

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

Ayes	..	..	..	..	19
Noes	..	..	..	..	12

Majority for 7

AYES.

Mr. Barnard	Mr. Patrick
Mr. Brown	Mr. Plesse
Mr. Davy	Mr. Richardson
Mr. Doney	Mr. Sampson
Mr. Ferguson	Mr. Scaddan
Mr. Griffiths	Mr. J. H. Smith
Mr. Latham	Mr. J. M. Smith
Mr. Lindsay	Mr. Thorn
Mr. H. W. Mann	Mr. North
Mr. McLarty	

(Teller.)

NOES.

Mr. Corboy	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Mr. Lamond	Mr. Walker
Mr. Lutey	Mr. Willcock
Mr. McCallum	Mr. Withers
Mr. Munsie	Mr. Millington

(Teller.)

Question thus passed; the Council's amendment agreed to.

No. 4. Clause 4—In line 1 of paragraph (a) of Subclause 1 delete the words "or heretofore" and in line 3 the words "or has been."

The MINISTER FOR LANDS: I move:

That the Council's amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, the report adopted and a message accordingly returned to the Council.

House adjourned at 10.50 p.m.

Legislative Council,

Thursday, 13th November, 1930.

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

BILL—STIPENDIARY MAGISTRATES.

Read a third time, and returned to the Assembly with amendments.

BILL—ROADS CLOSURE.

Second Reading.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East) [4.35] in moving the second reading said: Following the usual procedure, lithos in explanation of the proposals in this Bill have already been laid on the Table of the House. The measure relates to the following purposes: Those portions of Crowther and Francis streets, Geraldton, shown in blue on litho No. 1, are within the area required for harbour works. The land to the north of those streets has been resumed for the harbour works railway, and it is desired that the said portions of Crowther and Francis streets shall be under the control of the harbour authority. The Geraldton Municipal Council have no objection.

By arrangement with the Albany Municipal Council, the Commonwealth Government have agreed to transfer to the State that portion of the Albany rifle range area shown in red on litho No. 2, for a new road on condition that that portion of North-road shown in blue on the same litho is closed and handed to the Commonwealth Government for inclusion in the rifle range. There is no departmental objection to the proposal, and both the Albany Road Board and the Albany Municipal Council have agreed to it.

The Royal Agricultural Society, having purchased part of location 2105 for an ad-

dition to the show grounds at Claremont, desire the closure of the road shown in blue on litho No. 3, in order that they may acquire the land therein to consolidate the show ground. The Claremont Municipal Council have no objection to the closure, providing the land is vested in the municipality with power to sell it to the society. The society have agreed to purchase the land for £500, subject to Parliament agreeing to the closure of the road. It is provided that the proceeds of the sale shall be applied in or towards the construction of roads within the Claremont municipal district.

York lot S287, coloured green on litho No. 4, has been purchased for a public cemetery; and the lots coloured red on the same litho are already set apart for denominational cemeteries. It is proposed to close the road coloured blue on the litho, and include it in the cemetery in order to consolidate the site. The York Municipal Council agree to the closure, and there is no departmental objection.

The small portion of Broome-street, York, shown in blue on litho No. 5, was closed by the Roads Closure Act, 1929, so that it could be granted to the municipality with power to sell. However, as the land was part of a certificate of title and the Act referred to did not re-vest it in His Majesty, the original intention to grant the land to the municipality could not be proceeded with until the matter was put in order as proposed by this Bill. I move—

That the Bill be now read a second time.

HON. J. M. MACFARLANE (Metropolitan-Suburban) [4.40]: I have some knowledge of the matter relating to the road in which the Royal Agricultural Society are interested, and I can assure the House that this relates to the society's purchase from the University of about 30 acres, in addition to the area which was originally held by the society and in which there are certain roads. Various pieces of land were conceded out of the area in order that this particular road might be closed and the society given full control over it. The road starts nowhere and goes nowhere, and is of no use to anybody. The mutual arrangement described in the Bill has been reached, and I hope it will receive the approval of the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—VEXATIOUS PROCEEDINGS RESTRICTION.

