

I do not think we should follow uniformity just for the sake of it. We should strive for uniformity where it will serve the best purpose for most of the people, irrespective of any political approach to the problem. I thought I would express those thoughts, because there will be other occasions when Ministers will introduce Bills and say they have the concurrence of the other States. They may deal with health, fisheries, town planning, and so on, and the Minister controlling the portfolio, in his wisdom, may think there should be uniform legislation for the good of the people of Australia.

I assure Mr. Watson I will not postpone the proclamation of this measure for 50 years merely that it may be defeated. I will do my best with the Attorneys-General in the other States.

The Hon. F. J. S. WISE: I understand Mr. Watson has no objection to the deferment of the coming into operation of this legislation to a date to be fixed by proclamation. Believing the *bona fides* of the Minister, I wonder whether—following the approval of the Attorneys-General—it lies within the scope of the Act to bring this about by regulation, and, by so doing, put this into effect many months before Parliament met, if the decision of the Ministers was made many months prior to the meeting of Parliament. With his knowledge of the Companies Act, Mr. Watson could tell me whether it could be done by regulation under the Act.

The Hon. H. K. WATSON: I am afraid it cannot. There is no scope in the direction indicated by Mr. Wise.

The Hon. A. F. Griffith: You mean it cannot be done by regulation.

The Hon. H. K. WATSON: That is so. This is an amendment to the Act and nothing else. During the past week there has been a discussion on a letter received from Mr. T. J. Hughes. There is one paragraph in that letter with which I agree wholeheartedly. It reads as follows:—

When the Legislature loses its independence to the Executive, and endorses without question the will of the Executive, democracy fails.

This Parliament is the supreme legislative body of Western Australia, and it will be a sorry day for this State when it allows its power to be usurped by the executive, much less by a committee of interstate Attorneys-General; or whatever they may be.

The Hon. A. R. JONES: I think the Minister mentioned that the Attorneys-General will be holding a meeting in the near future. I wonder if he could tell the Committee when that meeting will be held.

The Hon. A. F. Griffith: From memory I think the meeting will be held on the 5th and the 6th of December.

New clause put and passed.

Title put and passed.

Bill reported with an amendment.

House adjourned at 5.17 p.m.

## Legislative Assembly

Thursday, the 19th September, 1963

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

## METROPOLITAN REGION PLAN

*Alterations to Maps after Tabling:  
Statement by Speaker*

**THE SPEAKER** (Mr. Hearman): The Leader of the Opposition asked me a question yesterday in connection with alterations to some papers which have been laid upon the Table of the House. I should like to give the House further information than I was able to provide yesterday.

I was informed privately by the Leader of the Opposition that his question was prompted by the knowledge that alterations had been made to the maps of the metropolitan region scheme as tabled on the 13th August last.

It has been confirmed by members of the staff of the Legislative Assembly that alterations have been made. However, I should add that there is no suggestion at present of any sinister intention, or that anything more than an excess of zeal on the part of some members of the Public Service is responsible for this position. Technically, a contempt of Parliament may have occurred, but in the circumstances I see no virtue in pursuing that aspect of the matter further.

The answer to the Leader of the Opposition's question really falls into two parts. Firstly, in general I would say that no alterations to any matter that is tabled in this House should be made without the knowledge and permission of the Speaker. It would then be for the Speaker to ensure that the House was advised of the alteration. I have given explicit instructions to the staff to this effect for their future guidance.

Secondly, coming to the matter of the plan of the metropolitan region scheme, 1963, I think some further clarification is necessary. I am informed that certain alterations—of a minor nature, I believe—have been made to this plan without the knowledge of the Chairman of the Metropolitan Region Town Planning Authority, Mr. Hamer, or the Commissioner for Town Planning, Mr. Lloyd.

I am further advised by the Solicitor-General that there is no statutory requirement that this plan should actually lie upon the table of the House until it receives the approval of the House. Consequently it seems that no question arises as to whether or not the requirements of the law have been met.

However, I am concerned about the fact that this plan has been altered and that members may have been, or could have been, misled as to the proposals. It is proper that members should be quite clear as to just what the Metropolitan Region Town Planning Authority intends to do.

Accordingly, I feel that some steps must be taken to ensure that the House is advised of what alterations to the original plan have been made. Perhaps after

examination of the plan by the Town Planning Commissioner it may be possible for the Minister to advise the House.

I leave the matter there for the time being.

## QUESTIONS ON NOTICE

1. and 2. *These questions were postponed*

### STATE BUILDING SUPPLIES

*Debt Charges on Loan Capital*

3. Mr. TONKIN asked the Treasurer:

(1) For the years ended the 30th June, 1962, and 1963 respectively, what were the amounts of debt charges on the loan capital involved in the State Building Supplies' undertakings not recovered in interest paid by Hawker Siddeley and which the State was therefore obliged to meet?

(2) Will there be any variation in the amount to be met by the State during the current financial year?

(3) If "Yes," how much?

### *Book Debts*

(4) What was the amount of book debts owing to the State Building Supplies and collected by Hawker Siddeley during the financial year ended the 30th June, 1963?

Mr. BRAND replied:

(1) 1961-62—£97,632 8s. 4d.  
1962-63—£68,177 1s. 8d.

(2) and (3) There will be no variation during the current year from the amount applicable to the year 1962-63.

(4) £3,314.

## IRON ORE

*Search: Change in Government Policy*

4. Mr. TONKIN asked the Minister representing the Minister for Mines:

(1) What was the nature of the Government's change in policy in 1961 regarding the search for iron ore which, according to the published report of the address of the chairman to the annual meeting of shareholders of B.H.P., led to the extension of that company's exploration activities for iron in Western Australia?

### *Exports: Reductions in Royalties*

(2) If royalties on iron ore exported through Geraldton are reduced, will it necessarily follow that reduced royalties will apply to iron ore from Mt. Goldsworthy and other places?

Mr. BOVELL replied:

(1) It is presumed that the reference in the report referred to deals with the calling for applications by the

Government in 1961 for temporary reserves to explore for iron ore following the conditional removal by the Commonwealth Government of the embargo on the export of iron ore.

(2) No.

### GERALDTON HARBOUR

#### *Rocky Bar at Entrance*

5. Mr. TONKIN asked the Minister for Works:

- (1) Has not the existence of a rocky bar at the entrance of the Geraldton Harbour been known to engineers of the Public Works Department for many years?

#### *Groenendyke Report on Deepening: Tabling*

- (2) What particular circumstances or reason caused the Government to obtain a report on the deepening of the harbour from the American expert, Mr. J. Groenendyke?
- (3) Will he table a copy of Mr. Groenendyke's report?

#### *Estimated Cost of Deepening*

- (4) Prior to the agreement with Western Mining Corporation, was any estimate made of the cost of deepening Geraldton Harbour to enable it to take large ships?
- (5) If "Yes," when and by whom was it made?

Mr. WILD replied:

- (1) Yes.
- (2) The difficulties associated with deepening the harbour beyond a safe loaded draft of 28 feet 6 inches are well known to engineers of the Public Works Department. However, the advantages to Geraldton and its hinterland of a deeper harbour are obvious. Because of the importance of this fact it was decided to seek the further advice of an American expert as to the practicability and likely cost of deepening the harbour to a safe loaded draft of 30 feet and alternatively 32 feet.
- (3) The report is still under consideration, but will be tabled as early as possible.
- (4) Prior to the agreement with the Western Mining Corporation the decision had been taken to deepen the harbour from a safe loaded draft of 27 feet to 28 feet 6 inches. No practical method of substantial deepening beyond this depth was known to engineers of the Public Works Department, and therefore no estimate was made.
- (5) Answered by No. (4).

### SCHOOLS: PERMISSION TO LEAVE

#### *Applications Received and Granted*

6. Mr. DAVIES asked the Minister for Education:

- (1) How many applications have been received to date this year, from children who have turned 14 years of age and wish to leave school before completion of the school year?
- (2) How many of these applications have been granted?

Mr. LEWIS replied:

- (1) 153 applications up to the end of the second term.
- (2) Of these, 110 have been granted.

### COLLIER PINE PLANTATION

#### *Area Planted and Future Plans*

7. Mr. D. G. MAY asked the Minister for Lands:

Further to the reply to the question on Collier Pine Plantation—Area Planted and Future Plans—on Tuesday, the 17th September—

- (1) Does the mentioned 1,025 acres include the Koonawarra school, the proposed high school corner Bruce and Henley Streets and the area adjacent to Manning Road, set aside for residential purposes?
- (2) What acreage has been set aside for the proposed high school and residential development?
- (3) What location and for what purpose has land been released where pine trees have not reached maturity?

Mr. BOVELL replied:

- (1) and (2) The 1,025 acres does not include the area occupied by the Koonawarra School or the area adjacent to Manning Road set apart for residential purposes. Other than the sites provided for the Technological Institute and Bentley High School, no other portion of the pine plantation reserve has yet been allocated for high school purposes. No portion of the reserve has yet been set apart for residential purposes.
- (3) Locations released which required the cutting of some pines before maturity are—1355, 1911, 1878, and 1884.

### HOUSING COMMISSION HOMES

#### *Loan and Interest Repayments*

8. Mr. GRAHAM asked the Minister representing the Minister for Housing:

What is the sum based on £1,000 capital outlay which is contained in the weekly rental of commis-

sion homes to provide for repayment of loan and interest thereon?

Mr. ROSS HUTCHINSON replied:  
The sum is 17s. 6d.

### MOTOR VEHICLE ACCIDENTS AT GUILDFORD

*Number at Police Station Corner*

9. Mr. BRADY asked the Minister for Police:

- (1) What number of accidents, in which motor vehicles have been involved, have occurred at the police station corner, Guildford, in the last twelve months?
- (2) What number of accidents have taken place in the last week?

#### *Remedial Action*

- (3) Is any action being taken through the Traffic Department or the Main Roads Department to overcome the cause of accidents?
- (4) If so, will he outline action to be taken?
- (5) Would the changing of the route of the main road to run parallel with the railway line overcome difficulties at the corner referred to?

Mr. CRAIG replied:

- (1) Nine in the period the 1st July, 1962, to the 30th June, 1963, and four since the 30th June, 1963.
- (2) Two.
- (3) to (5) These matters are under consideration.

### QUESTIONS WITHOUT NOTICE

#### WATER SUPPLIES IN GREAT SOUTHERN TOWNS

##### *Rating*

1. Mr. W. A. MANNING asked the Minister for Water Supplies:

- (1) What are the annual values on which water rate notices for Narrogin are based?
- (2) What is the total of all assessments for this year and the three previous years?
- (3) What is the rate in the pound charged in each of the following towns:—

Brookton, Pingelly, Narrogin,  
Wagin, Katanning?

- (4) Does the water supply in each town come from the same supply system?
- (5) What is the increase in each of the same towns of total assessments this year over last year?
- (6) Is he aware of the fact that the Narrogin Town Council, which uses the same valuations as the

Water Supply Department, reduced its rate from 4s. to 2s. 9d. because of the increase in valuations?

- (7) On what date did he approve of the rate to be struck in Narrogin?
- (8) Was he advised at that date of the increase in valuations?
- (9) Why was not the rate reduced so that the total revenue was approximately the same, as was done by the Narrogin Town Council?

Mr. WILD replied:

I thank the honourable member for giving me notice of the question this morning. The replies are as follows:—

- (1) Valuations are based on net annual values as assessed for the Country Areas Water Supply by Taxation Department valuers.
  - (2) The totals of all assessment valuations for the years 1960-61 to 1963-64 are—
- |         |      |          |
|---------|------|----------|
| 1960-61 | .... | £104,060 |
| 1961-62 | .... | £107,123 |
| 1962-63 | .... | £109,824 |
| 1963-64 | .... | £165,053 |

- (3) A rate of 3s. in the pound is charged in all of the towns referred to.

- (4) Yes.

- (5) Percentage increase in valuations this year over last year—

Brookton, 2 per cent. Normal expansion.

Pingelly, 1 per cent. Normal expansion.

Narrogin, 50.29 per cent. Revaluation and normal expansion.

Wagin, .16 per cent. Normal expansion.

Katanning, .017 per cent. Normal expansion.

The previous revaluation of Narrogin took place in 1957, Pingelly and Wagin in 1959, and Katanning and Brookton in 1960. The revaluation programme shows that Pingelly and Wagin will be revalued in 1964-65.

- (6) No.

- (7) The 4th June, 1963.

- (8) Yes.

- (9) The loss on the Great Southern Town Water Supply for 1962-63 was £192,880, and a reduction in the rate in the pound could not be justified.

**METROPOLITAN REGION PLAN***New Tabling of Maps***2. Mr. GRAHAM asked the Speaker:**

Mr. Speaker, with reference to your statement in connection with the metropolitan region scheme plans, whilst acknowledging that the plans do not require the concurrence of Parliament nevertheless Parliament has the opportunity of rejecting the proposals. As there are only two more sitting days in which members can take action, or give notice of action to be taken to disallow the proposals, would you, Sir, be in a position to intimate to us at an early date—I suggest the next sitting day at the latest—whether it will require a new tabling of the proposals or whether in fact the time imposed upon us expires next Wednesday?

