

I am making these comments on behalf of a person like Professor ten Seldam, who put pathology in this State on its feet. Yet we are told by the department that all that is required of the pathologist is his report; and he need not be on the committee. He told me that in three of the eight cases mentioned they did find a particular condition in the cause of death. These cases were extremely interesting, because the condition in question had not been noted before. Yet we are told that we are not to discuss these matters with the committee, and we have to submit a report only. This situation annoys me intensely.

When I put forward a suggestion in Parliament I am not annoyed if it is rejected, because that is usually what happens. I suggest it should not take the department five years to link the proposals in this Bill with neo-natal work.

It reflects a peculiar state of mind to be asked to discuss the death of a mother at the end of a pregnancy. An effort is made to inquire into eight such deaths in one year. The unsuccessful pregnancies are completely forgotten, and the 230 deaths a year in the first 30 days of the life of infants are disregarded.

I came to this State in 1922. I was superintendent of the Children's Hospital for three years; and in 1911, when the hospital was first opened, 33½ per cent. of the children under 2 years of age did not leave the hospital. In about 1926 the death rate was still amazingly high. It was reduced very considerably by the institution of the infant health centres, with the nurses doing wonderful work. The mortality rate was still something like 20 per cent. of children admitted to the Children's Hospital. That is not 20 per cent. of all children born, but 20 per cent. of children up to 2 years of age admitted to the hospital. That percentage has now dropped like a stone.

We are still faced with a loss in this State of four to five children per week in the first month of life. I would say the majority of these deaths occur during the first seven days. Surely that is the end of pregnancy. I cannot see why we should stop with a committee that investigates eight cases a year; it should reorganise and consider the investigation of the 230 other deaths.

I am going to take no further part in this Bill and will propose no amendments whatever, because I would not ask a senior professor like the Professor of Pathology to accept a post as a provisional member.

The Hon. L. A. LOGAN: The composition of the committee is the result of discussions with the Infant Mortality Committee of the State Health Council, the State Health Council, the British Medical Association—of which Dr. Hislop is a member—the State Branch of the

Royal College of Obstetricians and Gynaecologists, and the Public Health Department. Whether they are competent to say who should be on this committee I cannot say. I have already said that if necessary I will accept a pathologist on the provisional list. I do not know whom he would replace, because the three permanent members are provided for in the Bill. Provision is also made in the measure for the six provisional appointments. However, I am prepared to accept a pathologist on the provisional list.

Clause put and passed.

Clause 4 put and passed.

Title put and passed.

*Report*

Bill reported without amendment and the report adopted.

## ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn till 3.15 p.m. tomorrow.

Question put and passed.

*House adjourned at 9.38 p.m.*

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## Legislative Assembly

Wednesday, the 28th September, 1960

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

### QUESTIONS ON NOTICE

#### INFANT HEALTH CLINICS

##### *Government Assistance*

1. Mr. W. HEGNEY asked the Minister for Health:

- (1) What is the basis of financial assistance granted by the Government in connection with the erection of infant health clinics?
- (2) Is there any limit of assistance for any one clinic?

##### *Grants from Lotteries Commission*

- (3) What is the basis of financial assistance granted by the Lotteries Commission in connection with infant health clinics?
- (4) What amount of assistance was granted by the Lotteries Commission for the last financial year?

##### *Number of Clinics and Nurses Employed*

- (5) How many infant health clinics are at present in operation?
- (6) How many sisters or nurses are engaged in conducting these clinics?

Mr. ROSS HUTCHINSON replied:

- (1) Each case is considered individually. Usually about 50 per cent. of the cost of the building (not including furniture) is covered by the Government grant, but on occasions it has been less or more than 50 per cent.
- (2) Yes—60 per cent.
- (3) £500 towards the cost of each clinic plus supply of baby scales on application through the Public Health Department.
- (4) £4,821.
- (5) 77 metropolitan infant health clinics; 55 country ones. In addition, 213 clinics are held in local halls, chemist shops, churches, private houses, etc.; 4 properly equipped caravans serve outlying metropolitan areas; and infant health sisters visit the Kimberleys, the North-West, the Murchison and Eastern Goldfields; and stations on the Trans.-line at regular intervals. Other distant parts of the State are covered by the Infant Health Correspondence Service.
- (6) 71 full-time infant health sisters, 2 part-time sisters and 6 casual relievers.

#### KINDERGARTENS

##### *Financial Assistance from Government and Lotteries Commission*

2. Mr. W. HEGNEY asked the Premier:

- (1) What financial assistance is granted by the Government in connection with the erection of kindergarten buildings?
- (2) What financial assistance is granted by the Lotteries Commission in connection with the erection of kindergarten buildings?
- (3) What amounts were granted for this purpose during the last financial year by the Government and Lotteries Commission respectively?

##### *Children Attending*

- (4) What is the number of children attending kindergartens affiliated with the Kindergarten Union?
- (5) What is the number of children attending kindergartens not affiliated with the union?

Mr. BRAND replied:

- (1) A sum of £3,000 is available for making special grants to needy kindergartens which are experiencing financial difficulties following their establishment.
- (2) I understand that a grant of £500 is made to kindergartens for building construction.
- (3) Government—£2,820.  
Lotteries Commission—£5,000, including grants for outdoor equipment.
- (4) At the 31st July, 1960—  

Full time	.....	1,746
Part time	.....	540
- (5) At the 31st July, 1959 ..... 2007

### CLOTHES FOR GOVERNMENT EMPLOYEES

#### *Source and Method of Supply*

3. Mr. EVANS asked the Premier:

- (1) What class of Government and semi-Government employees are supplied with a uniform and/or certain articles of clothing?
- (2) Are all these commodities manufactured in Western Australia?
- (3) If not, which of such articles are manufactured elsewhere?
- (4) Are tenders called for the supply of these clothing lines to the various Government departments?
- (5) If not, what means are adopted for the purchase of same?

Mr. BRAND replied:

- (1) (a) Uniformed staff of the following—

Police Department.  
Fire Brigade.  
Premantle Harbour Trust.  
Railways Commission.  
State Shipping Service.  
Hospitals (nurses, orderlies, etc.).

Gaols Department.  
Metropolitan Transport Trust.

- (b) Industrial clothing for the following—

State Electricity Commission (overalls and dust coats).

Main Roads Department (overalls).

Abattoirs (singlets, trousers, and overalls).

- (c) In addition, all departments supply protective clothing such as oilskins, rubber gloves and boots, helmets, goggles, etc., as and when required or as determined by the appropriate award.

- (2) Where Western Australian manufactured articles of suitable quality and at competitive price (after allowing Government authorised price preference of 10 per cent. to locally-manufactured articles) are available, such are purchased. Practically all purchases would be of Western Australian manufacture.

- (3) Fur felt hats and certain protective clothing, such as safety helmets, industrial gloves, and goggles.

- (4) Where quantities required warrant such action tenders are invited by the W.A. Government Tender Board. In respect of small quantities quotations are obtained by the Controller of Stores. Certain semi-governmental instrumentalities arrange their own purchasing direct from local suppliers.

- (5) Answered by No. (4).

### AVONDALE RESEARCH STATION

#### *Financial Details, and Amenities for Employees*

4. Mr. MANN asked the Minister for Agriculture:

- (1) What was the profit or loss of Avondale Research Station at Beverley for the years 1955-1956, 1956-1957, 1957-1958, and 1958-1959?
- (2) What is the number of permanent employees?
- (3) How many houses are equipped with septic installations?
- (4) Is the station equipped with electric light?
- (5) If not, when will it be installed?

Mr. NALDER replied:

- (1) In each of the years quoted there was a loss from operations as follows:

Year	Loss £
1955-56	3,103
1956-57	542
1957-58	6,565
1958-59	5,948

- (2) Seven.

- (3) Two houses are equipped. The Department of Public Works is calling tenders for complete repairs and renewals and septic installations throughout. The tenders will be available to contractors on the 4th October, closing on the 25th October.

- (4) No.

- (5) This matter is under investigation. If power cannot be delivered at satisfactory rates from the Beverley town supply, consideration

will be given to installing a power plant at the research station adequate for immediate needs.

## DIRECTOR OF AGRICULTURE

### *Circumstances of Appointment*

5. Mr. MANN asked the Minister for Agriculture:

- (1) What was the reason why applications for the position of Director of Agriculture were not called prior to the actual retirement of Mr. Baron Hay, and not before his extended term commenced?
- (2) How many times was the position advertised, and where?
- (3) What number of applications was received from—
  - (a) within the Department of Agriculture;
  - (b) within the State;
  - (c) outside the State?
- (4) What were the principal considerations in support of Dr. Dunne's appointment?

Mr. NALDER replied:

- (1) Applications were called in July, 1960. It was considered this allowed sufficient time for all interested applicants throughout Australia to apply, and to complete appointment prior to Mr. Baron Hay's retirement.
- (2) Twice—on the 16th and the 23rd July, 1960, in daily newspapers circulating in all States and in two issues of *The West Australian* and the *Government Gazette*. In addition, the vacancy was publicised in the New South Wales Public Service official circulars.
- (3) (a) Six.  
(b) Seven (including departmental officers).  
(c) Seven.
- (4) The Public Service Commissioner recommended the appointment of Dr. Dunne on the grounds of his knowledge of Western Australian conditions, his training and experience as deputy director over a period of five years, his academic qualifications, his specialisation in research, and his appreciation of the economics of the industry and its place in the development of Western Australia. The Public Service Commissioner emphasised that he had made substantial contributions over a long period of years to the work of standing committees on agriculture and had a ready appreciation of the need for service to farmers and good public and staff relationships.

## CANNING RIVER

### *Replacement of Planks at Kent Street Weir*

6. Mr. JAMIESON asked the Minister for Works:

- (1) Is he aware that a number of people beyond the Kent Street weir on the Canning River, paying for water rights from the river, are experiencing difficulty in obtaining sufficient water, due to the exceptional low-river level for this time of the year?
- (2) As the river is still running, will he have the planks replaced in the Kent Street weir to build up the water level for these people?

### *Damming in Cannington-Kenwick Area*

- (3) Is it a fact that the river has been dammed, by landowners, without authority, between the Kent Street weir and the Canning Dam?
- (4) If so, what action is being taken against these people to protect the rights of those in the Cannington-Kenwick areas?

Mr. WILD replied:

- (1) No. There has been no comment to the Public Works Department from the local representative on the Canning River Advisory Committee or from any other source.
- (2) The control is with the Canning Road Board, which advises the department when the planks should be replaced. In view of the present flow, the local authority has asked the department to take no action until further advised.
- (3) No.
- (4) Answered by No. (3).

## BETTING INVESTMENT TAX

### *Distribution*

7. Mr. NULSEN asked the Minister for Police:

Will he give the House the reason for the present distribution of off-course investment tax now shared on the following basis:—

- (a) Western Australian Turf Club—85 per cent.;
- (b) Country Clubs—15 per cent.?

Mr. PERKINS replied:

When legislation was being considered last year for the distribution of the betting investment tax, it was decided that the proportion of the tax payable to racing clubs in the metropolitan area should be the same proportion as that paid

to trotting clubs in the metropolitan area; that is, 85 per cent. of the respective amounts payable to all racing and trotting clubs.

Similarly it was decided to place country racing and trotting clubs on the same basis of distribution; and hence they receive 15 per cent. of the amounts paid to all racing and trotting clubs respectively.

Mr. Hawke: That is only part of the story.

### ESPERANCE

#### *Re-establishment of Road Board*

8. Mr. NULSEN asked the Minister representing the Minister for Local Government:

When does he anticipate handing back from the commissioner—who has done a splendid job—the Esperance Road Board to the rate-payers of the district?

Mr. PERKINS replied:

The Minister for Local Government has publicly stated on two occasions over the last two months that the Esperance Road Board will be restored to a properly-constituted elected road board next April.

#### *Investigation of Ocean Bed*

9. Mr. NULSEN asked the Minister for Works:

When is the further investigation of the ocean bed for the purpose of harbour facilities to be carried out at Esperance?

Mr. WILD replied:

It is proposed to send a suitable vessel with staff to Esperance in December if possible, otherwise in January.

#### *Water Supplies*

10. Mr. NULSEN asked the Minister for Works:

When will further water-scheme investigation works be commenced at Esperance?

Mr. WILD replied:

The investigation in the search for water at Esperance is virtually completed, and a decision will be made as early as possible.

### MILK TESTING

#### *Board's Activities, and Condition of Coral Park Herd*

11. Mr. TONKIN asked the Minister for Agriculture:

- (1) Although, because of a recent Full Court decision, the Milk Board has not the power to control milk

standards, has it abandoned the testing of milk to ascertain quality?

- (2) If testing is still being done, has the milk from Mr. Money's herd at Coral Park been tested since the court action, and has such milk been above or below the standard for solids-not-fat?

Mr. NALDER replied:

- (1) No.

- (2) Yes. Samples of milk supplied by Mr. J. G. Money taken on the 11th January, 1960, the 8th March, 1960, the 4th April, 1960, the 2nd May, 1960, the 1st June, 1960, and the 4th July, 1960, were above the standard of 8.5 per cent. solids-not-fat.

Samples taken on the 2nd August, 1960, and the 6th September, 1960, from milk supplied by Coral Park Pastoral Company—the name of the present license holder of the dairy previously licensed in the name of Mr. J. G. Money—were also above standard.

### RENTAL HOMES

#### *Increased Payments by Pensioners*

12. Mr. JAMIESON asked the Minister representing the Minister for Housing:

- (1) Is it a fact that rents of pensioners' dwellings have been increased by 2s. per week?

- (2) Is this because of the proposed pension increases?

- (3) Have these increases been charged by the State Housing Commission before the pensioners are actually in receipt of the proposed increase in pensions?

- (4) If so, why?

Mr. ROSS HUTCHINSON replied:

- (1) No; but rents will be increased by 1s. weekly in single pensioner cases, and 2s. weekly for married pensioners. These increases are in accordance with the formula of the 1945 Commonwealth-State Housing Agreement; and the increases will apply from the first Monday after payment of the pension increase. This position has prevailed since the inception of the agreement in 1945, and has been applied by successive State Governments over the years.

- (2) Yes.

- (3) No.

- (4) Answered by No. (3).

## PINE TREES

### *Experimental Planting*

13. Mr. HALL asked the Minister for Forests:

- (1) In which areas are trial plantings of pine trees showing the most satisfactory results, and how many areas were selected?
- (2) What are the findings by the department of trial planting of pine trees on the late Mr. Menegola's property, at Upper Kalgan, Albany?
- (3) Has the Forests Department given consideration to the experimental planting of pine trees on the south coast of Albany and Torbay?

Mr. BOVELL replied:

- (1) Within the South-West Land Division, trial plantings of pine trees have shown satisfactory results only on the better soils of high phosphate content. Within the 25-in. rainfall zone some hundreds of sample plots have been established.
- (2) Except on patches of good soil near the Kalgan River the pine trees planted on the late Mr. Menegola's property showed only moderate success.
- (3) Yes. Actual experiments in the area have been carried out on the Upper King Road and at the Albany High School. So far the results of the experiments on poor soil are not considered satisfactory.

## COLLIE COAL

### *Availability to Mining Unions of Marshall Report*

14. Mr. MAY asked the Minister representing the Minister for Mines:

- (1) In view of the fact that the report received by the Government from engineer Marshall makes reference to the open cut at Muja, will the Collie Combined Coal Mining Unions be supplied with a copy of the report?
- (2) Will he lay a copy of the report on the Table of the House?

Mr. ROSS HUTCHINSON replied:

- (1) The report referred to is being examined by the Government.
- (2) Consideration will be given to the tabling of the report upon completion of the examination.

## DAIRY CATTLE

### *Artificial Insemination*

15. Sir ROSS McLARTY asked the Minister for Agriculture:

- (1) Does he consider the results obtained to date with artificial insemination of dairy cattle to be satisfactory?

(2) Is it the Government's intention to extend this scheme to other districts?

(3) Is any consideration being given to the suggestion that the Government should hand over the responsibility for artificial insemination of dairy cattle to any outside body or authority?

(4) In what States in Australia are Government-controlled artificial insemination schemes operating?

(5) Are any artificial insemination schemes operating in Australia other than Government-controlled schemes; if so, in what States, and to what extent?

Mr. NALDER replied:

(1) Yes.

(2) Yes, if the demand justifies expansion.

(3) This has always been the intention and is being investigated.

(4) Artificial insemination has been carried out by departments of agriculture in all other States, but none conduct a scheme strictly comparable with that in Western Australia.

In Queensland the department provides semen; in Victoria some semen is supplied; in South Australia, insemination is carried out with semen obtained elsewhere; in Tasmania the department provides for the insemination of about half the cows artificially serviced.

(5) Queensland: A co-operative group on Atherton Tableland purchases semen from a bull stud operated by the Department of Agriculture.

New South Wales: The Milk Board is responsible for the operation of services.

Victoria: The Victorian Artificial Breeding Co-operative Society has been formed with Government assistance to undertake commercial services. Other small co-operative societies have in the past few years purchased semen from the Department of Agriculture at Werribee.

Tasmania: Some small commercial units have been commenced under license from the Artificial Breeding Board.