Second Reading.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East) [4.44] in moving the second reading said: This measure is designed to put a stop to litigation mania. Members of the legal profession, judges, and a great many members of the public are well aware that one particular form of mania in the human mind takes the litigious form. The ordinary normal human being, of course, would be quite unable to conduct litigation of any magnitude without the assistance of a member of the legal profession. But there are a few quaint people who have acquired sufficient knowledge of legal procedure to get themselves before the court without help, and apparently, as soon as they have acquired that knowledge, they spend most of their time in bringing absurd actions. Almost every State in Australia has one person recognised as a public litigious nuisance. In Western Australia for many years past there has always been one such person. In some instances persons have taken up the bringing of actions as a hobby and have inflicted great distress, not to speak of financial loss, on innocent persons. They indulge in proceedings of a perfectly hopeless nature against a great number of people. Victims of persons suffering that form of mania have in each case been compelled to employ lawyers at great expense to themselves, and their persecutors take the precaution of transferring any property to a near relative or friend to escape costs ever being proenrable against them.

The measure under discussion proposes that the Attorney General may apply to the Supreme Court, and if the court is satisfied that the person who is the subject of the application has habitually and persistently and without reasonable grounds instituted vexatious proceedings, then an order may be made that such person shall not institute legal proceedings without the

leave of the Supreme Court, and that such leave is not to be given unless the Supreme Court is satisfied that the proceedings are not an abuse of the process of the court, and that there is a *prima facie* ground for the proceedings. It will be seen that the interests of the person against whom the order is sought are very well protected, and that there is a heavy onus of proof to be fulfilled before the order can be made. Furthermore, even after an order has been made, the person concerned will not be deprived of his or her rights, but will merely have to show a *prima facie* case. In fact such person will be in no worse position than a person seeking to proceed as a poor person under the rules of the Supreme Court or under the Poor Persons' Legal Assistance Act. The Bill is not aimed at any genuine litigant, but it will disconcert those who are quite unable to get any legal assistance because they become so frivolous and absurd that no reputable member of the legal profession would appear for them. Similar legislation obtains in Victoria and in England, and judging by recent experiences there is great need of it here. I move—

That the Bill be now read a second time.

HON. J. NICHOLSON (Metropolitan) [4.47]: We can all congratulate the Government on having introduced this measure and on following a procedure which has been found necessary in other parts of the Empire. We have had instances in our own courts of persons who have made themselves habitual nuisances in instituting legal proceedings distinctly frivolous, which have taken up the time of the court unnecessarily, and at the same time harassed the unfortunate victims who happened to be the defendants in those cases. It seems sometimes as though an obsession takes possession of some members of the community, who seek to gratify that obsession upon some victim. It is the duty of the Legislature to place some safeguard upon, not only the litigants themselves, but also their unfortunate victims. We have legislation dealing with habitual drunkards. If it is necessary that a man should be protected against himself when he becomes afflicted with habits that are doing him harm, there are other habits which may be equally bad on the part of a litigant. The Bill probably will serve to provide a very

much needed remedy, and I have pleasure in supporting the second reading.

HON. A. LOVEKIN (Metropolitan) [4.50]: I will support the Bill because I myself have had experience of vexatious proceedings. Some time ago a writ was issued against me for £30,000. The fact that the writ had been issued appeared in the newspapers, and so was telegraphed all over Australia. Had I been a trader, probably that news going abroad would have seriously injured my credit. As it was, it did not do very much harm. The man who caused me so much trouble was in the Irish Constabulary at the time of the Fenian outbreak. The gravamen of my offence against him was this: 30 or 40 years ago he was a member of this House for the province now represented by Mr. Drew. The late Mr. R. S. Haynes was about to oppose him at an election, and the charge against me was that I attempted bribery, for which, 30 or 40 years later, this gentleman wanted £30,000 damages. The allegation was that I had gone into his office with a bag of sovereigns, emptied out 100 sovereigns on his table and told him that they would be his if he would stand down in favour of Mr. Haynes. The incident passes my recollection, if it ever happened, and certainly at that time I had no sovereigns to put down in the manner indicated. Then, 30 or 40 years later, without warning, he issued this writ and I had to defend the action. Indeed, I had to defend one thing after another at an ultimate expense of over £100. The thing could not be stopped, for he put in a new set of pleadings time after time and I had to apply to the judge in Chambers to have them set aside. There was no ground whatever for the case, and finally the gentleman died and so relieved me of further annoyance. But it was all very vexing at the time and very costly, and, as I have said, had I been a trader probably it would have ruined me. I certainly think some legislation such as this is necessary. That gentleman was quite harmless but undoubtedly demented. I, as an ordinary member of the community, had to stand up to his proceedings and pay a lawyer to go into Chambers time after time and make applications to set aside the pleadings. If the same thing were to happen under the Bill, one could go to the Attorney General, lay before him the facts, and the Attorney General would at least stop the

issue of the proceedings unless justification for them could be shown. I will support the Bill in the interests of those who may have to follow me.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—RESERVES.

