it now stands, and I cannot find that any penalty is provided. I am not penalty-happy, but if there is a requirement for motorcyclists to do this, those who defy the law should have some penalty imposed upon them.

Mr. Craig: It is not there. I should have mentioned it at the time but I did not do so.

Mr. GRAHAM: I have been unable to find it. If it is there, or if there is provision for it elsewhere in the Statute, I am content. I support the second reading.

MR. NORTON (Gascoyne) [9.02 p.m.]: Like the Deputy Leader of the Opposition, I rise to support this Bill, which contains four main amendments.

The first amendment is the adoption of staggered times for licensing of motor vehicles in country places. This is long overdue. In many cases the previous method created an extra charge on the person licensing a vehicle, particularly in the middle of a quarter. The staggered times will mean that less staff will be required, and there will not be the glut period, as it were, in respect of licensing. The licensing will move along smoothly and everyone will know where he is going. The staggered times will also be of great assistance to country shires, now that they are getting commission on licenses, which does not allow them to use extra staff in the rush periods.

The wearing of safety helmets has been recommended by the National Safety Council for a long time, and this matter has at last come to Parliament. This is a worth-while provision. It appears that safety helmets will be compulsory and that no-one will drive a motorcycle without wearing one.

The third amendment brings the Act up to date, so that a traffic inspector can demand that an interstate driver produce his license or certificate.

It is the fourth amendment that concerns me most of all. That amendment concerns the overloading of vehicles, or the load weights that may be carried by vehicles. In introducing this legislation, the Minister told us that there had been an easing of the weights as far as the licensing of vehicles was concerned, and that greater weights would now be allowed. I got hold of the regulations which were promulgated under appendix A last year. These regulations designate the types or classes of vehicles and the maximum allowable weights on tyres—single tyres, dual tyres, axles, and so on. There is a schedule which shows the number of axles on the various classes of vehicles, and the lengths of vehicles and loads.



For the sake of this exercise, I will take the class "E" vehicle, which is an articulated vehicle, commonly known as a semi-trailer. It has duals on the truck and on the semi, and singles on the front. The table which shows the classes of vehicles sets out the maximum weight which can be carried on any one tyre, axle or tandem. On a single tyre the maximum load is 5,000 lb. per tyre, which gives 10,000 lb. on the front axle. The weight allowed on the single axle of a class "E" vehicle is 18,000 lb.; so with two of those, 36,000 lb. is allowed, which, added to the weight on the front axle, takes it up to 46,000 lb. Under this regulation, that produces a maximum of 20 tons 10 cwt.

Under the new table in part II, the vehicles are licensed according to the axles—two, three, four, five, and six-axle vehicles. In this table, the carrying capacity is rated according to the length of the vehicle, which was not previously done to any extent. In this schedule it will be found that the load permissible on each of the vehicles has been increased by 5 cwt. per foot of the vehicle. This means that a vehicle such as the one I have mentioned, which can have a maximum length of 26 ft., has a permissible loading of 23 tons 5 cwt.

If the vehicle were loaded to that capacity and were weighed by an inspector on the road, it would, according to the other table, be overloaded by 2 tons 15 cwt. Therefore the person driving the vehicle would be liable to a penalty of \$100 to \$300. I cannot see how this works in with the present amendment. There is a maximum set out at the beginning of the appendix, and there is a maximum set out in part II.

I am also puzzled as to how the traffic inspectors or the heavy haulage squad will assess the overload on those vehicles, because they will first have to measure the vehicle to ascertain what the permissible load is, if they do not take the maximum load as set down in the regulations. I think there is an anomaly here which should be investigated and clarified.

On many occasions I have stated that the tyre section of vehicles is never taken into consideration. As the Minister said, it is the impact of the weight on the road surface that does the damage. A number of tyres of different cross-sections have the same carrying capacity and they vary greatly in the area of contact with the road. If we take, for example, two tyres—the 10.00 x 20 and the 11.00 x 20—which have approximately 5,500 lb. carrying capacity, which is well in excess of that allowed for any single wheel, we find that the 11.00 x 20 has an extra 19 per cent. of contact with the road; yet both of those tyres have the same carrying capacity. Just as the allowable weights

on the trucks have been increased, I believe the area of road contact on the tyres should be increased so as to deploy the weight per square inch over a greater area of the pavement.

In a great many cases this would help in overcoming damage to the roads. The present penalty for overloading is still to be retained in the Act. The penalty is \$100 for the first offence and \$200 for each subsequent offence. The Minister said that apparently the courts had not been fining to the maximum capacity the drivers of overloaded vehicles. He pointed out that the average fine for a first offence was only \$21 and for a second offence it was only \$38. So it looks as though the magistrates and the justices of the peace have not been exercising fully the powers given to them under the Act.

Also, if I remember correctly—and I stand correcting in this regard—there is something in the regulations to the effect that where a truck is found to be overloaded the excess has to be offloaded on the spot, no matter where.

Mr. Craig: That still applies.

Mr. NORTON: I wonder how many times that portion of the regulations has been applied.

Mr. Craig: It is applied.

Mr. NORTON: I have heard of its being applied on only one occasion.

Mr. Craig: Perhaps they do not overload up your way.

Mr. NORTON: The Minister would be surprised. I could tell him a little about that matter—and not only small men, either. I understand from the Minister's speech that mandatory graduated penalties are proposed. The graduations have a latitude of about 20 cwt. and drivers whose trucks are overloaded by up to 20 cwt. will be fined between \$20 and \$80, whilst those whose trucks are overloaded by over 60 cwt. will face a fine of between \$200 and \$500.

I was pleased to hear the Minister mention the problem of the overloading of one individual axle of a tandem axle group. This might be caused by a fault in the tandem axle assembly, or by the load shifting on a rough road, thus causing high weight readings for the individual axle. People have been penalised in this respect in the past, and the Minister proposes now that a tandem axle group shall be weighed as a whole rather than each individual axle being weighed separately as it rests on the scales placed on the road.

In my opinion this is a major improvement because a shackle could quite easily break, or portion of the load could quite easily shift, causing one axle to be overloaded whilst the gross weight of the whole vehicle might be considerably under what is permitted. I take it this proposition

will be put into effect by way of regulation, or by way of direction to those carrying out the weighing.

Of course, in these days we find many road trains operating and I do not know how the overloading regulations will apply to them, although I daresay the regulations will be applied in much the same way as they are in regard to ordinary operators. I do feel that some leniency has been extended here.

