

If the Government were dinkum in its desire to achieve industrial peace in Western Australia it would agree to the proposition before the Chair for the appointment of a Select Committee to inquire into all aspects of the legislation. I support the motion.

Question put and a division taken with the following result—

Ayes—20.

Mr Barnett	Mr Hartrey
Mr Bateman	Mr Jamieson
Mr Bertram	Mr T. H. Jones
Mr B. T. Burke	Mr May
Mr T. J. Burke	Mr McIver
Mr Carr	Mr Skidmore
Mr Davies	Mr Taylor
Mr H. D. Evans	Mr A. R. Tonkin
Mr T. D. Evans	Mr J. T. Tonkin
Mr Fletcher	Mr Moller

(Teller)

Noes—26

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mr Cowan	Mr O'Neill
Mr Coyne	Mr Ridge
Mrs Craig	Mr Rushton
Mr Crane	Mr Shalders
Dr Dadour	Mr Sibson
Mr Grayden	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Thompson
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Young

(Teller)

Pairs

Noes

Mr Bryce	Mr Grewar
Mr Harman	Sir David Brand

Question thus negatived.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr Mensaros (Minister for Fuel and Energy) in charge of the Bill.

Clause 1: Short title and citation—

Progress

Progress reported and leave given to sit again, on motion by Mr Young.

CONSTITUTIONAL CONVENTION BILL

Second Reading

Debate resumed from the 28th August.

MR JAMIESON (Welshpool—Deputy Leader of the Opposition) [11.50 p.m.]: At this late hour it is not my intention to take up much time on this measure. I think the Bill covers the situation rather well with respect to delegates to the Constitutional Convention be they those of the present delegation, the past delegation, or any future delegation.

Some difficulties have been experienced but they seem to have been ironed out as a result of this measure. A point I would

like to make is that because our Parliament was prorogued we were probably the first State to experience any difficulties. I mentioned to the Premier that I thought it might be worth while to bring this matter up with the Premiers of the other States so that they could enact similar legislation. The other States would then not fall into the same situation which occurred with respect to this State. As far as I am aware most of the Constitution Acts are similar to ours.

As I said, the Bill covers the situation of those delegates who have already expended some funds in connection with their endeavours. One of my colleagues was away only a week ago, and he will have to go away again this week. He will accumulate a considerable expense account and I trust the Treasury will remember such situations when the Budget is drawn up and will see that sufficient funds are available.

Mr O'Neill: We will post yours to Rumania!

Mr JAMIESON: I am not too sure about that yet. We will take things as they come. In the meantime, the amendment will cover the situation of the Constitutional Convention. The Premier took up my suggestion that something should be done. I am sure we all agree it is desirable that all contingencies should be covered so that embarrassment is not caused to either the Government, or to members of the convention. I support the Bill.

The SPEAKER: I advise members that an absolute majority is necessary to pass this Bill. If there is no dissentient voice I can proceed to declare the question passed.

Question put.

The SPEAKER: I have counted the House and there is an absolute majority present and voting in favour of the motion. I declare the motion carried.

Question thus passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 11.56 p.m.

Legislative Council

Wednesday, the 4th September, 1974

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE **TECHNICAL EDUCATION CENTRE**

South Hedland

The Hon. J. C. TOZER, to the Minister for Education:

Has the Minister an answer to the question I asked last week regarding the Pundulumurra Technical Education Centre?

The Hon. G. C. MacKINNON replied:

Yes. Have I your permission to read the answer, Mr President?

The PRESIDENT: Yes.

The Hon. G. C. MacKINNON: The reply to the question is—

(1) (a) \$337 596.

(b) \$711 409.

(c) \$103 862.

\$132 528 was also spent on site works, building services, fees, etc.

(2) 1st October, 1973.

(3) 51.

(4) 28.

(5) General Maintenance Hand (Pastoral)—8 weeks.

Family Management—8 weeks.

Trade Assistant—36 weeks.

Vermin Control Ranger—6 weeks.

Aboriginal Teacher Aide—2 weeks.

Part-time Aboriginal courses—36 weeks.

(6) The Pundulumurra Technical Education Centre is a unique undertaking since it is concerned solely with the education and training of adult Aborigines. There is every reason to believe that the project will be successful and the concepts fulfilled. It must be accepted, however, that any new development requires some short time to overcome initial problems to establish its systems and traditions and to be accepted by the community.

QUESTIONS (12): ON NOTICE

1. LAND RATES AND TAXES

Committee of Inquiry

The Hon. R. F. CLAUGHTON, to the Minister for Justice:

(1) Is the "Committee of Inquiry" into "Rates, Taxes and Charges Related to Land" which advertised for submissions from the public in *The West Australian* on Saturday, the 31st August, 1974, acting under Government authority?

(2) If the answer to (1) is "Yes" is the Minister aware that nothing contained in the advertisement indicates the bona fides of the above Committee?

The Hon. N. McNEILL replied:

(1) Yes.

(2) Yes; and this will be corrected in future advertisements.

2.

HEALTH

Breast Milk: Dieldrin Contamination

The Hon. W. R. WITHERS, to the Minister for Health:

In view of the statement in *The Sunday Times* of the 25th August, 1974, on dieldrin in breast milk, made by Mr A. R. Tonkin from answers given to him by the Minister for Agriculture, would the Minister please advise—

(1) How long was the woman with a high dieldrin content in breast milk resident in Kununurra prior to the tests being made?

(2) Was that person in direct contact with insecticides being used on farms in Kununurra?

(3) Was the source of contact traced?

(4) Had the person been in contact with dieldrin used as a domestic insecticide for white ants, etc., whilst resident in—
 (a) Kununurra; or

(b) another place prior to arriving in Kununurra?

(5) In view of the content of dieldrin in the breast milk, is it considered that such contact would be more likely to come from direct contact and misuse of the chemical rather than from a source under controlled aerial spraying in the farm areas?

(6) Is there any evidence to show that such dieldrin content would be found in those persons who use the chemicals in the approved manner on farm crops grown in Kununurra?

The Hon. N. E. BAXTER replied:

(1) She merely attended Kununurra to have her baby. The period is reported to be 2 weeks.

(2) No.

(3) As she came from a station it was assumed that contact had occurred there.

(4) (a) No.

(b) This is not known.

(5) It is considered that the high content in this case was likely to be due to direct contact through personal misuse of pesticide spray.

- (6) No evidence to date that high dieldrin content would be found in persons using dieldrin in an approved manner.

	\$
(b) Harvey	490 578
Collie	490 411
Waroona	170 041

Total \$1 151 030

3. AUSTRALIAN ASSISTANCE PLAN

Administration Costs

The Hon. T. O. PERRY, to the Minister for Community Welfare:

- (1) Is the Minister aware that the Australian Assistance Plan has cost in one region nearly twice as much to administer as has been allocated under the scheme?
- (2) Will the Minister approach the Federal Minister for Social Security with a request that the scheme be operated through local authorities who could consult with regional advisory committees and eliminate the unnecessary high cost of administration?

The Hon. N. E. BAXTER replied:

- (1) Yes, from information obtained it appears that well over \$30 000 has been spent in the initial promotion of the Great Southern and South West Regional Zone including establishment of offices, etc. and only eight (8) projects forwarded were approved and advice received that \$23 000 had been allocated.
- (2) Consideration will be given to the suggestion made, in addition to which the attitude of the Government is that any allocations should be channelled through the State Treasury Department.

4. IRRIGATION SCHEMES

Comparative Costs

The Hon. J. C. TOZER, to the Minister for Justice:

What was the financial result to the State Government in 1973-74 (after taking into account operating income and expenditure, interest on capital moneys, depreciation, etc.) of the following undertakings—

- (a) Ord Irrigation Project;
- (b) Harvey, Collie and Waroona Irrigation and Drainage Schemes when combined;
- (c) Gascoyne Irrigation Scheme; and
- (d) Comprehensive Agricultural Areas Water Supply Scheme?

The Hon. N. McNEILL replied:

All undertakings sustained a loss.

- (a) Ord Irrigation Project \$1 120 525.

- (c) Gascoyne Irrigation Scheme \$168 330.

- (d) Comprehensive Agricultural Areas Water Supply Scheme—
supplied from Mundaring Weir \$7 183 360;
supplied from Wellington Dam \$1 888 749.

Note: The Country Areas Water Supply based on Mundaring Weir also supplies the Goldfields. Therefore, the figure of \$7 183 360 for 1973-1974 includes the loss arising from the supply of water to Goldfields towns.

5. *This question was postponed.*

6. WATER SUPPLIES

Darkan Reticulation Scheme

The Hon. T. O. PERRY, to the Minister for Justice:

- (1) When is it anticipated that work will commence on upgrading the Darkan reticulation scheme?
- (2) When is it planned to complete this work?
- (3) What is the estimated cost of upgrading the scheme?

The Hon. N. McNEILL replied:

- (1) October 1974, subject to pipe deliveries and site conditions.
- (2) This work, comprising approximately half of the total improvements programme, will require two months for completion.
- (3) The estimated total cost of upgrading the supply to Darkan is \$191 000.

7. DEPARTMENT OF THE NORTH WEST

Offices: Pilbara

The Hon. J. C. TOZER, to the Minister for Justice:

As the information supplied by the Minister in answer to my question of the 29th August, 1974, indicates that the Office of the North West does not require office accommodation in either Port Hedland or Karratha, would he please advise whether it is planned to discontinue representation of this Government agency in the Pilbara?

The Hon. N. McNEILL replied:

The Office of the North West is already accommodated in Port Hedland and will continue to operate from the existing accommodation in the future.

The Office does not at the present time require accommodation at Karratha.

8. *This question was postponed.*

9. PROBATE

Estates Handled by Public Trustee

The Hon. T. O. PERRY, to the Minister for Justice:

- (1) How many estates are presently being processed for death duty assessment by the State Taxation Department?
- (2) How many estates are currently being handled by the Public Trustee?
- (3) Of those estates handled by the Public Trustee's Office how many have been held for processing for—
 - (a) under one year;
 - (b) under two years;
 - (c) under three years;
 - (d) under four years; and
 - (e) over four years?

The Hon. N. McNEILL replied:

- (1) 869.
- (2) 2 939.
- (3) (a) 1 199,
- (b) 456,
- (c) 254,
- (d) 178,
- (e) 852.