The **SPEAKER** (Mr. Hearman) replied:

My understanding of the position, as a result of information from the Solicitor-General, is that there will be no new tabling required, and that the time limit of the 26th September will still stand. However, I would rather not anticipate a statement which I think the Minister is likely to make in this connection.

**METROPOLITAN REGION PLAN***Alterations to Maps after Tabling:  
Ministerial Statement*

**MR. LEWIS** (Moore—Minister for Education) [2.30 p.m.]: May I have your permission, Mr. Speaker, to make a statement?

The **SPEAKER** (Mr. Hearman): Yes.

Mr. **LEWIS**: I might point out that the following statement was supplied to me by the Minister for Town Planning:—

I have now ascertained that through an excess of zeal a Departmental officer quite wrongly and without authority corrected certain errors which had been detected in the course of checking copies of the Region Scheme Map.

Before explaining exactly what these alterations were and seeking the indulgence of the House in restoring the Scheme Map to its original form before this unfortunate and ill-judged step was taken, I wish to point out the legal significance of the action.

Section 32 (1) (b) of the Metropolitan Region Town Planning Scheme Act provides that the Scheme, with the Report of the Authority on the objections made to it, shall be laid before each House of Parliament within six

sitting days of the House next following the date of publication of the Scheme in the *Gazette*.

There is no requirement in the Act that the Scheme should remain tabled for 21 days or for any other period. The Scheme was in fact originally correctly tabled, so that as a matter of law, the requirements of the Act have been complied with. In fact alterations were made to the Scheme by an officer of the Town Planning Department without my knowledge or authority. But in a legal sense it is immaterial that they happen to have been made by a Departmental officer. It would be the same legal effect so far as the Scheme procedure is concerned, if the alterations had been made mischievously by an intruder.

Nevertheless, I share the concern which I am sure members feel at the confusion which these alterations may have caused. The officer concerned had the best of intentions—to ensure that each House should be fully aware of what was intended in the Region Scheme—but unfortunately he went the wrong way about it. Leaving aside, for a moment, the question of what was done in the House in an attempt to correct the errors, the House should be aware of how the errors occurred in the first place.

The Scheme comprises, as members will be aware, a set of twenty-eight quite intricately coloured and drawn maps with a good deal of fairly minute detail. The requirements of tabling a set in each House, deposit of a copy for inspection at the public office in the Town Planning Department, submission of a copy to the Executive Council, submission of a copy to me as Minister, and working on another copy in preparatory work for printing, entailed the production by hand of six copies in all—or one hundred and sixty-eight sheets. Up to six draughtsmen were working on this for many months directed and supervised by a Senior Officer in the Department. In spite of the greatest care in checking, draughting discrepancies were discovered at a late stage in the work after copies had been tabled. I think in work of this nature and of this magnitude it is very hard indeed, if not almost impossible, to avoid minor drafting errors.

The officer concerned took it upon himself to decide that the best thing to do in the circumstances was to correct both the tabled copies so that they, and the copy to which the Governor had given his approval and the Scheme as adopted and submitted to me by the Authority, were all exactly in accord.

In deciding to do this he no doubt had in mind that in the operation of the Region Scheme the Scheme Map is not in itself critical. For technical reasons, including the scale of the Scheme Map, the degree of detail shown on it, and the broadly expressed form of the regional proposals the Scheme has written into it provisions under which the boundaries of reservations and the extent of reservations can be varied from time to time as executive actions by the Region Planning Authority, with the endorsement of the Minister.

So far as the zoning provisions in the Region Scheme are concerned, the same degree of control of development is applied initially whatever zone is delineated in the Scheme. There is an essential next stage of the plan when the metropolitan local authorities prepare their more detailed Town Planning Schemes within the Region Scheme framework.

Specifically, the alterations made were as follows:—

- A. Map 23. An area south east of Serpentine in the Shire of Serpentine-Jarrahdale, including Crown Reserve A8651 Loc. 289, CG6 and Loc. 93 shown as in the Rural Zone instead of in the Reserve.
- B. Map 25. (adjoining A above). An area including Crown Reserve 8651 and 21904 and Loc. 1713 shown as in the Rural Zone instead of in the Reserve.
- C. Map 13. An area bounded by Division Street, the proposed marshalling yards, the proposed Welshpool Road deviation and the Riverton-Welshpool Highway reserve at Welshpool shown as a Reservation for Railway purposes instead of being part of the Industrial Zone.
- D. Map 4. An area at Rivervale bounded by Goodwood Parade, Orrong Road and Claude Street shown as being within the Urban Zone instead of the Industrial Zone.
- E. Map 27. An area bounded by Stuart Street, Lake Street, Newcastle Street and Palmerston Street, Perth shown as being in the Urban Zone instead of the Industrial Zone.

The foregoing items are for clarity illustrated on Maps tabled each of which is a section of the Scheme Map, which show by colour in the Map the Scheme as originally tabled and by transparent overlay the correction which was made in each case.

In order to restore the situation it is highly desirable—indeed I believe members will agree with me if I say it is essential—that the corrections be deleted and the Scheme Map restored to the form in which it was originally tabled. I therefore plead the indulgence of the House in agreeing to the withdrawal of the subject documents so that they may be restored to their original form. In doing so I must express on behalf of my Department, my profound regret at this unfortunate occurrence.

If the House agrees to this submission the documents will be returned to the House at the next sitting, duly restored and certified as the scheme maps originally tabled.

#### *Tabling of New Maps*

Meanwhile I beg leave of the House to withdraw the maps that have already been tabled and to substitute others pending the restoration of the original maps. I move accordingly.

*The maps laid on the Table of the House were, by leave, withdrawn, and substitute maps tabled.*

### QUESTION WITHOUT NOTICE

#### SITTINGS OF THE HOUSE

##### *Position During Show Week*

Mr. HAWKE asked the Premier:

As the Royal Show is to be held shortly in Perth, could the Premier at this stage indicate how the sittings of the House will be organised during the Royal Show?

Mr. BRAND replied:

Although I have not discussed this matter with Cabinet, I think the House can take it that we will not sit on Wednesday—People's Day. At that stage, of course, we will not be sitting on Thursday evenings either. If there are other alterations I will convey them to the House early next week.

### GOVERNMENT RAILWAYS ACT AMENDMENT BILL

#### *Introduction and First Reading*

Bill introduced, on motion by Mr. Brand (Premier) for Mr. Court (Minister for Railways), and read a first time.

### MOTOR VEHICLE DRIVERS INSTRUCTORS BILL

#### *Third Reading*

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

## BUSH FIRES ACT AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 17th September, on the following motion by Mr. Bovell (Minister for Lands):—

That the Bill be now read a second time.

**MR. BOWBERY** (Warren) [2.39 p.m.]: The purpose of this Bill is to give effect to the recommendations of the Royal Commission appointed in 1960 to inquire into bush fires. Members do not need to be reminded of the disastrous fires which swept through the south-west portion of the State in 1960. Because of those fires a Royal Commission was constituted to inquire into the causes, and to make recommendations for the prevention of future holocausts of that nature.

I think it would be in order, and of interest to the House, if I were to quote certain of the observations and recommendations of the Royal Commissioner in the course of his report. The commissioner says—

Records of the number and extent of bush fires occurring in Western Australia each summer are incomplete, but sufficient information is available to show that settlers' burning-off fires are not only the greatest single cause of bush fire, but are also responsible for the largest area burnt over. The next largest area is burnt by bush fires caused by lightning, although by comparison the number of fires from this cause is small. Other major causes of bush fires are sparks from engines and machinery and escapes from such agencies as camp fires, incinerators and smokers. Maliciously lit fires and fires mischievously lit by children are, both numerically and in area burnt, of comparatively small account.

We can see from this observation that settlers' clearing fires are the greatest source of danger to the State so far as huge bushfires are concerned. The commissioner went on to state—

The Bush Fires Act, 1954-1958, places the responsibility for lighting fires upon the individual and for their prevention and suppression upon the community through the local authority. The occurrence of destructive bush fires is largely due to the apathy of the local community with the result that the requirements of the Act are often ignored and there is far from sufficient co-ordination of planning and co-operation of effort between the various parties responsible for bush fire control.

The alternative principle on which to found a Bush Fires Act is to make some central policy authority responsible for ensuring that the provisions of the Act are obeyed. It is considered that if the community can be made aware of its responsibilities, the basis of the present Act is preferable.

Here we find that the occurrence of destructive bushfires is largely due to the apathy of the people, to lack of co-operation, and to the lack of sufficient co-ordination in the prevention of fires, and the fighting of them once they occur.

I believe it was for the purpose of giving effect to some of the recommendations of the commissioner that the provisions contained in this Bill were brought before the House, in an endeavour to see that these conditions do not arise unless under exceptional circumstances. It must not be forgotten that the Bush Fires Act, or any amendment to that Act, will do very little towards the prevention of bushfires unless we have, as stated by the commissioner, the full co-operation of the community at large.

I am of the opinion that the Bill is based upon the recommendations of the commissioner; and because of that I would like to quote certain of his recommendations, since the discussion which will follow could be largely coloured by the fact that certain recommendations were adopted and certain others were not. I do not intend to read them all because, should I do that, it would weary the House too much. Recommendation No. 2 reads as follows:—

- (2) all members of the Board be selected for their interest in and experience and knowledge of matters directly associated with bush fire control and not merely as representatives of particular organisations, that the Chairman of the Board be appointed by the Governor instead of being an *ex officio* appointment, and that the Bush Fires Board be strengthened by the appointment of another forester, a member of the timber industry, a police officer and a person with a sound knowledge of weather and its effect upon fire behaviour;

The Bill will give effect to some of these recommendations; but I fail to see in the measure where there is a possibility, or a recommendation, or a suggestion that another forester will be appointed to the Bush Fires Board. The Bill provides for an increase in the number of appointees from the local governing bodies—I will deal with this later—from five to six, but it does not specifically state that this person shall be a forester.

I am quoting recommendations which to my mind are relevant to the Bill before us; and No. 8 reads as follows:—

- (8) local authorities select bush fire control officers for their knowledge and experience of bush fires and their qualities of leadership and that as far as practicable, they be captains of bush fire brigades so that the person issuing the permit to burn has the responsibility of extinguishing the fire if it escapes;

I think these are very wise provisions. The insistence by the commissioner upon practical experience instead of just membership of local organisations and local governing bodies is very relevant. In recommendation No. 9 he goes on to say—

- (9) the relative seniority of bush fire control officers be determined with a view to appointing group leaders as chief bush fire control officers.

This portion of the recommendation is very relevant—

The Shire Clerk should generally be a liaison bush fire control officer rather than a chief fire control officer;

I do not know whether certain local governing authorities are aware of these recommendations, or whether they have perused and studied the report of the commissioner, but I should think it would be to their advantage if they did so. Recommendation No. 13 is as follows:—

- (13) a fund be established to subsidise the purchase of equipment for bush fire brigades but that the granting of subsidies depend upon a certificate being received from the Bush Fires Board that the brigade in question is of a standard that will be available at all times for effective use . . .

and so on.

I am wondering whether such a fund has been established, or whether the Minister or the Government has any intention to establish one, because to my mind it is necessary for the financing of the purchase of equipment for fighting fires. I know that in my area there is a distinct lack of finance and a distinct lack of equipment with which effectively to fight fires.

I notice the commissioner gives particular emphasis to the duties and the importance of the Forests Department in the fighting of bush fires, and also in the co-ordination of bushfire control. To my mind, it is strange indeed that as regards the Bill which is before the House, every attempt seems to have been made to avoid any reference to the Forests Department at all costs. This may not be intended.

On the other hand, it could be that certain people in the community who have established an equity, have a dislike of the Forests Department.

According to the Bill, it appears that the Minister is going out of his way to placate those people who do not like the Forests Department. Considering what happened to this measure when it was last before the House, I think there could be some strong grounds for having that suspicion.

Mr. Graham: Not this House; the other House.

Mr. ROWBERRY: In recommendation No. 22 the commissioner makes particular reference to the points I have just made about the far south-west portion of the State. He says as follows:—

- (22) a committee be formed and provided with the finance necessary to enable it to supplement the activities of the local bush fire brigades in districts in the far south-west of the State where ratable values are particularly low and the proportion of Crown lands high, and that the Forests Department be authorised to give approval for control burning of Crown lands throughout the State by bushfire brigades within two miles of a State Forest and that outside this distance the Bush Fires Board through its wardens have similar authority.

I will not continue to quote the commissioner's report; but I would draw those points to the Minister's attention. In the far south-west of Western Australia—which is, as we all know, the chief timber-producing portion of the State—conditions exist which make it necessary for certain provisions to be made to overcome these difficulties. I hope the Minister will bear that in mind.

As I have already said, there is a provision in the Bill to increase the number of persons appointed to the board from local authorities from five to six. I propose to read the relevant portion of the parent Act so that members may see where the provision fits in. The relevant portion of the Act reads—

- (b) Five persons at least three of whom shall be actively engaged in the business of farming nominated by the executive council of the body known as the Road Board Association of Western Australia (Inc.).