South Australia: No private centres or groups exist.

## TROTTING

### *Distribution of Stake Moneys*

16. Mr. CORNELL asked the Premier:

What was the total amount distributed in Stake moneys by—

(a) The W.A. Trotting Association;

- (b) Fremantle Trotting Club;  
 (c) Country trotting clubs;  
 for each of the years ended the  
 31st July, 1958, 1959 and 1960,  
 respectively?

Mr. BRAND replied:

	1958	1959	1960
	£	£	£
(a)	139,345	137,774	151,402
(b)	33,100	33,455	33,750
(c)	27,660	29,612	29,717

### RACING CLUBS

*Stakes Paid in 1958, 1959, and 1960*

17. Mr. BURT asked the Treasurer:

What amount was paid in stakes  
 for the years ended the 31st July,  
 1958, 1959, and 1960, by—

- (a) The Western Australian  
 Turf Club?  
 (b) All country clubs registered  
 with the W.A.T.C.?

Mr. BRAND replied:

	1958	1959	1960
	£	£	£
(a)	154,435	153,690	162,167
(b)	49,383	49,542	50,584

### FIRE FIGHTING

*Chemical Extinguishers for Brigades in  
 Eastern Suburbs*

18. Mr. BRADY asked the Chief Secretary:

- (1) Are the fire brigades in the eastern suburbs—particularly Midland, Guildford, and Bassendean—equipped with foam or other chemical extinguishers likely to be required for combating fires caused by petrol, oil, and similar inflammables used in motor garages, petrol stations, dry-cleaning establishments, and railway running sheds?

*Adequacy of Water Supplies in Midland Junction Area*

- (2) Is the Fire Brigades Board satisfied that adequate water supplies are available, with pressures to meet all emergencies in the Midland Junction District, particularly in the Bushmead-Midland areas embracing the abattoirs, Government workshops, ordnance stores, and marshallings yards?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.  
 (2) Yes.

19. *This question was postponed.*

### SPONGE-IRON INDUSTRY

*Japanese Interest*

20. Mr. MAY asked the Minister representing the Minister for Mines:

- (1) To what extent is the Government associating itself with the Japanese steel experts at present visiting the State?  
 (2) In what direction and also to what extent is the Government ensuring that all possible information regarding coal and iron-ore deposits in this State will be placed at the disposal of the delegation?

*Establishment in South-West*

- (3) Will the Government be prepared, if requested, to assist financially, a sponge-iron industry in the south-west, with the object of using Collie coal in connection therewith?

Mr. ROSS HUTCHINSON replied:

- (1) The Government has made available the facilities of the Chemical Research Section of the Mines Department, which section has been carrying out experimental work on the production of sponge iron, using char produced from Collie coal.  
 (2) The company negotiating with Japanese representatives has received every possible assistance from the department in connection with the sponge-iron proposal, even to the extent of sending Dr. Uusna to the Eastern States for certain research work. The Japanese interests have inspected the chemical section of the Mines Department at Welshpool, have had talks with the Minister for Mines, and have witnessed the production of sponge iron on an experimental basis.

All possible further assistance will be rendered in the bid for establishment of the industry in this State. The Japanese representatives are inspecting coal and iron deposits in the South-West portion of the State during the course of this week.

- (3) It is understood that no financial assistance will be sought from the Government in connection with any proposed sponge-iron industry.

**QUESTIONS WITHOUT NOTICE****RAILCARS***Negotiations for Sale*

1. Mr. BRADY asked the Minister for Railways:

Last week I asked the Minister whether he knew anything of a rumour that the Western Australian Government Railways were negotiating to sell ADE railcars. Has the Minister made the inquiries which he intimated he would make?

Mr. COURT replied:

The inquiries promised have been made, and there is no knowledge of any such negotiations.

**FIVE-DAY BANKING WEEK***Representations by Deputation*

2. Mr. OLDFIELD asked the Chief Secretary:

In regard to a deputation from the Chamber of Commerce and other allied bodies that approached him in opposition to the granting of the five-day banking week, will he inform the House whether he received a request from the chamber to meet such deputation or whether they waited on him at his own invitation?

Mr. ROSS HUTCHINSON replied:

Upon receiving a request from the Bank Officers' Association in regard to the five-day banking week, I informed various sections of commerce and industry of the proposal, asking them if they would care to approach me to present their point of view. I have adopted that system in a number of other instances when approaches have been made to me from representatives of one party in any argument.

*Return of Representations*

3. Mr. OLDFIELD asked the Chief Secretary:

On the file recently laid on the Table of the House, which dealt with the five-day banking week, and in regard to the depositions placed before the Minister by the Chamber of Commerce and other allied bodies, a marginal note appeared on the file to the effect that the depositions had been returned to the Chamber of Commerce. Will the Minister inform the House whether it is an unusual procedure to return a case or brief once it has been presented to him, and why the depositions were returned to the Chamber of Manufactures?

Mr. ROSS HUTCHINSON replied:

I am not aware whether it is unusual procedure to follow the course I did in this instance and return the written case to the Chamber of Manufactures. It was done because the deputation representatives desired to have the case themselves in order that they might make their own decision on whether it should be released to anyone else.

In further explanation I would point out that the written case was read to me by the leader of the deputation, and I think three Press representatives were there to hear it.

**TRAFFIC ACT AMENDMENT BILL***First Reading*

On motions by Mr. Perkins (Minister for Transport), Bill introduced and read a first time.

**BILLS (3)—THIRD READING**

1. Architects Act Amendment Bill.

On motion by Mr. Wild (Minister for Works), Bill read a third time and transmitted to the Council.

2. Health Act Amendment Bill (No. 2).

On motion by Mr. Ross Hutchinson (Minister for Health), Bill read a third time and transmitted to the Council.

3. Northern Developments (Ord River) Pty. Ltd. Agreement Bill.

On motion by Mr. Court (Minister for the North-West), Bill read a third time and transmitted to the Council.

**NOXIOUS WEEDS ACT AMENDMENT BILL***Third Reading*

MR. NALDER (Katanning—Minister for Agriculture) [4.55]: I move—

That the Bill be now read a third time.

I would like to take this opportunity, during the third reading stage, to assure the honourable member who spoke on this Bill yesterday evening, that the several points he raised have been given every consideration.

The honourable member was concerned about the fact the probably it would be very unfair to a single landholder if he were to receive notification through the medium of the Press or his local authority. I think I did point out that the object of the amending legislation was to overcome the problem of notifying, individually, a number of ratepayers in any district when, in some instances, it was difficult for the notification to be confined to particular owners.



It is set out in this Bill that when the Agriculture Protection Board intends to take action it will be done on a district basis and notification of such action will appear in the Press to the effect that the board will be operating in the district. However, where such action concerns an individual property, the owner of that property will be notified personally. I am certain that assurance will allay the fears of the honourable member. I have made this statement at the third reading stage because I think the information is important.

**Question put and passed.**

**Bill read a third time and transmitted to the Council.**

## LOCAL GOVERNMENT BILL

### *Third Reading*

**MR. PERKINS** (Roe—Minister for Transport) [4.59]: I move—

That the Bill be now read a third time.

### *Point of Order*

**Mr. JAMIESON:** I rise on a point of order, Mr. Speaker. Under the Constitution Acts Amendment Act the sixth qualification of an elector to the Legislative Council—namely, that a person's name is on an electoral list of any road district in respect of property within the province of an annual ratable value of not less than £17—will be wiped out if this Bill is passed. Should not the Bill have received the constitutional majority required to amend this particular provision in the Act? It will be recalled that I raised another point of order in the course of the debate on this Bill.

I draw attention to the Constitution Acts Amendment Act, in particular to section 15 (6) appearing on page 170 of the *Standing Rules and Orders of the Legislative Assembly*, which states as follows:—

Or if the name of such person is on—

- (6) The Electoral List of any Road Board District in respect of property within the province of the annual ratable value of not less than seventeen pounds.

This provides that such a person is entitled to be on the Legislative Council electoral roll.

**The SPEAKER:** As I understand the position, this point of order is substantially the same as the one made by the honourable member previously.

**Mr. JAMIESON:** That is not so. The previous point of order I raised was that the franchise for the Legislative Council was in fact being broadened. The point I am raising now has the opposite effect, in that a condition of enrolment is being removed by the passing of this Bill.

**The SPEAKER:** From what the honourable member has said, the point now raised has more or less the reverse effect to the previous one, but the same principle is involved. Previously the point broadened the franchise; now it narrows the franchise.

**Mr. JAMIESON:** The other point raised dealt with the broadening of the franchise, but this point I am now raising deals with the Constitution Acts Amendment Act. I am now raising the point that the passing of the Bill before us will make one condition in respect of the Legislative Council elections null and void. Therefore, this Bill should have received a constitutional majority when it was passed, because it altered the Constitution Acts Amendment Act.

### *Speaker's Ruling*

**The SPEAKER:** In my opinion the point raised by the member for Beeloo is in many ways comparable to the previous point he raised. It amounts to this: The term "road board" will disappear, and therefore the electors on road board rolls will be disfranchised. I do not think that will be the case. These people will still be able to get on the Legislative Council roll under other provisions in the Constitution Act. I accordingly rule the point to be out of order.

### *Debate Resumed*

**MR. NULSEN** (Eyre) [5.31]: I refer to clause 173 (8) which states—

The mayor or president shall not vote unless there is an equal division of votes, in which case he has and may exercise a casting vote.

He is not to have a vote unless there is an equal division of votes.

Let me draw attention to section 133 of the Road Districts Act, which provides that at all meetings of a road board, save where it is otherwise provided, all the members present shall vote, and the question there considered shall be decided by open voting by the majority present; each member, including the chairman, shall have one vote only; and in the case of an equality of votes on any question, such question shall pass in the negative. Therefore the chairman has a vote under that Act.

However, under the provision in the Bill, to which I referred, the chairman is to be deprived of a vote, even though he is the representative of a ward. This is a step in the wrong direction. I would sooner see the provision in the Road Districts Act included in the Bill in preference to clause 173 (8). I wonder whether the Minister representing the Minister for Local Government will give consideration to the point I have raised. I have received requests from road boards to bring

this matter forward, because they seem to be dissatisfied with that part of clause 173 to which I have referred.

**MR. TONKIN** (Melville) [5.6]: As far as I am aware the Minister has not made any announcement regarding the result of his further inquiries on the point raised by the member for Beeloo at a previous sitting. The point cannot be disregarded simply because the Speaker determined it was not in order, because legally the Speaker could be wrong.

The point raised was that this Bill enables people who are not now entitled to vote for Legislative Council elections, to become eligible to vote. There does not seem to be any doubt about that point. If it were not for this Bill certain people who are not now eligible to vote in respect of elections for the Legislative Council would not be able to so vote. This Bill permits such people to have a say in electing the members of the Legislative Council.

To my way of thinking this provision alters the Constitution Act, because that Act provides who shall vote in respect of Legislative Council and Legislative Assembly elections. The Minister undertook to go into the question further, to make sure whether the Bill was in order, because it did not receive a constitutional majority at the second reading. It is perfectly clear that if the Bill does alter the constitution it should have received an absolute majority. No counting of the numbers took place in this House when the question was put, so nobody is in a position to say whether or not the Bill received a constitutional majority on the second reading.

It serves no useful purpose to bulldoze the Bill through and rely on good luck that it will be carried on legally. If this Bill, in effect, alters the constitution, then it becomes a question of law that its passage requires a constitutional majority. If it did not receive a constitutional majority it cannot be regarded in law as valid. No pronouncement on the part of the Speaker, or belief on the part of the Minister, will alter that fact.

Unless this point is checked, it could result in all the labour involved in passing the Bill through this House and another place being completely wasted; and many of the acts which will be performed under the new legislation becoming invalid if somebody subsequently raises the point that the Bill is not law at all.

There is a responsibility on the Government to make sure on this point. It cannot waive aside the point as merely something raised by the Opposition, and being not valid because it is so raised.

**Mr. Perkins:** I have the opinion with me and I shall read it to the honourable member.

**Mr. TONKIN:** If the Minister had read it before, there might not have been any necessity for me to speak.

**Mr. Perkins:** I would if you had asked me to.

**Mr. TONKIN:** Apparently the Government does what it is asked! If the Architects' Board wants an increase in fees, it asks the Government to introduce legislation for that purpose, and the Government does. If members in this House want information on a point previously raised, they have to ask for it. If not, they do not receive the information.

**MR. JAMIESON** (Beeloo) [5.10]: I want to put forward a few points in respect of this Bill. I have already complained to the Minister about the insufficient time allowed to local authorities to consider the measure. He assured me, time and time again, that everything in the Bill was in order, and that the representatives of the local authorities have read the Bill; and therefore they must be happy with it.

The provision referred to by the member for Eyre a little while ago was one instance which was brought forward as a result of a close examination of the provisions of the Bill by one of the local authorities in my area. That local authority wanted to get an explanation on the position of the chairman in respect of voting. That board wanted to clarify the position under the Road Districts Act as compared with the provision in the Bill.

Had copies of this Bill been made available to local authorities for a longer period than has been the case, some points, such as the one raised by the member for Eyre, could have been clarified by the Minister. We would have been able to satisfy the local authorities of the justification for any change proposed in the Bill. Not being able to obtain copies of the Bill for a sufficiently long time, they were not able to delve into the matters which affect them.

In the debate on this Bill I raised two points of order, but not with the intention of defeating the Bill; therefore I did not move to disagree with the rulings. I wanted to draw the attention of the Government to the position as I saw it. The provision in the Constitution Acts Amendment Act to which I made reference in my last point of order will need attention from the Government sooner or later. The Government will have to put the Constitution Acts Amendment Act in order, even if that has to be done by removing the words which now appear in it. They are, in my opinion, superfluous, because the condition in section 15 (6) of the Constitution Acts Amendment Act will no longer remain, after the passing of this Bill, as a qualification for a person to be on the Legislative Council roll.

I raised the point of order to bring it to the attention of the Minister, and he should satisfy himself that everything is correct. If the provision in the Bill does alter the constitution, the Government will be required to introduce legislation to alter the Constitution Acts Amendment Act to remove the provision in it. If the Government does that, it will need a constitutional majority on the floor of this House, as I think it needed a constitutional majority also to pass this Bill. That is my main criticism of that portion of the Bill.

I repeat my complaint that insufficient time was given to local authorities to consider the measure. Even though they subscribe to the idea of a central controlling body, each local authority must be given sufficient time, in a Bill as large as the one before us, to ascertain what provisions affect its particular interests. Sometimes a provision affects a peculiar interest of a particular local authority. When such a case arises, the circumstances peculiar to that case should be put forward in this House.

The central body is a very circumscribed group; very often it is not truly representative of the local authorities as a whole. That point has been clearly indicated by several members on this side of the House who have had local government experience, and no doubt some of them have represented their respective local authorities on the central body.

However, the opinion of the central body is not the deciding factor in a Bill like the one before us. That should be the responsibility of Parliament. After all, this is a very large Bill, and it should receive the attention of Parliament and the parties concerned—not only the attention of a few people who, according to the Minister, are acting on behalf of the local governing bodies.

That is the main complaint I have at this juncture; but I sincerely hope the Bill will become a statute of this State because, for far too long both the Road Districts Act and the Municipal Corporations Act have, with their multitude of amendments, been too burdensome for any good understanding of law and order in respect of local governing bodies.

For that reason alone I would prefer to see this Bill become one of the statutes of the State. However, I feel I am justified, at this juncture, in again voicing my disapproval of some of the several unsavoury features which, in my opinion, the Bill contains—and which it will probably contain when it becomes law. I refer to plural voting and the provision in the Bill which enables members of municipalities to elect their own auditors. To my way of thinking, that is a dangerous method, under which an auditor could get offside with merely half of the council and he would be

wasting his time to put in for the job the following year. If he did so, he would certainly be rebuffed by that council.

With those reservations, I consider I must vote for the Bill at this stage. It is an improvement on the legislation which we now have on the statute book, but it does not measure up to that which I would have liked to see there. On behalf of the many people I represent; and on behalf of those who would try to engender—as I indicated in my second reading speech—a little more fire and enthusiasm into the affairs of local government bodies, I would have liked to see a better Bill come before this Parliament. Very little interest is taken by the community in local government affairs; and most local authorities are dead, with a few exceptions where a particular local issue causes a spark of flame. With those reservations, I support the third reading of the Bill.

**MR. TOMS (Maylands) [5.18]:** I would like to take this opportunity of speaking to the third reading of the Bill. I believe many local authorities will be disappointed after having waited since 1948 for the amalgamation of the Road Districts Act and the Municipal Corporations Act. As I stated in my second reading speech, I cannot help but feel that this Bill is half a crown each way. I think the same results could have been achieved by simply stapling together the Road Districts Act and the Municipal Corporations Act, because many of the provisions in those Acts are included in this Bill, which lacks the uniformity I think many local authorities desired.

As I have already pointed out, we find provisions in the Bill whereby this can be done or that can be done. There is no hard-and-fast rule to make something mandatory one way or the other; and possibly local authorities that are looking for a lead, as far as uniformity is concerned, will be most disappointed with the Bill. I foresee, in the very near future, the necessity to make many amendments to this measure. It is to be regretted that we have not been able to produce a Bill much more acceptable to local authorities in 1960 seeing that the measure was first introduced in 1948.

