

1957  
WESTERN AUSTRALIA

# REPORT

OF THE

## Joint Select Committee

APPOINTED TO INQUIRE INTO THE PROVISIONS OF THE

# METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST BILL

Presented in the Legislative Assembly by Hon. H. E. Graham  
and in the Legislative Council by Hon C. H. Simpson  
on Tuesday, 12th November, 1957

Ordered to be printed

(Second Session of the Twenty-Second Parliament)

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**EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.**

15th OCTOBER, 1957.

**33.—Metropolitan (Perth) Passenger Transport Trust Bill.**

The Order of the Day for the resumption of the debate upon the second reading of this Bill having been read,

Debate resumed.

Question—put and passed.

Bill read a second time.

The Minister for Transport moved, That the Bill be referred to a Select Committee.

Debate ensued.

Question—put and passed.

The Minister for Transport moved, That the following members be appointed to serve on the Select Committee, together with the mover:—The Member for North Perth (Mr. Lapham), the Member for Blackwood (Mr. Hearman) and the Member for Darling Range (Mr. Owen).

Question—put and passed.

The Minister for Transport moved, That the Committee have power to call for persons and papers, to sit on days over which the House stands adjourned, and to report on 12th November.

Debate ensued.

Question—put and passed.

The Minister for Transport moved, That it be an Instruction to the Committee that it also inquires:—(1) Whether it is desirable to have one statutory authority to operate metropolitan street passenger transport services; if so, whether the Bill satisfactorily

achieves this purpose, or what type of authority would be best for the purpose, and under what conditions it should operate; and (2) whether there are more desirable alternatives.

Debate ensued.

Question—put and passed.

The Minister for Transport moved, That a Message be transmitted to the Legislative Council acquainting it that the Legislative Assembly has appointed a Select Committee of four members to inquire into the "Metropolitan (Perth) Passenger Transport Trust Bill"; acquainting the Legislative Council of the Instruction given to such Committee; and requesting the Legislative Council to appoint a Select Committee with the same number of members, with power to confer with the Committee of the Legislative Assembly.

Question—put and passed.

12th NOVEMBER, 1957.

**19.—Metropolitan (Perth) Passenger Transport Trust.**

The Minister for Transport presented the report and evidence of the Select Committee to which the Metropolitan (Perth) Passenger Transport Trust Bill was referred, and moved, That the report be received.

Question—put and passed.

The Minister for Transport moved, That the report of the Select Committee be printed and the consideration of the Bill in Committee be made an Order of the Day for the next sitting of the House.

Question—put and passed.

**EXTRACTS FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL.**

WEDNESDAY, 16th OCTOBER, 1957.

**9.—Metropolitan (Perth) Passenger Transport Trust Bill.**

The Order of the Day having been read for the consideration of Message No. 54 from the Legislative Assembly as follows:—

Message No. 54.

*Mr. President,*

The Legislative Assembly acquaints the Legislative Council that it has agreed to refer the "Metropolitan (Perth) Passenger Transport Trust Bill" to a Select Committee of

four members. The Legislative Assembly further acquaints the Legislative Council that an Instruction has been made to the Select Committee as follows:—

That it be an Instruction to the Committee that it also inquires (1) Whether it is desirable to have one statutory authority to operate metropolitan street passenger transport services; if so, whether the Bill satisfactorily achieves this purpose, or what type of authority would be best for the purpose, and under what conditions it should operate; and (2) Whether there are more desirable alternatives.

The Legislative Assembly requests the Legislative Council to appoint a Select Committee with the same number of members with power to confer with the Committee of the Legislative Assembly.

J. HEGNEY,  
Speaker.

Legislative Assembly Chamber,  
Perth, 15th October, 1957.

The Minister for Railways moved, That in accordance with the request contained in Message No. 54 this House appoint a Select Committee of four members with power to confer with the Select Committee which has been appointed by the Legislative Assembly to inquire into the "Metropolitan (Perth) Passenger Transport Trust Bill."