10. GOVERNMENT DEPARTMENTS

Offices: Karratha

The Hon. J. C. TOZER, to the Minister for Justice:

In view of the information provided by the Minister, in answer to my question of the 29th August, 1974, stating that only three State Government departments required office accommodation in Karratha, would he now advise—

- (a) is it planned that the Inspector of Police and his district office continue to be accommodated in a temporary transportable office;
- (b) can he give an assurance that Government agencies such as the Police Department (district office), State Housing Commission, State Electricity Commission, Health Services (various), Department of

Agriculture and Community Welfare Department, already operating in Karratha will be able to give effective service to the community without offices;

- (c) does he anticipate that the policy of "decentralisation of Government" will create early accommodation demands from the many Government departments apparently not represented in the area?

The Hon. N. McNEILL replied:

- (a) Only until such time as Stage 3 of the Crown Law Department building has been completed or other Government accommodation becomes available.
- (b) Yes—subject to the qualification that the situation in respect of the Community Welfare Department and Agriculture Protection Board may need to be improved. The provision of adequate accommodation for the officers concerned is currently being investigated.
- (c) No.

11.

TRAFFIC

Trail Bikes and Beach Buggies

The Hon. R. F. CLAUGHTON, to the Minister for Health:

- (1) Does the Government intend to introduce legislation this session for control of trail bikes and other recreational vehicles?
- (2) Has the Government received a request from the City of Stirling for such legislation to be introduced?

The Hon. N. E. BAXTER replied:

- (1) No, but the matter is at present subject to a detailed examination.
- (2) A request was made to the Minister for Police of the previous Government on 13th December, 1973.

12. STATE HOUSING COMMISSION

Government Offices: Construction

The Hon. J. C. TOZER, to the Minister for Justice:

- (1) (a) Under what authority is the State Housing Commission enabled to plan and construct central Government offices for the many and various departments in South Hedland; and
- (b) are housing funds being employed for this purpose?

- (2) Is it considered that the State Housing Commission initiative on this matter is attracting some Government departments to establish regional offices in Port Hedland in preference to Karratha?
- (3) If this is so, is it a reasonable assumption that State Housing Commission decisions are circumventing and, in fact, invalidating the policy objectives of the State Planning and Co-ordinating Authority?

The Hon. N. McNEILL replied:

Although *Sir Erskine May's Parliamentary Practice* specifies that questions calling for an expression of opinion are technically inadmissible, the following answers are supplied—

- (1) (a) The State Housing Act contains authority for the Commission to construct office facilities.
- (b) The State Housing Commission finances its office facilities from internal and external funds accruing under the State Housing Act.
- (2) The Commission's proposals for provision of office accommodation in South Hedland were formulated in co-operation with the Townsites Development Committee and the Public Service Board.
- (3) See answer to (2).

BILLS (2): INTRODUCTION AND FIRST READING

1. Teacher Education Act Amendment Bill.

Bill introduced, on motion by the Hon. G. C. MacKinnon (Minister for Education), and read a first time.

2. Art Gallery Act Amendment Bill.

Bill introduced, on motion by the Hon. G. C. MacKinnon (Minister for Cultural Affairs), and read a first time.

LEAVE OF ABSENCE

On motion by the Hon. V. J. Ferry, leave of absence for six consecutive sittings of the House granted to the Hon. J. Heitman on the ground of parliamentary business overseas.

BILLS (5): THIRD READING

1. Weights and Measures Act Amendment Bill.

2. Hire-Purchase Act Amendment Bill.

Bills read a third time, on motions by the Hon. G. C. MacKinnon (Minister for Education), and passed.

3. Wheat Marketing Act Amendment and Continuance Bill.

4. Plant Diseases Act Amendment Bill.

Bills read a third time, on motions by the Hon. N. McNeill (Minister for Justice), and passed.

5. Junior Farmers' Movement Act Amendment Bill.

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and transmitted to the Assembly.

OFFICIAL PROSECUTIONS (DEFENDANTS' COSTS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 3rd September.

THE HON. N. McNEILL (Lower West—Minister for Justice) [4.50 p.m.]: The Leader of the Opposition, when speaking to the second reading raised several points concerning the proposed amendment. The first was raised from the point of view of the Government giving consideration to the extension of its scheme whereby the provisions of the Act would be available to superior courts.

The Hon. R. Thompson: I said, "in the future".

The Hon. N. McNEILL: Yes, that is so. The Leader of the Opposition also went on to suggest a proviso; namely, so long as the provision could be contained within reasonable cost.

The Hon. R. Thompson: That is so.

The Hon. N. McNEILL: As it may not have been fully reported, I would acquaint the House of the fact that this matter was the subject of a report by the Law Reform Committee. It considered the very question raised by the Leader of the Opposition. Following a further examination of that report it appears the only restriction the Law Reform Committee could see was the availability of Government finance or, alternatively, the expenditure that would be involved. As the Leader of the Opposition has indicated, I believe that is still the chief consideration.

The Leader of the Opposition referred to the statistics which were made available by me for the information of a member in another place as to the number of certificates that have been issued and also in regard to their cost. It is well to recognise that the cost to date—bearing in mind the Act only came into operation in January, 1974—of some \$5 000 odd is nowhere near what was anticipated. Nevertheless it goes without saying that if the scheme were available in other courts and in superior courts there would

be a considerable increase in the expenditure not only to the Government, but also to local government authorities, statutory bodies, and the like.

While I recognise that in the introduction of the original legislation it was conveyed that it was something of a departure from other forms of legislation, it was in fact an innovation, and the opportunity to assess its total cost and total effect was somewhat limited. The view was held that the legislation should be put into operation for a trial period so that a proper assessment could be made of what expenditure was involved. Therefore in replying to the Leader of the Opposition I convey to him that I have had occasion to look at the Act and the way it is operating, and I believe, on reasonable grounds, it should remain in operation for at least 12 months and then some further assessment can be made of it at the end of that period.

Members on both sides of the House have expressed some support for what will be achieved by this legislation and the Government will certainly give sympathy to this aspect in the future. I do not think I need make any further comment, except to say that I am grateful for the support the Leader of the Opposition has given to the Bill, and I repeat that note will be taken of the point he made.

Question put and passed.

Bill read a second time.

In Committee

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

DAYLIGHT SAVING BILL

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. G. C. MacKinnon (Minister for Education) in charge of the Bill.

Clause 11: Ballot papers, method of voting, etc.—

The DEPUTY CHAIRMAN: Progress was reported after the clause had been partly considered.

The Hon. CLIVE GRIFFITHS: I have on the notice paper some amendments to clause 11, which had been discussed before we reported progress. I simply wish to reiterate that the purpose of the amendments is to amend form C in the schedule to the Bill. Therefore, I move an amendment—

Page 6, line 36—Delete the passage “numeral 1 opposite the word Yes” and substitute the following—

word Yes in the space provided.

The Hon. G. C. MacKINNON: The purport of all the amendments on the notice paper and on the paper which has been

circulated among members is to change the nature of the voting so that a person will merely have to write “Yes” or “No” instead of placing the numerals 1 and 2 in the appropriate square as appearing in form C in the schedule to the Bill.

I am always a little concerned about amendments of this type and technicality, in case, through some inadvertence, difficulties arise when they are executed. However, the necessary research has been done on the amendments and it appears that everything is strictly in order and the amendments are acceptable. As I said last night, I am grateful to Mr Clive Griffiths for his having been so painstaking in his research into the entire matter, and I have no intention of opposing the amendments. I trust other members have examined them and that no errors of omission or commission will be detected.

Amendment put and passed.

The Hon. CLIVE GRIFFITHS: For the same purpose, I move an amendment—

Page 7, line 5—Delete the passage “numeral 1 opposite the word No” and substitute the following—

word No in the space provided.

Amendment put and passed.

The Hon. CLIVE GRIFFITHS: I have a further amendment on the paper which has been distributed. As members will recall, subclause (4) will be deleted subsequently, so at this stage it will be necessary to delete the reference to it in subclause (3) (b). I therefore move an amendment—

Page 7, line 9—Delete the passage “subject to subsection (4) of this section”.

Amendment put and passed.

The Hon. CLIVE GRIFFITHS: It will be recalled that last night the question was raised as to whether or not the mere writing of the word “Yes” or “No” would enable the returning officer to form an opinion that the person who wrote it could be identified. I do not think there is a problem here as it could be argued that a man would be just as easily identified if he wrote numerals in a distinctive way. However, the provision does not include, after the word “writing”, the words, “not authorised by this Act”, but these words do appear in section 139 (c) of the Electoral Act. Therefore, in order to remove any residual doubts that may remain in the mind of anyone, I move a further amendment—

Page 7, line 13—Insert after the word “writing” the words “not authorised by this Act”.

Amendment put and passed.

The Hon. CLIVE GRIFFITHS: I move a further amendment—

Page 7—Delete subclause (4).

Amendment put and passed.

Clause, as amended, put and passed
 Clauses 12 to 14 put and passed.
 Clause 15: Repeal—

The Hon. R. THOMPSON: I would like to draw the attention of the Minister to this clause and to the title because it appears to me that the Bill is completely out of arrangement. Clause 3 of the Bill gives the arrangement, the first part being "Preliminary". No need exists for a part for "Preliminary" because we have an enactment and then the commencement which contains part of the title of the Bill. The second part of the Bill deals with the referendum in proposed sections 5 to 14. That should be part III of the Bill according to the title. The whole arrangement of the Bill is not in accordance with the long title. It does not make any difference to the contents because any person reading the Bill would find it is not good legislation when the arrangement is different from that expected from a reading of the long title. The arrangement is completely back to front.

The Hon. G. C. MacKINNON: I thoroughly agree with the Leader of the Opposition. I am grateful that even at this late stage he has come to accept the fact that it is a bad piece of legislation and I look forward to his joining me in voting against it.

The Hon. R. Thompson: I said that it was badly arranged.

The Hon. G. C. MacKINNON: I must not try to forecast events, but what the Leader of the Opposition has said gives me heart.

I would say that the reason for the arrangement being in its present form is that it was drafted by someone other than the Leader of the Opposition. We all have our particular ways, but I have no doubt that it will be an effective piece of law. Nevertheless, I am sure the Minister for Justice will have noted the comments of the Leader of the Opposition and if he sees fit he will draw them to the attention of the draftsman responsible. It may be a personal fable, or he may have had sound reasons for drafting it in its present form.