I would like the Minister to tell us whether the weights set out in the appendix to the regulations are the maximum weights or whether, as in the past, overload permits may be granted. I feel that if the road can carry the extra loading, then the overloading should apply equally to all vehicles. I cannot see why if one person is allowed to carry an overload, others should not be permitted to do so provided, of course, that they obtain extra licenses. I understand the fee for an extra license is \$6 per ton per annum.

Mr. Craig: It is governed by the routes on which they travel. That is the point.

Mr. NORTON: I understand that. I also understand that bridges have an important bearing on the matter.

Mr. Craig: So it is inadvisable to grant an annual permit.

Mr. NORTON: I understand that as far as bridges are concerned. However, one of the best engineers we have had in the north-west, the late Mr. Ron Duncan, used to like heavy vehicles travelling over his road formations because they packed down the surface. He said, "I can easily fill in the ruts, so long as they pack it down." So I feel that if a road is capable of carrying an overload, an overload permit should apply to it. I think most of the bridges in this State are capable of carrying the loads concerned. I support the Bill.

MR. GAYFER (Avon) [9.15 p.m.]: When the Deputy Leader of the Opposition commenced his speech on this Bill, presented to the House by the Minister for Traffic, he said that the measure more or less threw wide open the whole matter of traffic and that it would, perhaps, give members an opportunity to expound their various views on traffic matters. In fact you, Mr. Speaker, gave the honourable member a little latitude and allowed him to utter what I consider to be the worst drivel I have ever heard in this House. As a matter of fact, it was reminiscent of the idle ramblings of an old man brought up in the horse and buggy days. To hear the honourable member get up and say that we in Western Australia are the worst drivers in Australia is absolute tommy rot. He went so far as to say that we are the worst in the world.

The honourable member who has just resumed his seat represents the Labor Party on the West Australian Branch of the National Safety Council. The member for Mirrabooka represents the Liberal Party, and I represent the Country Party on that council. I feel sure that those members and myself will be most proud of the fact that we have been told by a politician as eminent as the Deputy Leader of the Opposition that we have helped to create in Western Australia the worst drivers in the world.

That catchcry was coined in a speech made by a professor at the University some time ago and it was taken up with glee by several politicians who like to think it is right and who insist on jumping on the bandwagon. The time is now past 9.00 p.m. and I should imagine that the utterances of the Deputy Leader of the Opposition will appear in the Press tomorrow.

He spoke of the good driving in Italy and France. Those members who have visited Italy and France would know that the Fiat motor company gives its cars only one coat of paint so that they can get through intersections three abreast! We also know that the French are the most lackadaisical drivers in the world. Anybody with any brains who has seen the highly congested roads in that country would know that the allegation of driving safely three or four abreast is a lot of poppycock. In those countries the people simply drive the cars the way they darn well want to! Much the same applies when it comes to parking in Rome. The people simply park where they stop and get out and leave their cars on intersections, on footpaths, or anywhere else one can think of.

Members who have travelled to those countries and who are honest enough to admit it will say that they have seen those things happening. It is absolute rot for the Deputy Leader of the Opposition to get up and say we are the worst drivers in the world. Give us credit for having some responsibility. We have perhaps the youngest drivers because we have one of the best standards of living and our young people get cars at an earlier age than do the Israelites, Arabs, or Afghans.

Mr. Bovell: Isn't Paris known as "the city of the quick and the dead"? If you are not quick you are dead!

Mr. GAYFER: Thank you; that is very apt. However, the point is that the catchcry to which I have referred is surely wrong and should be exploded. I only wish I had with me as a means of comparison some figures on this very subject which have been issued to all members of the National Safety Council. I think it is fair to the representatives of the National Safety Council, and to the council itself, that cognisance of the work that has been

done in respect of Western Australia should be given in this Chamber, and not allow the whole sphere of driving in Western Australia to be damned. The members of the National Safety Council have done a good job, and they are proud of it. The representatives have been asked to go to Singapore.

Mr. Boulton of the National Safety Council went there and assisted in lecturing on what was to be a world-wide policy for the betterment of drivers. He was sent from Western Australia, and the facts and figures relating to our drivers are not that bad that we can hold them up to ridicule and say, "Our drivers are not good; our traffic laws are not good; nothing is good." Therefore if the Deputy Leader of the Opposition is thinking of travelling to the country areas during the next election and saying to the country people, "You have to get rid of your licensing authorities in the country; it is only your shire councillors who want to retain the authority to license vehicles," I caution him to keep off this subject, because he will find that the people in the country have studied it thoroughly and are convinced that they can do just as good a job of licensing vehicles as the Police Department in the metropolitan area, and retaining the revenue where it belongs.

Mr. Graham: I wonder who agrees with that.

Mr. GAYFER: I do. I challenge the Deputy Leader of the Opposition to go into the country areas and say what he has said here. He will see what good it does him.

Mr. Graham: Every few months another shire council comes over, though, does it not, just proving how wrong you are?

Mr. GAYFER: The honourable member thinks this is just the shot, does he? Has this actually reduced fatalities in New South Wales, Victoria, and in Queensland? Has this done a world of good? Actually, what has it done? It has centralised the registration of vehicles and traffic matters in the metropolitan area. Will this provide any more policemen? Are we to have a patrolman stationed every mile along the road? Will these men be better trained than traffic inspectors? No-one can give me the answers to these questions, because it is impossible. All that will be achieved is to satisfy the desire of a few people who wish to bring traffic matters under one control and to prove their superiority by getting all they want regardless of the repercussions that will eventuate.

Having served as a shire councillor, and having served on a traffic authority, I consider that the loss of revenue that has been experienced in other States would be even greater in Western Australia—

Mr. Graham: Certainly the loss of life is greater.

Mr. GAYFER: The Deputy Leader of the Opposition should not try to give me that! He should go out and see what is going on.

Mr. Graham: You are an old-fashioned fuddy-duddy!

Mr. GAYFER: I am just a humble person from the backblocks.

Mr. Graham: You do not have to tell us that!

Mr. GAYFER: We intend to keep the licensing of vehicles the way it is as long as we can keep the cotton-pickin' fingers of other people out of it. The Deputy Leader of the Opposition drew attention to the fact that Australia is essentially a flat country; that there is no other country that is as flat. The honourable member has just returned from Holland. I have been to Holland and I have seen how push-cyclists travel along the roads. They ride 10 abreast all over the place. How they do not get wiped off, I do not know.

Mr. Graham: Because they are decent drivers in Holland, that is why! You cannot drive two abreast here without endangering your life.

Mr. GAYFER: I will have the honourable member know that in Australia we have the finest sportsmen in the world. In my opinion driving a motorcar is a noble sport, and the drivers of motorcars in Australia are just as good as anybody else at the noble art of driving; although some of our drivers drive in much the same way as they practise the art of self-defence.