Debate ensued.

Question—put and passed.

The Minister for Railways moved, That the Hon. C. H. Simpson, Hon. Sir Charles Latham, Hon. E. M. Davies and Hon. F. R. H. Lavery, be appointed to serve on the Committee.

Question—put and passed.

The Minister for Railways moved, That it be an Instruction to the Committee that it inquire—

- (1) Whether it is desirable to have one statutory authority to operate metropolitan street passenger transport

services; if so, whether the Bill satisfactorily achieves this purpose, or what type of authority would be best for the purpose, and under what conditions it should operate; and

- (2) Whether there are more desirable alternatives.

Question—put and passed.

Ordered—That the Committee have power to call for persons, papers and documents, and to adjourn from place to place; that the Committee may sit on days over which the House stands adjourned and that the Committee report on 12th November, 1957.

Legislative Assembly acquainted accordingly.

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TUESDAY, 12th NOVEMBER, 1957.

**5.—Metropolitan (Perth) Passenger Transport Trust Bill—Report of Joint Select Committee.**

Hon. C. H. Simpson presented the report of the Joint Select Committee on the Metropolitan (Perth) Transport Trust Bill, together with the evidence, and moved, That the report and evidence be received and that the report be printed.

Question—put and passed.

# MINUTES OF THE MEETINGS OF THE JOINT SELECT COMMITTEE ON THE "METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST" BILL.

TUESDAY, 22nd OCTOBER, 1957.

The Committee met at 3.30 p.m.

*Present.*—The Hons. E. M. Davies, Sir Charles Latham, F. R. H. Lavery and C. H. Simpson, Ms.L.C.; the Hon. H. E. Graham, J. M. Hearman, Esq., S. E. Lapham, Esq., and R. C. Owen, Esq., Ms.L.A.

*Election of Chairman.*—On the motion of Hon. C. H. Simpson, seconded by S. E. Lapham, Esq., the Hon. H. E. Graham was elected Chairman.

*Resolutions.*—(a) It was decided on the motion of J. M. Hearman, Esq., seconded by Hon. F. R. H. Lavery, that the taking of evidence would commence at 10 a.m. on Wednesday, 23rd October, 1957.

(b) A motion moved by the Hon. Sir Charles Latham, seconded by S. E. Lapham, Esq., that five members would constitute a quorum was carried, after an amendment to reduce the number to four (including one member of the Legislative Council) had been negatived.

(c) On the motion of S. E. Lapham, Esq., seconded by the Hon. Sir Charles Latham, it was decided that "strangers" would not be admitted.

(d) The secretary was instructed to have a suitable advertisement inserted in the paper calling for persons to give evidence, and for such persons to submit a summary of the evidence it was proposed to give.

(e) The secretary was instructed to communicate with a number of agencies both governmental and commercial, with a view to preparing a schedule of witnesses.

*Next Meeting.*—The Committee decided to meet on Wednesday, 23rd October, 1957, at 10 a.m.

The Committee adjourned.

WEDNESDAY, 23rd OCTOBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present with the exception of S. E. Lapham, Esq.

*Witness.*—The following witness was examined:—Mr. W. H. Howard, Chairman of the Western Australian Transport Board.

*Next Meeting.*—The Committee decided to meet on Thursday, 24th October, at 10 a.m.

The Committee adjourned.

THURSDAY, 24th OCTOBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present.

*Witnesses.*—The following witnesses were examined:—Mr. E. W. Adams, President, Omnibus Proprietors' Association; Mr. J. S. Dowson, Chairman of Directors, Beam Transport Service; Mr. W. Hebiton, Manager, Beam Transport Service; Mr. D. J. Davies, Traffic Engineer, Main Roads Department.

*Next Meeting.*—The Committee decided to meet on Friday, 25th October, at 10 a.m.

The Committee adjourned.

FRIDAY, 25th OCTOBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present.