Second Reading.

Debate resumed from the 11th November.

HON. J. NICHOLSON (Metropolitan) [4.56]: I desire only to refer to Clauses 9 and 12. Clause 9 prescribes the modifying of the purpose of Class A reserve No. 1668, near Point Resolution. It is proposed to give leave to the Claremont Road Board to lease a certain portion of land to the trustees of the Western Australian Postal Institute. I have been informed by some of the parties interested in this that very good work is being carried out by the members of that institute; but I learn that the trustees of the institute are usually appointed each year and so, if a lease were granted to the trustees, it would probably involve expense from year to year in the making of transfers or assignments to the new trustees of any lease which might be granted. The suggestion has been made to the institute that they should become an incorporated body. With that object, I propose to move in Committee the addition of words which will meet the case and enable the lease to be granted to the incorporated body. If the Postal Institute does not become incorporated, the board will be within their powers in granting the lease to the trustees. Clause 12 deals with King's Park. I quite agree with what has been said by Mr. Lovekin and Sir William Lathlain, namely that the excision of this piece of land would be wrong. The land will be required only for a limited period, and so there is no reason why we should not take a step similar to what is contemplated in regard to the land at Claremont.

Hon. A. Lovekin: They have the use of it.

Hon. J. NICHOLSON: We can strike out the clause altogether or limit its use for a period. I support the second reading.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East—in reply) [5.0]: All that I wish to say in reply will have reference to the excision of a small portion of land from King's Park. The piece of land under discussion is on the river boundary of the park. It is adjacent to the Swan Brewery. In all, an insignificant area of 12 perches is wanted for the purposes of the Water Supply Department for a bore to augment the Perth water supply. In the first place the board agreed to release the land and it was only when the Water Supply Department applied for a further 15 feet of land for a transformer house, that the board intimated that no objection would be raised on the understanding that the land remained the property of the board. The board's attitude in this instance is in marked contrast to its co-operation when the question of the straightening-out of Mounts Bay Road was under consideration. It was then quite prepared to release small pieces of land for the public benefit. In contradiction of its expressions on that occasion, and after leading the Water Supply Department to believe that it would make the land available, it has somersaulted to the decision that it is agreeable to the land being used by the Water Supply Department provided it remains the property of the board.

Hon. A. Lovekin: Where did you get that?

The MINISTER FOR COUNTRY WATER SUPPLIES: The present position is very serious from the point of view of the protection of public works, and the change of front by the board has brought about an awkward situation. Believing that the board would maintain its favourable view, the Government commenced the expenditure of £25,000 in putting down the bore.

Hon. A. Lovekin: What, £25,000! They should be ashamed of themselves.

The MINISTER FOR COUNTRY WATER SUPPLIES: It is now vitally necessary that Parliament should agree to the transfer of the land so that that expenditure will be protected. No attempt

had been made by the board to put the land to any use, and as a matter of fact it was really unusable. For many years the spot has been an eye-sore and it is now proposed to beautify the unsightly place with a small ornamental building set in sward and flower beds. When the Lands Department wrote to the King's Park Board asking for the consent of the board it was pointed out that it would be necessary to introduce legislation to deal with the question of interference with a Class "A" reserve, and the secretary of the board replied that the board approved of the laying down of the bore, etc., on the understanding that all the surface, paths and roadway through which the pipe is to be carried would be made good. Later on the Metropolitan Water Supply Department found it necessary to ask for a further 15 feet of land for a transformer house, and the secretary of the board advised that no objection would be raised, but stipulated that the land was to remain the property of the board for two reasons, namely:—

(a) That when the hills water supply is completed and no further use remains for the bore supply, the land must remain with the Park board, and (b) the complete alienation of land would divest the Board of all control, and it was not desirable in the public interests that any other body should be placed in the position that, by any act on its part, it might destroy the beauty of the park without let or hindrance.