That is now to be changed by further amendment to the Country Shire Councils Association of W.A. This is the only place in the Bill where the suggestion of the commissioner could be given effect to in the appointment of a further forester. There is no other place in the Bill. The



complete number of people on the Bush Fires Board is increased from 10 to 13. The number of persons in paragraph (b) is increased from five to six. There is provision made for persons to be nominated by the Commissioner of Police and by the body known as the Associated Sawmillers and Timber Merchants of W.A.

We could make representations to the body known as the Country Shire Councils Association of W.A. that the association appoint a forester, but that is not very likely. Here again we have the suspicion that the Forests Department is going to be kept in the background in case it irritates or annoys certain people in the community.

There is provision in the Bill for an increase in the number of persons who will be allowed to enter properties and examine them to discover causes of fires. The number of persons has been increased by a bushfire warden, a bushfire officer, and a member of the Police Force; and these persons shall be restricted in their examination of causes of fires. The clause in the Bill reads—

Provided that a member of the Police force is not empowered under this section to enter any land or building for any purpose other than those specified in paragraphs (a), (b) and (c) of this section.

Those paragraphs read as follows:—

- (a) Examine a fire which he has reason to believe has been lit, or maintained, or used in contravention of this Act;
- (b) examine a fire which he believes is not under proper control;
- (c) investigate the cause and origin of a fire which has been burning on the land or building.

The police are restricted in their activities to discover the cause of a fire.

There is also a provision in the Bill, reimposing a restriction on burning periods. This provision is necessary, especially in those parts of the State where weather conditions can change from place to place and from time to time very considerably and very suddenly.

There is another provision in the Bill which makes it necessary for persons who desire to set fire to bush to inform local authorities not later than the first day of September in each year. I think this provision is a good one. At present the bush is generally cleared by machinery. A windrow is cut through and left until the owner has time to burn the timber. I have no quarrel with that portion of the Bill, and I commend it to the House.

However, I cannot say the same thing about the provision with which I am now going to deal. I suggest that members who

are farmers should have a careful look at this provision, which reads as follows:—

(4a) Where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local authority on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of fifty pounds incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction;

Here we have the bushfire control officer being not only policeman, judge, and jury, but the assessor of damages. I do not think that provision will commend itself to any member—even amongst those on the Government side—who represents farmers who are likely to start a fire. First of all we have to establish whether a person did or did not light a fire; and who is to establish that some particular person did light a fire?

Mr. Bovell: A court of summary jurisdiction, if the farmer challenges the allegation, will do that in the ultimate. You read that.

Mr. ROWBERRY: I cannot hear the Minister. If he wants me to reply to his interjection, he will have to make it audible to me; otherwise he will be wasting his time.

The SPEAKER (Mr. Hearman): Order! The honourable member should address his remarks to the Chair.

Mr. POWBERRY: The clause goes on to say that if in the opinion of a bush-fire control officer, or an officer of a bush-fire brigade, a fire gets out of control, certain things shall be done. The provision states, "in the opinion". Members will notice that the only reference in this clause, or any other, to a court of competent jurisdiction is in connection with the recovery of damages. That does not mean that the case has to be established in the court; it only means that the bush-fire control officer, or the bushfire brigade officer, can go to court and ask for authority to collect what the officer assesses to be the damage; so here we have the bush-fire control officer in complete control.

In my innocence, I believe the purpose of the law courts in this State is not only to administer the law, but to determine and establish the difference between opinion and fact. Here we have one authority—the bushfire control officer, or the officer of the bushfire brigade—who can walk on to a place; decide that a fire is out of control; decide the amount of damage the fire has done; and go to a court

of competent jurisdiction, and, on his own uncorroborated evidence, ask for that amount to be recovered.

I do not know whether the Minister has been making a journey to France during the parliamentary recess, but that is the sort of thing one would not be surprised to find occurring in France where a man is presumed guilty until he is proved otherwise. But the basis of British justice is that a man is innocent until proved guilty.

Mr. Bovell: That is what the clause provides. He must be proved guilty if he denies the charge.

Mr. ROWBERRY: There is no provision in this clause, nor is the intention clearly stated, that the bushfire control officer must take the case to court and establish the facts in court. The only time the bushfire control officer goes to court is to get the authority of the court to collect the amount of the debt alleged against the farmer concerned. I think the Minister ought to have another look at this provision; and there should be a right of appeal to the person concerned—the person who started the fire, or allegedly started the fire.

I recommend that the Minister have a look at another part of the Bill, where the right to make prosecutions is not established or inherent in one person. Proposed new section 67 provides—

A local authority may at any time with the approval of the Board appoint persons who are bush fire control officers or members of bush fire brigades as a bush fire advisory committee for the purpose of advising the local authority regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire breaks in the district, prosecutions for breaches of this Act . . .

The prosecutions are not to be made by one person; they are to be made by a committee set up to investigate the situation.

I think that in our zeal when a similar measure to have something done for the prevention of bushfires was last before the House, we swallowed the Bill without the critical examination that was necessary. Members will recall that one of the points to which objection was taken at that time was a provision for proceeding against local authorities. A fine was to be attached to local authorities if it was established that they failed to carry out their duties as fire control organisations. In the clause to which objection was taken there was provision for the presentation of a charge to the Minister and the authorisation by the Minister to the board to proceed in a court of law to establish the facts of the case.

Now we have a clause in the Bill which does not include any of those provisions but merely provides for the uncorroborated evidence of a fire control officer; and such an officer, in some of the local authorities where piques and quarrels easily crop up, could have taken umbrage against a settler concerned in lighting a fire. As a result he could use his authority as a bushfire control officer to bring and establish a charge against the settler, and take the settler to court and have a judgment given against him. In fact, he does not have to have a judgment given against him; all he has to do is to go to the court, and the court will have authority to order the collection of the amount up to the tune of £50. I hope that members on this side and those on the Government side will have a very critical look at this provision.

I might say that I am in perfect accord with most of the provisions of the Bill. However, one can be in complete accord with the purposes of a Bill and yet disagree with the methods used to implement those purposes. Because I disagree with the implementation of this proposed method to reduce bushfires, I am bringing this matter to the notice of the House.

A peculiar feature of the Bush Fires Act is that at present, and prior to this Bill being brought down, no authority in the Act provides for what we call burning back. There is no section in the Act which provides for burning back by anyone, and yet I find that difficult to believe. I have learned that last year or the year before a bushfire control officer who set fire to the bush as a preventive measure—which he admitted doing—was taken to court by the bushfire warden and on being fined by the magistrate he was told that under the Act there was no provision for his committing such an act. Clause 9 of the Bill now seeks to amend section 22 of the Act to give authority for such action.

In the Bill there is a provision to substitute for the words "protecting his pasture or crop from damage by fire", the words "reducing or abating a fire hazard". Under the Act certain circumstances have to prevail before a person is allowed to set fire to the bush as a protective measure. Subsection (2) of section 22 of the Act reads as follows:—

Where, during the operation of a suspension granted pursuant to the provisions of subsection (3) of section seventeen of this Act, the occupier of railway or forest land sets fire to the bush on that land, the occupier of the adjoining land may, subject to provisions of this section, for the purpose of protecting his pasture or crop from damage by fire, set fire to the bush on the adjoining land between the common boundary and the fire break referred to in paragraph (b) of subsection (3) of this section.

So unless a person has reason for protecting his pasture or crop, he cannot—whether he is a fire control officer or not—burn back in accordance with the provisions of the Act as they are at present.

The Bill now seeks to give a person that authority for the purpose of reducing or abating a fire hazard. If the amendment is agreed to section 22 will then read—

Where, during the operation of a suspension . . . the occupier of railway or forest land sets fire to the bush . . . for the purpose of reducing or abating a fire hazard . . .

In my opinion, the amendment is very necessary and important.

Several clauses in the Bill are devoted to clearing up terminology in the Act and to substituting for the names and titles in the Act the new names and titles that now appear in the Local Government Act. To illustrate a point I made earlier in this speech to the effect that sometimes we do not give Bills that come before the House a sufficiently thorough and critical examination—which is most necessary—there is one amendment in the Bill which proposes to alter the word “conducting” to the word “conducting”.

Mr. Bovell: The word “conducting” got into the Act when the previous Minister for Lands was effecting amendments to the legislation. It was a drafting error which had been overlooked.

Mr. ROWBERRY: Apart from its being a drafting error, the important point is that it escaped the scrutiny of members of this House. In my opinion the reason for such errors occurring is that members are not given enough time to permit them to scrutinise closely any Bill which comes before the House.

Mr. Brady: The member for Vasse did not read it.

Mr. ROWBERRY: Perhaps the member for Vasse is taking the credit for correcting it. Such an error does indicate the vital necessity for members of this House to have sufficient time to examine measures of this description, and it also emphasises the responsibility of every member to examine critically all Bills when they are before the House. In making that point I am not arguing that the insertion of “conducting” instead of “conducting” is a very grave error.

There are other provisions in the Bill which seek to regulate the lighting of fires for camping and cooking. The measure also seeks to regulate the lighting of fires for the disposal of a carcase. The difference between the regulations concerning camping and cooking and those relating to the disposal of a carcase, is that in the disposal of a carcase the fire must be lit

between the hours of six o'clock in the evening and 11 o'clock of the same day. The last time an amending Bill of this nature was before the House I brought this point to the Minister's attention, asking whether he considered it was ambiguous to say “between the hours of six o'clock in the evening and 11 o'clock.” I am pleased to note that there is a clause in the Bill which seeks to add the words “of the same day” after these words.

I draw the Minister's attention to the following provision in the Bill relating to the disposal of a carcase by fire—

the fire shall not be lit except between the hours of six o'clock in the evening and eleven o'clock of the same day;

the fire shall not be lit unless and until notice of intention so to do has been given to the occupier of all land adjoining the land on which the burning is to take place;

The wording of that provision also appears to me to be slightly ambiguous, and in my opinion it does not go far enough. After the due notice of one's intention to light a fire is given, how much time will elapse before the fire is actually lit? In other words, when will the person who intends to light a fire actually light it after he has given notice of his intention?

I understand there is a provision in the Act which makes it incumbent upon any person who lights a fire to give to his neighbours warning of his intention to do so before lighting up. In this proposed amendment only notice of his intention to light a fire is necessary. A person can give notice of his intention and then light the fire within half an hour and, in doing so, he would still be within the law. Therefore, the Minister should take another look at that provision with the object of placing a time limit on the period between the time he gives notice of his intention to light and his actual lighting of the fire.

On the question of tractors and their use in orchards, there is a provision in the Bill which permits a tractor to be used without a vertical exhaust. This amendment is quite a good one, provided that the tractor complies with the other requirements in respect of a tractor in paragraph (a) of section 27 (2) of the Act. Paragraph (a) of that section provides that there shall be carried on the tractor a fire extinguisher as prescribed by regulation, and that the exhaust pipe of the tractor shall be fitted with a spark arrester as prescribed by regulation.

If those provisions are complied with the tractor will be safe, and there will be no danger of setting fire to adjoining grass or bush. Therefore I have no objection to clause 13 of the Bill.

The next provision in the Bill makes strange reading, and the inclusion of the word "or" is of vital significance. Section 28 of the Act is as follows:—

Where a bush fire is burning on any land—

- (i) at any time in any year during the restricted burning times;
- (ii) during the prohibited burning times; and
- (iii) the bush fire is not part of the burning operations being carried on upon the land in accordance with the provisions of this Act—

It then provides that the occupier shall take all possible measures to extinguish the fire.

However, the Bill seeks to substitute for those three subparagraphs the following:—

- (i) at any time in any year during the restricted burning times; or
- (ii) during the prohibited burning times;

Then similarly it provides that the occupier shall take measures to extinguish the fire. All the amendment seeks to achieve is to insert the word "or", and to renumber the subparagraphs.

I now refer to the amendment in the Bill which seeks to make provision for recompense in respect of damage to tyres to the owner of a vehicle used in controlling or extinguishing a bushfire. Can the Minister enlighten me as to the reason for such recompense being confined to damaged tyres, and not to damage to the vehicle generally? A vehicle used to extinguish a bushfire could sustain damage, other than damage to its tyres, although generally damage is caused to tyres when the vehicle travels over burning grass.

The provision in the Bill which seeks to extend the indemnity against damage, loss, or injury caused in the fighting of bushfires is a good one. The indemnity is to be extended to all persons engaged in the fighting of a bushfire.

The next provision in the Bill appears to impinge on the liberty of the subject and is similar to the one I dealt with extensively earlier on. I refer to proposed new section 66 (3) which states—

The averment in a claim, complaint or other document in a prosecution or legal proceedings instituted for the purposes of this Act that a person is or was at the stated time the owner or occupier of land, is to be presumed as proved in the absence of proof to the contrary.

This is entirely contrary to the principles of British justice: the provision presumes to place the onus of proof of innocence upon the defendant, in the absence of proof to the contrary.