I believe that for many years an attempt has been made to obtain uniform building by-laws among local authorities. If the time taken to prepare the Bill before us offers any indication, we will be living in the space-travel age before uniformity in building by-laws is achieved in this State.

I support the Bill mainly in order to put the Road Districts Act and the Municipal Corporations Act within one cover, as many of the provisions in those Acts are embodied in this Bill. However, there are no mandatory clauses in the Bill which relate to things that really matter so far as local government is concerned. I support the

Bill, but I wanted to take this opportunity to say that I know local authorities generally will be disappointed when they read its contents.

**MR. HAWKE** (Northam) [5.21]: I do not know whether the Minister, at any stage, gave any information to the House regarding the extent to which advice given by a local government expert in Victoria (Mr. Gifford) was included in this Bill. Members, if they take their minds back a year or so, will recall that Mr. Gifford came to Western Australia, I think at the request and at the expense of the Local Government Association in this State.

He received a great amount of publicity. He condemned utterly the Bill as drafted by our own Crown Law people and by our own local government officers; and, all in all, he seemed to speak to some extent for some of the leaders of local government in Western Australia. He was called upon or commissioned by the Local Government Association to study the Bill; to investigate local government in Western Australia in all its features; and to prepare and submit a report to the association.

I would be interested to know what the total amount of his bill to the Local Government Association was, if the Minister is in possession of that information. More importantly, however, I would like to know the major changes, if any, which were made in the previous Bill; and which changes would be set out in the present Bill as a result of the advice given by this officer to the Local Government Association of Western Australia.

**MR. PERKINS** (Roe—Minister for Transport—in reply) [5.23]: Dealing first of all with the point raised by the Leader of the Opposition, my information is that following the investigation by Mr. Gifford no major faults were found in the previous draft Bill. As a result of the criticism by Mr. Gifford, possibly the wording in some cases was improved to a degree; and it could be that this has resulted in an improved Bill being placed before us. However, I think I am justified in saying that his examination of the Bill and subsequent discussions with local authorities in this State did not produce any major alterations.

I will now refer to some of the other points raised by speakers at this third reading stage. The member for Beeloo—and I think other speakers, too—made reference to the time which local governing bodies have had to consider the measure. I think I am justified in saying that this Bill, in its various forms, has been under consideration by local authorities for several years. It is difficult to think of any particular provision in the Bill that has not been very closely examined by representatives of local authorities. I

freely admit that the Bill is to an extent a compromise, but I think all members will agree it will give local authorities a much more suitable instrument to work with as compared with the very outdated Acts under which they have been working.

I have no doubt that notwithstanding all the suggestions that we might consider from local authorities; and irrespective of how much time we might spend on them, there will still be many faults in the legislation. I do not think criticism can be levelled at members of this Parliament if it is found that amendments to this legislation are necessary. That is something we will find out only by trial and error after the legislation has been in use for some time. That applies to other legislation with which we deal.

The particular point raised by the member for Eyre is whether the chairman or the president of a local authority should have a deliberative vote. The honourable member seems to think that in the deliberations of a council the chairman or president should exercise a deliberative vote; and then, of course, if the opinion of the member for Melville is followed from there on, the chairman or president could not have a second vote if there is an equality of votes; and the matter would have to pass in the negative.

It is the usual procedure at meetings—and the procedure which has been followed here—that whoever is elected chairman is lifted to a degree. We recognise that a chairman exercises a considerable influence on the deliberations of a particular body. The member for Eyre mentioned that the chairman represents some portion of the local authority area. The constitution of this Parliament provides that one of the members of the Parliament will be elected to the Speakership. He will then be lifted further out of the deliberations of this Assembly than would be the president or the chairman of a local authority; and to that extent, Mr. Speaker, your electors are disfranchised.

**Mr. Hawke:** I didn't notice that yesterday.

**Mr. PERKINS:** If an equality of votes takes place, you, Sir, exercise your judgment more than the president or chairman of a local authority.

**Mr. J. Hegney:** He exercised his deliberative vote half a dozen times yesterday.

**Mr. PERKINS:** There is precedent for this; and I suggest to the member for Eyre that it is not unusual procedure.

**Mr. Nulsen:** Why differentiate?

**Mr. PERKINS:** I understand there is a conflict between the Road Districts Act and the Municipal Corporations Act in this regard. Under the Municipal Corporations Act I think the mayor exercises a casting vote. He does not exercise a deliberative

vote. I am not sure, but I think that is the position. When examining the Acts just referred to, I think I noticed a difference in procedure between municipal councils and road boards; and the procedure which has been accepted in this legislation is, I think, that of the municipal council. I am not sure of that point. I have not my reference notes with me; and I would not like my argument to hang on that particular point.

At any rate, I would emphasise that if faults are found, and it transpires that this is one of them, and if the majority of local authorities consider that they would prefer it to be rectified it would be a comparatively simple matter to make amendments to the Act in a subsequent session. I have no doubt that if there is a strong demand from local authorities, members will agree to it.

The other point raised by the member for Melville concerns the validity of the legislation. I undertook to have this matter examined, and I did so. I was satisfied that there need be no legal doubt about its validity. I propose to read the opinion of the Solicitor-General obtained from the Crown Law Department. I quote as follows:—

Assuming that clause 45 (14) of the Local Government Bill will, if passed, have the effect of extending the qualifications of electors for the Legislative Council under section 15 (5) of the Constitution Acts Amendment Act, 1899, the question asked is, whether the Bill is one by which "any change in the Constitution of the Legislative Council shall be effected" within the meaning of section 73 of the Constitution Act, 1899. In my opinion the Bill is not.

Before a Bill can be classed as one by which a change in the Constitution of either House shall be effected, I think it is necessary that one can point to the change which shall be effected by the Bill. An alteration to the qualification of electors may possibly have the result of effecting a change in the membership of the Legislative Council, but so could a Bill to impose an unpopular tax, or any other Bill which would be likely to affect the vote of a substantial number of electors.

Admittedly, in *McDonald v Cain*, (1953) V.L.R. 411, O'Bryan, J. stated that the expression "Constitution of the Assembly" would include "the qualification of electors" but the Victorian Constitution Act being considered in that case referred to an alteration in the Constitution which "may" be effected, whereas section 73 of our Constitution Act refers to a change in the Constitution which "shall" be effected, and O'Bryan, J. emphasised the use of the word, "may"

in his Judgment (at p. 441). The Victorian Constitution Act, section LX, refers to a change in the Constitution which "may" be effected and then in the next, section LXI, provides for exceptions. Section 73 of the Western Australian Constitution Act refers to changes which "shall" be effected and omits any reference to exceptions. Therefore, in my opinion, before a Bill effects a change in the Constitution within the meaning of section 73 of the Western Australian Act, it is necessary to be able to show precisely what change in the Constitution shall be effected. The word, "Constitution" in the expression, "change in the Constitution" was defined by the High Court in *Taylor v Attorney General of Queensland*, (1917) 23, C.L.R., 457 as "the composition," "form," or "nature" of the House and I do not see that a change in qualification of electors by enabling the spouse of an elector to vote in certain circumstances necessarily will effect a change in the composition, form or nature of the Legislative Council.

That is the opinion of the Solicitor-General of Western Australia. It is the best advice that we can obtain; and I consider that the Bill is in order.

Referring to the general provisions and framework of the Bill, I think that local authorities will be very pleased indeed to hear that it has passed this House, and they will be looking forward to its passing right through this Parliament in order that they may operate under an Act which is very much more up to date than that under which they have operated for so many years.

**Question put and passed.**

**Bill read a third time and transmitted to the Council.**

## **WATER-RATE ASSESSMENTS**

### *Reversion to Progressive Valuations*

Debate resumed from the 21st September on the following motion by Mr. Tonkin:—

In the opinion of this House the arbitrary general increase of 25 per cent. on the annual rental value of residences in the metropolitan area imposed by the Government this financial year, and resulting in severe increases in rates, payable for water supply and sewerage, is unfair and unnecessary and should be removed and a reversion made to the ordinary progressive valuations on the conservative basis, which has proved quite adequate to meet revenue requirements in the past.

**MR. WILD** (Dale—Minister for Water Supplies) [5.37]: Last week we heard the Deputy Leader of the Opposition endeavouring to prove two points: Firstly,

that the charges for water, sewerage, and drainage were unnecessarily high; and, secondly, that the method of valuation adopted of applying an arbitrary 25 per cent. increase was unfair and unjust and ought to be removed. He indicated that he proposed to direct his argument to the two implications, which I think he did.

But when one looks through the honourable member's speech, one finds it was repetitious. Most of the points he raised were repeated on about three occasions during his speech, which could have been condensed to about one-third of the size.

In no way did the honourable member prove his first point—that the charges were unnecessarily high; or if he did, he gave no alternative. Surely, as a former Minister of the Crown, and one who has occupied the same position as I do now, the honourable member should have given the House the benefit of his long years of experience and said, "Well, don't do it that way; do it this way." But the House did not get that advice from him.

In regard to his second point—that the 25 per cent. increase on valuations was unfair and unjust and ought to be removed—I would say that no-one likes any form of rates to be imposed. But as a responsible Minister of the Crown, and one who has had considerably more experience than I have, the honourable member should have indicated to the House, "Well, you should not have done it that way; you should have done it this way."

The honourable member knows as well as I do that this is probably the most complex problem that came before him during the years he occupied the position of Minister for Water Supplies. I venture the opinion that this question has arisen because the Government is endeavouring to make this department pay. In my investigations into the pay-as-you-use scheme, certain things have come to light which I feel sure are going to be for the benefit of the people of Western Australia, and particularly those who are going to pay these increased water rates.

As I said earlier, I think that any responsible Minister in any responsible Government must recognise that Government departments cannot go on living off loan funds. The State gets a certain amount of money; and according to pressure from an individual Minister or recognition of the Treasurer, departments receive an allocation. That allocation is given to do something specific; and in the case of my department—namely, the Water Supply Department—it is for the extension of water services due to increased demand brought about by increases in population. In recent years people have been using more water than they did before and are becoming more garden-minded.

Would it be fit and proper and would I be performing my duty if, in any one year, I were to say, "I have a loss of £200,000 or

£300,000; I will pass this loss out of loan funds. Instead of receiving £2,250,000, I will receive that sum less the deficiency."?

The situation applies to any service and to any Government which governs properly. In the event of any charges that are to be borne by the community, it is the duty of any responsible Minister of a stable Government to endeavour to ensure that his department pays its way to the best of its ability. When informed that in this particular year there would be a deficiency of £300,000, what should one do? Should one say, "Well, we will let the situation carry on and see what happens next year"? I did what my predecessor—and his predecessor before him—did.

If members look over the rate book they will find that, over the years, the rates have fluctuated. At times they have come down; and when it has been found there was not enough money available, Governments have increased them. What has been done in this case is purely a responsible action; and whilst I recognise that it hurts people—and I am quite prepared to recognise that it does—I can only repeat what I said a few moments ago: that the system has operated for many, many years. No-one has been able to define anything different. The Eastern States are no different; and all Commonwealth countries operate on the same basis.

But the present system creates a lot of anomalies. An exhaustive investigation has been conducted, out of which I hope is going to come something that will provide a more stable basis from which the Water Supply Department, and the Governments of tomorrow, can carry on in an endeavour to create a fairer system of rating for people in the metropolitan area.

Another point affecting a lot of people—and one on which the Deputy Leader of the Opposition did not touch—is the question of where the finance is to be found to provide all these extra services. For the past three to four years we have continually had water restrictions of some kind or another. Although the honourable member was responsible for it, I am not entirely blaming him for it. What was the reason for introducing water restrictions? Because every 10 years or so the demand for water in the metropolitan area doubles.

Therefore, the Government of the day, and the person occupying the office which I now occupy, have continually to be looking to a time some 10 years ahead. The Minister concerned has to regard it not as a problem for posterity, but simply as one around the corner; and he has to ask himself, "What do I do to provide the necessary water?"

The Serpentine Dam was started—and I give credit to the honourable member for it. But who pays for it? The public lose sight of the fact that money has to be spent to provide this extra water. The

Serpentine Dam, on its own, with duplicated mains, is costing £9,000,000; and up to this financial year we will have spent slightly over £6,000,000. To provide a second pipeline to bring water from the Serpentine Dam to the city will cost another £3,000,000. That is £9,000,000 altogether.

Now, to dwell on that one item alone, bearing in mind the necessity for increasing the water supply in the metropolitan area over the next 10 years, if we spread that figure over 10 years we find we are spending £900,000 annually out of loan funds.

The Minister for Water Supplies has to find £3,000,000 in the next three years to be able to duplicate the pipeline from Serpentine to the city. Then, in the fourth year, he has to say to himself, "You cannot get more than £900,000 or £1,000,000 each year out of loan funds for the provision of water supplies, and you have to do something about a dam that can be utilised in a further ten years' time."

The Minister for Water Supplies must constantly look ahead; and, in my position, I would not have been honest with the people had I merely turned around and said, "There will be a loss of £300,000 this year; but never mind, maybe we will catch up with it next year."

In my view, the only decision that could be made was made. A conference of Treasury and Water Supply Department officials was called—accounting officers—and we were faced with two alternatives: Either the rates had to be increased, or we had to have an increase in valuations. There has been an automatic increase over the years, but we were faced with the alternative of the valuations being raised to what is known as the 60 to 75 per cent. rate.

We made a decision to do the latter; and as I move along, I shall show to the House that whilst the Deputy Leader of the Opposition—in reply to an interjection by my colleague—said that he knew nothing about this, and did not know that it had taken place, and if it had taken place it was done without his knowledge, 13 districts were put on to the 75 per cent. rate during the six years he occupied the position of Minister for Water Supplies. If the position were reversed, I would get the greatest flaying of all time from the honourable member because he would say that I did not know what was going on.

I recognise the honourable member's eloquence. I well remember having to sit back and take Larry Dooly from the honourable member over the Austrian houses and the Syrex wasp. As I said, if the position had been reversed in this matter, I would have been flayed to death. Unfortunately, I have not got the honourable members' eloquence. However, with my limited ability I shall indicate to the House that if the honourable

member did not know, then he should have known; he cannot have it both ways. The honourable member did to 13 districts during the six years he was Minister exactly the same thing as I am doing now.

I shall go through the honourable member's speech; and during my remarks endeavour to throw something constructive into the ring. I do not think it is of any use ones being belligerent all the time and saying that this is bad and that is bad.

Mr. May: This will be something new!

Mr. WILD: Maybe if the honourable member did a little bit of forward thinking in regard to the industry with which he is connected he would get on a lot better.

Government members: Hear, hear!

Mr. WILD: There has been a long history connected with valuations, and I would like to go back over the post-war years. There have never been two districts in the metropolitan area where one could say the valuations were anywhere near comparable. Firstly, we had the Municipal Corporations Act the provisions of which the department used in striking its valuations. Then there were the local authorities who valued on the unimproved value of the land. The department, of course, has always done that, but due to a limitation of staff, only every third, fourth, and sometimes every fifth year; and if one looked over the valuations in the municipal districts and road districts in the metropolitan area one would have difficulty in finding two which were on a comparable basis. Some were on 60 per cent., and some were on 75 per cent.; and some had had no revaluations since 1955.

Looking at the matter objectively, I would say that the whole situation over many years has been chaotic; and year by year the Minister of the day, whoever it may have been, has decided to put the rates up or put them down—mostly up, in post-war years, anyway. But there has always been a section of the community that has been harder hit than others, because the positions of the different districts have never at any stage been comparable, or anywhere near comparable.

The Deputy Leader of the Opposition indicated that I was endeavouring to adopt my present practice in order to take the matter away from Parliament. There are two methods by which the Government of the day can get the same result—it can either increase the rate in the pound; or do what my predecessor—and the Premier, when he was Minister for Water Supplies—did; and that is, raise the valuations. Those two methods have always been open to the Minister.

As a result, when I was informed that the estimated deficit was something over £300,000, we endeavoured to find a way to cover that sum of money; and at the

same time we wanted to devise some way to equalise the payments that people would have to make. I repeat that 13 districts had already been placed on the 75 per cent. basis by my predecessor during the years 1953 to 1959. So was it asking too much to say to the rest of the ratepayers that they should bear some of that burden?

The Deputy Leader of the Opposition made great play on the question of sewerage rates, and the fact that there had been a surplus year by year. He went back to 1956 to show that in each of those years there had been a surplus.

Mr. Hawke: Has the Minister finished with the increase in water rates?

Mr. WILD: But the Deputy Leader of the Opposition did not tell the House that in 1953-54 there was an accumulated deficit in the sewerage fund of £408,569. In the following years the surpluses were—

1953-54	.....	21,985
1954-55	.....	39,000
1955-56	.....	55,000
1956-57	.....	34,000
1957-58	.....	59,000
1958-59	.....	23,000
1959-60	.....	31,000

But this still left an accumulated deficit in the sewerage department of £142,677.

Knowing that there was that estimated deficit for the year, would I have been right had I said, "We will completely disregard that deficit and we will leave the rates where they are."?