Mr. Graham: They are escaping from the likes of you!

Mr. GAYFER: In the first instance, in respect of the Bill that is before the House—

Mr. Graham: Oh, no!

Mr. GAYFER: —the provision relating to the staggering of the dates for the renewal of vehicle licenses gives me a great deal of pleasure. For the first time people in the country areas in particular will be able to license their trucks for any period of three months they expect to put a truck on the road, especially in the summertime when a truck is used for the carting of wheat. This could also apply to a truck that is used for fire-fighting purposes, the cartage of water, and the like.

We know that, to some degree, this provision has been opposed by the Country Shire Councils' Association, but the anomalies have been ironed out and, as mentioned by the Minister, this tidying up clause in the Bill will be a popular one.

The next provision in the measure does cause me a great deal of concern. Those members who have spoken previously have endorsed this clause wholeheartedly. The clause in question is that relating to the wearing of safety helmets

by motorcyclists. I am a director of the National Safety Council and I must admit that, in principle, there is nothing wrong with the clause, but I can assure the House that when I ask a man to go around my farm on a motorcycle to round up the sheep, the last thing he will look for is a crash helmet. Further, as is the case in the areas that have been mentioned by the member for Gascoyne, very often motorcycle riders have to cross the road whilst travelling from one paddock to another, and no doubt in the future these men will be held up by traffic policemen who will instruct them to wear a crash helmet.

I would point out, however, that crash helmets are not always readily available. The other day when I was present at a meeting, some of those attending said, "A man can fall off a motorbike whilst going around a farm rounding up the sheep and that is all the more reason why he should wear one." Why do we not introduce an amendment to the Act, or draft a regulation, to provide that horsemen shall wear crash helmets? As I have said, a crash helmet is not always readily available, and further, there is a degree of comfort enjoyed by the rider of a motorcycle who does not wear a crash helmet, because it is not the most comfortable headgear to wear.

Therefore in the Committee stage I will endeavour to move an amendment to provide that those persons riding motorcycles used for farm or station work shall be exempt from this provision, because I can visualise that to put it into effect will be impossible. I am referring to those motorcycles that carry a farm or station number plate.

Mr. T. D. Evans: What does the honourable member mean by a farm or station number plate?

Mr. GAYFER: In those instances where a motorcycle is used mainly for farm or station work, it is fitted with a farm or station number plate. This means that the owner of the motorcycle has to pay only the third party insurance premium or, in effect, does not have to pay any registration fee. A person riding such a motorcycle is permitted to journey from farm to farm and to cross a road that divides two farms, but he cannot ride the motorcycle into the nearest township or use it for other purposes. Usually, when a motorcyclist has to take a mob of sheep down the road for two or three miles he does not have to get padded up like an American footballer.

Mr. Davies: You are doing nothing for international relations tonight.

Mr. GAYFER: That part of the Bill relating to a traffic inspector being empowered to demand a license from a driver from another State is a sound provision. It will give our traffic inspectors a little more power under the existing regulations,

and if they had any more authority they would be as efficient as a policeman who looks after traffic matters in the city. Such matters have to be straightened out and the Bill will achieve that purpose.

So far as I am concerned the overloading of trucks is rather a moot question. The Deputy Leader of the Opposition took us on a world-wide excursion a short time ago, but I can assure members that if they go to the Philippines or some similar country they will find there is no limit to the trucks that can be placed on the roads. The Minister for Police no doubt has seen this for himself. In fact, it is nothing to see men sitting on the bonnet of a truck to hold its front wheels onto the ground. Such a sight has often been commented on by those who have witnessed it.

However, I believe there must be a certain amount of rational thinking in respect of this matter if we are to have regard for the safety of people who use the trucks and also have regard for the preservation of our roads. Nevertheless, the provision will have to be watched very carefully and exercised leniently by those in charge, especially in the country areas. I am thinking of those trucks which are used to cart wheat when the weight of loads that are loaded to the same level can vary by as much as a ton.

It can vary with water carting and the innumerable other activities undertaken by country trucks on the road. There is nothing worse than being picked up at harvest time for having an overload of wheat, for instance, particularly when the offence is not intended, but is merely due to the fact that the wheat happens to weigh 69 lb. a bushel instead of 59 lb. a bushel, and there is 300 bushels on the load.

This does happen. It is impossible to weigh every load that comes out of the farmer's paddock, particularly at harvest time. I understand one of my colleagues proposes to speak on this subject; so I will support the Bill and have another look at the question of safety helmets in the Committee stage.

MR. H. D. EVANS (Warren) [9.31 p.m.]: I wish to direct my remarks to what I might call the fourth amendment in the Bill. The other three points have been covered fairly adequately by the three previous speakers. It is this one, however, which contains an anomaly to which I would like to draw the attention of the Minister.

The provisions of the amendment will apply throughout the State; they will be applicable in every area no matter what the conditions might be. They will apply to all kinds of loads without any differentiation in the material involved. As a result of this there is a strong possibility

that log hauliers will be seriously disadvantaged, and I would like to explain precisely why. Log hauling is undertaken these days almost entirely by road transport and it has become an industry of considerable consequence. It has its own peculiar problems and these must be seen at first hand to be fully appreciated.

The first problem connected with log hauling relates to the actual loading. Because of the very nature of the tree logs involved, we find that even this operation is a most difficult one; one which can only be undertaken after some extensive experience in this field.

Logs are not complete cylinders and after the first one is loaded in position there is no guarantee that the load will be distributed evenly over the body of the truck, particularly when other logs are added to the load, and it is difficult to obtain a legitimate legal distribution of the particular tonnage the operator is endeavouring to carry.

The first requirement of loading, of course, concerns the safety of the load; not the legality of weight, and that sort of thing. It is purely and simply a matter of safety. Accordingly, perfect compliance with the conditions set out in the regulations becomes difficult on this score alone; and it is not difficult to find further factors of a practical nature which affect the position.

In the winter the forest areas become very soft and the maximum traction is required by log hauliers in order to get their loads out. It is fairly common practice, therefore, for the weight to be placed as far as possible on the drive wheels, otherwise the vehicle is likely to get bogged, which of course brings its own problems.

Accordingly, once again we have this practice of expediency for the purpose of moving the load which, possibly, might not conform to the conditions of weight distribution set out in the regulations. While we do not wish to condone deliberate overloading, at the same time we must appreciate and grasp fully the practical effect of conditions and the impact they will have on one section of the community—a fairly important section of the community when it comes to transport and the removal of a rather substantial commodity.