This provision is all the more objectionable when one refers to proposed new section 66 (1) which states that in a prosecution or legal proceedings, in addition to other methods of proof available, the production of a rate book, the production of a document signed by the Registrar of Deeds or his assistant, the production of a certificate signed by the Registrar of Titles or his assistant, or a certificate signed by the Under-Secretary for Lands, the Under-Secretary for Mines, or the Conservator of Forests, shall be evidence that the person is the owner or occupier of the land, unless the contrary is proved.

Mr. Bovell: Those documents are copies of records. Surely they are a sufficient form of evidence in a court.

Mr. ROWBERRY: I want to refer the Minister to the difference in the two preceding provisions I mentioned. One provides that documentary evidence shall be sufficient to indicate that a person is the owner or occupier of the land; but the second provides that the averment in a claim, complaint, or other document in a prosecution is to be presumed as proof, in the absence of proof to the contrary, that the person is the owner or occupier. Why should people waste time going to all those Government departments to obtain certificates for production before a court or tribunal, if an averment is sufficient? I cannot see any reason for this provision being in the Bill at all.

Mr. Bovell: It is costly for people to go to those departments.

Mr. ROWBERRY: The Minister goes on whispering again. By and large, apart from the objections which I have enumerated, I commend the Bill to the House. Although it contains faults, I think that on the whole it will enable local authorities, bushfire brigades, and the people in the community who have an honest appreciation of the dangers of bushfire, to do something for the prevention of, and protection from fires.

I join with the Minister in his commendation and praise of the assiduousness, dedication, and devotion which local authorities have shown in this respect. They have shown a proper appreciation of the dangers which accrue from bushfires, and they have also exhibited a sense of responsibility in their efforts to do something towards the prevention of this great danger to the State.

I would like to join the Minister in his commendation, and I hope that he will take cognisance of, and give consideration to, the points I have raised during this debate.

MR. RUNCIMAN (Murray) [3.31 p.m.]: I want to say a few brief words in support of this Bill. It seems a long time since we experienced the devastating fires at Dwellingup, Karridale, and other places

early in 1961. Much was learnt as a result of those fires, not only by the farmers and the people involved, but also by the Forests Department. A Royal Commission was appointed which went very thoroughly into the whole aspect of bushfires. The recommendations of that Royal Commission have largely been implemented in this Bill.

A great need existed for the tightening up of the legislation as was made manifest during the severe fires. Every year there is a certain fire hazard, but I think this year may be one of the worst on record. One of the contributing factors is the extensive aerial top-dressing which is carried out in practically the whole of the Darling Range. Large areas of inaccessible country now have a prolific growth of grass, and members can imagine the effect a fire would have in those areas.

I do not agree with the member for Warren on one point. If a person starts a fire on his property and it gets away, and the fire brigade has to be called to assist, that person can be held responsible for the expenses incurred by the fire brigade. I think that is a good provision, which will act as a deterrent. Time and time again people light fires when burning off their property, but they do not take sufficient precautions. They inform their neighbours all right, but they do not organise the burning off so that there is no risk of the fire spreading. During the burning season it is quite the practice for the fire brigade to be called out day after day fighting fires which should never have occurred and which would not have occurred if sufficient precautions had been taken. I believe that we cannot take too many precautions when dealing with fire.

Another method in fire-fighting which is very prevalent is the lighting of other fires, this being called burning back. In many cases this is necessary, but some people light fires indiscriminately in this way. With the modern methods of transport, high-powered spray units, and bulldozers, we have everything with which to fight fires; but there is a hesitancy in many areas to put them out. Very often thousands more acres of bush are lit when it is not necessary. Those people who burn back indiscriminately should be punished.

I believe that there exists now a greater co-operation between the Forests Department and the farmer. That is something which is necessary but which has not always obtained. This, I believe, has been one of the lessons learned as a result of the severe fires which have occurred during the last few years, and I believe the co-operation will now continue.

This Bill is similar to one which was dealt with thoroughly last session, and I have no intention of going through it now

in detail. I have discussed this legislation with the four local authorities in my electorate and they feel it is very worth while. Therefore I have much pleasure in supporting it.

**MR. BOVELL** (Vasse—Minister for Lands) [3.36 p.m.] : I want to thank the member for Warren and the member for Murray for their contribution to this debate. As has been explained by the member for Murray, this Bill was debated at length last year. It will be recalled that I explained in my second reading speech that the Bill is similar to the 1962 Bill in all respects except one—and that is the provision imposing penalties on local authorities.

The member for Murray has rightly said that this year we could experience the most dangerous fire hazard ever. Whilst legislation cannot prevent fires it can assist in their prevention and control. Last year the Assembly agreed that this measure was designed for the protection and control of fires, and to assist local authorities, bushfire brigades, and the community generally.

I would implore the whole of the rural community to take extreme care this year and to proceed as soon as possible with the provision of firebreaks. I also emphasise the need for those people to take precautions to protect their farms and to preserve their houses and buildings generally. As a result of my travels through the country—and as Minister for Lands I am obliged to, and do, travel many hundreds of miles each week to various parts of the country—I have seen a terrific amount of prolific growth which will die off when the hot sun comes. It makes it obvious that the fire hazard this year will be very dangerous. It is for this reason that the measure has been introduced as it was last year, except for one provision, because it is desired that the Bill be passed as quickly as possible in order that it may be proclaimed and the benefits from it derived during the coming summer.

The member for Warren made some pertinent comments which he has asked me to consider. I certainly will; and if I am still the responsible Minister when another Bill concerning bushfires is introduced, these submissions will certainly receive my consideration.

I would ask that the Bill be passed in its present form because, I repeat, it was accepted in that form during last session. There is, as I explained during my second reading speech, a desire and a need for this legislation to be implemented as soon as possible in order that we might derive the benefit of it during the coming season, which, I repeat, promises to be one of the most hazardous that Western Australia has ever experienced.

**Question put and passed.**

**Bill read a second time.**

*In Committee*

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill.

**Clauses 1 to 6 put and passed.**

**Clause 7: Section 18 amended—**

Mr. HAWKE: When the member for Warren was discussing a portion of this clause the Minister made an interjection which led me to think he and the member for Warren were rather at cross purposes in their respective interpretations of what this part of the clause meant. Therefore, I am seeking further information from the Minister, and also intend to ask him to have his officers, and the legal officers of the Crown Law Department, have another look at this particular part of the clause before it goes through Committee in the Legislative Council.

The portion with which I am concerned is on page 6. It is paragraph (g), proposed new subsection (4a). On a bare reading of this proposed new subsection it would appear that a bushfire control officer, simply on the basis of his own opinion, could inflict an expenses penalty upon a landholder of up to £50 in relation to expenses incurred by the appropriate bushfire brigade. If that really be so then it seems to me to introduce a dangerous principle into the law, because the accused landholder can be found guilty simply on the opinion of an officer. It appears to me that that is a principle we should not endorse.

There may be other sections in the parent Act which would overcome what appears to be the initiation of a dangerous principle in the matter, and I ask the Minister to give the Committee additional information, if he has any in his possession; and, failing that, to give the Committee an assurance that this particular part of the clause will be closely re-examined by officers of the appropriate department, and also by officers of the Crown Law Department.

Mr. BOVELL: My interpretation of this clause is that instead of going to court in the first place a bushfire control officer could say to a farmer, "You have done this and it has cost us £40. We think you should pay it into the local authority"; and the fellow says, "Yes, I know I am at fault and I am prepared to do that." But if he challenges it it will be the responsibility of the bushfire control officer to take legal action to have it proved in court.

Mr. Hawke: No; not according to this.

Mr. BOVELL: I may be wrong, but that is the way I interpret it. I will certainly have the matter investigated by the Crown

Law Department. It was in the Act at one time and then it was removed. The Bush Fires Board has requested that it be reinserted.

Mr. Hawke: This gives the local authority the power to take the landholder to court for the purpose of recovering the amount of the fine imposed by the local authority or bushfire control brigade on the landholder—only to recover the fine and not to prove or disprove.

Mr. BOVELL: It is not a fine.

Mr. Hawke: Or whatever it is.

Mr. BOVELL: The wording might be such, but it is not a fine. It is a matter of costs which they want to recover. If the person concerned says that he was responsible and he pays and looks pleasant, nothing happens. If he challenges the position, I take it court proceedings would have to be taken to recover the cost. That is the way I interpret it.

Mr. Hawke: Only to recover it.

Mr. BOVELL: To recover it the case would have to be taken to a court of summary jurisdiction. In any event, I will have the matter investigated and let the Leader of the Opposition know. If necessary we can have the matter dealt with in another place.

*Sitting suspended from 3.48 to 4.7 p.m.*

**Clause put and passed.**

**Clauses 8 to 27 put and passed.**

**Clause 28: Sections 66 and 67 added—**

Mr. HAWKE: When speaking on the second reading the member for Warren raised a point in connection with this clause about which I wish to say a few words. The clause seeks to insert new subsections into the Act. They will deal with proof of ownership or occupancy of land. The earlier portion of the clause sets down additional methods of proof to be available in connection with ownership or occupancy of land. Subsection (3) of proposed new section 66 states—

The averment in a claim, complaint or other document in a prosecution or legal proceedings instituted for the purposes of this Act that a person is or was at the stated time the owner or occupier of land, is to be presumed as proved in the absence of proof to the contrary.

The first part sets out grounds which the prosecution may use to prove that a person either owns or occupies certain land. Presumably where the prosecuting authority is unable to prove this to the satisfaction of the court by any of the methods which are in future to be available in the Act, the situation is to be reversed, as it were, and the onus is to be put upon the landowner who is the accused—or who will be the accused—to prove he is the legal owner or occupier of the land.

There may be very good reasons why this reversal of law and procedure should be approved by Parliament in this situation after the prosecution has failed to prove, by the methods available, that the person charged is the legal owner or legal occupier of the land. But Parliament has always been very careful about introducing this proposed principle of making an accused person prove something, other than his innocence of course, and I think we should have from the Minister, either some justification for this part of the clause, or an assurance that he will have it looked into with a view to giving us further information at the third reading of the Bill.

Mr. BOVELL: The reason for this provision in the first part of the clause is to save people expense, and to provide for the production of the rate book or certificates from the Registrar of Deeds, the Registrar of Titles, the Under-Secretary for Lands, the Under-Secretary for Mines, and the Conservator of Forests as evidence, until the contrary is proved, that a person is the owner, lessee, or occupier, as the case may be, of the piece of land. That seems reasonable enough. That is the only note I have, and it is thought it will simplify court procedure. I cannot answer the legal point raised by the Leader of the Opposition, but I will have it examined. I have already referred the other matter to the Under-Secretary for Lands, and I will give the Leader of the Opposition the information he requires at the third reading stage.

Clause put and passed.

Title put and passed.

#### Report

Bill reported, without amendment, and the report adopted.

### MINING ACT AMENDMENT BILL

#### Receipt and First Reading

Bill received from the Council; and, on motion by Mr. Bovell (Minister for Lands), read a first time.

### METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

#### Second Reading

Debate resumed, from the 10th September, on the following motion by Mr. Wild (Minister for Water Supplies):—

That the Bill be now read a second time.

MR. GUTHRIE (Subiaco) [4.17 p.m.]: I do not propose to take up very much time of the House in speaking on this measure, nor do I intend to canvass the whole of the matters which have already been raised in this debate. However, I do wish to refer to one particular aspect

that has been raised; namely, the accusation that has been made by certain members of the Opposition. I will quote their actual remarks in which it was said that if this measure is passed, it will enable the Government to run away from its responsibilities in regard to water rates.

In order to refresh the minds of members of the House, I will quote from the remarks of the member for Fremantle on page 888 of the current *Hansard* in which he said—

This Bill is merely a means whereby the Minister can say that he or his Government is not responsible for any increase in water rates. If the Bill is passed it will be possible for the Minister to say, "It is not our fault the price of water has increased; it is the fault of the board." The Bill merely presents an opportunity to the Minister to blame somebody else for something for which he is responsible.

On page 890 and continuing on to page 891 of the same *Hansard*, the member for Beeloo said this—

The degree to which rates should be increased is always a subject of much contention by the electors on various occasions; and rightly so. Should a Government impose a rate it must be prepared to go before the electors and defend its action in doing so. Its action might be justified; on the other hand, it might not. It is up to the electors, from time to time, to indicate whether the Government of the day was right in taking the action it did. Why should the Government run away from such a responsibility? Why should it place this responsibility in the hands of somebody against whom the people have no redress? The Government seeks to hide behind the cloak of letting the board strike a rate, and letting it be responsible for the authorising of capital works that will normally occur during its jurisdiction.

Mr. Bickerton: Well spoken.

Mr. GUTHRIE: Well read, if I may correct the member for Pilbara.

Mr. Bickerton: Well spoken by the member for Fremantle.

Mr. GUTHRIE: Let us, Mr. Speaker, go back a short period into history. During the years 1960 and 1961 there was quite a furore in the metropolitan area of Perth concerning water rates.

Mr. Fletcher: That is the word I used.