Clause put and passed.

Clause 16: Western Australian clock time to be in advance of standard time during a certain period—

The Hon. D. J. WORDSWORTH: I move an amendment—

Page 9, line 19—Delete the word "March" and substitute the word "February".

My intention is to substitute the word "February", my reason being to attempt to reduce by one month the trial period of daylight saving. At present it is proposed to be for five months. This will not interfere with permanent daylight saving should the referendum be passed. I think that four

months will be sufficient time to enable the public to decide whether or not it wants daylight saving. My reason for the amendment is that I want daylight saving to conclude before the new school year commences so that the children will not be subjected to the difficulties which are expected to arise under the school system as a result of daylight saving. The city child must also travel in the heat of the day.

I have been continually bombarded by my electors who have expressed concern at the difficulties the children will experience when attending school. I am sure that if we cut out the month of March we will alleviate a great deal of the difficulty and hostility that is being shown to the Bill. It has been said that in the circumstances the sheep and the cows will have a vote, but I think perhaps they have lost their vote. I do hope, however, some consideration will be shown the country people by cutting out the extra month. If the referendum is won we will have daylight saving for the full five months anyway.

I know there are difficulties involved when one part of the Bill is amended. I will go into these, though I do not think they are very important. In the first place we all know that a referendum is provided for after the 1st March. That does not matter very much, because it will give us an extra month during which we will have to wait for the referendum and provide a cooling down period. It could also be argued that if we have one month less of daylight saving we might be out of kilter with the other States.

The Hon. V. J. Ferry: How do you work out the five-month period? It is a little misleading.

The Hon. D. J. WORDSWORTH: It may seem so. The trial period is to end on the 2nd March and we will also have November, December, January, and February. I do not think it will hurt us to be out of kilter by one month with the rest of Australia; perhaps it will help us appreciate that not much of a problem existed when we were out of kilter with the other States. It could also be argued that we would like to see how the trial period will affect the health of school children and we will be able to consider this aspect in the months of November and December. Fortunately this will be during the end of the school year when the children will get accustomed to attending school and there will not be any children who will be attending school for the first time. November and December are not nearly as hot as is the month of March so perhaps it will not be quite so serious.

February, of course, has 28 days so if we cut out March we will still have the change-over at midnight on the Saturday night which will be the 1st March rather than on the 2nd March. So we could delete the word "March" and have the trial period end in February.

The Hon. G. C. MacKINNON: Mr Wordsworth has sprung an interesting proposition upon us. I was about to congratulate Mr Clive Griffiths on the care with which he had carried out his research, and I hope Mr Wordsworth has been equally careful in his perusal of the Bill to ensure that if his amendment is accepted by the Committee we will not find ourselves in a mess. On a quick glance at it I cannot see very much wrong with the amendment.

As far as I am concerned this is a non-party Bill. The only people it actually frees in our party are the members of Cabinet, because our party members have the right to disagree and vote against the Bill if they wish.

The Hon. D. W. Cooley: I hope they remember that in the days to come.

The Hon. G. C. MacKINNON: They have to answer to their selection committee, but there is no question of their being disciplined by the party. Mr Cooley has been in the business of politics long enough to know that. As I have said Cabinet Ministers are freed because of their position in Cabinet. So I am not voting on this Bill as I would normally vote for a Bill to continue its career *in tacta*.

The Hon. D. J. Wordsworth: You will have to vote for the amendment as well.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): The honourable member will cease interjecting.

The Hon. G. C. MacKINNON: This is an interesting amendment which I must consider not only as Minister for Education but as one representing an electorate in which there are long school bus routes which will necessitate early rising for children who will get home in the heat of the day.

I am not voting either for or against this amendment. It is my job to ensure there is good and adequate discussion on the Bill, and I will leave it to the Committee to discuss the seriousness and worth of the amendment moved by Mr Wordsworth.

The Hon. LYLA ELLIOTT: I oppose the amendment. For three years we have been out of step with the Eastern States, because we have not adopted similar daylight saving times as have those States. We have just agreed to the second reading of the Bill which will provide a trial period for the months listed. Now Mr Wordsworth wants to complicate the issue by changing the date of the referendum and reducing it by one month.

The Hon. D. J. Wordsworth: My motion has nothing to do with the referendum.

The Hon. LYLA ELLIOTT: Clause 17 refers to the advance in the standard time during certain further periods in each year.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): We are discussing clause 16 at the moment.

The Hon. LYLA ELLIOTT: I thought we were on clause 17.

The DEPUTY CHAIRMAN: No, we are discussing clause 16.

The Hon. LYLA ELLIOTT: I am still going to oppose the amendment. The Eastern States must have had very good reason for sticking to their times for the period they have. If the times were disadvantaging school children, cows, and so on—as we have been told they would in Western Australia—I am sure the Eastern States would have introduced some lesser period.

The Hon. H. W. Gayfer: They did in Queensland.

The Hon. LYLA ELLIOTT: We all know that Queensland is a backward State. The Eastern States have continued with these times so they must find them satisfactory. We are part of one country, although some people would like to suggest otherwise: they would suggest that Western Australia should secede from the Commonwealth. Being part of one continent we should be as uniform as possible in our legislation. As I said in my second reading speech, if it is found that the children in the rural areas are being disadvantaged in the summer months surely the school hours can be adjusted to accommodate them. The same would apply to the farmers—the organisations that service them could surely adjust their times to meet the requirements of the farmers. I hope the Committee will reject the amendment and leave the clause as it stands.

The Hon. W. R. WITHERS: I also oppose the amendment. I do not rise to the defence of Queensland which is accused by Miss Elliott of being a backward State. I would point out, however, as Mr Gayfer interjected, the people did change their time. They had good reason for this. A similar situation applies in the north of this State.

If members will refer to the tables I have submitted showing times of sunrise and sunset in the various places throughout the State together with the times of daylight in those parts they will find that contrary to popular belief sunlight times vary only with movements from west to east. There is also great variance in movements from north to south and vice versa.

Queensland is in the north-east of our continent and members will find that State had a very good reason for differing from the other States. The same would apply to the north of our State as I have mentioned in the previous debate.

The Hon. D. K. DANS: I oppose the amendment, because when I cast my vote for the second reading I did so on the basis that there would be a trial period, as outlined, to be followed by a referendum. To enable people to derive full benefit from the period of daylight saving and to eventually form their opinions accordingly.

I suppose Mr Wordsworth's amendment has some merit in the particular area he represents and I have regard for his intention. We will not, however, get a clear and concise picture of whether we do or do not like daylight saving unless we allow the full amount of experimentation provided in the Bill.

Some of the things that have been said on this question never fail to amaze me. I am sure the proposition put forward by Mr Wordsworth would have been considered when this legislation was being framed. I am surprised at some of the statements made by the Minister for Education.

Here we have a Bill introduced by a Government after discussion in Cabinet and yet we find that seven out of the 12 Cabinet Ministers have voted against it. What a Cabinet! We must be consistent. After due consideration the trial period on which the community will vote has been provided for in the Bill, but now we are going to tinker around with it and if we do, so we will not get a true result of what the people think.

I have no illusions about daylight saving, and I would not be surprised that after we have tested daylight saving the people will say they do not want it. Unless we adopt something that has been tried in the other States of Australia we will keep reverting to the situation in which we find ourselves now.

If we accept this amendment, another measure will be brought to Parliament and we will be told, "Daylight saving was only tried for three months, and it should have been tried for four months." Now we are at this stage, let us get on with the job. Let us have a trial of daylight saving for the period we decided on yesterday, or the period we thought we decided on yesterday. I realise that every member has the right to move amendments during the Committee stage, but let us have the trial period of daylight saving and then let the people make their decision.

The Hon. CLIVE GRIFFITHS: I agree with the comments of Mr Dans inasmuch as I believe we passed the second reading of this Bill yesterday based on a four-month trial period. It would be quite foolish to endeavour to shorten the trial period at this stage. I say this, not because I am mellowing in my own views towards daylight saving, but because I feel we should have a proper trial. The longer period of daylight saving will more surely mean that the people will reject the proposal. By the time we have had a dose of daylight saving up until the 2nd March, we will be browned off completely with it, and daylight saving will be rejected for all time as far as Western Australia is concerned.

For these reasons I believe the amendment moved by Mr Wordsworth should not be supported. Indeed, it crossed my mind yesterday that, particularly here in Western Australia, we would benefit more with

daylight saving from May to September. Numerous organisations and people participating in sporting activities—and Australia is a country of sportsmen—find that during the winter months it is pitch black at 6.00 p.m. Local authorities and members of Parliament are often approached by these organisations to have lighting provided at ovals and sports grounds so that they may continue with their training after 5.45 p.m. in the winter. If we consider altering the period prescribed in the Bill, I suggest we alter it to May until September.

The Hon. H. W. Gayfer: Why not from May to May—12 months?

The Hon. CLIVE GRIFFITHS: However, I do not intend to move an amendment to that effect. I believe that members of this Chamber passed the second reading of the Bill yesterday based on a four-month trial period. As Mr Dans has said, we have got this far, for goodness sake let us get the thing out of the way and let the people make their choice.

The Hon. I. G. PRATT: I oppose this amendment, and I oppose it specifically for the very reasons put forward by Mr Wordsworth; that is, the effect daylight saving will have on school children. If we are to have a trial of daylight saving, the trial must cover the critical period when young children will be attending school for the first time. If we are to give daylight saving a proper trial, it must be tried over the most critical period so that the people of the State can give a properly considered opinion when they vote at the referendum.

The Hon. V. J. FERRY: I wish to state briefly my opposition to the amendment proposed by Mr Wordsworth. I am in full sympathy with his concern for the discomfort which may be endured by some school children, and particularly by those who must travel long distances to school. Those of us who voted against the second reading of the Bill yesterday had this situation very clearly in mind. Nevertheless, I do not believe it is in the interests of the community to have the month of February removed from the trial period. As the previous speaker pointed out, this is a very critical month in the school calendar, and I feel it will show up the disadvantages of daylight saving. I cannot see any merit in altering the trial period because in good faith members voted on the second reading of this measure based on the trial period set out in the Bill. Although I sympathise with the motive behind Mr Wordsworth's amendment, I cannot support it.