There are variations in the bark and the moisture content of both sawn and round timber. These, of course, are not as determining as the other points raised, but they are there as factors, and log hauliers will claim this is so to, perhaps, an exaggerated extent if the matter is not watched.

A much more practical difficulty, however, is the requirement imposed on the log haulier by the Forests Department and the sawmillers. Occasionally special

lengths of timber are required and obviously this demands an additional length of log which means there is a possible danger of overloading.

We might well ask: What is the position here? The truckie cannot chop two feet off the log, because he would be in trouble with the Forests Department and he would not be fulfilling the requirements of the sawmillers.

The Forests Department regulations are quite stringent. They demand that a particular log be utilised at the sawmill. These problems are not shared by the Forests Department and the sawmillers, but are left fairly and squarely with the truck operator. Accordingly, his position in regard to this matter is an unenviable one.

The penalties to be applied remain the same for a first offence, but for subsequent offences they are increased in proportion to, and become commensurate with, the degree of overloading that is involved in the particular offence.

We find that the increased penalties apply not to the overall or gross weight, but to the axle loading, and this is very significant and of much more concern to the log haulier because of the difficulty involved. The penalties proposed in regard to the degree of overload are as follows:—

	Minimum	Maximum
	\$	\$
Up to 20 cwt. ....	20	80
21 cwt. to 30 cwt. ....	40	150
31 cwt. to 40 cwt. ....	60	200
41 cwt. to 50 cwt. ....	100	300
51 cwt. to 60 cwt. ....	150	400
Over 60 cwt. ....	200	500

It is this final figure of \$500 which is the disturbing amount. I am fully aware that the shire councils rightly pointed out that overloading does occur, and their representations to the Main Roads Department and to the Police Department must be honoured and regarded.

I am also aware that the Main Roads Department is very conscious of the damage that overloading can occasion, and the department's engineers point out that it is the actual axle loading that is the important factor which should be considered.

I still maintain very strongly, however, that the Government should look extremely closely at the inequity that occurs here as a result of the disparity in material that is loaded and the difficulty of the loading operation.

Where there are loads such as bags of super involved, these can be determined and spread fairly readily and this becomes the responsibility of the operator, and of nobody else, because he knows the exact weight with which he is dealing; it is in load form and its actual distribution as required by the regulation is the essential factor.

Such loads come back to the individual who is concerned; but when we have such things as round timber and sawn timber, or for that matter, boulders or lumps of rock, which come to rest in a particular position, thus upsetting the balance and tonnage, this is where there is danger of inequity.

From the figures which have been supplied by a large logging company I would like to illustrate the point I am driving at. The manager of the company explains that the total fines over the last four years amounted to \$4,020. The types of loads are reflected very clearly in this, because 73 per cent. of all fines paid by the company was on distribution charges involving timber, and only  $4\frac{1}{2}$  per cent. was accounted for by total overloading of machinery, farm produce, and similar materials. So the disparity indicates quite clearly that the difficulties of distribution in the loading of unequal materials require closer attention than this particular amendment in the Bill has provided.

Whilst one readily acknowledges that heavy haulage patrolmen are not able to load logs to meet the requirements, they do defer to the more expert knowledge and experience of the truck hauliers. The patrolmen are unable to do that themselves, and they make no secret of the fact. If the particular amendment in the Bill becomes law, then some amendment to the regulations will be required in order to resolve this difficulty in one of two ways. I was hopeful that the Minister would consider allowing a greater tolerance.

If we are to impose mandatory fines for overloading, then it follows that, reasonably, we should give a further benefit of the doubt to the operators by increasing the level of tolerance. At the moment the tolerance is 5 per cent.; and in addition to that a further 10 cwt. leeway is granted before any prosecution is made. I am not making any suggestion that a tolerance of  $7\frac{1}{2}$  or 10 per cent. should be allowed; this is a matter for the engineers of the Main Roads Department to determine. I am sure that in their wisdom they could determine what the road would stand; and they would be able to do that better than any member in this Chamber.

In the Eastern States the authorities have resolved this difficulty in a more effective way than has the authority in Western Australia; they have done that by stipulating that the load shall be determined by volume. Instead of giving the tonnage with axle distribution, they stipulate a straightout volume of timber to be carried. This indicates precisely to the operator what his load is fixed at. Although this method does not overcome the difficulty of axle loading, to some degree it seems to work effectively in the Eastern States. There is then no excuse for the truck driver, because he is given

the volume and this can be determined at any place and without the use of weighing apparatus.

Perhaps the criticism of the actual weighing is at times exaggerated, but at the same time a discrepancy does occur. The 5 per cent. tolerance is supposed to compensate for the unevenness of terrain, or for the lean of the truck. It is difficult to find a perfectly flat stretch of road in the timber country, so it must be assumed that there will always be a certain disparity. The 5 per cent. tolerance does not allow for any adjustment for the inherent difficulties of adjusting and placing the load.

A further point was made by an earth-moving firm in respect of moving large pieces of equipment. I would like this to be included for the purposes of the record: the total cost of operating one particular unit amounted to \$6,745.58 for a 12-month period. This was made up of—

	\$
Local government traffic license .....	607.49
Maximum overload permit .....	288.00
Oversize vehicle permit .....	4.00
Commercial license .....	166.00
Single trip permit .....	198.00
Road maintenance tax .....	5,482.09
<b>Total</b>	<b>\$6,745.58</b>

The iniquity of the road maintenance tax came to light very clearly in this case. The tax is paid on the round trip. When the piece of machinery is carried one way only, or over 200 miles, the same rate over the 400 miles is still charged.

Mr. O'Connor: It is only 40 per cent.

Mr. H. D. EVANS: It is still charged on cartage both ways. I could stand corrected; but that is the figure I was given. I would ask the Minister to be good enough to have the regulations examined in relation to the situation in which the log hauliers find themselves. It is a situation in respect of which they have a legitimate ground for complaint, and it is a difficulty which could be resolved much more satisfactorily by him than by the method employed in the Bill.

**MR. McPHARLIN** (Mt. Marshall) [9.47 p.m.]: Not having travelled as extensively as have the member for Avon and the Deputy Leader of the Opposition, I had no desire to take part in the crossfire that was exchanged between those two members in the course of the debate.

However, there are one or two matters in the Bill to which I would like to refer, but before getting on to them I must say that I concur with the views expressed by my colleague, the member for Avon, in relation to traffic control and to the suggestion of a takeover of such control by

the police. Having had numerous discussions on this matter with shire councils and with shire council associations in the country, I repeat that I endorse the comments which the member for Avon has made in his contribution to this debate.