Mr. GUTHRIE: It is a good word, too. The accusation which was then levelled against the present Government and the present Minister was that there had been certain fiddling with water supply revenue which arose, firstly, as a result of a re-valuation; and, secondly, by bringing the method of valuation more in accordance

with the Act under which the department was operating. For very many years, the provisions of the Act had been ignored and the Minister directed that certain discrepancies where one type of ratepayer was assessed under one formula and another type of ratepayer under another had to stop and all ratepayers had to be brought on to the same basis.

At the same time there was a revaluation. I would stress to the House that no attempt was made then—and in fact, no attempt since—to increase the rate in the pound. Nothing at that time was done to bring about any alteration in the rate in the pound. Since then, there has been, in certain instances, a reduction in the rate in the pound. At that time we were accused of using the Water Supply Department as a taxing machine; and we were accused of raising the water rates for the purpose of diverting the funds raised and using them for some other purpose.

Mr. Oldfield: That was factual.

Mr. GUTHRIE: I will deal with the member for Maylands in a moment. All members will recall the pamphlet that went throughout the metropolitan electorates telling of the £1,000,000 water grab. It was quite a graphic pamphlet, showing a clutching fist on a tap pouring water into nothing. It was stated quite definitely and quite emphatically in that pamphlet that £1,000,000 had been diverted from the Water Supply Department into other sources during the life of the first term of office of the present Government. Members will recall that in my own electorate it caused quite a lot of trouble.

Mr. Heal: Who do you represent?

Mr. GUTHRIE: A water rates vigilance committee was set up, and undoubtedly all of its members were members of my political opponents. They endeavoured to keep this dispute going continuously. Yellow pamphlets appeared in my letter box, and the letter boxes of other people with great frequency right up until the election of 1962. It could not be argued or denied that the election of 1962, so far as it concerned the electorate of Subiaco, was very largely fought on the issue of water rates.

Mr. Rowberry: When are you coming to the Bill?

Mr. GUTHRIE: The honourable member's head will come off in a moment, do not worry! What did the Government do in answer to that? The Government said that it had not done what it was accused of and produced facts and figures to support that argument. But no matter what facts and figures were produced, an unknown gentleman was writing letters to the paper in Subiaco, which were not signed with a name but simply "Accountant." This gentleman happened to be the secretary of the Subiaco branch of the

Australian Labor Party. He endeavoured to prove that the figures we put up were, in fact, erroneous.

The Government decided to put this matter beyond all doubt and said it would establish a water board which would run its own functions, make its own valuations, and handle its own finances so there could never again be any suggestion put to the people—no matter how erroneous—that the rating system of the water supply authority was open to question.

Mr. Toms: What about Forrestfield?

Mr. GUTHRIE: I am not interested in Forrestfield; I am interested in Subiaco and the metropolitan area. The Government decided to bring about a position that would make it quite clear the Water Supply Department or board was not being used as a taxing machine. This proposal was clearly stated by the Premier in his policy speech; it was clearly banded about the community; and what did the people do? They returned this Government and they returned me. It is interesting to note the figures. There was a redistribution of seats. Although it is true I lost some of my territory and gained some other territory, in the main bulk of the Subiaco electorate, where I have 6,500 electors, I gained ground. That portion of the electorate remained unchanged during the years 1959 to 1962, and was not affected by the redistribution. At the election in 1962 in that portion my majority went up by 50 per cent. despite all the hullabaloo and propaganda that went on. With one exception, where the total numbers fell, I gained in every single box in that portion of the electorate, despite the statement by the Government that it would introduce a water board.

That issue was made perfectly clear to the electors. I do not know when a Government can claim it has a mandate, because sometimes one can argue about that point. However, I think it would be quite futile to say that the Government does not have one in connection with this matter because it put the position quite clearly to the people. Therefore, it can claim to have a mandate to constitute this water board. It is absolutely futile to say that the board is being set up to enable the Government to run away from its responsibilities.

The Government decided to set up this board to reassure the public there was no question of dishonesty—an implication made by our political opponents. They said we were dishonest—that we used the Water Supply Department as a taxing machine to obtain £1,000,000 to bolster up the Treasury. I have no hesitation in saying I support the Bill. To me it is amazing how anybody could suggest that the Government is not sincere in putting this measure before the House when it went so clearly to the people on the matter.



**MR. J. HEGNEY** (Belmont) [4.27 p.m.]: I think the setting up of a water board as proposed in this measure is a retrograde step so far as administration in Western Australia is concerned. I have read the Minister's introductory speech in *Hansard*, and having regard to the size of the metropolitan area I would have thought he would give us more information and amplify his case much more than he did.

There are really only two salient points in this measure: One is to remove the present administration and set up this board, freed from political control—whatever that means; and the other is to endeavour to save a certain amount of loan funds by giving borrowing powers to the board. In the discussion that has ensued I think it has been shown there is a great doubt whether the board, if set up, would have the ability to borrow money at the loan rate at which the Loan Council can borrow. Therefore, if it cannot borrow money as cheaply as the Loan Council rate, undoubtedly the result will be that because of increased expenditure by way of interest payments increased rating will be necessary so far as metropolitan consumers of water are concerned.

Those consumers will be worse off. They will have to pay an increased charge for the most important commodity of water. That has been made quite clear from the analysis made by the Deputy Leader of the Opposition. He pointed out that the board, if it is set up, in seeking to borrow money will undoubtedly have to pay more for it than would be the case if the money were provided under the Loan Council rating.

It was also emphasised that another body—the Fremantle Harbour Trust—has the authority to borrow, and that it needs finance for capital works, such as extensions to the upper reaches of the harbour. It has not sought to borrow money for the purpose of providing the harbour trust with the requisite capital. If the position applies that the board will not go on to the loan market to seek to raise money, it will be interesting to know whether the metropolitan water board will be able to do any better than the Fremantle Harbour Trust. So far as metropolitan consumers are concerned, they will undoubtedly be flooded with substantially increased rates for water consumption in the years to come.

The question has been raised of putting the metropolitan water board beyond political control; but for the life of me I cannot see why that should be so. The organisation controlling water consumption in the metropolitan area is a most important one for the public; and surely, through their elected representatives, people should have the right to put their case before the Minister or the water authority, or to put forward what appears to be the rights of

water consumers in various parts of the metropolitan area. If this is to be politically controlled, then the sooner we close up Parliament the better. The people have a voice through their elected representatives; and they expect us to make representations to the proper authority on behalf of various services; either to administrative staffs or to Ministers.

Whether or not it can be shown that at this stage an extension of water services, or an extension of sewerage, is justified, we should agree with the proposition as it stands; but to attempt to get away from the issue by setting up this so-called board is, I think, a retrograde step, and I do not propose to support the measure.

According to the Premier, the primary purpose is to save loan moneys being diverted to the metropolitan water supply and thus have more loan funds for educational purposes. But have we any assurances in that respect? We are not too sure what the position will be, or whether the Treasury will soon have to come to light with loan funds for these important capital works.

**Mr. Brand:** No-one has said they would have to raise all the money. It has always been stated that the Treasury would come to light with loans.

**Mr. J. HEGNEY:** The purpose of establishing a board is that there should not be a draw on loan funds, and that we would be in a better position to discuss our financial requirements with the Grants Commission when it came here.

**Mr. Brand:** In answer to a question, it was stated that we would raise up to £200,000, and go up to £500,000. The balance would be found from loan funds from the Treasury.

**Mr. J. HEGNEY:** The water board, to circumvent an inquiry from the Grants Commission, would have to advertise for loans. It would do so probably through a broker, and brokerage charges would apply. Those charges would mean increased costs on to a loan and the rate would be higher. There is no doubt that the added expense would have to be passed on to the consumers. Undoubtedly there would be increased charges for water.

**Mr. Guthrie:** You only pay the brokerage once, not each year.

**Mr. J. HEGNEY:** But when redeeming a loan at the end of a period, a broker does not merely accept 1 per cent. at the commencement of one year and accepts no payment for his services after 20 years. There is no doubt that the costs involved in connection with this proposed board would be higher than the loans which would be raised through the Loan Council; and there is no doubt what the result would be.

In this State we have a first-rate organization which has been built up over the years. It has first-rate administrators and highly-qualified engineers who are dedicated to their jobs. But when there is a ministerial change, the new Minister has to apply himself to the ramifications of his particular portfolio, in order to fulfil his responsibility to the public and to Parliament.

The public have a right to make representation to the Minister or to administrative heads of departments. A lot of that would be lost under the scheme of this proposed board. Judging from the attitude of the Government towards the Public Works Department force, which was dispersed by the Government to various parts of the State, the same position is likely to apply in connection with the Water Supply Department.

The Minister, when introducing the Bill, gave very scant information in respect to what is proposed. I have had a good deal to do with the Water Supply Department since I entered politics. The electorate which I represented for many years comprised practically all of the eastern suburbs, and I have had close contact with the Metropolitan Water Supply and Sewerage Department over the years.

The proposal before us is a retrograde step. The member for Subiaco referred to campaigns which were conducted in his territory against water charges. He said the matter came back to an increased majority. Possibly his electors were satisfied with the existing system and endorsed him to represent them in connection with conditions which existed and not in connection with changed conditions. I propose to vote against the second reading of the Bill.

**MR. HAWKE** (Northam—Leader of the Opposition) [4.38 p.m.]: The case against this Bill was very well stated a few days ago by the Deputy Leader of the Opposition, and it has been very well supported this afternoon by the member for Belmont. Therefore it is not necessary for me to delay the House at any length to reinforce the argument which those two members submitted against the main principles of the Bill.

I do, however, want to have one or two words to say about the effort of the member for Subiaco. He, so far as I could understand, made no effort to justify the Bill, or the main principles in it, but spent much of his time trying to justify the member for Subiaco. It is true that public resentment against the savage increase in water rates in 1961 did not defeat the member for Subiaco at the subsequent election; but I think the whole truth is that the D.L.P. saved him in Subiaco at the last election.

**Mr. Guthrie:** The D.L.P. was in the previous election, too, and I still increased my figures.

**Mr. HAWKE:** That is how the member for Subiaco first won his district; but as the D.L.P. is now a disappearing force, the member for Subiaco might find himself well and truly out next time.

**Mr. Guthrie:** That is your hope.

**Mr. HAWKE:** One rather important feature in connection with this Bill, which I would have expected the member for Subiaco to speak about and about which he would have known quite a bit—

**Mr. Guthrie:** It would not have made any difference; you do not listen to what I have to say.

**Mr. HAWKE:**—and which might have been worth his while to consider, is the way the Bill has been drawn up. I counted the number of sections and schedules in the principal Act and I find there are 166 sections and 13 schedules in it.

This is a Bill to amend the principal Act, and in this Bill there are 159 amending clauses and new clauses, and nine amendments to the schedules. If members will take a quick glance through this Bill they will be impressed with the idea—I think the idea is quite correct—that it is a rather untidy set-up. I would have thought that when the Minister and the Government found this amending Bill was so comprehensive and required so many amendments to be made to the principal Act, they would provide in this Bill for the complete repeal of the principal Act and its schedules and for the incorporation in this Bill of a totally new Act. That would appear to me to have been the most sensible and the most businesslike course.

**Mr. Guthrie:** About 80 per cent. of them are taking out the word "Minister" and putting in the word "board".

**Mr. HAWKE:** Eighty per cent. of them are not doing that at all, and it is futile for the member for Subiaco to try to mislead members by making that assertion. It is nowhere near 80 per cent. I would suggest that in the undesirable event of this Bill passing the second reading stage, or even passing through Committee, some further consideration might be given by the Minister and the officers of the Crown Law Department to whether or not at this late stage it would be of great advantage to everybody who will be concerned in the future, should these alterations become law, to have one Statute, instead of having the principal Statute and this amending Statute, as it then might be, with all the alterations, additions, and the rest of it.

We read something in the Press not so very long ago to the effect that the Government had appointed, or was thinking of appointing, a special full-time legal man to bring our Statutes up to date; to make

them more easily understandable; to consolidate them; and to give those people who had to deal with each particular Statute a more reasonable opportunity of knowing what the Statute was about.

It appears to me that here is a first-class opportunity for the Government to put that idea into practice; and I would hope that the Premier and his ministerial colleagues, on considering the suggestion I have put forward—if they are prepared to do that—and in the event of the Bill becoming law, which I hope will not happen, would try to have action taken even at this late stage along the lines which I have suggested.

The only argument put forward by my colleagues on this side who have already spoken in the debate, which I want to reinforce, is the one that it is considered by us that the main reason which prompted the Government to bring before Parliament a Bill of this description is its anxiety to escape from the political consequences which are always likely to arise when water rates are increased upon the ratepayers.

I think it is up to the Government to accept responsibility and not to shove it away all the time. It might be said the State Electricity Commission Act is similar to the one which will exist in respect of the Metropolitan Water Supply, Sewerage, and Drainage scheme should this Bill become law. There is some truth in a claim of that kind, should it be made. However, we have to remember in that regard the State Electricity Commission Act started from the beginning: it was a new set-up; a completely new set-up.

As far as I can remember, it was never claimed with respect to the setting up of the State Electricity Commission that it would be free from political control. I do not remember that being put forward as a reason for the establishment of the commission or as a justification for putting the then proposed State Electricity Commission under the management and control of a commission.