The Hon. R. F. CLAUGHTON: The attitude of the people of Queensland confirms the fact that they prefer to be behind the time.

The whole circumstances surrounding the introduction of this Bill by the Government have been farcical, and to adopt

the proposed amendment would confirm that scenario. The idea of a trial period would be negated if we did not experience daylight saving during the month of February—generally the hottest month of the year. Without including the month of February, people would not be able to say whether or not daylight saving is desirable. As other people have pointed out, we wish to find out the reaction of school children, and particularly those who are just starting school. The only sensible course is to retain the trial period as set out in the measure.

The Hon. G. C. MacKINNON: Mr Dans, of course, put his finger on the real reason that we should oppose this amendment, and with due respect, I feel most of the other speakers have paraphrased his remarks; that is, if we are to have a trial then it ought to be a proper trial. Therefore, I have been persuaded that I should oppose the amendment.

Mr Dans also made a few comments—again, Mr Claughton had to repeat them in case Mr Dans outdid him—in regard to the introduction of this legislation and the way in which Cabinet has acted. Let us be quite clear about this: the 1973 Bill was amended in this House by Liberal Party members to accomplish a trial period followed by a referendum—which is exactly what this Bill prescribes. The Labor Party killed that Bill, and the Liberal Party, in its policy speech, promised to introduce legislation for daylight saving. There is not a single person in this Chamber, other than new members, who has not committed himself one way or the other on this issue, and accordingly the Bill was brought in on a nonparty basis so that the issue could be properly debated and decided. There is nothing whatsoever the matter with that, nothing comical, odd, or farcical. It is a simple exercise which has been carried out with efficiency, and it looks as though the principle of the measure will be accepted and we will have a trial period of daylight saving. It is as simple as that. I hope that members will reject the amendment put forward by my friend and colleague, Mr Wordsworth.

During the debate we heard about many weird and wonderful matters, but daylight saving—the date and the period—simply cannot be extrapolated from one State to another. There is simply nothing party-political about it. Canada would have daylight saving whether the country was administered by the Community Party or by a monarchy, because climatically and geographically it is necessary for the efficient working of that dominion.

I am alarmed that we have heard so little discussion about Western Australia, the conditions here, and the application of daylight saving to Western Australia and its people. We have heard a great deal of

nonsense about everywhere else in the world, but this has no bearing on the subject. I therefore intend to oppose the amendment.

The Hon. D. J. WORDSWORTH: I say simply that I am disappointed my amendment has not received the support of the Chamber.

The Hon. S. J. Dellar: Well, you do not know yet.

The Hon. D. J. WORDSWORTH: The little children of this State will have to suffer as a consequence. As I said earlier, as members of Parliament we ought to decide whether or not Western Australia wants daylight saving—we need not worry the people about it.

Amendment put and negated.

Clause put and passed.

Clauses 17 to 19 put and passed.

Schedule—

The Hon. CLIVE GRIFFITHS: I move an amendment—

Page 12—Delete Form C and substitute the following—

Form C.

Western Australia.

Daylight Saving Act, 1974.

Ballot Paper.

Directions for Voting.

The voter shall mark his ballot paper as follows—

If he is in favour of the question set forth hereunder, he shall write the word "Yes" in the space provided.

If he is not in favour of the question set forth hereunder, he shall write the word "No" in the space provided.

Question: Are you in favour of standard time in the State being advanced one hour from the last Sunday in October in each year until the first Sunday in March next following?



Amendment put and passed.

Schedule, as amended, put and passed.

Title put and passed.

As to Report

The Hon. G. C. MacKINNON: Mr Deputy Chairman (the Hon. R. J. L. Williams), I move—

That you do now report the Bill to the House.

Question put and a division taken with the following result—

Ayes—18

Hon. N. E. Baxter	Hon. G. C. MacKinnon
Hon. R. F. Claughton	Hon. G. E. Masters
Hon. D. W. Cooley	Hon. N. McNeill
Hon. D. K. Duns	Hon. I. G. Pratt
Hon. S. J. Dellar	Hon. R. Thompson
Hon. V. J. Ferry	Hon. J. C. Tozer
Hon. Clive Griffiths	Hon. Grace Vaughan
Hon. R. T. Leeson	Hon. W. R. Withers
Hon. A. A. Lewis	Hon. Lyla Elliott

(Teller)

Noes—6

Hon. C. E. Abbey	Hon. T. O. Perry
Hon. G. W. Berry	Hon. D. J. Wordsworth
Hon. H. W. Gayfer	Hon. T. Knight

(Teller)

Question thus passed.

Bill reported, with amendments.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Second Reading

THE HON. S. J. DELLAR (Lower North) [5.51 p.m.]: The Bill before the House seeks to make three amendments to the Town Planning and Development Act, 1928-1973. I should like briefly to discuss the three amendments. The first amendment is contained in clause 4 of the Bill and, as the Minister explained when introducing the measure, it is designed to remedy a situation created by the Act in relation to the widening of roads. We have no objection to the amendment; I believe it is something that may be necessary. The only possible area of doubt relates to the retrospectivity provisions of the amendment but I do not think that is a very important aspect of the amendment. The second amendment to the Act to which we take no exception is aimed at correcting a drafting error in the original Bill.

The third amendment, as the Minister has explained, provides for an increase in the number of members on the Town Planning Board from three members to four members. The Town Planning and Development Act was promulgated in 1928, 46 years ago.

The PRESIDENT: Order! There is too much audible conversation in the Chamber. I should like a little silence so that the honourable member can continue his speech.

The Hon. S. J. DELLAR: Thank you, Mr President. When the Minister introduced the Bill he explained that the Government sought to increase the numbers on the board, firstly, because it had received a request from the Local Government Association which felt that it should be represented on the Town Planning Board and, secondly, so that a quorum could be established more easily at the meetings of the board every Tuesday. The members of the board act in an honorary capacity apart from, I think, receiving expenses for attending meetings.

We find no reason to argue with the second reason for adding a member to the board; namely, to achieve a quorum more readily. As the Minister said, there have been occasions in the past when it has not been possible to obtain the necessary quorum. When the Bill was promulgated in 1928, a Select Committee examined the legislation and brought down certain recommendations, one of which was that the board should be small in number and that, although requests were made to this end at the time, there should be no local government representation on the board.

However, the situation has now changed. The workload of the board has increased since 1928 and perhaps now, local government should have some say in the management of the board. I have only one query in respect of this clause of the Bill and I have foreshadowed amendments to this effect. I refer to the method of selection of the additional member of the board, who will represent local government. The Bill provides that the Local Government Association will submit to the Minister for his selection a panel of three names. The person selected will be attached to the Town Planning Board and probably will look after the interests of local government, as local government is vitally interested in town planning.

The Local Government Association, however, does not represent every local authority in the State. In fact, some of the larger metropolitan councils and cities are not represented on that association. The Bill does not change the requirements of the parent Act which sets out that the board shall be comprised of an architect, an engineer, a surveyor, or a person appointed by reason of his qualification in business matters. The new appointee is to have experience in local government affairs. I believe there would be many people in Western Australia who have been associated with local government in the past or who may still be associated with local government who quite easily could be selected to be the local government nominee on the Town Planning Board. However, when he introduced the Bill, the Minister explained that the Government considered it proper that the final submission should come from the Local Government Association to the Minister for his selection.

I believe the amendments I will move in the Committee stage will give the Minister a greater scope from which to select the new member to the Town Planning Board. Naturally, if the Local Government Association submits a panel of three names, the Minister probably would be obliged to select the first person so nominated as it is obvious that the Local Government Association would consider that person to be the most suitable nominee. However, the adoption of my amendments would allow the Minister to canvass the entire population of Western Australia for this position.

There may be somebody from the country—I realise it may not be practicable to appoint somebody from the country, because of the timing of the meetings of the board—or other people who, because of their great experience in local government affairs, would be suitable appointees to the additional position on the board. I do not believe there is any point in debating this matter further at this stage. I support the second reading and foreshadow that I will be moving amendments in the Committee stage.

THE HON. G. E. MASTERS (West) [5.58 p.m.]: I oppose that part of the Bill which deals with the method of selection of the Town Planning Board. I believe the most important part of this Bill should be to make sure that local government authorities and local government acting councillors and shire councillors have the opportunity to serve on the Town Planning Board.

The PRESIDENT: Order! Is the honourable member referring to the amendments on the notice paper?

The Hon. G. E. MASTERS: Yes, Mr President.

The PRESIDENT: I suggest that you address yourself to those amendments when the Bill goes into Committee. The honourable member must talk now on the second reading of the Bill.

The Hon. G. E. MASTERS: I am sorry, Mr President.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.59 p.m.]: As the Hon. S. J. Dellar indicated, my party has no objection to two of the amendments proposed by the Bill; namely, the correction of a drafting error and that part of the Bill relating to the widening of roads. The honourable member expressed some concern about the change in the manner of selecting the additional member to the Town Planning Board. It is interesting to read the report of the debates which took place when the original Bill was introduced in 1928. One is immediately struck by the fact that the more things change the more they stay the same.

Many of the current problems we deal with today are reflected in speeches that were made when the initial Town Planning and Development Bill was introduced. Those problems refer to the lack of playgrounds, kindergartens, vandalism, and other matters that are current now.

The main tenor of the debate at that time was the desire to see the development of a cohesive plan which would bring about better planning of, and a more beautiful, Perth. I think the people of this State can be very proud of the job that has been done in respect of town plan-

ning. Certainly visitors to Western Australia are quick to say what a beautiful city we have.

I would like to quote briefly from one of the speeches that was made when the Bill was introduced in this House in 1928 by the then Chief Secretary (the Hon. J. N. Drew). In his contribution Mr Drew quoted from a letter from the then Chairman of the Town Planning Commission (Mr Harold Boas). That letter is as follows—

I desire to convey to you that the Town Planning Commission have given very serious consideration to the question of getting a Town Planning Act for this State, and during the period of the Commission's existence, have studied the Bill and have come to the definite conclusion that the Bill as presented to Parliament is a satisfactory one, and that its passing is long since overdue. Further, the Commission is of opinion that its own work will be materially prejudiced if such a Bill is not on the statute-book long prior to the issue of its own reports. The Commission may be in the position of having to issue interim town planning reports, in which case, it will be necessary for the local authority to be armed with legislative authority to carry any schemes into effect immediately on such schemes being adopted. On the other hand, the early passing of the Town Planning Bill and the appointment of the board and commissioner would be of great value in that the Commission and the board could work conjointly on the scheme of preparation of the plan for the natural expansion and development of the metropolitan area for the years ahead.