The Bill seeks the adoption of the staggering of licenses of motor vehicles in country licensing districts. This matter has come up for discussion on numerous occasions at country shire council association meetings that I have attended. The shire councils have been asking for this sort of thing for some time, and I endorse the proposal in the Bill. The Minister has agreed to it, and has brought the proposal before the House.

Short licenses, which enable farmers to license their vehicles from, say, the end of November for three months during which they are carting wheat, are the sorts of licenses which the farmers have been seeking. I think this is a very commendable amendment to the Act.

The other matter referred to by the member for Avon was the wearing of safety helmets by riders of motorbikes. This provision applies not only to the riders of motorbikes, but also to the pillion riders. I suggest that more thought be given to this proposal, because, as has been pointed out, a farmer might use a motorbike for the mustering of stock. Some farmers have two or more motorbikes which they use for this purpose. Sometimes when they go out to pick up sheep, they bring back somebody on the pillion of the motorbike. If the particular provision in the Bill becomes law, without the amendment proposed by the member for Avon, it will mean that not only will the motorbike rider have to wear a safety helmet, but so also will the pillion rider. Instead of having to look for one helmet, they would have to try to find two before they could muster the sheep. Therefore I believe the suggested amendment has a great deal of merit; and, when in Committee, we will have an opportunity to study it.

At first glance, I was inclined to think that the penalties for overloading were a little too severe, particularly when considered in relation to wheat carting. The variation in the weight of wheat, even in the same paddock, can be considerable and, unintentionally, a farmer can, when carting wheat, be guilty of overloading his vehicle, and thus be caught and penalised by the heavy haulage inspectors.

In his speech the Minister referred to a given tolerance which is 10 cwt. He also said—

I might also explain that in the use of the loadometer for carrying out test loads of vehicles on the road there is a tolerance of 5 per cent.; so, roughly speaking, there would be a tolerance allowed of just over 14 per cent.

It would be very interesting to see the results of a test carried out on some of the wheat trucks about which I have spoken in order to ascertain whether this tolerance would cover the variation in wheat weights. I doubt whether it would.

As I said, at first glance, I was inclined to consider that the penalties were a little harsh, but when I discovered there is a tolerance of 14 per cent. I realised that, with a little common sense, these regulations could be administered in a fair and just manner. In addition to those comments, I hope to be able to support the amendments in Committee.

**MR. CRAIG:** (Toodyay—Minister for Traffic) [9.53 p.m.]: I would like to thank those members who have contributed to this debate, which was rather refreshing in some instances. Generally speaking, it would appear that all the provisions included in the Bill have the support of members, even though some objection has been expressed to certain features.

Perhaps I will deal with the most important feature first; that is, overloading. Might I emphasise the fact that the present penalties are being retained—that is, for a first offence \$100 and for a second offence \$200—but the Main Roads Department has repeatedly expressed its grave concern about the damage being caused to, as I said in my second reading speech, the "multi-million dollar investment in the road system" throughout Western Australia. It has been proved quite definitely that the present penalties are not sufficient to act as a deterrent to the persistent offender, and this is the reason it is suggested we apply a mandatory penalty for a subsequent offence.

In doing this I feel we have adopted a very tolerant attitude to the type of operator referred to by the member for Warren; that is, the log haulier who unwittingly overloads on occasions because of the type of load he is transporting. It can shift, as the member for Gascoyne has pointed out, and I referred to certain circumstances which could arise to cause this particular type of overloading. This is the reason the mandatory penalty does not apply to, say, a single axle in a tandem axle group. Surely this is indeed a tolerant attitude, and I feel certain that most members will agree that it is necessary to provide some strong deterrent to the persistent offender.

Some members referred to the extent of the penalty. I think in my second reading speech I said that for any overload over 60 cwt. the minimum penalty would be \$200 and the maximum, \$500. These penalties are to cover extreme cases of overloading, and might I mention there was one case not so long ago of overloading to the extent of 19 tons. Members can imagine the damage that particular

loading would cause to the roads the vehicle traversed. It would run into thousands and thousands of dollars, and therefore we must provide some extreme penalty to meet the extreme circumstances which do arise involving the persistent offender.

No objection was raised to the provision concerning the staggered licensing for the country.

The amendment regarding safety helmets for motorcyclists did receive some criticism from country members, who stressed the difficulty which could be experienced in farm work in moving stock from, say, one paddock to another, entailing the crossing of a road. However, the same situation could apply in the metropolitan area if a motorcyclist wanted to travel in the city from, say, the top end of Hay Street for a matter of only a few hundred yards. Such a person could expect the same consideration in not being required to wear a helmet. I know that such a provision will create some inconvenience, but nevertheless I cannot see why we should provide some exemption for certain people.

No doubt the member for Avon has some very tolerant traffic inspectors in his area who would have a complete understanding of the situation and the difficulties which would be experienced by the honourable member; and I feel sure he would not take advantage of the position and enforce this particular provision in his case. However, if the honourable member does experience any difficulty in the future in this regard, I feel sure that if he takes the matter up through his local authority and through the Country Shire Councils' Association, sympathetic consideration will be given by the Minister of the day. It will not be me, and that is why I say it will be sympathetic.

The Deputy Leader of the Opposition, when dealing with this particular feature said—and I quote his own words—"The Minister is slow in coming to the party," and that we wait for other States. He also mentioned reflectorised number plates and said that we were waiting to come to the party because of other States. Dealing with reflectorised number plates, we were the first State in the Commonwealth, other than the Australian national capital, to introduce this type of plate.

Mr. Graham: I think the Minister's memory has let him down a little. Four years before he agreed to them here he rejected them because they were not in use elsewhere in Australia.

Mr. CRAIG: I do not care what the reply of the Deputy Leader of the Opposition is. I am saying that we were the first State in the Commonwealth to introduce them. It does not matter how long we took to make up our minds on it.

Mr. Graham: You would not introduce them before because no other State had them.

Mr. CRAIG: I did not do so before because I had insufficient proof that they were effective, but I changed my mind later. Nevertheless we were still the first State in the Commonwealth to introduce them.

Mr. Graham: I first read about reflectorised plates in an Australian national safety publication.

Mr. CRAIG: As a matter of fact, with regard to safety helmets, our policy up until now, as I said in my second reading speech, has been one of persuasion rather than compulsion, and this attitude has been very effective—to the extent that most motorcyclists do wear safety helmets. However, with the rapid increase in the popularity of this mode of transport, and the apparent lack of appreciation of safety by the motorcyclists who are not wearing helmets, it is felt advisable that some action be taken to make it compulsory for helmets to be worn.