We have been charged with arbitrarily increasing the water rates by 25 per cent. I now want to read a passage from the honourable member's own speech. He said—

The only way in which we can approach this question reasonably is to take off the 25 per cent. arbitrary increase which was imposed on revaluation. Let the Government do that. It can rely upon the progressive revaluations which are made from year to year, and on the same conservative basis of 60 per cent. of the net annual rental value—which basis has proved to be adequate all down the years.

In reply to an interjection from his own leader, the honourable member said—

If we give a direction to the Government that this arbitrary increase be removed, all we do is to say to the Government, "Adopt the same principle which was adopted by the McLarty-Watts Government for six years and found to be adequate; and which was adopted by the Hawke Government for six years and found to be adequate. There is no need to change it."

Let us have a look at what the Hawke Government did. In 1953-54, during its first year of office, the 75 per cent. rate was levied on Medina, a new district. In

the same year Swan was put on that basis; and in 1954-55, another new district—Hamilton Hill—went on to the 75 per cent. rate. Guildford was added to the list in 1956-57; and also Forrestdale, which is adjacent to Armadale. Then in the year 1957-58, Fremantle City, North Fremantle, and the central, east, south, west, and north wards of the Perth City Council. Finally, in the year 1959-60, Armadale residents had this rate imposed upon them.

Yet the Deputy Leader of the Opposition gets up in his seat and says that we ought to carry on with the same basis—namely, 60 per cent.—which he says was adopted by the Hawke Government during its six years of office, and found to be adequate! The honourable member's own Government put 13 districts on to the 75 per cent. rating; but because I did the same thing I was wrong! It is not a case of "Do as I do," but it is a case of "Do as I say."

I think this chaotic position, if I can use that word, has really been highlighted by the investigations that have been made. I repeat that I am no figure man: I have to be advised by the accountants, the under-secretaries, and Treasury officers. But the more I probed into the matter, the more I questioned this particular set of conditions, the more I realised how chaotic it was. I think it is high time that something was done to place the whole matter on an even keel; from then on we will have firm foundations, and we hope that everyone will have a fair average valuation made, and his rates levied accordingly.

The report submitted by the "pay-as-you-use" committee—an excellent report, in my view—has been presented to the Government and is now under consideration. But without a doubt it has highlighted the conditions which I saw following the probing I did. There was inequality—and no other word can be used for it—from one end of the metropolitan area to the other. One could go on all night citing various cases of small houses, such as in the district of Subiaco, which are right on the street-line, and where the occupants could not possibly use the water allowed. Yet because the houses are handy to the city, and the rental value is probably £4 or £5 a week, the owners are charged in accordance with the rent that the house will produce. One can go to another area where the houses have large gardens and the people can use large quantities of water—they could use all the water allowed to them by their rates. The whole business does not add up.

From the results of the investigations of this committee the Government is hoping that it will be able to devise some scheme which will enable us to lay a firm foundation—something to start off with—because on looking back through the files, and at the actions taken by the Premier when he was Minister, and by the Deputy Leader of the Opposition, and by me, I say without



fear of contradiction that the position was reaching a stage where I do not think even the officers knew what was going on in regard to valuations, etc.

From these investigations I am certain the Government will be able to produce some scheme which will put us on the right lines. We have already taken some action and made an application to the Commonwealth Government to allow all valuations to be made by the Taxation Department. That means that the valuations will be made by officers who are completely independent of the Water Supply Department. If the Commonwealth Government approves, it is our intention to have all the valuations done at the one time.

Mr. Toms: How will they do that?

Mr. WILD: By having more staff and doing the work in the one financial year.

Mr. Toms: Oh, yes!

Mr. WILD: There is a negative answer! That has been the answer over the years, but we are trying to do something constructive about it.

Mr. Toms: That has been the experience.

Mr. WILD: Yes; that has been the experience, too. But if the honourable member were in the position I now hold, and if he could see how chaotic the situation has become because of this attitude over the years, he would realise that it is high time something was done. All we propose to do is to try to correct an anomaly that has obtained for years; to correct one of those things about which the member for Maylands and his ilk have been bellyaching for some time.

Mr. Hawke: What is this noise you are indulging in?

Mr. WILD: We have made an approach to the Commonwealth Government in an endeavour to get it to take over the valuations. I have no doubt that Government will do so; and when it does, it is the intention of this Government to have the valuations carried out on a broad front, and all in one year. There will be no revaluation until as at the 1st July, 1962.

A further step will be to provide people with rate notices similar to those that are issued by local authorities, from which they will be able to see how the water rates are split up. Under the position at the moment, we receive a rate notice. We know it comes from the Water Supply Department and that it covers everything. The rates are all massed together; and unless one understands the system, one does not know how much one is paying for water, how much for sewerage, and how much for drainage. The rate notices that will go out as at the 1st July, 1961 will show so much for water, so much for sewerage, and so much for drainage, as is the case with the notices issued by the local authorities.

Mr. Toms: We are paying plenty.

Mr. WILD: The third and most important point will be the consideration and deliberation that will be given to the recommendations of the pay-as-you-use committee. This committee has made recommendations to the Government, some of which one might say are quite radical as compared with the system that has existed over the years. There must be a start with these things, however; and while we have spent many hours considering the committee's report, we have not yet reached a decision.

I am certain that from that report will emerge something which will be of benefit to the ratepayers, and which will be in keeping with the spirit of the policy speech enunciated by the Leader of the Liberal Party, the Premier (Mr. Brand), and by the Deputy Premier (Mr. Watts) on behalf of the Country Party, in which they said they would endeavour to get as close as possible to the pay-as-you-use system.

While, on the surface, the committee's report does appear to be radical, it has a great deal of merit. It may take the Government another three or four weeks before it finally reaches a conclusion; but I have no doubt that there will be basic relief for the people, in that they will pay a lesser rate, I hope. Those who wish to use excess water and are supplied with it will be charged more for that excess water.

This problem has existed for years but nobody has attempted to grapple with it up till now. I do not profess to know all the answers—I only wish I did—but the more one discusses this problem with the men who have been steeped in this knowledge for years, the more one appreciates how chaotic has been the position. It is high time that somebody grappled with the situation and endeavoured to remedy it.

The Deputy Leader of the Opposition asserted that we arbitrarily imposed this 25 per cent. increase; but he did the same thing, even though he said he did not. I am sure the honourable member does not want me to read the recommendation back to him. In answer to my colleague, the Minister for Industrial Development, the Deputy Leader of the Opposition said that if this was done it was done without his knowledge.

If the boot were on the other foot, I have no doubt the honourable member would flay me; if he considered that I was administering my department in such a manner, while thousands upon thousands of pounds were being extorted from the people, arbitrarily—to use his own word—in the metropolitan area. The honourable member said he did not know it was happening. If that is so, then he did not know his job. I do not want to get personal in this matter; but that is what was done.

So in view of the fact that the Deputy Leader of the Opposition did not in any way prove his case, it is my intention to

endeavour to move an amendment to the motion he has submitted to the House. I move—

That the motion be amended by deleting all words after the word "House," with a view to substituting the following:—

the increases in water, sewerage and drainage rates in the metropolitan area this financial year arose from the anomaly created by the actions during the term of office of the previous Government from 1953 onwards in increasing by a similar percentage the values used for rating purposes in no less than 13 sections of the metropolitan area.

**MR. HAWKE** (Northam—on amendment) [6.7]: We have just heard a rather remarkable speech from the Minister for Works and Water Supplies. I say that bearing in mind, all the time, the fact that most of his speeches fall into that bracket. In the earlier part of his speech he tried to make it appear it had been necessary for him, and his Government, to severely increase water rates so that the cost of building the Serpentine Dam, and the cost of building main pipelines from that dam to the metropolitan area could be met, or met in part. Anybody who knows anything at all about public finance would realise that the impression the Minister was trying to leave was a completely false one.

**Mr. Wild:** How was it false? From where would you get the money if you did not pay your way? Would you get it out of a hat? You got it from loan funds, as we did.

**The SPEAKER:** Order!

**Mr. HAWKE:** I hope, Mr. Speaker, you will not prevent the Minister from interjecting, because it is most helpful to me.

**The SPEAKER:** I think interjections are very disorderly nevertheless.

**Mr. HAWKE:** The Minister wants to know where he will get the money to build reservoirs and pipelines, if he does not get it from the ratepayers. Obviously, the money used to build reservoirs and main pipelines—and even subsidiary pipelines—is obtained from loan funds, made available to this State from Loan Council meetings from year to year. That is the money which is used to provide the capital costs for the building of reservoirs, and for the purpose of building pipelines. The ratepayers provide no money in that direction; none of the rates obtained from people who are rated in connection with water—

**Mr. Wild:** Who services the loan funds?

**Mr. HAWKE:** I wish the Minister would allow me to finish this point; I would then tell him the answer to his latest question.

**Mr. Wild:** Do not forget to come back and tell us.

**Mr. HAWKE:** Should the Minister have any other questions to ask on matters about which he knows nothing I will do my best to answer all of them.

**Mr. Wild:** Just answer that one.

**Mr. HAWKE:** As I have said, reservoirs and pipelines, and the like, are financed out of loan moneys made available each year at Loan Council meetings to the Government of this State. The rates imposed upon the people by the Water Supply Department are used to meet the operating costs of that department—costs such as wages and salaries, interest on capital expenditure, and so on.

So it is completely false, and utterly misleading, for the Minister to stand up in his place and say that, because water supply reservoirs have to be built, and because main pipelines have to be constructed, water rates have to be increased. That was the Minister's argument. His argument was that water rates have been severely increased lately by the Government, because the Government had to spend so much in building the Serpentine Dam; and because it is spending so much in constructing pipelines from that dam to the metropolitan area.

**Mr. Wild:** Who finishes up paying the interest on that money?

**Mr. HAWKE:** I have just said the people who pay the water rates pay that money to meet the operating costs of the department, and to meet interest charges on the capital cost of constructing reservoirs and pipelines.

**Mr. Court:** That is the Minister's point: The more you spend on these developmental works the more your cost of servicing capital goes up. Somebody has to pay it.

**Mr. HAWKE:** Now we have the political smart aleck Minister for Industrial Development coming in and endeavouring to rescue the Minister for Works from the hole into which he has fallen.

**Mr. Court:** I am only trying to keep you on the line, instead of allowing you to make up your own story.

**Mr. HAWKE:** The Minister for Industrial Development knows as well as I do that when we build a new reservoir we immediately have available for sale to the water consumers a far greater amount of water than we ever had previously. The water is not given away; it is impounded in the new reservoir and is sold, and money is obtained for it.

The Minister for Industrial Development also knows as well as I do that the number of water consumers, particularly in the metropolitan area, is greatly increasing from year to year; which means not only that the department is able to rate more people, but also that increased quantities

of excess water are sold. So it is of no effective use at all for the Minister for Industrial Development to come in and try to make it appear that increased interest charges on the capital cost of constructing a reservoir are a justification for the severe increase in the water rates which this Government has recently imposed on the people in the metropolitan area; because it is no reason at all.

Mr. Wild: From where would you have got the £300,000 that was lost?

Mr. HAWKE: First we must find out how the loss occurred.

Mr. Wild: We have it; it is with us—never mind how it came about.

Mr. HAWKE: If the Minister for Water Supplies is capable of looking at the situation logically and in proper sequence, let us consider it together. The loss occurred mainly, if not entirely, because of the inability of the department last summer to sell to the water supply consumers all the water which they could have taken. The Minister knows, as we all do, that the total supply of water available was so short that severe restrictions had to be imposed from time to time; consequently the total revenue of the department fell very considerably under that heading.

If I remember rightly, it fell by approximately £240,000 during the last financial year. So the department received from that source £240,000 less last financial year, by way of revenue, than would have otherwise been the case. As the department, because of that, incurred a loss of, say, £250,000 or £280,000—whatever the total amount was—obviously the amount had to be recovered in the next financial year, which is the present financial year; or it had to be met from some other funds available to the Government.

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

Mr. HAWKE: Before tea I was pointing out that the capital expenditure required for the construction of reservoir pipelines came from loan funds and none of it at all from the Consolidated Revenue Fund. I went on to trace the main cause of the loss which had occurred last financial year in the accounts of the Metropolitan Water Supply Department and indicated that most of the loss had been brought about because of the lack of adequate water in reservoirs which served the metropolitan area. This necessitated the imposition of severe restrictions on the supply of water during the summer months which, in turn, greatly reduced the amount of revenue coming to the department from the sale of excess water.

As I understand it, the reduced amount of revenue received under that heading was about £240,000 to £250,000. Looking at the printed *Estimates of Revenue and Expenditure* for the current financial year, I see no item which would indicate that

the loss suffered by the department last year is to be made up this year. The information set out in this printed document gives a comparison of the total revenue received last financial year with the total amount expected to be received during the current financial year. It also shows the total amount of expenditure incurred last financial year and the total amount expected to be incurred during the current financial year.

The total increased amount of revenue which the department expects to receive this financial year over last financial year is nearly £600,000. Just how much this figure allows for the sale of excess water during next summer, I am not in a position to know. I would think, however, that when these Estimates were prepared they would have been prepared on a very conservative basis in regard to the revenue expected to be received this financial year from the sale of excess water in the metropolitan area.

I say that because at the time these Estimates would have been drafted the position of metropolitan reservoirs was not by any means good, and the anticipation then must have been that restrictions between moderate and partly severe would have to be imposed during periods of next summer. So I suggest—I think quite fairly—that the total amount of revenue set down in this document would not be the total amount which will be received as at the 30th June next year.

On that basis I argue that the increases in rates which have been imposed by the Government upon water-rate payers in the metropolitan area are far higher than they should be—far higher than will be required to enable the Water Supply Department to balance its accounts and even to show a reasonable profit during this period. I am convinced that the finances of the Metropolitan Water Supply Department for this financial year when it is completed will show a very substantial surplus indeed.

After all is said and done, the department should not be turned into a taxing machine; it should not be used to grind out of people a great deal more revenue than is required reasonably to meet the normal expenses of operating the department, including the payment of interest upon capital expenditure.

Mr. Court: You are assuming the revenue is going to be much higher than the estimate.

Mr. HAWKE: I think it would be, on the foundation which I put forward, which was that the Estimates included in the printed document would have been prepared several weeks ago at a time when the outlook for the reservoirs was a bit on the grim side; and when everyone, I think, who had given any serious thought to the situation, would have believed that

restrictions at least to some extent would have to be imposed during some part of next summer.

Mr. Court: The Estimates finally presented to Parliament are based on the assumption that it will be a normal year. That is not a pessimistic outlook.

Mr. HAWKE: We will judge that one at about the 2nd, 3rd, 4th, or 5th July, 1961, when the total situation will have been revealed and when the financial transactions of the department for the whole of this present financial year will have been made known. I believe that the department will, this financial year, make a very substantial surplus on the basis of what happened last year, and on the basis of the very large amount of increased revenue which will come to the department in the normal way and the greatly increased amount which will come from these savage increases.

Mr. Court: The best advice to the Treasurer is that there will still be a deficit of £14,000.

Mr. HAWKE: I put forward my belief against the belief of the Minister for Industrial Development; and as soon as we meet next year for next year's session of Parliament, we will be able to calmly compare his belief with the one I have expressed and see who is nearer to the correct figure.

I can understand the Minister for Water Supplies opposing this motion just the same as I could understand any Minister opposing any motion which was directed in criticism against the Government for some action of policy which it had taken. Naturally, every Minister believes that any line of policy which he recommends to the Government, and which the Government accepts and puts into operation, is well based and justified. So it is understandable that the Minister should oppose the motion moved by the member for Melville, because that motion is not only a criticism of the severe increases in water rates put upon the people in the metropolitan area by the Government, but also asks the House to call upon the Government to make a substantial reduction in these increases. Therefore, on political grounds, if not on departmental grounds, the Minister would be justified in opposing the motion—which he has done. However, he goes further and proposes an extraordinary course of action. He moves an amendment.

Mr. Wild: Of course you know nothing about amendments!

Mr. HAWKE: Absolutely!

Mr. Wild: You ought to talk about amendments!

Mr. HAWKE: In effect, he says to the people, "We as the present Government are not responsible for increasing your water rates. We are not to blame in any

shape or form. We have not done it. It is all the fault of some previous Government." Has ever such a ridiculous approach been made to a situation? The Minister has not even convinced himself on that point.

Mr. Watts: You'd be surprised!

Mr. HAWKE: I am surprised. However, now that the Attorney-General assures me that the Minister for Water Supplies has convinced himself, then one can only express astonishment at the sponge-like make-up of the Minister for Water Supplies when he is capable of absorbing his own weak approach and his own illogical arguments. This is what the amendment states—

the increases in water, sewerage and drainage rates in the metropolitan area this financial year arose from the anomaly created by the actions during the term of office of the previous Government from 1953 onwards in increasing by a similar percentage the values used for rating purposes in no less than 13 sections of the metropolitan area.

Let us admit for the sake of argument that what is said there in regard to the policy of the previous Government is true. Let us say for the sake of argument that it is 100 per cent correct.

Mr. Wild: It is true, isn't it?

Mr. HAWKE: No; it is not true. However, for the sake of demonstrating the absurdity of the amendment submitted by the Minister for Water Supplies, let us say that it is 100 per cent. correct.