The difference in this regard is that the Metropolitan Water Supply, Sewerage, and Drainage Department is an old-established department. It has been in operation for a great many years, and it has operated successfully. It has done a magnificent job in providing the vital services concerned to the people in the districts of the metropolitan area where all or any of these services have been available. So the system has been a great success; the departmental management or control has been a great success; and there is little or no justification, in my judgment, for altering a system which has worked so successfully.

**MR. BRAND** (Greenough—Premier) [4.47 p.m.]: Like the Leader of the Opposition, I do not propose to delay the House

on this matter. I simply want to say that, apart from the political controversy which at one time surrounded this Bill, I wonder why it was not acceptable as a genuine move designed to get more loan money for other departments and other works, apart from the Metropolitan Water Supply, Sewerage, and Drainage Department. It is a controversial matter each time any adjustment is made to the water rates or the sewerage rates, and I do not know why there should be controversy about putting the department under an arrangement such as applies in Queensland, New South Wales, Victoria, and Tasmania in various forms, such as a board, or trust, or something else.

The Leader of the Opposition has said that the line taken by members opposite is that of being opposed to the Water Supply Department accounts being removed from the accounts of the Treasury, because those accounts should come before this House for an airing and for debate. I have no doubt that this will still be so. I have heard debates in the House—and very long debates—on the rates applying to electricity. Therefore, I have no doubt that even under the proposed arrangement we will hear more about the water rates in this Assembly.

Nevertheless—and here I would agree with the Leader of the Opposition—the Water Supply Department has done an excellent job over the years in spite of the fact that from time to time the decisions on water rates became political foot-balls and must have made it rather embarrassing, irrespective of the party in office, for the people running the department to decide on a level of rates which would enable them to balance their accounts.

I believe that the money which will be raised outside through the separate borrowing powers of the metropolitan water board will not cost the State any more than about another 8s. per cent. compared with what we get through normal loan avenues. I know the Deputy Leader of the Opposition gave quite a number of figures and stated that we would pay something like 9 per cent. for the money which was raised outside, on the loan market, by the metropolitan water board. I hope that the Minister for Water Supplies, when he replies to the debate, will give examples to prove that, as I have said, we will not pay much more than 8s. per cent. for the money.

**Mr. Tonkin:** You cannot say that can be right.

**Mr. BRAND:** I have just said it is right.

**Mr. Tonkin:** That does not make it right.

**Mr. BRAND:** No; and even though the Deputy Leader of the Opposition has made this very firm statement that I am wrong, he will go on and say I am right.

Mr. Tonkin: What does it cost the State Electricity Commission?

Mr. BRAND: It certainly does not cost the commission 9 per cent.

Mr. Tonkin: It costs more than 7 per cent.

Mr. BRAND: I never said what it cost.

Mr. Tonkin: You said 8 per cent.

Mr. BRAND: I said, 8s. per cent. more.

Mr. Tonkin: It is more—

The SPEAKER (Mr. Hearman): Order!

Mr. BRAND: We now pay 4½ per cent.

Mr. Tonkin: Plus ½ per cent. sinking fund.

Mr. BRAND: Yes.

The SPEAKER (Mr. Hearman): Order! I am not going to have this constant disregard of the Chair.

Mr. BRAND: The money which we will raise outside will cost us about £5 2s. 6d. per cent plus brokerage and maybe some small charges. We have had the Treasury investigating and examining the cost of raising money separately by the proposed water board to find out what it would be, and those are the figures that have been given to us. The Treasury itself supports the idea of the board being established; and it must be realised that the metropolitan water ratepayers would rise in opposition to such a move if the charges were going to be anything but a small amount greater.

Mr. Davies: No-one has told them.

Mr. BRAND: Therefore, for those reasons alone I am quite satisfied that the very small extra charges will not make any substantial increase—in fact, they will make only a minor increase—in the rates which will be paid from time to time.

Mr. J. Hegney: Time will tell.

Mr. BRAND: Of course. There has always been a gradual increase in costs and charges, so we can expect that at some point of time there will be an increase in the rates; but I would say it will not be because of the move the Government is making.

Mr. Fletcher: What brings about inflation then? It is certainly not the trade unions.

Mr. BRAND: We will not go into that matter. We have heard from the member for Fremantle on this subject on a number of occasions. I just want to confirm what the Minister for Water Supplies has said; namely, that the borrowing powers will not mean any real added charges to the costs of the Metropolitan Water Supply, Sewerage, and Drainage Department. On the other hand, not only will we gain the advantage of the new money, but, from time to time, certain sums of money will be released from the loan fund and we

will spend them on the various departments which demand the money; and I have no doubt that country water supplies will be given consideration.

Therefore I cannot understand why anybody should oppose the Bill for any reason other than that there could be some difficulties in setting up a new organisation instead of retaining the processes of the present department. There may be some difficulties in this regard, but from the point of view of raising loan moneys; from the point of view of moving the accounts from the Government's accounts; and from the angle of putting the authority on a business-like basis, I think there is a very strong and favourable argument. So I have great pleasure in supporting the Bill, and I ask members to give it their support.

MR. WILD (Dale—Minister for Water Supplies) [4.56 p.m.]: I firstly want to thank members for their contributions to the debate, although, like my leader, I must say I am rather amazed that the Opposition has seen fit to oppose the creation of a board like this, because the Opposition did exactly the same thing itself in 1945 when the present Leader of the Opposition decided to institute a State Electricity Commission. He virtually took over the Electricity and Gas Department from the local supplier and thought in his wisdom—and I think everyone will agree today it was a very fair and excellent thought—he would do what he did; and the Government is attempting to do exactly the same thing today. He took the question of electricity virtually out of the confines of political interference, except, as I will indicate a little later, that the commission was subject to the Minister.

I was chided the other evening by the Deputy Leader of the Opposition and one or two other speakers for having taken only eight minutes to introduce this most important measure. I do not suppose there are any two of us born in the same cradle, and we are not all educated the same way. I was not brought up—probably unfortunately—to be a school teacher where talking to 40 or 50 children for a considerable length of time is probably one of the main attributes. Most of my training in administration was in the Army where we had to say what we wanted to say in as few words as possible, and get to the point.

Mr. Hawke: Which army was that?

Mr. Oldfield: In the Army your thinking was done for you.

The SPEAKER (Mr. Hearman): Order!

Mr. WILD: When I rose the other evening I said in eight minutes what it might have taken plenty of other people 20 or 25 minutes to say. So I offer no apologies for that. If one looks calmly and collectedly at what I had to say, he will

find that in effect—and the Deputy Leader of the Opposition very kindly read this back to me—I made three points.

Mr. Hawke: That was a record.

Mr. WILD: One point was that it was desired that this matter be taken away from political interference; another was there would be a board; and another was that the board would have borrowing powers. But I did—and I make no apologies for this—in my own simple way indicate that those were the three principles upon which the Bill would stand. As a matter of fact, I have had a look at the speech of the Deputy Leader of the Opposition on several occasions, and I found that of the 40-odd minutes he took, about 15 minutes was spent talking about Forrestfield and other extraneous matters that had nothing to do with the Bill—

Mr. Tonkin: Not much!

Mr. WILD: —and, as is usual with him, he repeated things twice and three times; so when we really get down to taws, he probably would have taken only eight or nine minutes to deal with the real question. But we had to listen to him for 45 minutes while he tried to make out a case against something which his own Government did only a few years ago.

In a few moments I intend to give to the House examples that have been taken out for the Government by the Under-Treasurer and the Under-Secretary for Metropolitan Water Supply, to completely debunk what the Leader of the Opposition had to say about the 9 per cent.

Before I pass on to that point, I want to deal with various questions raised by the honourable member about which he made such great play. I indicated earlier that in the State Electricity Commission Act of 1945, which was introduced by the present Leader of the Opposition, the then Government went to rather great pains to do exactly as I have done, because in section 16 the following words appear:—

Subject to the Minister, this Act shall be administered by the Commission.

On reading the debate, I noticed with some enjoyment the fact that the previous Government indicated that the House would be very wise to have the commission subject to the Minister because of the borrowing powers it was giving the commission. Under this Bill we are giving similar powers to the proposed board and the provision gives the Minister an opportunity to keep an eye on what is going on behind the scenes.

In support of his argument the Deputy Leader of the Opposition told us how wicked it was to have any acts committed by the board subject to the approval of the Minister because it would be subject to political control. In view of that

assertion it is rather strange that about three years ago I introduced into this Chamber a measure to grant borrowing powers to the Fremantle Harbour Trust, and when I reviewed the report of the debate on page 2968 of vol. 3 of the 1960 *Parliamentary Debates*, I found that the very person who moved the amendment to make the borrowing powers of the harbour trust subject to the approval of the Minister was the Deputy Leader of the Opposition.

Mr. Tonkin: What does that prove? You are claiming to be taking this out of control of the Minister.

Mr. WILD: The following is what the Leader of the Opposition said during the debate on that measure to grant borrowing powers to the Fremantle Harbour Trust—

I am asking that the Fremantle Harbour Trust Act shall be administered subject to the Minister.

He then went on to say that we should permit the Minister to have Government policy carried out by direction, and rightly so. Also, he gave the same reasons that I have put forward in support of this measure.

Mr. Tonkin: Not under this!

Mr. WILD: The Deputy Leader of the Opposition should check the records to see what he said. The honourable member also made great play on the fact that when he was Minister for Works and in charge of the Fremantle Harbour Trust he never knew what was going on within the operations of the trust. I too maintain that the Minister of the day—whoever he may be—should be able to keep his eye on what is going on in all these commissions or boards that are created.

On this question, too, I was twitted because we have a provision in the Bill that all contracts over £50,000 have to be approved by the Governor. That provision applies to contracts let by the department and it means that it could possibly be £40,000-worth of piping and all the rest of the money could be taken up with the cost of day labour, and in a case such as this would not be subject to the approval of the Minister. In view of that twitting, again it is very strange and enlightening to look at the State Electricity Commission Act where one finds the amount that is provided for borrowing purposes by the State Electricity Commission.

Similar wording to that in this Bill appears in the State Electricity Commission Act, and the amount provided is only £5,000. Is not that strange? In 1945 legislation was introduced which contained a provision that the State Electricity Commission could not let any contract in excess of £5,000 without the approval of the Minister, and yet here today when the House is being asked to agree to a similar

provision there is objection to it. I will admit that the amount being asked in this measure is £50,000; but whilst we realise that the pound has depreciated in the last few years, no-one can convince me that the amount of £5,000 in 1945 would be equivalent to the amount of £50,000 in 1963.

The Deputy Leader of the Opposition also made great play on the term of three years for the appointment of members of the board, and the fact that, in the case of the Perth City Council, it would be a nominee of that council and not necessarily a member of it who would be eligible for appointment as a member of the proposed board. The same does not apply to the two members to be nominated by the Local Government Association. That is made quite clear in the Bill. When I quote what the Deputy Leader of the Opposition had to say about this, members should bear in mind that these two persons, should represent the ratepayers and be either a mayor or councillor of a local authority. It is interesting to note what he had to say about persons such as this—

On that question, what particular knowledge of running a big undertaking like the Water Supply Department would one expect to find in some members of local authorities who take a prominent part in their deliberations? They might be proficient in debating and on matters of local interest, but it does not necessarily follow that they would be competent to run a big show which is spending millions of pounds and which is levying rates on thousands of consumers.

Mr. W. Hegney: That is what he said all right.

Mr. WILD: Well, strangely enough, a little later the member for Mt. Hawthorn suggested that a workers' representative should be a member of the board. Therefore, would not the same argument that the Deputy Leader of the Opposition applied to a mayor or councillor who did not have the requisite qualifications apply equally to a worker? Does it make the argument any stronger to say that a worker possesses them? It could quite easily happen that a worker possessed those qualifications. It is standard practice to nominate local government representatives to be members of boards or commissions because they give of their time quite readily and, in the main, they are good citizens for it. I do not think for one moment we can cavil about having on that board members of the Local Government Association.

I will now speak for a moment or two on the question of borrowing powers, which was the second point raised by the Deputy Leader of the Opposition. The other evening, during the debate on either the Bunbury Harbour Board Act Amendment Bill,

or the Albany Harbour Board Act Amendment Bill, the Deputy Leader of the Opposition inquired from where the money was to be borrowed, and I indicated to him that it would be borrowed in the Eastern States. By way of comment I want to tell the honourable member that the money the boards were able to borrow came from the Superannuation Provident Fund, Canberra; the Defence Forces Retirement Fund, Canberra; the Superannuation Board of Papua; and the Superannuation and Provident Board of Australia, Canberra. The boards were able to raise £470,000 from those sources.

We were advised—and I had a further word from the chairman of the Fremantle Harbour Trust this morning—that the board had been offered the loan of money up to £1,000,000 if it was really needed.

Mr. Tonkin: Do you know what it would cost them to get it?

Mr. WILD: Yes; I will tell the Deputy Leader of the Opposition in a moment. The Deputy Leader of the Opposition also made great play on the rate of interest being 9 per cent. On the advice of the Under-Treasurer, my leader indicated to him that he was completely off the beam when he spoke about this 9.2 per cent. rate of interest.