As a matter of fact, just before the present sitting started I received a copy of a critical publication called *Choice*. It contained an article on motorcyclists and safety helmets, which I will not read in full. However, the writer of the article unhesitatingly gives the utmost support to the wearing of safety helmets. Thirty-two different types of helmets were tested. One pertinent point made in the report was—

No matter how good the helmet, it is useless if it is so uncomfortable that you do not wear it.

I do not have time to pick out all the pertinent remarks, but another one reads—

In Australia you can buy helmets marked as conforming to Australian, British and New Zealand Standards, (for standard and racing style helmets) the United States A.S.A. Standard and other Standards, both United States and European.

I mention this point now because of the interjection made by the member for Belmont who asked if the helmets would have to conform to some standard. The article continues—

More motor cyclists now wear helmets than ever before, but many do not. Those who do not are taking a substantial risk.

Any helmet could make the difference between life and death for you, but we found that some gave more protection than others.

It is rather heartening to realise that this particular publication does give support to the wearing of safety helmets. The Deputy Leader of the Opposition also referred to the penalty which would apply when a safety helmet was not worn. I did not



mention the penalty during my second reading speech, but it would be covered by the infringement notice scheme. The penalty has not been decided upon but I would suggest it would be a nominal penalty of \$5 or \$10. As I said, it would come under the infringement notices.

The member for Gascoyne raised certain matters regarding overloading, and maximum axle weights. He also mentioned types or classes of vehicles, tyre capacities, and so on. I am not well versed, technically, in these matters, but I can assure the honourable member that I will have his submissions examined by the experts in the main Roads Department who, I feel sure, will take due cognisance of his remarks. I will have the information made available to the member for Gascoyne before this Bill reaches another place, and if he is not satisfied I can discuss the matter further with him.

The member for Warren pointed out the difficulty associated with log hauliers. I think I have explained, to a degree, how we are trying to be tolerant towards meeting those particular operators. The honourable member mentioned that one operator had incurred penalties totalling over \$4,000 during the course of, I think, 12 months.

Mr. H. D. Evans: The period was four years.

Mr. CRAIG: Well, I should imagine that from his experience he would now be doing his utmost to avoid such penalties in the future. Might I say that in Western Australia we grant permits for greater vehicle gross loads than does any other State in the Commonwealth—except for the Northern Territory. Also, the penalties applying in Western Australia are lower than those applying elsewhere.

Some members have mentioned matters other than those contained in the Bill, and as the member for Avon said, you, Mr. Acting Speaker (Mr. Toms) and Mr. Speaker were rather tolerant by allowing some latitude, so I feel sure some consideration will be shown to me too so that I can comment on what has been said on those other matters.

Two points were actually mentioned: that of a single authority for traffic law enforcement, and the question of the road accident problem in Western Australia. The Deputy Leader of the Opposition claimed that the drivers in Western Australia are the worst in the world, and that we have the worst accident record in the world. Dealing with the first matter—the single traffic authority—I have been subjected to criticism from time to time, and so has the Government, for not carrying out the wishes of certain people—or certain media—who express the thoughts—or supposedly express the thoughts—of the people.

It does not matter which Government is in office. If a Government decided on this matter of a single authority for traffic law enforcement, by the police, the fulfilment of any such plans would take up to a period of five years. I am not making a guess; that figure is the result of a submission made to me some time ago by the Commissioner of Police. He went into the matter very thoroughly in programming for the future in order that he could meet his obligations in providing the necessary manpower and buildings if this change ever occurred.

This is not just a matter of saying that the police will take over country traffic tomorrow, and then take it over. That would be impossible, and I think members can appreciate the difficulties that would be involved. It is not only the matter of traffic law enforcement, but also the associated matter of licensing. To my way of thinking the two actually go together.

I regret that the Deputy Leader of the Opposition saw fit to criticise members of the Country Party for their opposition to any proposals in this regard. That is not quite fair because he must realise that many members in this House, irrespective of the party to which they belong, can be placed in a rather invidious position in regard to any change of control. I am not mentioning any particular member, but I feel sure all members will understand the situation in which they could be placed.

Mr. Graham: Does the Minister think that the country people, as a whole, are so concerned about this control remaining with the local authorities?

Mr. CRAIG: I suppose I can be guided by the Country Shire Councils' Association.

Mr. Graham: I mean outside of that association.

Mr. CRAIG: The Country Shire Councils' Association is the voice of the rate-payers of the country districts.

Mr. Graham: Is it? That is the question.

Mr. CRAIG: If it does not represent those people it should not be there.

Mr. Graham: But what about on this particular question?

Mr. CRAIG: Here again, this is a matter of opinion. I know the Deputy Leader of the Opposition has referred to this question as being part of the platform, and that the Labor Party will go to the people on this. Whether it is acceptable or not I do not know, but I repeat what I said before: If the Labor Party is successful in becoming the Government next year I do not see how the policy can be carried out within a period of three or four years. In fact, I defy the Labor Party to do that. It would be impossible.

Mr. Graham: I ask the Minister: When is he going to commence the five-year period?

Mr. CRAIG: We are commencing now.

Mr. Graham: It will be a gradual takeover of police control?

Mr. CRAIG: The gradual takeover will not be forced on country local authorities. It will be done voluntarily, as they see fit.

Mr. Graham: It is rather haphazard.

Mr. CRAIG: It is not haphazard. It will be worked into the scheme of things so far as districts are concerned. As I have said, it will be done only if a country local authority volunteers to have its traffic control taken over by the police. I do not mind admitting that their hand is being forced to a certain degree because of the economics of the situation. The new arrangement applying to road funds has made many country local authorities feel that they would be better off financially if they handed over the responsibility of traffic control to the Police Department.

Mr. Graham: It cannot be such a bad thing after all.

Mr. CRAIG: Financially, perhaps, as far as some are concerned. The member for Avon pointed out that so many country local authorities carry out their responsibilities in a manner which cannot be faulted. It is a pity that more of them do not adopt the same idea in connection with traffic law enforcement.

Mr. Graham: I wholeheartedly agree with the Minister. That is the trouble. There is no conformity or standardisation.

Mr. CRAIG: The country local authorities have tried to rectify it and I give them credit for this. They have formed regional councils and, if a small shire finds itself in difficulty over providing adequate traffic law enforcement, it can join a regional council which will provide the necessary services in that shire.

Mr. Graham: They have been about 50 years in getting around to doing this.

Mr. CRAIG: It has applied only since a change was first suggested. I admit that a number of shires have bucked up and have started to do something about the matter. I do not mind admitting that it is still far from satisfactory in some places.