The above views were conveyed in an official deputation by my Commission to the Minister for Works, prior to the introduction of the Bill to the Legislative Assembly.

It needs to be particularly stressed that this Bill although providing for wide powers does not in any way override the powers of the local authorities and that the local authorities will have the advantage in the preparation of their schemes for the development of their domestic areas of an expert board and that in any case the final authority rests with the approval of the Government, through the Minister controlling the Bill, and further that in all schemes final approval for the financing of same must be submitted to the property owners for their endorsement. It also needs to be made perfectly clear that the Bill applies not only to the metropolitan area, but to the whole State and therefore the

advantages of town planning will be gained by all country towns and districts.

I trust that the Bill will receive the favourable consideration of your House and pass into law this session.

This letter is to be found on page 2309 of the 1928 *Hansard*.

It set out the essential concept of the Bill, and I do not think this concept has been altered materially since that time.

In the debate on the Bill in 1928 not a great deal was said about the board, but it is quite obvious it was considered at the time that it was necessary to appoint as members an expert and independent group of people.

Quite a lot was said in that debate about some of the poor planning which had been carried out at that time, although not much mention was made of the members who comprised the board. However, it was quite obvious that the Parliament did not want any special interests to be represented on the board. The whole idea was to have members with expertise in the field; and the aim was to appoint the best available persons to the board, so that Perth could be developed into a beautiful city.

That concept has proved to be of advantage to us, and I do not think it has been demonstrated that there is any real need for it to be changed. It is unfortunate that the proposal in the Bill now before us seems to imply a subservience of the Minister to local authorities. It would be unfortunate to develop that idea. This is the sort of objective that can be introduced by insisting on an amendment contained in the Bill.

Sitting suspended from 6.06 to 7.30 p.m.

The Hon. R. F. CLAUGHTON: Before the tea suspension I alluded to the subservience of the Minister for Local Government to local authorities. That could be an explanation of the presence of this Bill now before Parliament. One could not imagine an experienced Minister bringing forward a measure such as this. Perhaps we can excuse the Minister because of the fact that he is reasonably new in his office and he may not have been able to assess the situation properly. So I rather feel that if the proposals had been examined fully this Bill would not have seen the light of day. Perhaps I should rephrase that slightly and say that the portion of the Bill which refers to the placing of a representative of local government on the Town Planning Board would not have seen the light of day.

It has been demonstrated that the board, with its rather generalised indications of who should be appointed to it, has worked exceedingly well for the benefit of Western

Australia. It seems a shame that the type of person to be appointed should be changed at this time.

The Select Committee report which preceded the introduction of the original Bill in 1928 specified that there should be no local government representation. It was of real concern to people at that time that planning in the various local authorities had many undesirable features. Discussions and debates had taken place over a considerable number of years preceding the introduction of the 1928 legislation. Problems had been evident for a long time and the Minister who introduced the legislation, in 1927, was congratulated for having done so—being a member of a Government which was encouraged to bring the legislation forward.

The proposals we are now considering raise a number of objections and the main one which I have indicated is that for the first time there will be a specific indication as to the area from which a member will be selected. The relevant subsection in the parent Act now reads—

The Board shall consist of the Commissioner who, *ex officio*, shall be a member and the chairman of the Board, and three other members to be appointed by the Governor, such members being an architect, an engineer or a surveyor, and a person appointed by reason of his qualification in the business matters to be dealt with by the Board.

If the provision in the Bill now before us is accepted a significant change will be made in the basis of selection. Instead of the Governor being able to select persons to do the job for the future and well-being of the people of the State, he will have to select a person who is representative of a particular section of the community. Once that occurs there is no reason why the institute of architects should not demand the same sort of privilege. I would say we could expect a request on the basis that if the local authorities have the right to say who will represent them on the board then the institute of architects should be able to say who will represent them on the board. This will completely change the basis of selection. Instead of having people entirely independent of any sectional viewpoint we will make them subservient to sectional interests.

I cannot believe that members consider this to be a good development. No real basis has been shown why the change should be brought about. The Minister raised no argument during his speech, to the effect that there are deficiencies in the present system and that we need to change it. I most certainly am not averse to change; it is the basis of the philosophy of my party. However I do not see how this Bill will achieve any improvement. The measure will allow the Local Government Association to appoint a representative to the Town Planning Board. That will mean

the person appointed to the board must express the viewpoint of the Local Government Association.

The Hon. J. C. Tozer: It does not say that.

The Hon. R. F. CLAUGHTON: What is the point of having a person represent a particular interest if he does not express the viewpoint of that interest?

The Hon. J. C. Tozer: He will understand the local government point of view.

The Hon. R. F. CLAUGHTON: I am not saying that is a bad thing.

The Hon. I. G. Pratt: You have said it will be a sectional interest.

The Hon. R. F. CLAUGHTON: It should be a person experienced in that field and who is not a chosen representative of the particular interest. It should be a person who remains independent, and who is not subject to direction. It may never happen that the person is directed.

The Hon. I. G. Pratt: I suggest the member attend a Local Government Association meeting where he will see that delegates are not directed by other bodies.

The Hon. R. F. CLAUGHTON: That interjection might have some sense if the member were able to show that what I have suggested would not happen. Since the person envisaged has not yet been appointed it is only in the realms of "might be". I am saying we do not have to have it that way. The present system has worked well for the benefit of this State and nothing has been demonstrated to persuade us that it should be changed.

The Hon. J. C. Tozer: There is the question of a quorum.

The Hon. R. F. CLAUGHTON: We are not arguing against that. It has been demonstrated there is a problem regarding a quorum. By all means, let us provide that a person with local government experience be placed on the board but I cannot see that it necessarily has to be a person representative of local government interests.

The Hon. G. E. Masters: The councils represent the people.

The Hon. R. F. CLAUGHTON: That is an argument which the member is putting forward.

The Hon. G. E. Masters: Does the member deny that?

The Hon. R. F. CLAUGHTON: What I am saying is why should not the architects pursue the same course?

The Hon. G. E. Masters: They are not representative of the people; they are not an elected body.

The Hon. R. F. CLAUGHTON: If that is the attitude to be adopted the fate of our proposals is quite obvious. I simply reiterate that no case has been shown why the basis of the appointment of members to the

board should be changed. The present system has worked well and the change will set a precedent for other sectional interests to request that their viewpoints be represented. The proposal will eliminate some very good people with wide experience who, because they will not be members of a local governing authority, will not be eligible for appointment.

It is well known that not all local authorities are members of the association but that does not necessarily mean that people from that area would not be recommended. That is a fact to be borne in mind. The final argument is that local governing authorities already have many avenues through which they can express their points of view. They will not be disadvantaged in any way at all.

On those points I conclude my remarks. The Act has worked admirably to date. There has been no demonstration of any deficiency in the method of appointing members. I can understand that the Local Government Association would like to have a direct representative on the board. I suggest it is the inexperience of the Minister which has caused this legislation to be brought forward. Had he been longer in his job I feel sure he would have put a blue pencil through this provision. While we can expect that members in another place will support the Minister, we can adopt the oft-mentioned "independence" of this Chamber to ensure that the provision does not remain in the Bill.

THE HON. N. McNEILL (Lower West—Minister for Justice) [7.45 p.m.]: I am grateful to the Hon. S. J. Dellar and the Hon. R. F. Cloughton for their support at least for the second reading of the Bill. I have noted the amendment the Opposition has placed on the notice paper, and let me say at the outset it is my intention to oppose it.

In the course of their remarks members of the Opposition made a number of comments. I am not convinced that the comments carry a great deal of weight or that they carry all the emphasis they might have done in proposing an amendment of this nature. I rather feel the members were going through certain motions because they thought they ought to make at least a gesture.

One of the observations made was that there is some subservience—I think that was the expression used. I do not believe that is the case at all. There is no subservience either to the Minister or by the Minister.

Mr Cloughton referred to the inexperience of the Minister. It is true the Minister for Local Government and Urban Development and Town Planning, like several other Ministers, including myself, lacks experience of the ministry, but he does not lack experience of local government. I am sure members of this House are aware of the considerable background

and experience of the Minister for Local Government in local government affairs; and not just in local government. More specifically in relation to this Bill, he has had considerable experience in dealing with town planning through his experience in local government and his years in Parliament. It would therefore be creating a wrong impression, and one to which I would not subscribe, to suggest that the amendments in the Bill relating to the appointment of members to the Town Planning Board arise from the Minister's inexperience.

I would go the other way and say it is as a consequence of his experience in town planning and local government that the Minister has been prepared to agree to a request submitted to him for the inclusion of local government representation. Perhaps I should qualify that statement. Mr Cloughton made some reference to history, and I think it is quite relevant and appropriate that he should go back to 1928 when the legislation was introduced. But I think it is also worth mentioning that he might well have made specific reference to the Bill itself. For the benefit of Mr Cloughton, clause 3 says, in part—

—a panel of three names submitted to the Minister by The Local Government Association of Western Australia (Inc.)—

It does not actually say that the panel of names submitted to the Minister—

The Hon. R. F. Cloughton: I said that.

The Hon. N. McNEILL: Perhaps Mr Cloughton left it a little unclear. He went a little further and said the implication was that the additional member would be a representative of local government, as if there were something wrong with that, and I do not believe there is. In my view, Mr Cloughton casts a reflection upon the Local Government Association in its submission of a panel of three names for the consideration of the Minister. Discretion is available to the Minister in the selection of the additional member, and discretion is also available to the Local Government Association in its selection of the names it will submit to the Minister. It is claimed that there could be other people in the community who have great experience in these matters. Certainly there are, and I believe they will still be available.

The Hon. R. Thompson: Do you think the Local Government Association would submit the names of people who were not members of the association?

The Hon. N. McNEILL: For all practical purposes, I do not believe so.

The Hon. R. Thompson: That is what the Bill says.

The Hon. N. McNEILL: I know that is what the Bill says, but in practical terms I do not think the association would neces-

sarily submit the names of other persons. However, the opportunity to do so is available.

The Hon. R. Thompson: How is it available? Explain that to us. I cannot see it. It says, "a panel of three names submitted . . . by The Local Government Association".