Mr. Tonkin: Did I not give you an average rate of 7.26 per cent?

Mr. WILD: I want to quote to the House examples which have been provided by the Under-Treasurer of this State whom every member believes to be a man of integrity. In conjunction with Mr. Samuel, the Under-Secretary of the Water Supply Department, he has given me examples of what money would cost borrowing from departmental funds, as distinct from the board borrowing money privately. If the money borrowed is deducted from the loan funds provided by the Treasury, the interest rate is  $4\frac{1}{2}$  per cent., or £4 15s. per cent., to which is added the sinking fund rate of  $\frac{1}{2}$  per cent., or 10s. per cent., making a total of  $5\frac{1}{4}$  per cent., or £5 5s. per cent. If the money were borrowed privately the board would pay  $5\frac{1}{2}$  per cent., or £5 2s. 6d. per cent., to which would be added  $\frac{1}{2}$  per cent. and  $1/80$ th per cent.—which represents 3d. per cent.—making a total of  $5\text{-}51/80$ th per cent., or £5 12s. 9d. per cent.

On a total loan of £500,000 it would cost the board an additional £2,000 to borrow privately. If one reviews the difficulties which a growing State like Western Australia is facing today in seeking loan funds, the payment of an extra £2,000 for a £500,000 loan over a period of 20 years would be simply peanuts and amounts to practically nothing, especially when we take that amount as a percentage of the whole.

Mr. Tonkin: Does not your Bill provide for 1 per cent. sinking fund?

Mr. WILD: No; it does not. It provides for a sinking fund at a rate approved by the Governor and the Treasurer, so it would be the same rate of interest as on every loan, which would be  $\frac{1}{2}$  per cent. When one considers the great expansion being made in this State, and the urgent necessity to obtain loan money for all kinds of undertakings, surely there is a good argument for granting to a board which will be composed of excellent members powers to borrow money at a rate of interest not much greater than which obtains today; that is, if we do not confine the board to borrowing money through the Treasury.

I want to indicate to the House the type of money that has been found for country water supplies in Western Australia; and, when it is found, what we can do with it. Some three years ago the Government asked local governing authorities to raise money on behalf of the Government because those authorities possessed borrowing powers which they were not exercising. There were a number of local authorities which had been waiting for the provision of water and sewerage facilities for 20 years or more, and by virtue of urging them to use their borrowing powers the Government has been able to achieve many of its objectives. In 1959-60 three new water supply systems were opened in the country, and incidentally the money for these projects was provided by local borrowing and from loan funds, and does not include anything provided for the comprehensive water scheme. In the following year, 1960-61, seven new water schemes were opened up; in 1961-62, five new water supplies were provided and three sewerage schemes; in 1962-63, seven water supply systems were provided, and five sewerage schemes, making a total of 12 for the financial year 1962-63.

When one looks at results such as that and considers the money that local authorities are able to use, the Government would be foolish not to institute a similar system in the metropolitan area. Day after day and week after week members approach me in this Chamber asking me if I will approve of an extension of a water supply or a sewerage scheme in their electorates; and, of course, due to the lack of loan funds, the obvious answer is "No."

I am given a piece of cake only of a certain size. If I ask for a bigger piece of cake from the total loan funds made available to the State, the Minister for Education immediately asks: What about my schools? And the Minister for Health asks: What about my hospitals? So with this Bill the Government is endeavouring to establish a board which will have the right to seek this extra money to assist to provide the many undertakings that are necessary for the expansion of our State.

Finally, I want to dwell for a moment on what I hope will be the composition of the board so that I may give members an indication that we have not considered this proposition lightly. On this board we want the best personnel we can get. With that intention in mind I took the opportunity some two months ago—when the decision was made to introduce this Bill—to approach one or two prominent men in this State to see if they would accept a position on the board if this Bill becomes law.

Mr. Davies: Already?

Mr. WILD: Yes, already! We do not muck about! When we know that what we want is worth having we go after it and I make no apologies for my action. I approached Sir Alexander Reid of the Commonwealth Grants Commission.

Mr. Hawke: I should think you would.

Mr. Graham: The man ought to be ashamed of himself.

Mr. WILD: He is a man with the best brains in Western Australia and he has agreed to give of his services and assist as the chairman of this board for the first two years if this Bill becomes law. It is also proposed to appoint Mr. Townsing, the Under-Treasurer of Western Australia, as a member of the board; and he, too, said that for the first year he will assist as a member of the board with his brains. He also has the right to call upon the Assistant Under-Treasurer to act as his deputy. Another man who will be approached to act as a member of the board will be Mr. Kenworthy who, at the end of this year, retires from the Metropolitan Water Supply Department. He has agreed to accept a position on the board in the capacity of outside engineer. Considering those men, in conjunction with Mr. George Samuel, who is now the Under-Secretary of the department and the prospective general manager, and three representatives from the local authorities in this State, can we think of a better composition for the board?

Mr. Graham: What about the Secretary of the Liberal Party and the President of the Employers Federation?

Mr. WILD: I am amazed at the temerity of the Opposition in raising opposition to a measure such as this. Here the Government desires to take the board away from political interference.

Mr. Jamieson: You propose appointing as chairman a person who is in his dotage.

Mr. WILD: I am sure the honourable member would like to have the brains of Sir Alex Reid. I offer no apology in proposing a man of that calibre as chairman of the board. I think the House will agree to this legislation, because it is a very forward step.

Mr. Graham: The person you propose as chairman is a disgrace to Western Australia. He even ignores the Queen.

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

**Ayes—19**

|                |                   |
|----------------|-------------------|
| Mr. Bovell     | Mr. Hutchinson    |
| Mr. Brand      | Mr. Lewis         |
| Mr. Cornell    | Mr. I. W. Manning |
| Mr. Craig      | Mr. W. A. Manning |
| Mr. Crommellin | Mr. Nalder        |
| Mr. Dunn       | Mr. O'Connor      |
| Mr. Grayden    | Mr. Runciman      |
| Mr. Guthrie    | Mr. Wild          |
| Mr. Hart       | Mr. O'Neill       |
| Dr. Henn       |                   |

(Teller.)

**Noes—18**

|               |               |
|---------------|---------------|
| Mr. Bickerton | Mr. Jamieson  |
| Mr. Brady     | Mr. D. G. May |
| Mr. Davies    | Mr. Oldfield  |
| Mr. Fletcher  | Mr. Rhatigan  |
| Mr. Graham    | Mr. Rowberry  |
| Mr. Hawke     | Mr. Sewell    |
| Mr. Heal      | Mr. Toms      |
| Mr. J. Hegney | Mr. Tonkin    |
| Mr. W. Hegney | Mr. H. May    |

(Teller.)

**Pairs**

**Ayes**

**Noes**

|              |            |
|--------------|------------|
| Mr. Court    | Mr. Curran |
| Mr. Burt     | Mr. Kelly  |
| Mr. Gayfer   | Mr. Norton |
| Mr. Nimmo    | Mr. Evans  |
| Mr. Williams | Mr. Hall   |
| Mr. Mitchell | Mr. Moir   |

**Majority for—1.**

**Question thus passed.**

**Bill read a second time.**

**In Committee**

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Wild (Minister for Water Supplies) in charge of the Bill.

**Clauses 1 to 5 put and passed.**

**Clause 6: Section 8 repealed and section substituted—**

Mr. TONKIN: This clause makes provision for the appointment of a board, which the Opposition opposes. I found it hard to believe when the Minister was speaking that he was serious in the line of argument he followed. He gave as one of the reasons for introducing the Bill that the board was to be unhampered by political control; and that it was not the intention of the Government to establish a board like the State Electricity Commission, or the Fremantle Harbour Trust, where the deliberate intention was to ensure that they would be subject to political control.

It is passing strange that to justify this provision the Minister should attempt to draw a parallel with the State Electricity Commission and the Fremantle Harbour Trust. Of course I moved to ensure that the trust would be subject to the Minister, because I wanted to place it under political

control, and I said so. It is a strange argument in support of a proposal to set up a board to be unhampered by political control that the Minister should draw a parallel with those two instrumentalities. Surely the Minister is not so dull of comprehension that he does not appreciate the difference between setting out deliberately to make a board subject to political control, and setting out deliberately to ensure that a board is unhampered by political control?

All the Minister has done is to prove that the proposed water board is not unhampered by political control, because he has shown that it is very similar to the set-up of the State Electricity Commission which is under political control. So the main argument which the Minister advanced for the establishment of the proposed board is completely demolished. The Minister drew a parallel with what I attempted to do in the case of the Fremantle Harbour Trust, but was not able to do because the Government raised opposition on the ground that what I sought would place the trust under political control.

Mr. Wild: No they didn't. You have a look at the division. I agreed to it.

Mr. TONKIN: You opposed the proposition.

Mr. Wild: No I didn't. You read it again.

Mr. TONKIN: It did not become law.

Mr. Wild: Didn't it?

Mr. TONKIN: No. It is just ridiculous to take the line of argument which the Minister has advanced in rebuttal of what was said in this House, to try to justify the board. Why not come straight out and say, "We are setting up a board which will be similar in control to the State Electricity Commission, because we believe in it"? That would be the honest and truthful line to take; but not to make the declaration, "We are setting up a board to ensure it will be unhampered by political control", and then deliberately do the very things which will make it subject to political control. That is what is called political chicanery and what possible justification could there be for that line of action?

Because this board will not be free from political control as the Minister has assured the House it will be, the main reason for setting it up has gone, and that is why it should be opposed, and why the legislation should be opposed. It is as well for the true position to be made known. This board will not be unhampered by political control, because the Minister has deliberately framed the Bill to make it subject to political control, in the same way as the State Electricity Commission. To try to create any other impression is to be politically dishonest in connection with the matter.



That is one of the reasons for the strong opposition on this side—because the Bill is a subterfuge and its only purpose is not to clothe it with some additional borrowing powers, because the department was able to borrow last year from the same source from which the Premier has suggested this afternoon it will desire to borrow, and from the same source from which the Fremantle Harbour Trust has already borrowed.

The existing department was able to borrow that way last year according to the answers given me in the House by the Treasurer. It can continue to do that as a department, and it is not necessary to create it into a board to enable it to continue to do so. But if it goes on the loan market, and has to pay brokerage fees and underwriting expenses, and then borrow to repay the loan when it becomes due, its money will cost it as much as the money costs the State Electricity Commission, which is in excess of 7 per cent.

Therefore it is idle to say that all this money which is going to be borrowed will be available to the department or to the board at very little more than it is available now. That is a lot of nonsense. Ask any member of the State Electricity Commission the additional cost involved in the money obtained on the open market compared with money available from the Treasury! I assert most deliberately that the additional cost overall is at least 2 per cent. when we take into consideration the necessity to reborrow in order to repay the initial loans which were not necessary when the money was obtained from the Treasury. So the argument which has been advanced by the Government in support of the board is a very thin argument and will not stand examination.

Mr. HAWKE: In his reply to the second reading debate, the Minister convinced me beyond question that he was very wise indeed in speaking for only eight minutes when he introduced the Bill, because having listened to the reply he made to the debate, I realised that the longer he talks the more often he puts his foot in it. In his reply, and particularly in relation to this clause, the Minister talked both ways. He first of all led the public and Parliament to believe when the Bill was first introduced that one of the great reasons for its introduction, and one of its great virtues would be that it would be unhampered by political control; that it would be free from political control; that it would be independent; that the board to be set up would manage and control and organise the affairs of the department without any interference by a Minister, a Government, and so on.

He then found himself in difficulties after the Opposition had criticised his claim in that direction, and the provisions

of the Bill. He swung around to the basis of comparing the proposed set-up of the board as contained in this clause particularly, and in this Bill generally, with the set-up of the State Electricity Commission. As I pointed out in the brief speech I made at the second reading stage, the State Electricity Commission was set up without any claim that it would be free from political control, but with a clear understanding that it would be subject to the Minister because the Government wished that there should be that safeguard and control in order that the Government should not be left in a position of having no responsibility for the development of S.E.C. policy, and so on.

Now the Minister has clearly been put into the position where he has lost his main argument in support of the Bill—or perhaps one of the two main arguments—because he has had to admit under pressure of discussion that this board will not be free from political control at all. He has had to admit, as the Bill clearly indicates, that the board will be subject to political control all along the line except in regard to the fixation of rates. Well, as I said in my second reading speech—and I repeat now as it has some relationship to this clause—it is obvious and becoming more obvious all the time, that the Government's main desire in connection with this Bill is to escape responsibilities in regard to the fixation of rates:—

Mr. Brand: Nothing of the sort.

Mr. HAWKE: —to escape having to face up to the public and justify increases in rates when the board imposes them. The Minister and Government in future will be able to shed all responsibility, with some degree of political insincerity, and to wipe their hands of the situation. It will be said that the control of water supply, sewerage, and drainage rates was placed in the hands of a board and that the board is totally responsible. It will be said that it is no good protesting to the Government but that if any protests are felt necessary, those concerned should try to protest to the board.

Mr. Brand: Is there anything wrong with that in connection with the situation of the S.E.C.?