Mr. Acting Speaker (Mr. Toms), I trust I shall be allowed the same leniency shown to other members on the question of the road accident problem in Western Australia. The Deputy Leader of the Opposition said that drivers in this State are the worst in Australia and, indeed, the worst in the world. He also said that we have the worst accident record in the world and that we come a bad last in the Commonwealth. The member for Avon corrected the Deputy Leader of the Opposition.

Mr. Graham: Do you think he did? All he did was to abuse me.

Mr. CRAIG: I will try to correct the Deputy Leader of the Opposition and, in doing so, I will endeavour not to abuse him.

Mr. Graham: Thank you.

Mr. CRAIG: I made a fairly extensive study of this subject when I was overseas some 18 months or so ago. I gained the impression that the attitude in most countries was one of could not care less with respect to road deaths, to such an extent that it was never even mentioned in the Press. No reference at all was made to a person killed in a road accident. I read only one Press report on this subject in the 2½ months that I was away. A short paragraph in a paper I read in the United States mentioned that 477 people had been killed on the roads over a long holiday weekend. This was the only Press reference to road accidents or deaths I saw in any country I visited.

Mr. Graham: What is the Minister like at reading Italian newspapers?

Mr. CRAIG: I cannot read Italian. I am not as clever as the Deputy Leader of the Opposition.

Mr. Graham: Or German, or Dutch?

Mr. CRAIG: I also ascertained that many of the deaths which are included in our road toll—for instance, pedestrians killed on the roads—are not included in the statistics of so many other countries. In Western Australia every death which occurs on the road is added to the list, regardless of whether it is one which might be classed as unpreventable. I have no objection at all to this method because it highlights the problem we face and makes people realise that over 300 people are killed on our roads in the course of a year, which, incidentally, is more than the total number of servicemen killed in Vietnam during the entire time that servicemen have been in that country. It is certainly a serious problem.

So far as Western Australia is concerned, I have statistics to prove that our State is not the worst in the Commonwealth. In fact, it is below the average of all the States despite the fact that the consumption of motor spirit per head of population is well in excess of the average of the other States. This implies, of course, that Western Australian motorists per head of population travel many miles further than people in the other States of the Commonwealth.

Mr. Cash: I think the figures come down a little per 10,000 miles.

Mr. CRAIG: It also implies that the motorist in Western Australia is exposing himself to more accident risks than motorists in any other State. These things have to be taken into consideration. For

the year ended the 30th June, 1970, the figure on the register in Western Australia of deaths per 10,000 vehicles was 7.9. The average for Australia was 8.5. Consequently, we are below the average of the Commonwealth.

Mr. Graham: Is the Minister speaking of road deaths?

Mr. CRAIG: Yes, of road deaths per 10,000 vehicles. I mentioned earlier that a number of deaths which could be classified as unpreventable because of different circumstances associated with them are included in our figure. Over the years a great deal of legislative action has been taken to try to overcome the problem. I will not refer to specific instances except to say that the Government fully realises its responsibility towards providing some preventive measure. One step is the inclusion of safety helmets in this legislation.

Mr. Graham: Before the Minister finishes on this point, I was referring to the general behaviour of our motorists irrespective of, or in addition to, accidents causing death, injury, or anything of that nature. I was referring simply to the manner in which they manoeuvre their vehicles and the irresponsible way in which they drive. This cannot be measured by statistics but by observation and experience. I have done that.

Mr. CRAIG: Here again, this is a matter of opinion. The member for Avon pointed out that he has another opinion so far as the paintwork on motor vehicles is concerned.

Mr. Graham: His interest was in lambasting me personally.

Mr. Gayfer: It was not any kind of personal bashing but personal observation.

Mr. Graham: I suggest that the honourable member read his speech. That will be something to endure. We had to listen to it.

The ACTING SPEAKER (Mr. Toms): Order!

Mr. CRAIG: It has been said, for instance, that drivers in Sydney are better than drivers in Perth.

Mr. Davies: They appear to be.

Mr. CRAIG: The member for Victoria Park has said that they appear to be and this confirms the opinion of the Deputy Leader of the Opposition. I could say the same thing about drivers in London compared with drivers in Sydney. This is because of the density of traffic. Motorists have to show much more courtesy to fellow motorists if the traffic is to flow freely and with a higher degree of safety. I think even the Deputy Leader of the Opposition will agree that this trend has become more obvious in

Western Australia over the last year or so because of the way the traffic is building up.

If motorists did not show courtesy and consideration, traffic would not flow; it would virtually be at a standstill. The Deputy Leader of the Opposition has been a strong advocate of the give-way-to-the-right rule, and so have I. Since the motoring public, generally, has accepted this rule, there has been a much better flow of traffic. Motorists are also more courteous—one will see a motorist give way to the right, and the person to whom he has given way will give a sign of acknowledgement. I thank members for their support of the Bill.

Mr. H. D. Evans: Would you consider examining the position as it affects low-hauliers?

Mr. CRAIG: I thought I explained this sufficiently well to the member for Warren, but unfortunately another honourable member was speaking to him at the time and he might not have heard my explanation. Nevertheless, I will do as he asks.

Question put and passed.

Bill read a second time.

#### *In Committee*

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

Clauses 1 to 4 put and passed.

Clause 5: Section 27A added—

Mr. GAYFER: As I indicated during the second reading debate, I would like to move an amendment to this clause in respect of the requirement for motorcyclists to wear helmets. Motorcycles have now, by and large, taken the place of horses on farms. I do not see any great necessity to wear a helmet when riding a motorcycle behind a flock of sheep crossing the road, any more than one would need to wear a helmet when on a horse in the same circumstances. People who have lived in the country will know of the use that is made of motorcycles on farms. When a person uses a motorcycle to do his job of work and move his sheep, there is not much time for getting dressed in the appropriate attire to fulfil the requirements of the regulations. I move an amendment—

Page 4, line 21—Insert after the word "requirement" the words "or to persons riding or being carried on a motor cycle licensed as a farm vehicle."

Mr. CRAIG: I oppose the amendment. I can understand the problems that arise when people wish to drive stock across a road, but the same situation could arise in other circumstances. I do not think it

imposes any hardship to require that a helmet be worn, but if, in the light of experience, the honourable member feels that this difficulty has become pronounced, representations could be made to the local authority or the Country Shire Councils' Association for some consideration along the lines suggested by him. At this stage, I do not think we should make any such allowance.

Amendment put and negatived.

Clause put and passed.

Clauses 6 and 7 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

## **BUSH FIRES ACT AMENDMENT BILL**

### *Second Reading*

Debate resumed from the 24th September.