The Hon. N. McNEILL: It says—

—is selected from a panel of three names submitted to the Minister by The Local Government Association of Western Australia (Inc.)—

That is all it says.

The Hon. R. Thompson: How can the Minister select anyone else? The only query I have is: How many local authorities are not members of the Local Government Association?

The Hon. N. McNEILL: Two, I believe.

The Hon. R. Thompson: I think there are more than two.

The Hon. N. McNEILL: We are not talking about the Country Shire Councils' Association. Of the bodies which are eligible to be members of the Local Government Association, I understand at the present time there are two which are not members.

The Hon. R. Thompson: Perth and Fremantle.

The PRESIDENT: I think you could talk about that in the Committee stage, Mr Minister.

The Hon. N. McNEILL: That is so. Let me refer to some of the other points made by members of the Opposition. Mr Cloughton referred to the fact that the Minister will be creating a precedent in giving representation to a particular section of the community. Surely this could apply to the amendment on the notice paper standing under the name of Mr Dellar.

The PRESIDENT: We can talk about that during the Committee stage.

The Hon. N. McNEILL: Yes. I can see you want me to embark on a wider examination of the Bill, Mr President.

The PRESIDENT: The Minister should adhere to the rules and address himself to the Committee stage of the Bill when the Bill is in Committee.

The Hon. N. McNEILL: Very well, Mr President. In relation to the Bill as a whole, there is no real reason that it should not be agreed to by this House as it stands. It contains a perfectly straightforward and logical proposition. One amendment proposed by it is of a minor nature; it is simply a correction of previous legislation. Another amendment relates to road widening. I note the comments of Mr Dellar in relation to that matter, and what he said was a reasonable proposition. The third amendment is probably best left to consideration by the Committee.

In general terms, no real precedent is being created in the Bill. It simply gives an opportunity for representation to those people who have a considerable interest in the operations of the Town Planning Board, and it results from a request by a particular group of people who have this interest. The amendment has the support of the Town Planning Board itself and it is certainly in line with the views of the Minister and the Government. With those remarks, I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. N. McNeill (Minister for Justice) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 4 amended—

The Hon. S. J. DELLAR: I think we come to the crux of the Bill in the amendment I have put on the notice paper. I can assure the Minister the amendment is not being put forward just for the sake of argument. It has been thoroughly thought out and I believe it is in keeping with the original intention of the Act.

We are dealing with an increase in the membership of the Town Planning Board from four to five. We have no argument with that. Our argument is based on the method of appointment of the additional member. The Minister has said he believes that what the Government proposes is the best way to approach the matter. I believe something different.

As pointed out by Mr Claughton, the other members of the board are appointed by the Governor. For the additional member of the board to be chosen by a different method is contrary to the general spirit of the Act. The only reason given for changing the method of selection in this case is that a request was made by the Local Government Association of Western Australia, which does not represent all local authorities. I think it has been agreed there are two local authorities which are not members of the association. It is proposed in the Bill that the association will submit a panel of three names to the Minister.

It is obvious to me that the panel of names to be submitted will be decided by the association, and it is also reasonably obvious that the association will select people who are members of that body and are currently serving in local government in Western Australia. That is a pretty broad term when we are talking about the Local Government Association which does not comprise all local government authorities. We could not assume that the Minister would select the first person named.

He might select any one of the three names submitted, and that person would be appointed to the Town Planning Board for a period as laid down in the Act.

The Bill provides that the person so appointed will retire at the same time as the other members of the board. If the Minister has to make new appointments to the board in three years' time, it is natural to assume the person nominated by the association following the passing of the Bill would be reappointed to the board, provided he had done, in his activities on the board, the right thing as far as the association is concerned.

The amendment I propose will give the Minister scope to go outside of the people actively involved in local government at the present time but who may have had previous experience in this field and perhaps a great deal more experience than some of the existing members of local government, of whom I know quite a few. Let me say I realise the value of local government in Western Australian and of the members who hold honorary positions. However, I do not feel the method proposed in the Bill is the right way to go about the matter.

The Minister should have discretion to go outside of the existing Local Government Association if he thinks there is someone more appropriate who could serve on the Town Planning Board. The original spirit of the parent Act is that members of the board should act in an independent manner for the benefit of the functions of the board and in the interests of the State of Western Australia, and have no vested interests, if I may use the term. The Town Planning Board plays a very big part in the development of this State.

If the Bill is passed in its present form then for the first time one of the members of the board will be representative of a particular association. As Mr Claughton pointed out, neither the architect nor the engineer or surveyor member is appointed by an association. These members are appointed by the Governor, who would act upon the recommendation of the Minister. If the Local Government Association, which is not representative of all local authorities, has the right to have a member on the board there is no reason why the architects' or the surveyors' organisations should not have the same right.

As the Bill stands we have the situation in which part of the board will be selected by the Minister from as wide a field as he may desire to choose, but one member will be selected from a panel of three names submitted by the Local Government Association.

The argument put forward by the Minister has not convinced me. Perhaps other argument may be forthcoming and, if it is, I would like to listen to it. I feel my amendment will allow the Minister more

scope, and it will still allow a representative of local government to be on the board. The only difference is that he would be elected in the same way as other members are elected. I move an amendment—

Page 2, lines 11 to 17—Delete paragraph (ii) and substitute the following—

- (ii) by deleting the passage from and including the passage “such members being” in line 5 down to and including the the passage “by the Board” in line 7 and substituting—

such members being—

- (a) an architect;
- (b) an engineer or a surveyor;
- (c) a person having knowledge of and experience in matters appertaining to local government; and
- (d) a person appointed by reason of his qualification in business matters to be dealt with by the Board.

The Hon. N. McNEILL: I have indicated I am not prepared to accept the amendment. I have already canvassed the ground, and I am not sure there is any necessity for me to do so again. However, as Mr Dellar said he would be prepared to listen to further argument, perhaps I should make a few points.

Firstly, the only difference Mr Dellar's amendment would make is that the new member of the board would be a person having knowledge of and experience in matters appertaining to local government, whereas as the Bill stands that new member will be selected from a panel of three submitted by the Local Government Association. It is clear if the amendment is accepted the Minister certainly would have all the latitude in the world when he makes a selection. But we must bear in mind the provision resulted from a request from the Local Government Association, which I understand received the support of the Town Planning Board in view of the involvement of local government in the activities of the board. It was thought desirable to have on the board a person who is closely—and probably currently—involved in local government and town planning.

Under Mr Dellar's amendment the Minister could select a person who may have some experience in local government but not necessarily be connected with it at the moment; he could have been connected with local government a long time ago. He may not necessarily have been a member of local government; he could be virtually anybody who, in the opinion

of the Minister, has knowledge of and experience in matters appertaining to local government. I think that is the critical point. The desire is to have somebody who is part and parcel of local government.

We are trying to have local government represented on the board. It must be borne in mind that the board would respect the assistance and advice which would be available to it from a person currently involved in such activities. I think a certain restriction should be placed upon the Minister in respect of who may be selected. I do not necessarily think the Minister should have complete freedom in his selection, because that could result in any sort of ministerial appointment.

Those of us who have been in this Chamber for some time will be aware of the discussions we have had on more than one occasion regarding statutory provisions in relation to the selection of people to serve on various boards and authorities. Surely our endeavour should be to try to obtain somebody who can represent the views of local government. In saying that, I think it is clear the person who will be selected from the panel will not necessarily be regarded as a representative of the Local Government Association and as being responsible to that body. The purpose of this appointment is to assist the functioning of the Town Planning Board; it is not necessarily merely to have upon the board a person to represent the Local Government Association. It is not stated in the Bill that the appointee will be required to report back to that association. That would be undesirable because the new member is to be appointed to the board by virtue of the experience he can convey to the considerations and activities of the board; and that is where his loyalties should lie. He should not necessarily have a vested interest in the body it might be claimed he should be representing. For those reasons I hope the Committee will not agree to the amendment.

The Hon. G. E. MASTERS: I rise for the second time to oppose this amendment and, in particular, the method of selection proposed in it. I do not intend to speak at length because most of what I was going to say has already been said.

I am opposed to the suggestion by Mr Cloughton that local authorities or the Local Government Association should be compared with the architects' organisation, and that that organisation should also be entitled to a representative. I believe the Local Government Association is representative of the people. It represents shire councillors—people involved in local government who have been popularly elected by the ratepayers in their respective areas, and who fully understand the problems of local government and, in particular of town planning.

Anyone who has been involved in local government would know that town planning itself poses a great problem. Without doubt the Town Planning Board is performing and has performed a wonderful job. Nevertheless, further experience is essential to the board. It is necessary to speed up the manner in which matters are dealt with.

The Hon. S. J. Dellar: My amendment will not affect that.

The Hon. G. E. MASTERS: This Bill proposes that local government should be better represented on the board. I believe that is most important. However, delays have occurred, and these have caused great concern and frustration. We all know that when matters are delayed for a month or even two months this can cost a great deal of money.

The Hon. S. J. Dellar: How will the Bill speed up matters?

The Hon. G. E. MASTERS: I believe the handling of matters will be speeded up because the local government representative will understand the local problems and he will be able to suggest methods of cutting short many of the procedures.

The Hon. S. J. Dellar: Are you suggesting that the new representative will have sufficient knowledge of every local authority as to be able to speed up matters?

The Hon. G. E. MASTERS: No, I suggest he will have a better understanding of the problems of local government in a general sense than possibly the present members of the board have. This is most important as far as local government is concerned, not necessarily in respect of town planning problems, but in respect of the problems of local government.

Therefore I suggest it is most important to have on the board a representative of the Local Government Association. In fact, I think possibly the amendment does not go far enough; eventually I would like to see two representatives of local government on the board. I do not think it could be suggested that local government will ever take over the Town Planning Board. However, I think it can and should influence the board. I believe eventually local government will have more representatives on the board, and that will be a good thing.

More and more local authorities have their own town planning departments. They have skilled and qualified men to do this work, and they have the facilities to plan in their own areas. As long as they work within set guidelines they should be able to make more decisions than they make at the moment. I believe local government eventually will have more to say in this sphere, and possibly the Town Planning Board will become an advisory body rather than a controlling body. I oppose the amendment.

The Hon. R. F. CLAUGHTON: Mr Masters said real problems exist in the processing of local government matters in the Town Planning Department and, for that reason, a local government representative should be elected to the Town Planning Board.