Mr. Wild: It is correct.

Mr. HAWKE: Does that bind the present Government in regard to the policy it will pursue in respect of the imposition of water rates? Did the policy of the previous Government in regard to land tax—

Mr. Wild: You set the standard in 1955; and because we have done the same, we are wrong.

Mr. HAWKE: —bind the present Government in regard to its policy concerning land tax? Did the policy of the previous Government on restrictive trade practices bind the present Government in regard to its policy on restrictive trade practices? Did the policy of the previous Government on a hundred and one other matters bind the present Government in regard to the policy it would follow? I have never heard such nonsense! It is utterly absurd and cowardly for the Government to try to avoid its responsibility for increasing the water charges upon the people.

Mr. Wild: Was it not cowardly to do that and turn around and say you knew nothing about it? Is there anything more cowardly than that?

Mr. HAWKE: The Minister cannot say that I said—

Mr. Wild: You did not; but your deputy did.

Mr. HAWKE: —anything of the kind. The fact is that the present Government is responsible for what it does. It is responsible for whatever land tax it imposes; for whatever water rates it imposes; for whatever motor-vehicle license charges it puts upon motor-vehicle owners; and for any license charges it puts upon the people in regard to dogs, marine dealers and anything else.

The Government does these things. Consequently it is 100 per cent. responsible for what it does. I could have understood the Minister if he had stood up and opposed the motion strongly and vigorously; I could have understood his criticising the Deputy Leader of the Opposition, and the previous Government, and using his brutal majority to defeat the motion.

However, there is no comprehension possible of his attempt to get into reverse gear and say that he and his ministerial colleagues are not responsible for putting this savage increased water supply charge upon the people. The Minister's Government has done that, and he knows it. If the policy of the previous Government was wrong, then this Government would bring in a new policy.

Mr. Wild: Did your deputy deny that he had?

Mr. HAWKE: I am not concerned with my deputy. At the moment he is not here; he will be here next Wednesday to reply to the debate.

Mr. Bovell: No he won't.

Mr. Wild: You had better hurry and send for him.

Mr. HAWKE: When he comes, I would hate to be in the shoes of the Minister for Water Supplies.

Mr. Watts: We will be at the show next Wednesday.

Mr. HAWKE: Well, on Wednesday week. Tonight the Deputy Leader of the Opposition is representing me at a dinner.

Mr. Wild: Has he got a pair?

Mr. HAWKE: Yes, with the Premier.

Mr. Court: Breaking down!

Mr. HAWKE: Not a pair, but an understanding. The Minister for Water Supplies is trying desperately not to be tied down; he is using every possible sidetrack and bypath, and other means of escape to get away from the responsibility which is his. He was responsible for recommending these increased water supply charges to the Cabinet—to the Government—and he and each of his ministerial colleagues is equally responsible for the decision the Government made in adopting the charges and

imposing them upon the people. That was this Government's decision, and its responsibility.

Mr. Wild: And what you did to the 13 districts during your term—

Mr. HAWKE: The Minister for Water Supplies is quite hopeless. When we were in office as a Government, we did what we did.

Mr. Wild: But you deny what you did.

Mr. HAWKE: And we took responsibility.

Mr. Wild: No you didn't.

Mr. HAWKE: And the people knew what we did, and they judged us at succeeding elections on the basis of the policy we carried out.

Mr. Wild: They sure did!

Mr. HAWKE: That is all right. I remember the Minister for Water Supplies being in a Government that was defeated; and in 18 months' time he will again suffer the same fate.

Mr. Wild: Oh yeah!

Mr. HAWKE: The Minister, therefore, has little or nothing to worry about. I should think that in 18 months' time, because of a sort of confidential, intelligent understanding between some leaders of the Labor Party and some leaders of the Country Party, the Minister will not have a hope in hell of holding his present seat in Parliament.

Mr. Wild: So you think: wishful thinking!

Mr. HAWKE: As I see you, Mr. Speaker, looking rather appealingly at me, I shall leave that subject. The Minister cannot get away with this one. He cannot put upon the shoulders of the previous Government any responsibility in connection with these increased water supply charges which his Government has imposed upon the people. The Minister for Water Supplies must have a poor appreciation of the intelligence of the people who have to pay these increased rates if he thinks that by this subterfuge he is going, somehow or other, to cause the people concerned to say to one another, "Well, it was not the Brand-Wild Government that put these increased charges upon us at all: It was the Hawke-Tonkin Labor Government." How silly can that sort of approach be? What do members think the comments of the people in Subiaco will be when they read that sort of tripe in the paper tomorrow morning?

I suggest to the Minister that if he wants to continue to believe in what he is doing, and if he wants to justify what he and his ministerial colleagues have done by savagely increasing the water rates in the metropolitan area, then by all means let him do so. That is his and the other Ministers' funeral. But for heaven's sake do not sink to the level of subterfuge as

set out in this amendment by trying to pass the buck and the responsibility on the shoulders of a Government which ceased to exist in April, 1959.

I can understand that the Minister for Water Supplies has had a red-hot time at party meetings in connection with this matter. I can appreciate that the member for Subiaco, the member for Canning, the member for South Perth, the member for Claremont, and others have been giving him fits at party meetings in regard to this matter. Therefore I can understand that the Minister is most uncomfortable and unhappy—politically, at any rate—and that he is desperately anxious to shove the total responsibility for the Government's policy on to someone else.

But why shove the responsibility—or even try to—on to the shoulders of a Government which no longer exists; which ceased to exist 18 months ago? Why does the Minister try to do that? All he can do is sit there and give a sickly grin. I oppose the amendment.

*[The Acting Speaker (Mr. Crommelin) took the Chair.]*

**MR. HEAL** (West Perth—on amendment) [7.53]: I rise to support the motion moved by the Deputy Leader of the Opposition and to oppose the amendment moved by the Minister for Water Supplies. I shall base my remarks on the motion originally moved. The Minister when speaking to the motion said he in no way agreed that the water rates imposed by the existing Government were high. I contradict the Minister and say he has proved to me that the rates are high.

My main objection to the recent increases is that they apply to one section of the community. If the Minister, his department, and the Government considered that the water rates should be increased upon the people of Western Australia, they should have had the political courage to place the burden on the whole community and not on just the domestic side of the community; because we find that once again the people living in the metropolitan area—in the suburbs—have to face up to the increase of 25 per cent. The big business people in St. George's Terrace, and the rural people close to the metropolitan area will be exempt. The Minister is one of those persons who are fortunate enough not to come within the scope of the increase.

In his argument, the Minister made great play on the point that the department had to pay its way. No doubt all members consider that is a proper procedure. But the Minister will have to agree that over the past years the department has paid its way. For the year 1955-56, it showed a profit of £100,661; in 1956-57, it showed a profit of £44,000 odd; in 1957-58, it showed a profit of £45,000

odd; in 1958-59, it showed a loss of £23,000; and in 1959-60, it showed a loss of £250,000.

Everyone knows that the loss of £250,000 was due to the severe restrictions that the Minister had to impose on the people in the metropolitan area. Had there been a normal rainfall in the previous winter, the people in the metropolitan area might have been fortunate enough to be free from all restrictions.

I am led to believe—the Minister can correct me if I am wrong—that there was in the Water Supply Department a sum of £250,000 which it could have called upon. Therefore, over the past six or seven years, the department has been paying its way.

With the new system of valuations introduced by the previous Government, the department would have continued to pay its way during this financial year; and it would have paid its way in previous years.

We heard a lot in previous debates about the present Government; we were told the people gave it a mandate to do certain things. I am certain, however, the people did not give the Brand-Watts Government a mandate to increase water rates in the metropolitan area, or railway freights in the country areas. Therefore what the Government has done is just another way by which it has pulled the wool over the eyes of the electors of Western Australia.

**Sir Ross McLarty**: The previous Government did things without a mandate.

**Mr. HEAL**: Do not let your blood pressure get too high!

**Sir Ross McLarty**: That is a fact which you cannot deny.

**Mr. HEAL**: I do not think it did many things without a mandate. The members of this Government made great play on what they would do and would not do when they came into office.

**Mr. Court**: Your people put up rail freights by over £2,000,000 a year.

**Mr. HEAL**: The members of this Government said they were not going to do this or that. Admittedly the Minister for Water Supplies, during the election campaign, said the department would conduct an investigation into the "pay-as-you-use" system. I will be very surprised if that system is ever introduced; and if it is introduced, we can bet London to a brick on that the domestic users will be forced to pay more than they are paying now; and they are the people who use the greatest amount of water.

The people in the big buildings in Perth may be forced to pay £100 a year for water rates, but they do not use half the amount of water to which they are entitled. Therefore in one sense I feel that the people who will be forced to pay on the basis of "pay as you use" will be the working men

and other domestic users. They will be the ones who will principally have to foot the bill for the Water Supply Department.

I sincerely hope that a system such as that can be introduced to this State but not with the increased rates that the people in the metropolitan area are now called upon to pay. However, in my own mind, I am sure that the rates will be increased if such a system is introduced. I feel sorry for the member for Subiaco, the member for Leederville, the member for North Perth, and the member for Canning because of the political hot potato the Government has thrown into their laps. No doubt the increase in water rates has not been felt by everyone in the metropolitan area as yet, because not all suburbs have been forwarded their assessments.

Unfortunately for the member for Subiaco, people in his district have received their water-rate notices, and the Mayor of Subiaco was called upon to convene a public meeting after receiving a petition signed by several ratepayers.

Mr. Wild: Was not the meeting called by the ex-member for Subiaco, Mr. George Potter?

Mr. HEAL: The Minister for Water Supplies should realise that a public meeting cannot be called by one person; it can only be called by a certain number of ratepayers.

Mr. Wild: It would not have been inspired at all, would it?

Mr. HEAL: All public meetings are inspired. I can recall one that was held in the Dale electorate, and also some other electorates, in regard to land resumptions; and I am sure that they were inspired, also. I could be wrong, but I think my memory serves me correctly.

I think the Minister will agree with me that there are hundreds of people in the Subiaco electorate who are not very happy with their current water assessments, and no doubt many of them would be supporters of his party. As I said, my sympathies are with the member for Subiaco because, very shortly, I will probably be in a similar position. The following appears in a newspaper cutting taken from *The West Australian* of the 15th September:—

#### Cut Is Urged In Subiaco's Water Rates.

Ratepayers packed the Subiaco City Hall last night to protest against the increased water rates and to unanimously support a move for their re-assessment throughout the metropolitan area.

The meeting heard M.L.A. H. N. Guthrie outline the Government's policy on the question.

The public meeting was called by Subiaco Mayor J. H. Abrahams after he had received a petition.

No doubt the mayor would not have called that meeting if he had not been petitioned by a certain number of ratepayers. Continuing—

Mr. P. G. Potter, of Heytesbury-road, Subiaco, former M.L.A. for the district, sponsored the following motion, accepted unanimously:

No doubt, when a motion such as that was accepted unanimously by the people present in the hall that evening it would have been so accepted only after it had been debated at some length. The newspaper cutting continues—

We, the ratepayers of Subiaco, strongly protest against the high and unnecessary charges for water and sewerage and call on the council to request the Government to reassess the entire metropolitan area, to make the charges equitable and not more than is required to meet the commitments of the Water Supply Department.

That was the wording of the motion which was moved at that meeting.

Mr. Hawke: The voting was unanimous, was it not?

Mr. HEAL: Yes; and, as I said before, my sympathies are with the member for Subiaco. No doubt, at that meeting, he could have voiced his disapproval of the motion if he had so desired. A further paragraph of this newspaper cutting reads as follows:—

#### Revenue Up.

The purpose of the Water Supply Act was to meet commitments and not to receive additional revenue, said Mr. Potter. Despite this, Water Supplies Minister Wild had admitted that the new rate would mean an extra £330,000 revenue.

Yet, in the Estimates that have been placed before us during the last week we read that the estimated increase in revenue for the Water Supply Department is well over £500,000.

Mr. J. Hegney: £560,000.

Mr. HEAL: Yes. Therefore, the Minister was well out with his figure of £330,000. Continuing—

The size of blocks in Subiaco was particularly small when compared to such areas as Floreat Park, yet the rate in these other areas was less.

The people of Subiaco have had a particularly rough deal, especially considering the number of pensioners who would find the increased charges beyond their means.

Mr. J. P. Bathgate, of Waverley-st., Shenton Park, a former Mayor of Subiaco, said that his rates had

increased by more than 60 per cent. He knew of others which had risen up to 90 per cent.

He had been told by a departmental officer that the valuer merely walked along the streets and counted the number of windows in each house to help him in his assessment.

Mr. Guthrie told the meeting that Cabinet had already discussed the problem three times but, as yet, had not reached a solution. Members should realise that this is regardless of the fact that the Minister has received many deputations and many letters about the increases. The newspaper extract continues—

Mr. Guthrie said that Cabinet had already discussed the water rate problem three times and had also studied a report on a pay-as-you-use scheme.

The Minister did disclose that there will be some alteration in regard to the present position on water rating. The newspaper extract continues—

The Government hoped to announce soon some compromise plan which would distribute the charges fairly to the community.

He agreed that the present charges in Subiaco were not equitable.

At the close of the meeting, Mr. Potter organised a volunteer ratepayers' committee of 20 to watch future developments so that another public meeting could be called if necessary.

That clearly outlines the position in Subiaco and what the ratepayers of that district think of the increases in water rates that have recently been imposed upon them.

Mr. Hawke: Was the Minister for Water Supplies invited to that meeting?

Mr. HEAL: No; I do not think so. But no doubt he would have been pleased to attend. I believe, however, he was invited to attend a meeting of the Subiaco Liberal Party to outline the reasons for the increases in the water rates.

Mr. Wild: And there was not one question.

Mr. HEAL: Unfortunately, I was not present at that meeting so I cannot say what went on behind locked doors.

Mr. Wild: You had a couple of stooges there, though.

Mr. HEAL: Further to the motion moved at a public meeting by the Subiaco ratepayers, I read in the *West Perth, Shenton Park and Subiaco Gazette* that a ratepayers' committee had taken action in regard to the increased water rates. This committee, which usually is not very active, must have been incensed; because

in this issue of the *Gazette*, dated Thursday, the 22nd September, 1960, the following appears:—

#### Ratepayers' Committee Acts On Water

Unlike the majority of committees appointed at ratepayers' meetings, the Vigilance Committee appointed by the meeting of Subiaco ratepayers last Thursday, has swung into action on the increased water rates.

Committee was appointed to see that the resolution passed urging a revision of the water rate and valuations be brought before the Minister by the City Council, and generally to fight for a more equitable rate.

Cynics did not believe the Committee would even function, much less swing into vigorous action.

On Tuesday night the Committee met and sent the following letter to Member for the District Hugh Guthrie:

(1) We are dismayed that, to date, no representations have been made by you to the Government regarding these recent iniquitous (water) increases nor has any valid reason been supplied to justify them. The effects of these will be felt by practically all electors and we expect that, as member for the district, the welfare of the electors would be your first concern.

No doubt, that is the first concern of the member for Subiaco. Continuing—

(2) You stated clearly at the meeting that you approved of the resolution and we call upon you, therefore, to approach the Government to rescind the increases and implement the terms of the resolution.

(3) We request that you oppose these increases in Parliament and support any motion put forward in Parliament in opposition to them.

Letter was signed by 20 committee members.

No doubt the member for Subiaco has taken some action, and it will be interesting to hear whether he has anything to say in the next issue of the *West Perth, Shenton Park and Subiaco Gazette*, which is delivered to people residing in portion of my electorate.

In moving his amendment to the motion, the Minister for Works made great play on the 13 districts in which he states the previous Minister for Water Supplies increased rates from 16 per cent. to 75 per cent.

Mr. Wild: You agree that he did, then?



Mr. HEAL: No; I do not agree that he did. To the best of my knowledge, the previous Minister for Water Supplies did not increase the rates by that percentage.

Mr. Wild: Who did, then? Jimmy the goose?

Mr. HEAL: Perhaps the Minister for Water Supplies can prove to the House that the previous Minister did increase the water rates by 15 per cent. Previously a file was produced in the House and the Minister read a letter written by the ex-member for Leederville. At that time there were some meetings and discussions taking place in relation to the increase in water rates. As a result, it was found that, throughout the metropolitan area, the Water Supply Department based its rating on the valuations made by the Perth City Council and other local governing authorities.

It was pointed out by Mr. Johnson, and also by other private members sitting behind the Government, that those areas that came within the boundaries of the Perth City Council were revalued from year to year; but other areas—such as Claremont, Nedlands, and Dalkeith—were revalued only every ten years; or, in some cases, every 20 years.

We pointed out to the Minister for Water Supplies that the people living within the Perth City Council area were paying water rates far higher than those people residing in, say, the Claremont district, which you represent, Mr. Acting Speaker. The then Minister for Water Supplies, in his wisdom, apparently gave instructions to the department that it should commence to make its own valuations for the purpose of assessing water rates. It put this scheme into effect with the object of revaluing the various districts throughout the metropolitan area over a period of three years.