**MR. BATEMAN** (Canning) [10.28 p.m.]: In rising to speak to this Bill, I do not intend to delay the House for very long. I have very carefully read through the Minister's notes and the amendments, and I would like to compliment the Minister for introducing the measure because I think that any amendment to the Bush Fires Act which will bring about the prevention of such holocausts and tragedies as we have experienced in Western Australia must be commended.

My only criticism—if it is a criticism—relates to the statement by the Minister that “a person desiring to light a fire to dispose of the carcase of a dead animal need notify his intention only to the occupiers of all adjoining land.” This amendment also proposes that notice must be given to the fire control officer of the local authority.

In outback areas such as the Murchison and some of the larger farming areas, where the station owner or manager has to travel 50 miles to the local authority, it would probably take him three or four days to get around to notify his neighbours. By the time he has notified all those people, nature itself may have taken over. However, my remarks are not intended to be in any way critical.

Whilst I am on my feet I feel I must pay credit to the volunteer bushfire brigades. Those people do a tremendous amount of work in country areas. They work voluntarily, using their own vehicles and equipment and providing petrol and everything else. This applies especially to some of the farmers who use water, which is much needed for stock and domestic purposes, to fight bushfires. I do not think we can pay sufficient credit to the people who devote their time, energy, vehicles, and equipment in order to fight bushfires and provide protection from them.

It must be remembered also that no Government aid is granted to those people and certainly no insurance aid is granted to them, although they do receive a little help from the local authorities. However, I think in all fairness that the insurance companies should pay a certain amount of money to the local authorities in order that those authorities might, perhaps, provide the necessary vehicles and equipment to fight the fires which we seem to have every year. I feel pretty sure that this year we will have another serious fire situation. If we look at the verges in the country we see that the grass is at least three feet high.

I think in those circumstances it is fair enough to say that the insurance companies should play their part in providing finance to help with the controlled burning of road verges. It must also be remembered that we protect flora by controlled burning of verges. Property owners are compelled under the Bush Fires Act to clear a 10-foot firebreak—it used to be six feet—and I think in all fairness the shire councils, which are very quick to advise us that we must clear firebreaks around our properties, should do something to tidy up the verges.

We all know that some car drivers thoughtlessly toss out cigarette butts from their car windows and I feel sure that some bushfires are started by those people. Such fires could be prevented if the shire councils played their part and carried out controlled burning of the verges. Here again, I think it is to the benefit of insurance companies to provide money to local authorities for this purpose.

I read with interest an address given by a lass by the name of Elizabeth Marmion, a student of the Bunbury Central Primary School, at the opening of Fire Prevention Week last year. I would like to quote a small section of her address because I think it brings home to us some of the bare facts and the horrors associated with fires—many of which are caused by thoughtlessness. The portion I wish to quote is as follows:—

In Australia every year, about 9,000 homes are destroyed by fire, about 200 people, many of them children, die, more than 1,000 suffer cruel burns. In the conflagration of burning homes, and about \$100 worth of damage is caused by fire in various ways, every minute of every day and night—\$144,000 in every 24 hours, day in, day out, every week of the year. No mention is made in statistics of the toll of human suffering, of children left fatherless, of bereaved parents sorrowing the loss of a loved child, of a wife bereft of a husband and breadwinner, left alone to bring up a young family. No mention is made in statistics of the farmer, losing in the flames his

entire property, his life's work, left penniless, too old to start again—these are just a very few of the instances of human tragedy occurring every day.

That is only part of her address, and it appears at page 6 of *The W.A. Fire-fighter* of December, 1969. I think it brings home to us some of the horrors brought about by fires. Once again, I say that we must pay great tribute to the bands of volunteer bushfire fighters. Again, I appeal to the insurance companies, for their own sake, to make money available to the local authorities so that they in turn may be able to bring about the controlled burning of the road verges. I support the Bill in its entirety.

**MR. BOVELL** (Vasse—Minister for Lands) [10.35 p.m.]: I thank the member for Canning for his contribution to this debate and for his support of the Bill. It has taken a long time to educate people in the need for legislation of this kind. I well remember some 10 or 11 years ago introducing, as Minister for Lands, my first Bill to amend the Bush Fires Act. It was not passed; amendments were made in another place and a conference between the Houses did not reach agreement, so the Bill lapsed. I said to my private secretary, "This is the last time I will ever introduce a Bill to amend the Bush Fires Act." He was private secretary to two of my predecessors, including The Hon. E. K. Hoar, and he said, "I have heard a previous Minister say that after introducing legislation to amend the Bush Fires Act."

However, as a result of education the Bush Fires Act has now been universally accepted as a measure of protection for life and property. The member for Canning very rightly referred to the need for the co-operation of insurance companies and local authorities with all the people who give their services in an honorary capacity. One of the provisions in this Bill relating to the burning of rubbish was advocated by the member for Narrogin who made representations to me because of the problems of local authorities in regard to the disposal of rubbish.

**Mr. W. A. Manning:** Thank you for fixing it.

**Mr. BOVELL:** I think these amendments are vital to the continued successful functioning of the Bush Fires Act. The member for Canning referred to the disposal of carcasses. He did not seem to quite understand the need for the fire control officer of the district to be notified. Whilst this has not been a statutory requirement in the past, it has been a statutory requirement for the neighbouring farmer to be informed. However, there was nobody in authority—the local authority and the local bushfire brigade were not aware

that the fire was to be lit. It is merely a matter of informing somebody in authority that a fire is to be lit to dispose of a carcass so that the person in authority knows why the fire is burning. He would therefore have some record and knowledge of a fire that may be lit during a dangerous fire hazard time.

The Fire Prevention Week will be opened by the Premier on the 22nd October. This week at the beginning of the fire season is devoted to publicity. I think people should recognise the need for fire protection. This year, with the late rains, the growth will be prolific and, therefore, when it dries off there will be all the more need for fire prevention and an awareness of the damage which can be caused by fire. I again thank the member for Canning for his contribution. I believe the amendments proposed in this legislation will benefit the community in general.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## ADJOURNMENT OF THE HOUSE

**SIR DAVID BRAND** (Greenough—Premier) [10.42 p.m.]: Before I move the adjournment of the House I remind members that we will be sitting after tea on Thursday, the 22nd October. As there are not many members in the Chamber, I ask those who are present to pass the word around. I move—

That the House do now adjourn.

Question put and passed.

*House adjourned at 10.43 p.m.*

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## Legislative Council

Wednesday, the 14th October, 1970

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

### QUESTIONS (3): ON NOTICE

#### 1. IRON ORE MINING

##### *Dust Counts*

The Hon. R. H. C. STUBBS, to the Minister for Mines:

- (1) Are dust counts taken at all quarries, processing plants and working places where iron ore is mined and processed in Western Australia?