The Hon. G. E. Masters: To speed up the processing.

The Hon. R. F. CLAUGHTON: He suggested that not only one, but probably two representatives of local government should be elected to the board. I ask: Who is the retiring member; and who is the Chairman of the Metropolitan Region Planning Authority, which is not quite the same as, but is closely connected with, the Town Planning Board? In fact both men are representatives of local government.

The Hon. G. E. Masters: Elected representatives?

The Hon. R. F. CLAUGHTON: Perhaps the honourable member would lay down that each of the panel of three submitted to the Minister should be elected representatives of the local government. I would think that if what the Government proposes was the existing situation Mr A. White would be the first recommendation, because he is very well versed in matters of local government. He is not an elected representative and therefore the honourable member's argument falls down.

The Hon. G. E. Masters: I am suggesting that he should be an elected representative.

The Hon. R. F. CLAUGHTON: If the honourable member is suggesting that, it would have to be laid down that he shall be an elected representative. Obviously the honourable member is totally confused and ignorant of the processes.

The Hon. G. E. Masters: I have not been in local government for very long.

The Hon. R. F. CLAUGHTON: That may excuse the honourable member for making that remark.

The Hon. G. E. Masters: You have more experience than I have, for sure.

The Hon. R. F. CLAUGHTON: What has been said only serves to support the proposal we have put up. No case has been put forward to effect a change in the existing system. Through its work, the Town Planning Board has produced a beautiful city. The Minister, in introducing this legislation, was unable to demonstrate that there is even a minor fault in the existing arrangement for the selection of members of the board, so why should we effect any change? In 1928 when this legislation was initiated the people responsible for initiating it were very much against representation of local authorities because instance after instance was given of bad planning by a local authority.

The Hon. G. E. Masters: They did not have many well-qualified men at that time, did they?

The Hon. R. F. CLAUGHTON: Will the honourable member tell me whether all local authorities now have qualified town planners?

The Hon. G. E. Masters: No, but a large number of them have.

The Hon. R. F. CLAUGHTON: In the larger local authorities, yes.

The Hon. G. E. Masters: And the outer metropolitan local authorities, too.

The Hon. R. F. CLAUGHTON: That may be so, but there are some 130 or 140 local authorities in this State. This legislation is not designed for the city alone, but for the whole of the State.

The Hon. G. E. Masters: I am not arguing about that, because that is very sound.

The Hon. R. F. CLAUGHTON: I repeat: Where is the case for a change in the existing arrangement? I can appreciate the Local Government Association being desirous of having a direct representative on the board. That is understandable, but what about the Country Shire Councils' Association?

The Hon. G. E. Masters: It could be the next one.

The Hon. R. F. CLAUGHTON: The honourable member is quite right. That is what we are saying; if he had his way he would change the whole basis of selection of members to the board. Following the introduction of the original legislation in 1927 a Select Committee was appointed to go into the question and it recommended that local authorities should not have direct representation on the board.

The Hon. G. E. Masters: That was in 1928.

The Hon. R. F. CLAUGHTON: Yes, and in 1974 it has not been shown that there is any reason to question the wisdom of the men who made that recommendation.

The Hon. V. J. Ferry: You are still living in the past.

The Hon. R. F. CLAUGHTON: I would remind Mr Ferry—

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): I remind the hon. member that he should address his remarks to the Chair.

The Hon. R. F. CLAUGHTON: Thank you, Mr Deputy Chairman. Apparently the honourable member has woken up and decided to take an interest in the debate. I hope he will continue to do so because this Committee is about to make a very serious mistake by agreeing to the amendment in the Bill simply to back up a very inexperienced Minister who, had he been a Minister for a little longer, would not have allowed this Bill to come before us.

The Hon. G. E. Masters: He has had experience in local government.

The Hon. R. F. CLAUGHTON: The Minister has considered the question with a local parochial viewpoint, and that is what the men who initiated the legislation wanted to avoid. They sought men of expertise to be elected to the board, not petty parochials; perhaps men who are concerned with their investments or those who are liable to have pressure exerted on them. The men who initiated the original legislation wanted to avoid these dangers. Any member who denies that they are dangers is not being honest. I do not know what else I can say to convince the Committee.

The Hon. G. E. Masters: You have not convinced me yet.

The Hon. R. F. CLAUGHTON: I do not expect to convince the honourable member or other members of his party, because I do not think their minds are open to persuasion. If it came to a vote in this Chamber we would soon learn the truth of the matter. I would like to think that this is a House of Review and that members will adopt an independent attitude towards this Bill, because I believe that if they really think about the amendment in the Bill they will not agree to it.

The Hon. V. J. Ferry: You had an independent vote a while ago.

The Hon. H. W. Gayfer: We were united 100 per cent on the Daylight Saving Bill.

The Hon. R. F. CLAUGHTON: Let us see how united the honourable member and his supporters are on this amendment.

The Hon. W. R. Withers: I would like to say—

The Hon. R. F. CLAUGHTON: Perhaps Mr Withers will speak on this Bill and he will need to say something quite different from what his Minister has said, because if he does not he may as well remain seated.

The Hon. W. R. Withers: Sit down and I will have a go.

The Hon. R. F. CLAUGHTON: I have no doubt Mr Withers will criticise some of the statements I have made, because I am sure he had nothing prepared before I spoke. However we are not interested in debate on debates. We are interested in putting forward an argument to persuade members of the Committee to accept Mr Dellar's amendment, but we have only eight members on our side.

The Hon. D. W. Cooley: But plenty of quality.

The Hon. R. F. CLAUGHTON: Yes, that is so, but not enough members. Before any Government member agrees to this amendment I hope he will consider what he is doing, because it is not a minor question. The Government proposes to change the basis of selection of members on the Town Planning Board. That is a very important body because it has an influence over the whole of Western Australia.

I would like to hear Mr Withers put forward an argument that may persuade me to change my present view. The Minister has been unable to do so, because he does not have any argument, but Mr Withers may have a source of information to which the Minister does not have access. If the amendment proposed by the Government is accepted it will be a sad day for town planning in Western Australia. I strongly support the amendment put forward by Mr Dellar and hope that some members on the Government side will pause a moment and take part in the debate in an effort to ascertain what is the correct step to take.

The Hon. I. G. PRATT: I would like to make two points. Firstly, Mr Dellar has expressed his appreciation of the work performed by local government in Western Australia, and this is praiseworthy.

The Hon. S. J. Dellar: I should do; I was tied up with it for 15 years.

The Hon. I. G. PRATT: That is appreciated. It is unfortunate that this same attitude has not been reflected in speeches made by other members.

I wish to make a significant point by telling a little story. The point I am making is that there is need for change. A local authority I know very well is composed nearly entirely of members who belong to the same political party as Mr Claughton. They have given me to understand that in the past they have despaired because they considered that if a Labor Government were in power they would not get anything done and if a Liberal Government were in office they would not vote for it, anyway. However, having met the present Minister for Local Government they considered it was like having a fresh breeze blowing across local government in this State, because at last they were getting somewhere.

The reason they are feeling this way is that they were faced with a town planning problem. Their shire had been involved, with many other shires, in an endeavour to get a policy change in the Town Planning Board in relation to subdivisions. For several years this local authority had tried to convince the Town Planning Board there was a need for a change in policy. The shires involved in this endeavour were Wanneroo, Swan, Mundaring, Kalamunda, Gosnells, Armadale-Kelmscott, Serpentine, Jarrahdale, Kwinana, and Rockingham. All those shires have been trying to get a change in the Town Planning Board policy.

The reason they could not get the Town Planning Board to agree to a change in its policy was that the board had no understanding of the problems involved. The Town Planning Board is advised by its officers who get into a car and drive out to Wanneroo or Rockingham to make inquiries, but they are not involved with the basic local problems. The officers employed by the local shires are. Also,

the councillors elected to the local shires are involved in the day-to-day problems of the shires. It has been a very hard battle, but at last those shires are having some success.

The Hon. S. J. Dellar: How long has that battle been going on?

The Hon. I. G. PRATT: It has been going on for three years.

The Hon. S. J. Dellar: Only three years?

The Hon. I. G. PRATT: Approximately three years, but it has been an organised effort to try to change the board's policy. The board's decision was that it would not agree to subdivisions for the basic reason that it was uneconomical to subdivide rural land. If on the Town Planning Board there had been a member who was actively involved in the day-to-day work of the town planning committee of a local shire council, the members of the Town Planning Board would have had some understanding of the problems involved and this policy would have been changed some time ago.

Mention was made of the previous Secretary of the Local Government Association. Obviously he was a man with considerable knowledge of local government affairs, but he was not involved in the day-to-day problems of town planning. He was not involved in the day-to-day negotiations that have to be made with the developers when we are trying to get some public open space, and enough space for sites for kindergartens, child care centres, and so on.

These are the problems which are met and dealt with at the local level, not at the Town Planning Board level nor, in the normal course of duties, are they handled by the Town Planning Board officers. They are the machinery problems in local authorities. Consequently it is essential that there should be on the board someone with the necessary knowledge of the day-to-day workings and problems, but not representing any particular shire. He should be there to give the board the benefit of the basic knowledge he has gained in the field and in day-to-day activities. This is a legitimate reason for appointing such a person to the board.

Mention has been made of this beautiful city, but unfortunately that beautiful city does not provide areas on which children can play. In the new subdivisions which have small areas of 10 acres the 10 per cent provision represents only one acre which is not big enough for a decent playing field. It is up to the local people to turn these series of one acre into a composite area.

Another battle the board has had has been necessary in order to get actual cash in lieu of open public space in areas of under 2½ acres. Those who have had some involvement in these matters will know that an area of less than that does not attract a 10 per cent public open space contribution.

The Hon. S. J. Dellar: What has that to do with the composition of the board?

The Hon. I. G. PRATT: It has a lot to do with it.

The Hon. S. J. Dellar: You should have told us during the second reading debate.

The Hon. I. G. PRATT: These are the problems which will be understood by the person who is in the field and on the committee.

The Hon. D. K. Dans: Do you think the opinion of one person will change its mind? I doubt it.

The Hon. I. G. PRATT: That person will provide the information.

The Hon. S. J. Dellar: We are talking about the method of selection. The amendment provides for someone with local experience.