What I have said is backed up by the statements of those people residing in the wards that I represent. They said that their rates were not increased up to 75 per cent. I could be wrong, because I am merely using my own judgment. I discovered, in fact, that some people in the west ward actually had their water rates reduced on the new valuation. For example, one property in William Street, on which a coffee business was conducted, had a residence at the back. Under the Perth City Council's valuation this property was paying, say, £80 a year for water rates. When the Water Supply Department commenced making its own valuations and revalued the property, the valuation was less than that made by the Perth City Council at that time, and the owner found that his water rates had been reduced by £10 per year. I think that is what the previous Minister for Water Supplies was referring to when he mentioned the areas in the Perth City Council boundary.

However, the Minister was very unwise to move this amendment to the motion, because he has now opened up the field a great deal wider and has given members on this side of the House a further opportunity to discuss this question. If he had exercised judgment the Minister could have used the Government's weight of numbers and defeated the motion of the Deputy Leader of the Opposition.

Mr. Hawke: He could have tried.

Mr. HEAL: If the Minister were to have a close look at the motion he would be able to either prove that I am wrong, or say to me in the corridor, "The member for West Perth has struck the jackpot again, like he did last Saturday with the football semifinal." I oppose the amendment.

MR. GUTHRIE (Subiaco—on amendment) [8.15]: I am not in a position to deal with the over-all situation on the financial needs of the Water Supply Department. I have not available to me the over-all figures on which a Minister determines what the revenue of the department should be; consequently, I propose to address my remarks entirely to the situation which has arisen in my electorate of Subiaco.

I am told by the Minister that the over-all increase for Subiaco is something in the order of 60 per cent. in the water rates. I cannot help but feel that figure includes places like Wandana Flats—where the increase will not be very great—and business premises in my electorate.

From water assessments I have seen—I have perused a very good cross-section of them—the proportion of increase appears to be between 50 and 110 per cent., with an average increase somewhere in the vicinity of 85 per cent. It is to be noted there has been no revaluation in Subiaco since the 1st July, 1955, or some five years ago.

To obtain an increase of 85 per cent. in the annual valuation, let us take as an example a property which on the 1st July, 1955, had an annual valuation of £100. Today it would have an annual valuation of £185. To get that figure it was not sufficient to apply an arbitrary 25 per cent. increase—call it what one might. To get from £100 to £185, first of all there had to be a revaluation from £100 to £148; in other words, an increase of 48 per cent. on the annual valuation. Then the increase of 25 per cent. would produce on that figure of £148 an additional £37, making £185 in all.

Consequently it is not true to say that the ratepayers of Subiaco have received an increased assessment purely through the so-called arbitrary increase of 25 per cent. If that 25 per cent. were taken off, they would receive a reduction of 20 per cent., and they would still be faced with an increase of approximately 50 per cent. in their water rates.

The Deputy Leader of the Opposition quoted section 74 of the Metropolitan Water Supply, Sewerage and Drainage Act; and demonstrated that the Minister had

the option to adopt three alternative methods in arriving at the annual valuation. Firstly, he could have taken the current value adopted by the local authority. In Subiaco the local authority does not adopt its own current valuation, so that provision is not available to the Minister in respect of my electorate.

The second alternative was to take a figure equal to the average amount of rent for which the land can be let, and firstly to deduct the rates and taxes, and, secondly, to make a further deduction of 20 per cent. to cover repairs, insurance, and other outgoings.

Under the third alternative, he could take the capital method of valuation of the land. If he decided to assess on the capital value he must not exceed six per cent of the capital value of the land.

In the last case—and only in the last case—has the Minister an option. He can fix the interest rate, if he decides to take the capital value as the basis of his assessment, but he must not exceed 6 per cent. I think it is correct to say that in an area such as Subiaco, where the local authority adopts the annual valuation as the method of rating, the Minister and the local authority use the rate of interest as an assessment on the capital value only when they are dealing with vacant land, as opposed to improved land. As most members know, there are very few vacant blocks of land in Subiaco. The largest there is owned by the University; I presume it pays no rates thereon. From a practical point of view we can disregard the third alternative.

To cover the ground completely, in section 75 of the Act there is a further alternative available to the Minister; that is, to rate on the capital unimproved value of the land. But there is a proviso in this section; he cannot use the capital unimproved value as the basis for his rating, if the local authority has adopted the annual valuation method. As I mentioned a moment ago, the City of Subiaco assesses the rates on the annual valuation principle; and consequently, section 75 of the Act cannot be availed of in Subiaco.

I think it would be safe to say that for very many years—certainly for so long as I can remember—successive Governments have relied on the provisions of subsection (2) of section 74 to base their method of assessment of water rates, so far as it relates to the Subiaco electorate. It is therefore of some interest for us to examine that section in greater detail. The statutory obligation is to take the gross rent and then to make the two statutory deductions. There is no statutory authority at all—none whatever available to the present Minister or the previous Minister, to the previous Government or to its predecessor—to take any percentage of the net annual value figure, whether it be 60 or 75 per cent.

The statutory requirement on the Minister was, having reached the gross rental by taking off the rates and taxes and then a further 20 per cent. for insurance, repairs and other outgoings, to take the remaining figure as the annual valuation. I mention this in passing, and I shall return to it later because the Deputy Leader of the Opposition chided the Minister with what he called a breach of the law.

Under section 76 of the self-same Act, the rate book is required to be made up annually—not five-yearly, ten-yearly, or triennially. Under section 85 a ratepayer may appeal against his valuation—not his rates. Under section 86 that appeal is firstly to the Minister for Water Supplies. If the appellant is dissatisfied with the result of the appeal, he may appeal further to the local court. I shall come back to that question of appeal later on.

When the present Government took office it inherited from its predecessor a hotchpot system. That system firstly differentiated between the percentages to be applied on the annual valuations to business and domestic premises—in complete defiance of the provisions of the Act, which are perfectly clear. That system differentiated between the percentages which apply in various districts. As the Minister said, there were 13 districts where the 75 per cent. applied; and there were others where the 60 per cent. applied.

Furthermore, annual valuations were made at irregular intervals at the will of the department, and some districts were revalued triennially; while others, as in the case of Subiaco, only once in five years.

Mr. Heal: You are talking about the local authority valuations.

Mr. GUTHRIE: I am talking about the Water Supply Department's valuations. There were no local authority valuations in Subiaco. Such a system as I refer to inevitably leads to unfairness and resentment. Under such a system it is possible for ratepayers in one area to be paying more than their just share of the cost of the water supply system to the community. That is what has happened in Subiaco. Now that the ratepayers there have had a revaluation after five years of not being revalued, they compare their rates with other areas and find the other areas are rated on a lower scale.

At the same time—and this is the worst feature of the system inherited by the present Government—it takes away from ratepayers completely the right which Parliament conferred on them to appeal ultimately to the local court against their valuations.

If the entire metropolitan area is to be treated fairly, all valuations should be made at the one time, and all valuations should be arrived at under the same formula. It may be said, and it has been said by the member for Maylands, that

this is impossible. I suggest to the honourable member that if he thinks a little it is not nearly as difficult as he will have us imagine. There is nothing to stop a revaluation system starting on the 1st July, 1960, under which the whole area is to be revalued over a period of three years, and such revaluation not to come into effect until the complete revaluation is completed at the end of the three-year period.

If, by any chance, during the intervening period of three years there is a fall or a rise in property values, it is quite simple for the valuers to say, "There is a 5 per cent. rise"; or, "There is a 5 per cent. fall." They can then say, "The valuations we made at the beginning of the period can be written up or written down, according to the rise or fall." Thus we will be able to have a uniform valuation. Members opposite can shake their heads; but the Taxation Department—or, for that matter, any body with a little intelligence—could implement such a method.

Mr. Toms: With their existing staff, they take five years to get around all the local authorities.

Mr. GUTHRIE: They can complete revaluations in three years in many areas. It is nowhere near as difficult as the honourable member would have us believe.

Mr. Watts: If we were to take the Taxation Department staff and the Water Supply Department staff, and combine them, we could complete revaluation in two years.

Mr. GUTHRIE: I agree. The matter could be easily adjusted by taking the percentage increase or the percentage decrease in property values, in order to do away with any discrepancy or any disproportion between, say, the ratepayers of Claremont paying a lower rate than the ratepayers of Subiaco. So far as my investigations go, that is the position at the moment.

I want to illustrate for the benefit of the House how much more equitably this system would work, if, at the end of a revaluation, it was demonstrated to the Minister that the whole of the land in the metropolitan area had an aggregate annual valuation of, say, £6,000,000, and, say, the department required £1,000,000, in revenue from water, sewerage, and drainage rates—let us assume for the purpose of this illustration that the whole of the metropolitan area pays all three rates, which I know it does not—then it would be obvious that the appropriate rate should be 3s. 4d. in the pound.

If, on the other hand, all valuations went up by, say, 33 per cent., then the aggregate annual valuation figure would increase to £8,000,000, and consequently the appropriate rate would be 2s. 6d. in the pound.

On the present system, if there is an increase in rental valuation of, say 33 per cent., and it is applied only to one-third

of the whole of the metropolitan area—one-third being all that is revalued in one year—the aggregate annual valuation would come to £6,666,666, and the appropriate rate would be 3s. in the pound.

That is the system which appertained under the previous Government, and which the Deputy Leader of the Opposition thinks should be continued. It means that, for the first year of the triennial period, one-third of the ratepayers in the metropolitan area will be paying 33 per cent. more in rates than the remaining two-thirds; and that in the next year, two-thirds of the people will be paying 33 per cent. more in rates, proportionately, than the remaining one-third of the people. When one got into the next cycle, so it would go on. It would never catch up. There would always be this disproportion. Some ratepayers would be continually hit each three years as they came on to a cycle.

I would now summarise the objections I have to the motion as moved by the Deputy Leader of the Opposition and the reasons why I support the amendment moved by the Minister. Firstly, the system the Deputy Leader of the Opposition advocates creates an unfair difference between the two types of premises in each area; namely, business and domestic. Secondly, it will perpetuate the differentiation in the formula as used between districts. Thirdly, it produces the disproportion imposed on ratepayers throughout the metropolitan area whilst we are going through the process of the progressive revaluations. Finally, it deprives the ratepayers of their legitimate right of appeal.

I would now turn to the question of appeal, and the method of valuation which has been adopted by the department. However, before doing so, I would make this observation: The adage of rating authorities from time immemorial has been "value low and rate high." Then ratepayers are deprived of their just rights. That is a very bad system; and one of the purposes of the Act was to stop it.

But the motion of the Deputy Leader of the Opposition, to which he would have us agree, would perpetuate that system in complete defiance of the law. It is a simple way to cover up errors in valuation by taking a percentage only of the figure at which a house is valued. If we value a house at its full rental value and over-value the house next door to the tune of 20 per cent., and then take 75 per cent. of that figure, we deprive the man who is over-valued to the tune of 20 per cent. of his right of appeal, because the net result is that we have a lower figure than the fair rental value.

Notwithstanding the fact that he is condemned for all time to pay rates at a higher rate than his next-door neighbour, he has no right of redress and remains disgruntled. That is half the trouble in Subiaco. It is caused by the discrepancies in valuations between house and house.

Coming back to this method of valuation, subsection (2) of section 74 of the Act says, in effect, that you establish a gross figure and then make two deductions, the first of rates and taxes and the second of 20 per cent. The department has allowed the rates and taxes at 20 per cent. The Act does not provide for that, but it is fair comment to say that rates and taxes will be to the order of 20 per cent. Therefore, the basis of the whole valuation system is the gross figure which the section, in effect, says shall be a sum equal to the estimated full fair average amount of rent which may be reasonably expected from letting from year to year.

Surely that means and implies that the rent of the premises should be the rent that the premises could command if they were let continuously over a fairly long period and not the rent the premises would command if they were let for a short period for some temporary purpose. How does one arrive at a figure which would be the fair rent for premises in a city like Subiaco, where over a long period 85 per cent. of the residents live in homes which they own; and most of these homes have never been let? It is very difficult to say.

Valuers would say there are two alternative courses. One can either assess a capital value and take a net percentage return and call the figure the annual value; or one can examine the comparative rents. The percentage system could be very unfair because one might have a shack on a large block of ground which could have a high capital value, but the percentage return would be nowhere near the rental value. For that reason, valuers generally prefer the method of taking comparative rents when they are endeavouring to assess rental value.

From where do we get a comparison of rents in a suburb such as Subiaco, where a very small percentage of houses are let continuously from year to year; and those which are let are only of a very small type? I do not know. Consequently, to my mind, there is a considerable doubt as to the very basis of this method of valuation which has been adopted by the department. The simple method of testing whether the department is right or wrong would be to fight a test case and take it on appeal to the local court.

After arriving at the net annual valuation, if the department assesses a percentage return which is very low, it deprives that ratepayer of his legal right; because once it establishes that the figure assessed as the annual valuation is lower than even the lowest rental, less the two 20 per cent., the appellant must fail.

Consequently, any system at all which advocates taking a lower percentage than that provided for in the Act cannot be commended; and the sooner we get to the stage where the full annual valuation, as required by the law, is carried into

force, the sooner will we preserve to a ratepayer his right to question his valuation.

I agree with the Deputy Leader of the Opposition that the present assessments in Subiaco have given people a free allowance of water which is far in excess of their requirements; and consequently they are being asked to pay for something which they can never use. However, his motion is not the way to overcome that position. To my mind, there are only two satisfactory and fair ways of overcoming it: attack and alter the system of valuation; or completely change the methods of assessment—and that is what the Minister advocates. That is the only way which will, in the long run, give some degree of fairness and justice to the community.

Maybe it might for a short time be an advantage to the people of Subiaco, but in the long run they will be fairly treated if assessments are made in accordance with the provisions of the Act and the whole of the metropolitan area is treated on one basis. For those reasons I cannot support the motion of the Deputy Leader of the Opposition, but support the amendment of the Minister.

*[The Speaker resumed the Chair.]*

**MR. FLETCHER** (Fremantle—on amendment) [8.38]: I oppose the amendment. The Minister says that the existing Government is not to blame; and that the blame rests on the previous Government. Even assuming that that be the position, there is no necessity, as was pointed out by our Leader, for it to be perpetuated by the Government. The Minister mentioned 13 districts. I listened closely when he enumerated those 13 districts. They included areas from my own electorate; and, for the information of the Minister, I would mention that those areas are preponderantly unsewered. Consequently, the householder pays water rates and no sewerage rates.

Even assuming the Minister's contention was right, and that the previous Minister had increased water rates in this locality—including my own rates; and I only pay half the rates paid by people in a sewered area—the rate is only half as severe as that which now exists in the areas that have recently felt the impact of the increase brought about by the present Government.

The Minister mentioned Forrestfield, which is between Jandakot and Armadale. The local fox terrier dog would be the biggest consumer of water in that particular area. As compared with other areas, that place has a low population. As I said before, people in unsewered areas pay only approximately half of the present rates that have to be paid by people in the more built-up areas, where the people are the victims of this Government's policy. Incidentally, when I mentioned my

area, I did not invite the Minister to increase the rates for that particular locality in proportion to the rates charged elsewhere.

I suggest to the Minister that his blaming the previous Government will not help the small householder pay his higher rates. The small householder is interested in facts; he is not interested in the excuses that have been made here or that are implied in the amendment.

I oppose the amendment principally on these grounds: that it is nothing more than an attempt to try to shift the blame and responsibility. The amendment ignores the fact that recent increases are the means of reducing the standard of living of the ordinary householder—the ordinary working person—by the proportion that he has to pay this increase in his water rates.

As I said earlier, the people to whom I have referred have to find this extra money out of an already inadequate wage. Do the Minister and the Government think that this controversy is unjustified criticism of the Government? Do they think that it is some conspiracy started on this side of the House as a means of criticism? Do they think that the newspaper comments are all cooked up? I suggest to the Minister that the letters printed in the Press would be only a small proportion of those received by the editor from the public criticising this increase in rates.

I further suggest that the Minister obtains his information from a wrong cross-section of the community which, in fact means that the Government is out of touch with the common people. The member for Subiaco has had a sample of the reaction which is so predominant in working-class areas. I can assure members opposite that this is a general reaction.

I would say this: If the Labor Party contested the next election on the issue of water rates alone, it would win, despite the learned exposition given to the House by the member for Subiaco, which will not assist the Government in this respect.

I suggest further that the present Government save its explanations for the next election. Telling the electors of the previous Government's alleged shortcomings will not help the existing Government at that time. I believe that if there is any commendation of the Minister at all, it is not for his political courage, but for his political foolhardiness. The recent impost has been tantamount to political suicide; and, as I implied earlier, I commend him for enhancing our party's future prospects.

It is quite evident that the member for Subiaco has not sought the opinion of my relatives within his electorate. If he did so, I have a shrewd suspicion they would put the hose on him, if they could afford the water.

Mr. Hawke: Very good!

Mr. Wild: Wait until the summer.

Mr. FLETCHER: I do not believe that the Minister, in moving his amendment, has given any justification for the amendment; and I also believe he is just trying to shift the responsibility from that side of the House to this side. I oppose the amendment and support the motion moved by the Deputy Leader of the Opposition.