*Witnesses.*—The following witnesses were examined:—Mr. J. F. Kostera, Manager, Kalamunda Bus Service; and Mr. E. B. J. Nicholls, Manager, Coogee-Spearwood Bus Pty. Ltd.

*Next Meeting.*—The Committee decided to meet on Tuesday, 29th October, at 10 a.m.

The Committee adjourned.

TUESDAY, 29th OCTOBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members excepting S. E. Lapham, Esq.

*Witnesses.*—The following witnesses were examined:—Col. J. H. H. Napier, General Manager, Tramways and Ferries Department; Mr. A. G. Hall, Commissioner of Railways; and Mr. T. W. Brodie, Chief Traffic Manager, W.A.G.R.

*Next Meeting.*—The Committee decided to meet on Wednesday, 30th October, at 10 a.m.

The Committee adjourned.

WEDNESDAY, 30th OCTOBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present.

*Witnesses.*—The following witnesses were examined:—Mr. A. C. L. Lamb, Chairman, Perth Stock Exchange; Mr. C. H. Evans, Chartered Accountant, Attorney for Scarborough Bus Service; and Mr. N. J. C. McCombe, Town Clerk, City of Fremantle.

*Next Meeting.*—The Committee decided to meet on Thursday, 31st October, at 10 a.m.

The Committee adjourned.

THURSDAY, 31st OCTOBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present.

*Witnesses.*—The following witnesses were examined:—Mr. K. J. Townsing, Deputy Under Treasurer; Mr. J. M. O'Brien, Acting Commissioner of Police; Mr. S. Lancaster, North Beach Bus Co. Pty. Ltd.

*Next Meeting.*—The Committee decided to meet on Tuesday, 5th November, at 10 a.m.

The Committee adjourned.

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TUESDAY, 5th NOVEMBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present with the exception of J. M. Hearman, Esq.

*Witnesses.*—The following witnesses were examined:—Mr. E. W. Adams, President, Omnibus Proprietors' Association (recalled); and Mr. C. W. Jerratt, Manager-Secretary, Fremantle Municipal Transport Board.

*Next Meeting.*—The Committee decided to meet on Wednesday, 6th November, at 10 a.m.

The Committee adjourned.

WEDNESDAY, 6th NOVEMBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present.

*Witnesses.*—The following witnesses were examined:—Mr. J. A. Hepburn, Commissioner for Town Planning; Mr. W. A. McI. Green, Town Clerk, City of Perth; Mr. C. S. Patterson, City Engineer, City of Perth; and Mr. D. H. Waters, Proprietor, Perth-Carilla Bus Service.

*Draft Report.*—The Chairman outlined the framework on which he proposed to formulate the draft report.

Debate ensued.

*Next Meeting.*—The Committee decided to meet on Tuesday, 12th November, at 10 a.m. The Committee adjourned.

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TUESDAY, 12th NOVEMBER, 1957.

The Committee met at 10 a.m.

*Present.*—Hon. H. E. Graham, Chairman, and all members were present.

*Report.*—The Chairman presented the report, which was agreed to in full, by all members with the exception of Hon. C. H. Simpson, who dissented from paragraphs (a) and (b) of the findings.

The Committee adjourned.

**REPORT OF THE JOINT SELECT COMMITTEE APPOINTED BY THE  
PARLIAMENT OF WESTERN AUSTRALIA TO INQUIRE INTO THE  
PROVISIONS OF THE METROPOLITAN (PERTH) PASSENGER TRANS-  
PORT TRUST BILL.**

A Committee of four members of each House of Parliament was appointed on Tuesday, 15th October, 1957, to inquire into and report upon the provisions of the Metropolitan (Perth) Passenger Transport Trust Bill.

Messrs. J. M. Hearman, S. E. Lapham, R. C. Owen and the mover, Hon. H. E. Graham, were appointed to represent the Legislative Assembly, and the Hon. C. H. Simpson, Hon. Sir Charles Latham, Hon. E. M. Davies and Hon. F. R. H. Lavery to represent the Legislative Council.