Considering the spot has been without a tittle of beauty for many years, and that it was proposed to do something to make good that omission, the vandal fears of the board are without weight. The board pointed out that it would be sufficient for immediate needs if the Water Works Department had the use of the land for the time being, while at the same time the King's Park Board would remain in such a position that it could refuse permission to erect unsightly or inconvenient works and buildings. In reply the department said that the bore would be required for all time, and that there was no probability of any action by the department which would result in the erection of unsightly buildings, etc., which would detrimentally affect the beauty of the park, and emphasised that it was essential that the department should have full control of the land upon which the plant was erected.

Without the land the Government will have no claim to an asset worth £25,000 and

it is unreasonable in the interests of the taxpayers that that amount should be the plaything of the peculiarities of boards of the future. Whilst Mr. Lovekin is chairman of the board, perhaps no insurmountable difficulties will arise if the clause is deleted, but in the course of time his successors may not be so agreeable to the trespass. If the land is withheld from the department, the board could step in and stop the use of the bore if it felt aggrieved because of some action of the department or the Government in perhaps quite a distinct matter.

Hon. A. Lovekin: Nonsense.

The MINISTER FOR COUNTRY WATER SUPPLIES: That is not a remote possibility if the present difference of opinion advances to an open dispute. Bearing in mind the board's action in charging a special traffic fee about two years' ago, one can imagine the possibilities of a disagreement between the board and the department.

Mr. Lovekin said that the King's Park Board regarded it as a duty to keep the park inviolate for the generations to come. That is a very laudable object and it has the hearty support of the Government. However, the bore is to serve the people, and if an extensive acreage can be given to a tennis club, a bowling club and the Hale school and a considerable portion to the Subiaco and Perth municipalities, surely a small portion of 12 perches can be made available for the bore which belongs to the people. In his speech Mr. Lovekin said that the Water Supply Department asked for additional land for a road. Nothing of the kind. The department wish to erect a transformer house and it applied for an additional 15 feet for that purpose. For the hon. member's information, no bore at Osborne Park has been closed. The water from the bores is not unfit for consumption. Every bore at Osborne Park gives water fit for consumption and is being used to the utmost capacity of the bores.

Undoubtedly Mr. Lovekin does not know what kind of water the department will strike at King's Park but the department does. The quality of the water to be expected can reasonably be anticipated from the results obtained from the surrounding bores, all of which show potable water. As a matter of fact good water has been struck at the 800ft. level in the new bore and the

present output is about one million gallons per day.

In reply to Sir William Lathlain's remarks, I am advised by the department that the bores can no longer be looked on as a temporary expedient. They will be required for all time for the city water supply.

Hon. Sir William Lathlain: It is a poor look-out for the people.

The **MINISTER FOR COUNTRY WATER SUPPLIES**: In 1940 considerably over 6,000 million gallons will be required for the metropolitan water supply. If the Canning scheme as now proposed is completed by that time, the quantity of water that can reasonably be relied on from the various sources will not exceed the following:—

	Million gallons.
Mundaring	201
Victoria	211
Canning and Churchman	2,697
Wungong	1,667
Total hills supply ..	4,776

The balance will require to be supplied from the bores. The figures are based on normal weather conditions and 80 per cent. services metered. It is clear from those figures that more bores will be required in the meantime.

Hon. A. Lovekin: Then God help us.

The **MINISTER FOR COUNTRY WATER SUPPLIES**: The limit of the present bores supply is about 1,700 million gallons for the year. The Canning Reservoir, if started now, would take about seven years to complete and the prospects of providing the necessary funds in the next two or three years are not hopeful. Consequently it would be over ten years before a supply from that source could be reckoned on.

Dealing with the views of Mr. Franklin, I have ascertained from the department that the site of the bore was selected as the most economical, and in placing it where it is the main consideration was that it involved the least cost to deliver the water to the reservoir on Mount Eliza. I am also assured by the department that the question of the bore site in its relation to the proposed widening of the Mount's Bay-road was discussed by the Engineer-in-Chief with the Town Planning Commissioner, and the site was so fixed finally that none of the

works will be within 30ft. of the proposed new road. I hope that statement will reassure Mr. Franklin.

Hon. Sir William Lathlain: I do not think it will.

The **MINISTER FOR COUNTRY WATER SUPPLIES**: Cabinet has given careful consideration to the unpleasant difficulty which has arisen to which the Government has not contributed and it was determined, subject to the approval of Parliament, that it was desirable the land should be under the sole control of the department. In considering the matter hon. members should recollect that £25,000 of public money is being spent on the land, and should the clause be struck out, the expenditure will be entirely unprotected and the operation of the bore will be subject to any restrictions the present board or boards of the future may care to impose.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Minister for Country Water Supplies in charge of the Bill.