MR. TOMS (Maylands—on amendment) [8.47]: I cannot let this occasion pass without commenting on the amendment. I am fully aware that recently both Ashton's and Bullen's Circuses were in Perth. Should they ever require any further clowns, I feel they would have no difficulty in picking one or two up when they come this way again.

I had never hoped to see a Government reduced to such a fiasco and a farce. We have a member of the Opposition moving a motion with a good deal of sincerity and purpose, and for the protection of a section of the community which cannot speak for itself, only to find Ministers and followers of the Government—who are possibly tools of the Government—supporting a pious amendment and tightening the already tight halo which surrounds their brows.

Mr. Roberts: At least it is a halo.

Mr. TOMS: My electorate is one which is vitally concerned with the increases which have taken place this year. Many people have come to me requesting that a protest meeting be called in my area. No doubt pressure will become so heavy that something will have to be done. However, I doubt very much whether the Minister will avail himself of the opportunity of attending such a meeting.

Many people who have received their rate notices have come to me. They include aged pensioners, who this year have to pay a further 80 per cent on what they were charged last year. Perhaps members opposite would say those pensioners could get out of this difficulty by having a caveat placed on their property, but many of those people in the more closely-settled areas of the metropolitan area do not want to do this.

They have battled over many years and paid their rates to local authorities and to various Government departments for the purpose of maintaining a clear title and being able to pass it on to their families. They own but one home; and that is the place where they now live. If we are to continue this state of affairs, these people will be rated out of their homes.

One elderly couple came to me immediately they received their rate notice—and members on this side of the House already know that pensioners are not living in luxury on their pensions—and indicated to me that they were very worried about how they were going to meet the added

impost and burden. They did not have to tell me they were not living in luxury; I was already fully aware of that, from the mere pittance on which they are living.

They are fortunate in that they own their homes; but they are becoming increasingly alarmed at the rising charges. Land tax has gone up; local road board rates have gone up. Thank goodness the local authority in my area has a bit of understanding and does not rate its rate-payers out of existence!

We now have this added impost of a flat 25 per cent. increase on top of a natural valuation increase. The Bayswater area, and one section of the Perth Road Board district which I represent, has the same burden as ratepayers in the area represented by the member for Subiaco. When we discover in the Budget presented to this House that it is anticipated added revenues to the Water Supply Department this year will be in the vicinity of £563,000, is it surprising that these people wonder why the increased charges have been placed upon them?

I believe that the department itself could very well have afforded to take an ordinary valuation rise alone and still covered the department so far as its capital and interest charges are concerned. This is just another taxing measure being used by the present Government.

Mr. Court: How can it be a taxing measure when it is going to finish up with a deficit of £14,000?

Mr. TOMS: Which department is that—the Water Supply, Sewerage and Drainage Department? The Minister estimates it will return £135,000. Is there any guarantee that that figure is correct?

Mr. Court: It is necessary to use some estimates made by experts.

Mr. TOMS: We have had experience of that, and they have been pretty wide of the mark. The Minister has panicked simply because of last year's water restrictions. There was a deficit last year of £240,000 in the Water Supply, Sewerage, and Drainage Department. The Minister is going to make sure that loss is made up this year from people who can least afford it; yet he has the audacity to move such an amendment in this House!

Mr. Watts: It was a very good amendment, really.

Mr. TOMS: It depends on one's point of view. If we consider it from the point of view of the area which it affects mostly, it is not easy to think of it in that light. I wonder at times, when the Government imposes so many rate increases, whether it fully appreciates the burden placed on the metropolitan area.

Mr. Watts: Country people bear twice the burden for the same service.

Mr. TOMS: We are not compelled to stay in the city, and people are not compelled to stay in the country.

Mr. Wild: But it is just as well for you that they do.

Mr. TOMS: People, both in the city and in the country, have not the same problems or burdens that they had in the past as far as living conditions are concerned. However, the area I represent is predominantly a working man's suburb.

Mr. Fletcher: Government members would not understand that.

Mr. TOMS: Their own particular politics are their own concern. We know how well they appear to get on together—and I use that word advisedly. I could not sit down and allow to go unchallenged this amendment which sought to assure us that people would not be compelled to pay these extortionate increases. I say extortionate, because, in my particular case alone, the rate has gone up 79 per cent. The pensioners I referred to have had their rates increased 83 per cent. They are paying sewerage, water, and also drainage rates.

It is all very well for the Minister to say that 75 per cent. was charged in certain areas; but he did not give the full story, which is that in the majority of those areas the 1s. 9d. sewerage rate did not operate. He ought to be fair in supplying information to this House. There is a tendency to mislead this House, and there is no doubt that that is the sort of item that appears in the Press.

I know that the Press does not particularly side with members over here. Irrespective of how good the logic of any opinion may be from this side of the House, it is seldom that anything of a constructive nature is reported in the Press. I oppose the amendment moved by the Minister, and I support the motion moved by the Deputy Leader of the Opposition.

MR. WATTS (Stirling—Attorney-General—on amendment) [8.49]: I do not intend to take up a great deal of time on this matter. There are, however, one or two things I ought to say. As I see it, the terms of the motion moved by the member for Melville are impracticable, because he proposes that the assessments should be removed and a reversion made to the ordinary progressive valuations. I presume, therefore, he is of the opinion they ought to be removed this year; because otherwise—even from his point of view—the motion would be utterly valueless.

I entirely agree with the member for Subiaco that the system that has been adopted over a great period of years is contrary to the terms of the Metropolitan Water Supply Act. As the member for Subiaco contended, the provision in section 74 of that Act is that when the annual valuation has been ascertained, there shall

be deducted from it the amount of all rates and taxes, and 20 per cent. for repairs and insurance and other outgoings. That has not been done.

In addition to the 20 per cent. deducted for insurance and other outgoings, as provided by the Act, there has been a 20 per cent. deduction over a considerable period of years anyway, in respect of the amount of rates and taxes which may or may not have been sufficient. In any event, certainly it was not the actual amount of the rates and taxes as provided by the Act for deduction.

In addition to that, this figure of 60 per cent. or 75 per cent. of the annual value thus ascertained—ascertained in the manner I have just mentioned—has been the figure on which the rates have been assessed, and that figure has varied from time to time in the manner which was described by the member for Subiaco. Obviously, therefore, neither the spirit nor the letter of section 74 subsection (2) of the Metropolitan Water Supply Act had been carried out over a period of years, including this year.

The matter, so far as I personally am concerned, has been closely examined only in very recent days; but now it becomes clear that there is a necessity to give consideration to the question of whether or not it is necessary now to validate the transactions that have occurred over a considerable period of years; because quite obviously those transactions, in the manner I have referred to, and which was elaborated on in greater detail by the member for Subiaco, have been invalid. That is a matter to which very close consideration will have to be given.

The motion of the member for Melville, which the Minister for Water Supplies seeks to amend, suggests that the system as applied this year should be removed. That, of course, is quite impossible under the existing legislation, because that confers no power whatever to cancel the rate which has been struck and gazetted. So, in consequence, the motion of the honourable member, as it stands, is quite impracticable—at least in its present form.

Mr. Hawke: We have had Bills previously to cancel certain things.

Mr. WATTS: I did not hear the honourable member's interjection. As I see it, the only way that this can be dealt with is for legislation to be introduced to grapple with the whole matter. That is something which is quite foreign to this motion, and which, therefore, I must not go into at this stage.

The only other point to which I wish to make reference is the question of the necessity for the provision of £563,000, to which reference has been made on a number of occasions during this evening's debate. I have some figures which were supplied to me this afternoon by Treasury

officials. They show the increased expenditure in which the Government is involved this year, as compared with last year, in respect of metropolitan water supply, sewerage, and drainage.

Firstly, there are increased debt charges, interest, and sinking fund, amounting to £153,000; and, secondly, there are basic wage, marginal, and other cost increases, amounting to £262,000, a total of £415,000. That, of course, is as compared with the expenditure on those particular items in 1959-60.

In the year 1959-60 there was an actual excess of expenditure over collections of £162,000. Therefore it is necessary to recoup that sum to equate the expenditure, making a grand total of £577,000 which is required this year over and above last year. With an estimated revenue of £563,000 there is an estimated deficiency of £14,000 on the year's operations.

These figures have not been prepared by me. I would not have the slightest hope of preparing them, even if I tried to do so. Nor have they been prepared by any other Minister. They have been prepared, in the ordinary course of their duties, by officials of the Treasury, and supplied to me in order that the House may be fully informed of the exact figures that are involved in this matter. They are the figures; and I do not think I need repeat them save to say that a sum of £415,000 is involved in increased interest and sinking fund charges, and increases to cover basic wage and marginal rises and the like in respect of the operations carried out this year under the Acts I mentioned.

Therefore it is just ridiculous to say that it was unnecessary to raise the additional revenue. It is also ridiculous to contend that we could allow the Water Supply Department to drift back to the extent of £300,000, £400,000 or £500,000. In consequence, therefore, in the face of all the facts that have been stated here, and which I have referred to, the motion of the Deputy Leader of the Opposition must be opposed. The amendment to that motion reasonably sets out the actual circumstances over a period of years which, as I clearly indicated, have not been in accordance with the law, either in previous years or this year, as a similar system has been followed this year.

It seems to me that careful consideration will have to be given to what steps should be taken, not so much to rectify the assessment of rates and values this year, but to rectify a state of affairs that has existed over many years. I hope—and that is as far as I can go at this moment—that the matter will be given careful consideration in the immediate future.

MR. JAMIESON (Beeloo—on amendment) [9.8]: Much can be said by various members about the legal point of view,

and also the financial point of view, to attempt to justify these increases in rates, and therefore justify the Government's amendment to the motion. But the hard, cold facts are that the increases have taken place; and rates however they may be compiled, are still rates, and that is the only interest which the public has in the problem.

One may be able to convince oneself with an argument on finance, or on the legality of this matter, that there is justification for these increases. But that does not convince the public at large, and they are the people with whom we are concerned when we support the motion of the Deputy Leader of the Opposition. Of necessity, therefore, we must oppose the Minister's amendment.

To try to justify a position where rates are being charged for water that could not possibly be used on a residential property is a most unjust approach to the subject. It is about as unjust as expecting the ratepayers of the properties concerned to pay for the services that are applied to the greater city block, where very little water is used. However, although very little water is used in the built-up part of the city, there is a possibility that water may be required urgently at any particular point; and as a consequence rates have to be paid.

But that is little justification for the Government now imposing on the owners of private property around the metropolitan area these heavy imposts—these heavy rate increases. Most people who have spoken to me on the subject have said that they expected some increase as that was only natural in view of the increased wages and other costs. "But," they have said, "surely those increases were not so great that the Government needed to increase the water rates by such a large percentage." On the figures, that appears to be a justifiable argument.

The Minister who has just spoken quoted figures to indicate the extra revenue that would be required by the department to cover the various increases that the department will incur this financial year. But he omitted to take fully into consideration the expansion of the department's services. Because of that expansion, an increased number of people will be paying rates and for excess water, if that is possible this year.

So I suggest there is very little substance in the Minister's argument; because while a figure of £400,000 odd has been mentioned, the income to the department could be, and in all probability will be far in excess of that sum, particularly if water is available in reasonably unrestricted quantities during the coming summer, and if we have an average summer. Many people will use excess water; but those who are in the unfortunate position of not

being able to use the amount of water to which their rates entitle them now, will still be liable for these increases.

I suggest that probably a fairer way would be to have a look at the legislation with a possibility of having a twofold charge on properties—one for a basic rating, and the other a charge based on how much water is used. I do not think that in a city such as ours the commercial houses and the institutions in the main city area could possibly carry all the load for the metropolitan area as a whole.

Some matters brought forward by the member for Subiaco require comment. I suggest that any appeal from the recent increase in rates would have very little chance of success. As a matter of fact, I know of no single instance where an appeal has been successful once a rate or an amount has been struck for a property. Therefore I doubt, whatever method is used, whether an appeal against the rates would have any chance of success. Such an appeal would have about as much success as an appeal made against a road board's valuation; and some members here who have had experience with courts of appeal would know that it is very hard to establish a case that an appeal court will uphold against the board concerned.

That would be the case with water rates. A person would be hard-pressed to argue his case once a particular line of rating had been adopted. It was suggested by interjection, or by direct implication, that the previous member for Subiaco, Mr. Potter, had been responsible for the furore over rates at Subiaco. Mr. Potter was in the unhappy position of having dealt with this matter previously; and being the ex-member, he was loaded with a considerable amount of criticism by people who were on his back to do something about it.

I am sure that anybody who has been in public life knows that if a change takes place in a certain sphere he will immediately be the recipient of considerable criticism irrespective of whether or not he had anything to do with the matter. That was the case with Mr. Potter. He was not a particularly willing partner and had no desire to be brought into the discussion for many reasons. He was particularly anxious to keep away from it.

However, the pressure became so great on him in regard to this issue that he was forced to take shelter by taking some action; and that action probably brought him into the limelight more than he desired. That, of course, is past history, and is now all over. But the fact that he was prepared, even in those circumstances, to fight for the cause of the people of Subiaco, would indicate that he still had their best interests at heart, and was prepared to do all he could on their behalf.

I suggest that the Government should consider reviewing this matter as more than just a casual possibility. It must



have caused considerable discussion at Cabinet level and at party meetings. I cannot imagine a Minister on this side of the House being let off very lightly in the party room if he were to impose an increase on the ratepayers of the community as great as that imposed by this Government. For the Minister for Works to laugh it off and say, "Ha, ha! Nothing like that has ever taken place," is ridiculous.

An effort has been made on behalf of their electors by some members on the Government back benches to have the position modified; and even at this late stage the Government should endeavour to readjust some of these anomalies, and try to give the people an equity in their supply of water.

The responsibility for meeting the burden of the cost should be sustained by the department. The ratepayers in some areas should not be charged excessive amounts and be expected to pay more than those in other districts. Some of them have not been too badly hit. Some of these rates have even worked out on the basis that the increased rating can be claimed as a taxation rebate. The fact that they will not now be required to pay excess water rates means that they will not be much worse off.

But they constitute only a very small percentage. In the main, where the area is congested and thickly populated, such as Subiaco and the like, we find that people are being hit very hard in the pocket by the imposition of these rates.

So I would ask the Government to have another look at this matter, because that would do a great service to the people. Supporting a proposition such as the one before us will be of little benefit to the people; but a review of the position by the Government, even at this stage, would no doubt be greatly appreciated by the ratepayers of the metropolitan area.

**MR. J. HEGNEY** (Middle Swan—on amendment) [9.20]: I rise to oppose the amendment, because it is introduced in an attempt to sidetrack the issue, which relates to the people in the metropolitan area being called upon to pay exorbitant increases in water rates.

In replying to the Deputy Leader of the Opposition, the Minister for Works was unable to specify—when asked how this money was to be spent—the items that this extra revenue would be applied to. Only a few weeks ago the Minister for Works was asked those questions by the Deputy Leader of the Opposition; and yet tonight we find the Deputy Leader of the Government, on the other side of the House, getting up and mentioning two specific items which, he said, would cover £415,000.

If information were vouchsafed to members, and the position put clearly before Parliament, a different attitude altogether might be adopted. When we get down to tints, we find there is no doubt that previously, around the metropolitan area, unjust valuations existed; and the Deputy Leader of the Opposition, who was then Minister for Works, applied himself in an endeavour to ensure that the valuations would be fair to all concerned in the metropolitan area. I think that was the basis of his administration; to at least make the valuations reasonable and fair. At that time the Deputy Leader of the Opposition introduced progressive valuations. These were to be pursued by the department itself in the areas concerned; they were not to be left to local authority valuations.

At the same time, the member for Melville reduced the water rate from 1s. 9d. to 1s. 6d. Right up till the present time the revenue obtained from that source has been sufficient to meet the department's requirements. Now we find that there has been a 25 per cent. increase in valuations on a flat rate; and, as demonstrated by the Deputy Leader of the Opposition last week, the sewerage department has shown increased figures from year to year. It has not shown any deficit in respect of its operations.

As a result of this 25 per cent. increase, additional revenue to the extent of £760,000 is to be collected from the people paying sewerage rates in the metropolitan area. While it was pointed out that this additional revenue would be in the vicinity of £315,000, we find from the Budget figures that an amount of £563,000 will be received.

That is a substantial amount indeed; and there is no doubt that the users of water in the metropolitan area are going to be slugged considerably in the immediate future. We know that the department found itself in a difficult position because it was unable to sell sufficient water last year; but because of the much improved position in respect of rainfall in this State, it is anticipated that there will be practically no restrictions at all, and the department will be able to sell as much water as it pleases to the users in the metropolitan area. Those who want excess water will pay the excess rate.

The Minister said that people who want to use water will have to pay a much higher rate for it. It will be interesting to see what imposition is to be made in that respect. For 12 months the Government has been considering this matter; 12 months ago it announced to the country that it had set up a committee for the purpose of examining the position to see if a better system could be inaugurated. I believe that nothing has taken

place. Yet we find this Government adopting the ratings made by the previous Government, and on top of that imposing a 25 per cent. flat rate increase. By doing so the Government is certainly not being straightforward.

I live in the Perth Road Board district, and I know that progressive valuations took place in that district two years ago. If the member for Subiaco says that his electorate has only just received that progressive valuation, then his electors have benefited; they have had an easement during the period when this increased amount was paid by those in the Perth Road Board district.