The Committee met on ten (10) occasions, and examined twenty-one (21) witnesses. Evidence was tendered by the following:—

- W. H. Howard, Chairman, Western Australian Transport Board.
- E. W. Adams, President, Omnibus Proprietors' Association.
- J. S. Dowson, Chairman of Directors, Beam Transport Service.
- W. Hebiton, Manager, Beam Transport Service.
- D. J. Davies, Traffic Engineer, Main Roads Department.
- J. F. Kostera, Manager, Kalamunda Bus Service.
- E. J. B. Nicholls, Manager, Coogee-Spearwood Bus Pty. Ltd.
- J. H. H. Napier, General Manager, Trams and Ferries Department.
- A. G. Hall, Commissioner of Railways.
- T. W. Brodie, Chief Traffic Manager, W.A.G.R.
- A. C. L. Lamb, Chairman, Perth Stock Exchange.
- C. H. Evans, Chartered Accountant, Attorney for H. Millett, Scarborough Bus Service.
- N. J. C. McCombe, Town Clerk, City of Fremantle.
- K. J. Townsing, Deputy Under Treasurer.
- J. M. O'Brien, Acting Commissioner of Police.
- S. Lancaster, North Beach Bus Co. Pty. Ltd.
- C. W. Jerratt, Manager-Secretary, Fremantle Municipal Transport Board.
- W. A. McI. Green, Town Clerk, City of Perth.
- C. S. Patterson, City Engineer, City of Perth.
- J. A. Hepburn, Commissioner, Town Planning Department.
- D. H. Waters, Proprietor, Perth-Carilla Bus Service.

Having heard and questioned the foregoing witnesses and having considered their evidence, the Committee finds:

- (a) It is desirable and necessary that one statutory authority should be constituted to take over and operate all passenger transport facilities by vehicles over streets in the metropolitan area of Perth.
- (b) There is no practical alternative more desirable than this course.
- (c) The Bill at present before Parliament satisfactorily achieves the purposes for which it is designed, subject to amendments which are recommended as follows:—
  - (i) To include in the taking over and operation of services, such ferry services as are or might be operated under the Western Australian Government Tramways and Ferries Act.
  - (ii) The Chairman of the Trust should be appointed for seven years, one member for six years and the other member for five years for the initial appointments, but subsequently for five year terms in each case.
  - (iii) Reference clause 25—a provision to be inserted to provide that where notice is served on the Trust by the proprietor of any undertaking being a limited liability company requiring the Trust to acquire the whole of the undertaking, such proprietor having the consent of the holders of not less than four-fifths of the value of its issued stock and/or shares, such stock and/or shares shall be acquired by the Trust, but if any question arises relating to such acquisition, including what constitutes the property acquired, the consideration payable or otherwise, the question shall be settled by arbitration.
  - (iv) Reference clause 28—provision to be made for interest to be adjusted at intervals to maintain a margin of 1 per cent. above current long-term bond rate to be payable on inscribed stock created or debentures issued as payment of compensation.

- (v) Reference clause 33 — delete reference to loss of profits and loss of income on reinvestment of capital.
- (vi) The Trust should be empowered to purchase its own stock or debentures.
- (vii) Any profits made by the Trust, after making full allowance for the items specified in clause 55 of the Bill to be paid to the credit of an appropriate account of the Trust and which may be used by the Trust for any of its purposes subject to such payment first of all being used towards extinguishing the accrued losses, if any, which might be owing to the Treasury.

(viii) The Trust shall be excluded from the provisions of the Transport Co-ordination Act.

All members agreed to the report, with the exception of Hon. C. H. Simpson, who dissented from paragraphs (a) and (b) above.

H. E. GRAHAM,  
Chairman.

JOHN HEARMAN.

C. H. SIMPSON.

C. G. LATHAM.

RAY C. OWEN.

S. E. LAPHAM.

F. LAVERY.

EVAN M. DAVIES.