Mr. HAWKE: Ratepayers will find they have no approach to the board; no remedy whatever. However, members of the Government would be foolish to think that by setting up the board and putting all the responsibility for the fixation of rates on the board, the Government will finally escape responsibilities—

Mr. Ross Hutchinson: Of course not!

Mr. HAWKE: —because it will not. People are not that short-sighted, and the Government will find it will be punished for such increases as this board imposes upon ratepayers.

Mr. W. HEGNEY: The clause provides that the board shall be a body corporate, and it sets out the powers of the board. There is a paragraph which provides that subject to the Minister the board shall have the general administration of the Act. In my opinion the board will be subservient to the Minister in the general administration of the Act, with the exception of the imposition of charges on consumers in the metropolitan area. I invite the Minister to contradict that statement.

This is a crude and awkward move on the part of the Government to side-step its responsibilities. The Minister was good enough to reply to my statement that I desired a representative of the union to be on the board. I make no apology for that statement. I repeat that this Bill should not be passed without provision being made for a representative of the union to be on the board.

I believe the Minister is trying to get out from under; that he has been most inconsistent in his remarks in the early stages and during his reply. I passed the remark that in order to improve industrial relationships it should be incumbent upon the Government to make provision for a representative of the working people—who carry out a great amount of the work involved—to be on the board. What is wrong with that proposition? The Minister said a union representative would not have any technical knowledge. I will concede that point; but I suggest that if a union representative were placed on the board it would immediately improve industrial relations between the board and the workers.

I do not know what is the strength of the Metropolitan Water and Sewerage Employees' Union. Suffice it to say there is a large membership. During the deliberations of the board, an experienced employee of the department would be very helpful in enabling the members of the board to arrive at certain decisions apart from those affecting technicalities or involving engineering qualifications. There is a representative of the employees on the State Electricity Commission under the Act of 1945.

If members of the Country Party will ponder for a moment they will realise that on all boards—and there are quite a number of them in connection with the administration of primary products—there is a direct representative of the consumers and certainly one representative, or more, of the producers. Why? Because they are primarily concerned with production. There are quite a number of boards which deal with primary products, and each one has on it a representative of the producers and consumers.

Is there anything radical in my proposition that a representative of those people who do the spade work should be on this

particular board? Provision is made in the Bill for one representative to be nominated and recommended by the City of Perth and two representatives to be nominated by the Local Government Association. What is wrong with having one of the employees being the representative of the union? The Minister did not deal essentially with that aspect of the Bill; but if this board is going to be established, then those people to whom I have referred should be directly represented on it.

Mr. FLETCHER: The Leader of the Opposition said that every time the Minister makes a contribution to the debate he puts his foot in his mouth; and the member for Subiaco does the same. The member for Subiaco took me to task when I mentioned the composition of the board.

Mr. Guthrie: I did not mention the composition of the board.

Mr. FLETCHER: The issue concerns not only the composition of the board but the fact that the creation of the board is definitely a facade behind which the Minister and the Government can hide. I said that before and I repeat it now.

The member for Subiaco took me to task for saying that inevitably there would be a further increase in water rates. He was concerned for the security of tenure in connection with the seat which he now occupies. When I spoke during the second reading stage I referred to the hostility towards the increased water charges. In all modesty I say that it was a good contribution to the debate. I referred to the furore which took place as a result of the last increase. As it is inevitable that there will be further increases, they would have a detrimental effect upon the electoral prospects of the Government. I would ask the honourable member to analyse that. I ask members opposite to put aside all hypocritical assertions to the contrary.

The CHAIRMAN (Mr. I. W. Manning): Order! I must warn the honourable member not to make a second reading speech. He must confine his remarks to the provisions of the clause.

Mr. FLETCHER: The clause concerns the composition of the board.

The CHAIRMAN (Mr. I. W. Manning): But there is no mention of electoral prospects in the clause.

Mr. FLETCHER: The honourable member who has just resumed his seat raised another issue in connection with the composition of the board. The Minister might assert that local authority representation is sufficient to cover the interests of the consumers. I passed the remark previously that it is conceivable a local authority might not necessarily represent the interests of consumers but the interests of, say, some cartage contractor or some earth-removing business undertaking.

Such representation would have a vested interest in seeing that certain contracts were to the advantage of those interests I have just mentioned. As a consequence, instead of the personnel at present employed on water supply and sewerage undertakings being employed on certain work, that work could be done under a contract system. The composition of the board is not in the public interest. It should include an employees' representative to act not only on behalf of employees in the department but also in the interests of consumers.

Mr. J. HEGNEY: I move an amendment—

Page 4, line 28—Delete the word "seven".

If that is agreed to I shall then move to insert the word "eight". My purpose is to provide that a representative of the water supply union shall be a member of the board. It would be necessary for me, if the amendment is agreed to, to insert a paragraph (g) to read as follows:—

One shall be a person, appointed on the nomination of the Minister, from a panel of three names submitted be the Metropolitan Water Supply, Sewerage and Drainage Employees' Union.

I do not think it is an unreasonable amendment, especially as the tendency nowadays is to give workers a greater voice in matters of this kind.

In the State Electricity Commission Act, which has been quoted freely this afternoon, provision is made for a member of the E.T.U. to be a member of the board. If that Act is a model for this measure it is not unreasonable to accept the amendment. There are workers in industry who have as much ability and brains to make their contributions towards the administration of the department as any representatives from local authorities.

Mr. BRADY: I support the amendment because I believe it is recognition of a body of workers who for too long have been lost sight of in our State's economy. The men in the department do an outstanding job, and it is a body of workers second to none in Western Australia. These men go out in all weathers at all hours of the day and night and yet they have never received recognition by Governments. Here is an opportunity for the Government, on behalf of the community generally, to recognise the work these men do and to give them encouragement to continue.

I have passed by groups of these workers at various times and I have seen them sitting down on the side of the road in mud and slush, in the winter, trying to get a cup of morning tea and make life

worth living. Also there are many times when a workers' representative can point out weaknesses in administration and how certain economies can be effected, and how conditions can be improved.

This is a department which needs in its administration all the brains we can possibly get, and certainly all the brains are not centred in those at the top. Workers, as has been proved, have brains and can render a service in running an organisation. They can offer suggestions on improvements, as has been done on many occasions in a practical way in the Public Works Department. The same applies to the Railways Department and to a minor extent in the Water Supply Department, now. The workers' contribution in this regard could be a major one if they were given the opportunity. I hope the amendment will be agreed to.

Mr. WILD: I have no intention of agreeing to this amendment. We all have our place in the scheme of things and, as members know, the State Electricity Commission Act was introduced by the Leader of the Opposition and one would expect this sort of provision to be in it. That is the policy of members opposite.

Mr. Hawke: It is supposed to be yours, too.

Mr. WILD: What contribution could a worker make to a board such as this which deals with water supplies for the metropolitan area or the State?

Mr. Hawke: For the State?

Mr. WILD: One of these consumer representatives could be one of those men who have been mentioned by members opposite. I hope one of them is somebody who works with his hands, but in principle I am opposed to the suggestion that has been put forward, and I have no intention of agreeing to it. I shall oppose the amendment.

Mr. W. HEGNEY: I am not surprised at the Minister's attitude, because he is running true to form. He said it is the policy of the Labor Party to provide that on boards of this nature there shall be an employees' representative.

Mr. Wild: That's fair enough, isn't it?

Mr. W. HEGNEY: Yes; and it is diametrically opposite to the Minister's ideas. As the spokesman for the Government he said that he did not believe in such an attitude. Why does he not? I can pick up half a dozen periodicals in the library and see in them articles advocating a change of attitude by both employers and employees so that more co-operation and understanding can be achieved in order that both may reach the same goal.

This is an opportunity for the Government to indicate that it has sympathy with the workers and so help to achieve industrial harmony. Yet the Minister tonight has said, "It may be your policy, but it is not ours." A Government such as his, and of that character, should be ashamed of itself. I would be very surprised if the member for Bunbury had the same views as those held by his Minister.

I support the amendment because although a member of a union may not have a vast technical knowledge of water supply undertakings his actual working in, and his knowledge of, the various branches of the Water Supply and Sewerage Department would make him a competent member of the board. He would have rights equal to those of the men who are to be appointed according to the provisions in the Bill. The policy of disregarding a workers' representative may have been accepted 40 or 50 years ago, but it cannot be accepted today. We hear many appeals these days that workers should co-operate with their employers, and here we have the Government being given a golden opportunity to show its desire to improve industrial relationships; but the Minister says that he does not believe in it.

He has adopted an impersonal attitude towards the Bill in the same way as his colleagues have adopted a similar attitude towards other measures. Even at this late stage I hope the Minister will turn a somersault and support the amendment, because he has turned somersaults on occasions previously.

Mr. JAMIESON: I, too, support the amendment moved by the member for Belmont because in these enlightened days we should have the representation of any board that is appointed by Parliament spread over as wide a field as possible. Earlier, I made it clear that I did not favour a proposal such as this; but if the Minister does not want to increase the numbers on the board, surely he can decrease the number of representatives on the Local Government Association to make way for a workers' representative.

Perhaps the intention behind the amendment moved by the member for Belmont could be extended to embrace representatives of several unions who are connected with water supply undertakings, and those representatives could possibly be included as members of the board if the board personnel were increased to eight. The basic principle of appointing such a representative is a good one; otherwise, what happens? When the political pendulum swings the other way at some later stage the board could be loaded in the opposite direction. That is not advisable, because a board of this nature should have a balance among its representatives.

With the exception of the two men who are now closely associated with the Water Supply Department, I doubt whether any of the other board members would be able to tender any useful advice or guidance in regard to the administration of the board. For example, the Under-Treasurer will only appear on the board to look after the interests of the Treasury. Apart from the Under-Treasurer and the other two proposed members I have mentioned, no other member would know much about the workings of the Water Supply Department.

Mr. Lewis: What about the engineer who is to be a member of the board?

Mr. JAMIESON: He is one of the two members I have already referred to. In the panel of three that should be culled, the one selected by the Government would be the person who had a considerable knowledge of the present activities of the Water Supply Department and would be able to contribute some knowledge in regard to the administration when discussions were held on policy matters.

The representatives to be nominated by the Local Government Association could be councillors who have some spare time on their hands but who may not be the most competent persons to occupy these positions. Therefore, there is more justification for the proposal contained in the amendment than there is in the proposal contained in the Bill. I support the amendment to substitute the word "eight" for the word "seven", as outlined by the member for Belmont.

Mr. HAWKE: Normally, I am not very keen on big boards; I prefer small ones. However, because of the principle involved in the amendment moved by the member for Belmont to increase the number of board members from seven to eight, I support it. I could understand the Minister's attitude a little better if there were not successful examples of workers' representation upon boards of management in Western Australia. There are at least two. The first that comes to mind, and as has already been mentioned, is the State Electricity Commission. The second is the State management board of the Wundowie Charcoal and Iron Industry.

Mr. Graham: The State Housing Commission is another.

Mr. HAWKE: Yes; and there could be others. In every instance where Parliament has given workers in a particular industry the right to nominate a representative on a board of management, or a commission of management, each of such boards has functioned very successfully. From my experience with both the State Electricity Commission, and the Wundowie Charcoal Iron Industry Board of Management, I would say the workers who have

been on the commission in the one instance, and on the board in the other, have been of considerable practical assistance to the other members.

Workers' representatives have been able to put forward views and suggestions based upon their practical experience in their undertakings; based upon their discussions with their fellow-workmen; and, in many instances, their membership of the State Electricity Commission, and of the Wundowie Charcoal Iron Industry Board of Management, has been of very great help to those organisations.

I cannot understand why the Minister and the Government would oppose this principle. The Minister did not give us any reason for doing so. He simply dismissed the whole proposition by saying he did not believe in it. It is not sufficient in a deliberative House such as this for a Minister, or for anyone else, to say, "I do not believe in this." Much more is required. It is necessary in such a situation for the Minister or the member concerned to give reasons why he does not believe in it. Until the Minister can put forward some convincing reasons, if any exist—and I do not know of any—the Committee should strongly support the amendment moved by the member for Belmont.

### Progress

Progress reported and leave given to sit again, on motion by Mr. O'Neil.

*House adjourned at 6.8 p.m.*

## Legislative Council

Tuesday, the 24th September, 1963

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

## QUESTION WITHOUT NOTICE

### SITTINGS OF THE HOUSE

*Show Week Adjournment, and Thursday Nights*

The Hon. F. J. S. WISE asked the Minister for Mines:

As it is customary during the main week of the Royal Show for Parliament not to meet on one or two days, in order to enable members to take part in the show and also to visit their own districts where shows are being held, can he indicate to the House what his intentions are in regard to next week's sittings?

The Hon. A. F. GRIFFITH replied:

Yes. The Government has decided that this House and another place will not sit during Show week. Sittings will be resumed on the following Tuesday; and, as from Thursday, the 10th October, we will sit at night on Thursdays as and when required. Naturally, if it is not so required, we will not sit; but I think it is fair to say to members that we can be expected to sit on a Thursday night.