The Hon. I. G. PRATT: I am referring to practical current experience. Mr White had a great deal of experience and did a wonderful job, but he was not involved in the 1974 problems in local government. This is the sort of person we must have. The architect and engineer are appointed for their expertise on matters pertaining to their particular discipline. The representative of local government will be appointed for his practical experience. Give me a man with practical experience any day.

The Hon. W. R. WITHERS: I do appreciate very much what Mr Pratt has said. In fact he has reduced the amount of time I will have to speak. One point seems to be clouded in the minds of some members. I think initially the Leader of the House attempted to clarify the position but he did not succeed. I am referring to the fact that it is not necessary for the three names to be submitted to be those of members of the Local Government Association.

The Hon. S. J. Dellar: That is right.

The Hon. W. R. WITHERS: Mr Dellar and Mr Claughton are rather frightened that no other person except a member of the Local Government Association will be open for selection.

The Hon. S. J. Dellar: That ruins Mr Pratt's argument.

The Hon. W. R. WITHERS: My experience with the Local Government Association is limited to the Kimberley and I did represent the north on a State committee prior to my entering politics. However, from the experience I gained I know that members of local authorities want the best advice possible and if it is left to them to elect a person to present their case and they do not have a suitable member of their shire to be appointed then they will appoint someone else. This occurred with the old consultative councils which are now termed zone committees.

The members of those organisations were appointed by the Minister in much the same way as are the appointments under the Bill. In the case of the consultative councils and zone committees, names were presented by the Pastoralists and Graziers' Association and by the local governing association in each town. In those instances, on some occasions, shire councillors were appointed because of their expertise, but if no such councillor were available, a person from outside the local authority was selected.

I consider that the Local Government Association will act in exactly the same way because it is in its best interests to elect the most suitable man or woman. It is also highly probable that the representative will be a member of the association. I say this because the association has a broad range of expertise from which to choose—much greater than the ordinary local shires. I am quite sure that if a suitable person is not available within the association, someone outside the association will be chosen and included in the three names to be submitted to the Minister. For this reason I cannot agree with the amendment.

The Hon. S. J. DELLAR: As the Minister has said, the only difference between my amendment and the Bill is the method of selection of the representative. My amendment merely gives the Minister greater latitude to select whoever he believes to be suitable for the position.

I am sure Mr Withers did not help the Minister's case very much. The only two reasons given for the proposed increase in the membership of the board are, firstly, that the LGA suggested that a representative of local government should be appointed to the board; and, secondly, that a need existed for an extra member so that a quorum could be more readily obtained. This second reason is the more important one.

Mr Masters seems to be concerned about who the extra member will be. I do not care who it is, whether he be from within or without the association. All we are seeking is to give the Minister the widest possible scope.

Mr Pratt indicated that local government had been having a battle for the last three years. Has it been for the last three years only, or did it commence some time before that when the previous Minister for Local Government in the Brand Government could have done something about it if it were so important?

I do not intend to delay the Committee any further. I repeat that I believe my amendment provides a more satisfactory method of selection, particularly in view of the provision in the Act under which the LGA can submit a list of three names and the other members are selected in an entirely different manner not in keeping with the original spirit of the Act when it was introduced in 1928.

The Hon. R. F. CLAUGHTON: It is obvious that members of the Government parties are greatly confused about the amendment because we have heard two conflicting viewpoints about the kind of person who would be appointed under it. On the one hand, one member said that the appointee could be anyone at all chosen by the LGA, but not necessarily one of its members, while on the other hand another member said it could be someone actively engaged in local government—two entirely different points of view. The Minister himself has given both of those views. He said that the request had come for a representative of local authorities to be appointed to the board and that the board had agreed. He did not say that the board had agreed that the appointee should be a representative of the LGA. I do not know whether that was by design or accident.

The Hon. N. McNeill: Mr Dellar repeated my notes. Surely you heard him.

The Hon. R. F. CLAUGHTON: I am talking about the reply the Minister gave during the Committee debate. Our amendment provides that the appointee shall be a person with local government experience, so there is no conflict. I believe our amendment is more in keeping with what the board desires.

Mr Pratt's comments indicate that there is good reason for it, but he was obviously confused about how the processes of planning take place.

The Hon. W. R. Withers: That was not my impression of what he said.

The Hon. N. McNeill: You are not sounding very convincing.

The Hon. I. G. Pratt: I do not confuse the MRPA with the Town Planning Board.

The Hon. R. F. CLAUGHTON: It is a pity Mr Pratt was not present on various occasions during the life of the previous Liberal-Country Party Government because if he had been he would have heard Mr Ron Thompson talk about the rural lots and the problems associated with them. He would then know the reason a limitation had been placed on the subdivision of rural areas into five-acre lots. It was because of the difficulty experienced in consolidating such lots in the expansion of the metropolitan region. It is not easy to introduce a subdivisional plan when areas are divided in this way because it is necessary for negotiations to be successful with numerous owners. When five or 10-acre lots are involved, and it is necessary to obtain the 10 per cent open space requirement; it is not an easy problem to solve.

So, naturally, people involved in town planning are reluctant to agree to this sort of proposal. It may be reasonable to permit this in the outer region as suggested by Mr Pratt; indeed the honorary Royal Commission—of which I was a member—which inquired into the corridor plan made

this recommendation among others in relation to the corridor plan. Mr Pratt talked about the undesirability of small recreation areas and I have heard people mention this aspect.

The Hon. I. G. Pratt: I said there was a need for larger ones; it is not quite the same.

The Hon. R. F. CLAUGHTON: If we start from a basis of 5 to 10-acre lots and try to produce new subdivisions we cannot help being left with small scattered reserves. There would be a problem in consolidating them. I have heard criticism of these areas which have been subdivided and which have left small allotments which are actually within reasonable distance of homes and which children are able to visit without getting too far from home. These are extremely important in any subdivision. I would hate to see them consolidated and have families left some distance from open recreation space.

The Hon. I. G. Pratt: You do not want any consolidation.

The Hon. R. F. CLAUGHTON: I want consolidation to be looked at very carefully bearing in mind the need of families with small children. It is easier for an older child to move further away from home than for a young child. I have a young family which has experienced these problems. I am fortunate, however, in now having a small reserve across the road from my home and I appreciate its value. But as a teacher I have also worked in areas where reserves did not exist. As a politician one cannot help but come up against the problems of parents whose lives are made difficult because the only place in which the child can play is on the road.

The Hon. G. E. Masters: What has that to do with the amendment?

The Hon. R. F. CLAUGHTON: Mr Pratt was talking about it and he was not pulled up so it must have something to do with the amendment. For some time now there has been in operation a committee of the Town Planning Board. We have spoken previously about this being changed. Some members have said that as the Local Government Association is represented why should not the Country Shires Councils' Association be represented?

The Hon. J. C. Tozer: They are.

The Hon. R. F. CLAUGHTON: Mr Masters would like them all to be represented.

The Hon. G. E. Masters: I feel that the more the local authorities are represented the better.

The Hon. R. F. CLAUGHTON: All local authorities are represented.

The Hon. G. E. Masters: Not necessarily. We want to make sure of this.

The Hon. R. F. CLAUGHTON: Mr Misters has talked about their not being influenced because they are represented. Any selected representative of the Local Government Association who did not put forward proposals about which the association felt strongly would not be on the list recommended on the next occasion.

Point of Order

The Hon. V. J. FERRY: On a point of order, Sir, I would ask whether Mr Claughton is not infringing Standing Order 89 which relates to tedious repetition.

DEPUTY CHAIRMAN (The Hon. R. J. L. Williams): I feel the ground has been well and truly covered and canvassed.

Committee Resumed

The Hon. R. F. CLAUGHTON: This is a breach of privilege. It may start a chain of events which the Government may not be able to stem. Having appointed a direct representative of one group why should we not then appoint a representative from the developers' institute, the real estate institute, the architects' institute, the institute of surveyors; indeed, why should we not appoint one from the whole field?

The Hon. D. K. Dans: What about one of the ratepayers?

The Hon. R. F. CLAUGHTON: Something entirely different is being brought in; none of the arguments advanced has wanted this sort of change. I appeal to members of the Opposition who are vitally concerned with the future of town planning in the State that they do not support the Government proposal; they should instead support the amendment before the Chair.

The Hon. N. McNEILL: With very great respect I would point out that certain reference has been made to me in the course of the second reading speech which suggested I was canvassing the subject on a committee level. We have certainly covered a tremendous amount of ground in the course of this Committee and in relation to the proposal before us. I would like to bring the thoughts of members back to what in fact we are proposing to do if the amendment moved by Mr Dellar is to be considered.

Consideration of clause 3 of the Bill will show the effect of the motion before the Committee is simply to delete reference to a person to be selected from the panel of three names to be submitted to the Minister and to add a fifth representative to the Town Planning Board. We expect that if the amendment is carried it would be with a view to substituting an alternative which, again, is on the notice paper. Reference is made that it will be a person having knowledge of and experience in matters appertaining to local government. That is the basis of the Government's argument.

If there is any confusion in the people's mind all I can do is remind Mr Claughton, who has accused the members of the Opposition of being confused, that they clearly are. There is certainly some confusion in Mr Claughton's own mind.

The Hon. D. K. Dans: I know I am confused.

The Hon. N. McNEILL: Mr Claughton endeavoured to make the point that the form of the Town Planning Board should not be changed even though it was first introduced in 1928, and yet he is promoting the idea that there ought to be a change and that there should be a fifth member on the board; which in itself is a change.

The Hon. R. F. Claughton: It is not a change of the principle of appointment.

The Hon. N. McNEILL: I have made my point and I am sure it will help the Committee if I allowed it to decide the proposition before the Chair.

Amendment put and negatived.

Clause put and passed.

Clauses 4 and 5 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

CONSTITUTIONAL CONVENTION BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. McNeill (Minister for Justice), read a first time.

House adjourned at 9.00 p.m.

Legislative Assembly

Wednesday, the 4th September, 1974

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

QUESTIONS (49): ON NOTICE

1. POLICE

Children in Parked Cars

Mr BATEMAN, to the Minister representing the Minister for Community Welfare:

- (1) Because of the shocking accidents that have happened to children left in cars parked outside hotels for long periods of time, together with the fact that small babies can easily dehydrate in a closed car if left too long especially during the summer months, is he intending to introduce legislation to make it an offence for parents to neglect their children in this way?