Referring to the sewerage rate, the Minister said that it was necessary because people were clamouring for sewerage extensions. If money is required for that purpose the sensible thing to do would be to bring down an amending Bill to increase the rating. The Government should not, willy-nilly, increase valuations by 25 per cent.

But, of course, we know that the Government is able to do that by a stroke of the pen in the department itself; it is not necessary to bring down an amendment. If, however, it wished to amend the Act, the matter would have to come before Parliament. That would have been the proper thing for it to do. The Government should have submitted its proposals to Parliament, and given the country the information necessary to make a decision on these proposals. I have no doubt that the people would then have been satisfied.

There is no doubt that the Deputy Leader of the Opposition made out a very strong case in opposing the Government's increased valuations in the metropolitan area. He traced the credit that was established year by year on the water account, the sewerage account, and the drainage account, right up till last year, when the water account fell behind, because the department was unable to sell its product to the consumers. On the sewerage and drainage rate, however, the department continued to show a credit balance.

Under the Government's proposition the increased sewerage rate will mean an additional burden of £160,000. That is the burden which will be placed on those whose properties are connected with the sewerage system; and this when the revenue received last year was considered to be adequate to meet all requirements.

It has been contended here on many occasions that the Water Supply and Sewerage Department is not a revenue-producer for the Government; but as a result of the statement that has been in the Press following the Treasurer's disclosure the other evening that the additional revenue to be derived by the Water Supply Department is to be £560,000 odd, the users of water

in the metropolitan area will have their hair standing on end. That is quite a substantial increase to be placed in one fell swoop on the users of this commodity in the metropolitan area, and I do not think it is justified.

Now we find that the two legal gentlemen in this House have discovered that there is a flaw in all the impositions of rates and taxes in this category over the past years. It will be very interesting to see whether the users of water will be waiting on the doorstep of the department tomorrow morning asking for a refund of the amounts paid over the years in the light of what the Attorney-General—the legal adviser to the Government—has disclosed, which disclosure is supported by his legal colleague, the member for Subiaco.

Mr. Watts: I think the refunds might be the other way.

Mr. Guthrie: That is the point.

Mr. J. HEGNEY: The amendment has been made by the Minister for Water Supplies only to endeavour to give some kudos to his Government in justifying these recent impositions in the metropolitan area. However, I believe that the member for Melville submitted a very strong, almost unanswerable case against the imposition of this 25 per cent. increase, and I therefore propose to support his motion and vote against the amendment.

On motion by Mr. Oldfield, debate adjourned.

[The Acting Speaker (Mr. Crommelin) took the Chair.]

## DEATH PENALTY ABOLITION BILL

### Second Reading

Debate resumed from the 21st September.

MR. ROWBERRY (Warren) [9.33]: I want to preface my brief remarks on this Bill by expressing my appreciation and admiration of the courage of the member for East Perth in introducing it. Bearing in mind the notice we have just read in the newspaper concerning the health of the member for East Perth, I think it would be appropriate for me to express my sympathy to him and his family, and the wish that he will soon be returned to health, and once more be able to take his place in this Chamber.

This House will be very much duller by the absence of the member for East Perth. Whatever we may think about his political views, we must all admit that he has lent colour, interest, and fire to the debates in this Chamber, both as a Minister and as a private member. I believe I would be expressing the feelings of all members, of all political faiths, by saying that I hope he may soon be returned to health and vigour.

I have already expressed my appreciation of his courage in introducing this Bill, which he did in all sincerity, with no thought of any political implications. That is my private opinion; and I believe that a Bill of this description should be discussed in an atmosphere free from rancour and party or paltry politics. This subject should be discussed in an atmosphere of dignity; and I would congratulate you, Mr. Speaker, on your efforts to ensure that the debate is conducted in that manner. It could easily have descended to one of sheer dogmatism and emotionalism; and the fact that members have refrained, on the whole, from descending to dogmatism and emotionalism, demonstrates the seriousness of the matter.

On this subject we should pose ourselves the question: Is it right for a Government or an individual member of Parliament to disregard the manifestations of public opinion upon a matter on which Parliament is about to legislate? In deciding to what extent effect should be given to that manifestation of public opinion, we ought to ascertain to what extent that public opinion is informed and instructed; and if there is any divergence between political practicability and social wisdom, I think that the Parliament should incline towards the latter. In this instance I would imagine that the Government has indicated by its members who have spoken on this matter—the member for Subiaco and the Deputy Premier—that it is not inclined to treat this as a non-party issue.

For instance, the member for Subiaco concluded his speech by saying that he regretted very much that he could not support the measure. He produced written evidence from reports given all over the world, proving to him as a lawyer that the death penalty had not the proper deterrent effect required, and therefore it was with much regret that he had to oppose his conscience by supporting his own political party.

The Deputy Premier made it evident that he was expressing the Government's opinion and not his own. He concluded by saying that he would have to oppose the Bill, but that probably the Government would deal with the matter some time in the future. I believe that the suggestion of the member for Subiaco was that a Select Committee should be appointed to deal with this question.

Mr. Guthrie: I did not say a Select Committee. I said some independent inquiry; not a Select Committee.

Mr. ROWBERRY: Well, an independent inquiry if he so wishes. The appointment of an independent committee to deal with this question would be a very good move. It would free the Government of the responsibility; because the Government is, of course, sensitive and suspicious of the motives of the member for East Perth in introducing this Bill because of the fact

that Executive Council had to make a very serious decision recently in this matter; and I sympathise with the Government, in that if it agreed to the abolition of the death penalty, it would put itself in the invidious position of criticising itself. However, as I mentioned before, we should endeavour to ascertain to what extent public opinion was well informed and instructed.

I think I can do no better in this direction than read some of the letters that have recently been sent to the Editor of *The West Australian*. Opinions contained in some of these letters are based upon quotations from the Bible. It has been mentioned, during this debate, that the taking of life is abhorrent to the Christian conscience, and has no justification in Christian teaching.

In dealing with opinions based upon the Bible, it should be remembered that the biblical or Jewish age of this earth is something like 5,700 years. It must also be remembered that the recording and printing of facts of history is a comparatively recent innovation, and the Bible must have been handed down by word of mouth over thousands of years. We who have been in the army can appreciate just how distorted a message can become when passed along a company of men in the space of five minutes. Therefore, how can we be sure that the events recorded in the Bible are absolutely true, since the words contained therein have been passed down by thousands of people over thousands of years?

The Bible is in two parts, and it must be realised that this is so. The Old Testament, which is the history of the Jewish race, presents an entirely different aspect to the taking of life from that in the New Testament. For instance, the God of the Old Testament—namely, Yahweh or Jehovah—was a God of wrath; a God of fear; whereas the principal theme of the New Testament is that God is love. This fact should be remembered when assessing the value of quotations from the Bible.

I have for reference two letters recently published in *The West Australian*. The first one says—

A speaker in the Legislative Assembly said that the deliberate taking of life by the State was abhorrent to all Christian principles. There are many Ministers of various denominations who support that statement.

While God said: "Thou shalt not kill," He definitely states the killer should be killed: "He that smiteth a man so that he die shall surely be put to death." (Exodus 21:12).

It should be remembered that the *Old Testament* is a history of the Jewish race. The Jews, by reason of their environment and their place in history at the time,

were a bloodthirsty people, in common with other races of the time. Exodus 21, Verse 12 says—

He that smiteth a man, so that he die, shall be surely put to death.

But the next verse goes on to say that there shall be a place of sanctuary; and if the person who smote the man can reach that sanctuary before the friends or relatives of the man that was smitten, then that person shall be saved.

It should also be remembered that in the history of the Israelites the men of Ephraim were smitten until 42,000 of them were slain, because they were sons of Ephraim who was a son of Israel, and because they could not pronounce a certain word, namely, "Shibboleth" but pronounced it "Sibboleth." I wonder if God, who is said to have made that law, demanded that 42,000 Jews should be slain in return. Of course not! The letter goes on—

The object of punishment is to make it severe enough to act as a preventive.

The letter quotes St. Luke 19:29. Actually, the writer of the letter has got his verses wrong. The proper verse is St. Luke 19:27. This verse says—

But those mine enemies, which would not that I should reign over them, bring hither, and slay them before me.

Here again, the writer of this letter has his facts out of context. This is the last verse in the story of the parable of the talents. The writer has taken the verse out of context with the story of the parable as well as out of context with the theme of the chapter.

The second commandment of the Jews is, "Thou shalt not make unto thee any graven image, or any likeness of anything that is in Heaven above, or that is in the earth beneath, or that is in the water under the earth"; which meant that the Jews were prevented from making any sort of figure or any sort of picture to illustrate their point. Therefore, instead of having a mechanical picture which could be read, they pictured stories in words.

Christ himself was adept at making parables and illustrating points by parables. Christ is not saying these words himself; he is putting the words into the mouth of a character, into a story which he invented—a myth, if I may put it that way. And we might as well identify the thoughts of any of the characters in a book with the author, as identify these words with Christ.

In relating the parable of the talents—of the ruler who had gone away and returned to find that some of his servants had used their talents to good effect, while others had buried them in the ground—Christ finished up by making the ruler

say, "So I will slay mine enemies before mine eyes." But to think that Christ said that is entirely wrong. Christ did not mean that.

In another recent letter to *The West Australian* there were some more misconceptions about the Bible. This fellow says—

A lot of people who ought to know better equate civilisation with Christianity. To do this is wrong. The plain facts of the Bible are that it is a unity. Punishment is justified by Genesis 9:6 . . .

Genesis 9:6 says—

Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made he man.

The writer of this letter then goes on to say—

. . . and the New Testament does not revoke this fundamental law. Of course, Christ taught us to forgive. In fact, unless we forgive others we cannot expect God's forgiveness of our sins. But surely Paul considered the death penalty appropriate in some cases (see Romans 13:4 and Acts 25:11).

Here Paul is being accused of treason by the Jews; he is being accused of the same crime for which these people had destroyed Christ—the crime of treason. Acts 25:11 states—

For if I be an offender, or have committed any thing worthy of death, I refuse not to die . . .

Therefore, because Paul said he refused not to die for his Christian religion, some people believe that he acquiesced in the death penalty. I cannot follow that reasoning. The letter then goes on to quote Romans 13:4 which reads—

For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain; for he is the minister of God, a revenger to execute wrath upon him that doeth evil.

There we have Paul the Apostle talking, and if the writer had gone only one verse further in the Bible he would have discovered what Paul was really talking about. In this instance Paul used the words "he" and "they" in the singular and the plural but they both meant the same thing. Romans 13:5 reads—

Wherefore ye must needs be subject, not only for wrath, but also for conscience sake.

That is exactly what Paul means when he says that "he is the minister of God to thee for good."

It is the voice of conscience and not the voice of fear that teaches good. So again the Bible was misquoted; and if the writer

of the letter had gone further and read the whole chapter, he would have been able to sum up the matter as regards the New Testament. I think we can take this as the summing up of the philosophy of the teachings of Christ and how he instructed us to view our conduct towards our fellow men—

Love worketh no ill to his neighbour:  
therefore Love is the fulfilling of the law.

In my view that sums up the whole situation; it sums up what should be the Christian attitude. Therefore when we on this side say that we abhor the death penalty, because it is unChristian, our actions are substantiated by that verse of Romans 13.

It must not be forgotten that the New Testament brought a new concept to the attitude to life. Whereas under the Old Testament Jehovah was the God of wrath and the God of fear, Christ brought us love, consideration, charity, and mercy; and it is because I personally have a great regard for mercy, which when interpreted means love, that I support the Bill.

I believe that this measure was introduced in all sincerity; and I believe it has been amply demonstrated by committees and organisations set up by various Governments in different parts of the world to go into this matter, that the death penalty does not act as a deterrent.

In my view the death penalty is retained because we have not become completely civilised. While it is retained, we are merely a throwback to the barbaric ages which we read of in the Bible where people were put to death because they belonged to a certain family, or because they could not pronounce certain passwords.

I believe that all good people should support this Bill. The Deputy Premier describes them as sentient people—which means people who think. All those people should support this Bill, because it will expunge from our statute book an Act which dates back to the barbaric ages. It cannot be said that the taking of life, even though it be legal, is a moral act.

The Deputy Premier said that in certain States of America the death penalty was reimposed immediately after the war. During the war our men were taught to slay our enemies; yet we expect them to come back to civilisation and be completely civilised immediately. That is an impossibility.

It has been demonstrated in a certain part of the world, where the Ceylonese Government set up a committee to inquire into the matter and report on capital punishment, that because of a deficiency in diet people were predisposed to homicide. Therefore people in a certain class in the community, who do not have enough proteins or carbohydrates in their diet, are

predisposed to commit murder. In that instance the crime should have lain at the door of society which was responsible for depriving these people of the proper nutrients for good health. If it had been decided to impose capital punishment on the people responsible for depriving other people of the necessities of life, we would probably have committed an act of justice; but, here again, justice would have had to be tempered with mercy.

I support the Bill because I believe it is an unChristian act to take the life of a fellow man. Further, it is an act of cruelty to ask anyone to impose the death penalty upon someone else. The imposition of the death penalty is a stain on the conscience of the community and it does not act as a deterrent against crime.

It has been amply demonstrated that the fear of death does not deter any potential murderer from committing the crime. It has also been shown that after the death penalty was abolished in Ceylon in 1957, in the year 1957-58 the incidence of people committing murder decreased from 97 per 100,000 to 90 per 100,000.

It has been proved by the evidence produced to the House by the member for Subiaco and the Deputy Premier that the death penalty does not act as a deterrent to any person who is bent on committing murder. Those two members have my sympathy in that they were not able to speak according to their conscience, but intimated they would have to vote against the Bill according to their political affiliations.

**On motion by Mr. Roberts, debate adjourned.**

## CITY OF FREMANTLE (FREE LITERARY INSTITUTE) ACT AMENDMENT BILL

### *Second Reading*

**MR. FLETCHER** (Fremantle) [10.3]: I move—

That the Bill be now read a second time.

I do not know whether the Bill has been distributed among members, but it is only a small measure and it has been passed without opposition in another place. I understand that it is No. 40 on the Bill file. It seeks to amend section 11 of the Act to create a new section to be known as 11A, which reads as follows:—

Notwithstanding the terms and conditions contained in clause 7 of the said indenture the Mayor of the Council is hereby appointed to be an *ex officio* member of the Board of Directors so long as he remains in office in addition to the directors referred to in clause 7.

The purpose of the Bill is therefore obvious, and it has no other object. It is non-controversial and has been received and approved in another place. It was explained thoroughly in that House, and I need not elaborate on it any further in introducing it to this Assembly.

The organisation concerned is known as the Evan Davies Civic Library, and it has a children's library section attached to it. It is well patronised by young and old.

The amendment in the Bill has been brought about as a result of a decision made at an annual meeting held on the 27th November, 1959. A report was submitted to that meeting pointing out that it was desirable to amend section 11 and to create a new section to be known as section 11A.

In passing, I would point out that the Fremantle City Council was the first local authority to introduce a free lending library to Western Australia. Originally, the library was known as the Literary Institute and was administered by a board of directors. The council entered into negotiations with the directors, the outcome of which was the introduction of a private member's Bill into this House by Sir Frank Gibson for the purpose of taking over the Literary Institute.

In the original Bill a provision was omitted to permit the mayor to be an *ex officio* member of the library committee. The mayor is an *ex officio* member of all other committees; but, inadvertently, the original legislation failed to provide for his appointment as an *ex officio* member of the library committee. This Bill seeks to rectify that error. I commend it to the House.

On motion by Mr. Perkins (Minister for Transport) debate adjourned.

## ADJOURNMENT OF THE HOUSE: SPECIAL

MR. WATTS (Stirling—Deputy Premier): I move—

That the House at its rising adjourn until 3.15 p.m. tomorrow.

This is pursuant to the announcement that was made on behalf of the Premier a day or so ago due to certain matters in connection with the visit of the Governor-General. Mr. Acting Speaker, I have also been requested by the Speaker to intimate that, in consequence of the House not meeting until 3.15 p.m. tomorrow—an hour later than usual—he does not propose to leave the Chair for afternoon tea at 3.45 p.m.

Question put and passed.

House adjourned at 10.8 p.m.

# Legislative Council

Thursday, the 29th September, 1960

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The PRESIDENT took the Chair at 3.15 p.m., and read prayers.

## QUESTIONS ON NOTICE

1. and 2. *These questions were postponed.*

## DRUNKEN DRIVING CHARGES

### *Convictions and Dismissals*

3. The Hon. E. M. HEENAN asked the Minister for Mines:
- (1) How many charges have been laid by the police in the metropolitan area over the past twelve months for what is termed drunken driving?
  - (2) How many convictions were obtained?
  - (3) How many of the charges were dismissed?

The Hon. A. F. GRIFFITH replied:

- (1) 233.
- (2) 215.
- (3) 18.

## UNWRAPPED BREAD

### *Control of Delivery*

4. The Hon. R. F. HUTCHISON asked the Minister for Mines:
- (1) Is there legislation to control the hand delivery of unwrapped bread by bakers?