Clauses 1 to 8—agreed to.

Clause 9—Portion of Melville reserve 1668 may be leased by Claremont Road Board to W.A. Postal Institute:

Hon. J. NICHOLSON: I move an amendment—

That after the word "institute," in line 6, the following be inserted:—"or if such Institute be incorporated then the said land may be leased to such incorporated body."

I explained on the second reading that this was merely to safeguard the position so that when the institute is incorporated the land may be leased to the trustees.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 10, 11—agreed to.

Clause 12—Portion of King's Park Reserve to be set apart for water supply purposes:

Hon. Sir WILLIAM LATHLAIN: I listened to the excuses put forward by the Leader of the House and found them exceptionally lame. One would have imagined that if the transfer of the land from the

control of the King's Park Board to the Government were not agreed to, the property and machinery to be erected by the Water Supply Department there would be open for destruction. As a matter of fact, the board have granted everything the department desired, but we do not desire the land in question to be taken away permanently from that part of the park. Much will have to be done there in years to come and although the plan at present does indicate that the proposed road will be constructed in a certain direction, that scheme may be altered in the future, when circumstances are different. One would imagine that the Water Supply Department had given the park no trouble. In the first place, a large area was taken away for the erection of a reservoir. The board willingly granted that land because it was in the interests of the people. Then the Engineer for Water Supply desired a residence, and another slice of the park had to be alienated for that purpose.

Hon. J. Nicholson: And the engineer is not living there now.

Hon. Sir WILLIAM LATHLAIN: No, but the land is still alienated from King's Park.

Hon. A. Lovekin: And the money for the erection of the house was wasted.

Hon. Sir WILLIAM LATHLAIN: In addition to that, at certain times it is necessary to empty the reservoir in the park. That has resulted in much very objectionable matter being discharged there. Certain compounds have to be mixed with the water to kill the weeds growing in the refuse, and when the liquid is deposited in certain areas of the Park, no vegetation will grow where the water has spread. I understand that is because of the quantity of bluestone mixed in the compound. Eventually, in the opinion of the King's Park Board, it will be necessary for the Water Supply Department to construct a drain to empty that refuse into the river, when it is in flood in winter time. I cannot understand why the land should be taken from the park and given to the Water Supply Department. Everything the Minister has said in justification of that move does not make me waver one iota in my determination to resist it. The department is protected in every possible way, because the land on which the plant is to be erected is still Government property. It is most unlikely that

the King's Park Board will interfere with the work there at all.

Hon. A. Lovekin: We could not do it, without the permission of the Government.

Hon. Sir WILLIAM LATHLAIN: We are all aware of that, and, as a matter of fact, we desire to render all possible assistance. The Minister referred to areas alienated in the years gone by. There has been no such alienation for many years past, except that in which the Water Supply Department was concerned. It is true that in the early times the board granted concessions to the High School, and the tennis and bowling clubs. But in the past 10 years no alienations whatever have been made. Although innumerable requests for the erection of bowser pumps and so on have been received, the board have set themselves against any such move. For these reasons, I would like to move that the clause be deleted.

The CHAIRMAN: The hon. member will achieve his object by voting against the clause.

Hon. A. LOVEKIN: I strongly protest against the Minister advancing all sorts of statements, many of them wide of the mark, but which I presume were supplied to him departmentally. The first statement he made was that the King's Park Board were inconsistent and mentioned the widening of Mount's Bay-road. I have been a member of the board for many years and this is the first I have heard of any application having been made to the board for the granting of land to enable Mount's Bay-road to be widened.

Hon. Sir William Lathlain: Hear, hear!

Hon. A. LOVEKIN: I was under the impression that the widening of that road was to be carried out with material from the river itself and not by taking in portion of King's Park. No application has been made to the board under that heading, nor have any negotiations taken place. Then the Minister referred to the concessions granted to the tennis and bowling clubs and to the High School, now known as Hale School. That property is held at will, and the board can put them off at an hour's notice. When the Water Supply Department indicated a wish to make use of some of the park, the board readily agreed to the proposition. In fact, the department started work before they had the authority to do it and we facilitated

the work. On the other hand, the citizens of Perth will not be content to swallow bore water for all time. In due course we will have an adequate supply from the hills. If the department cannot provide that water, then other means will have to be found to get over the difficulty. We cannot have Perth ruined for years to come because of bore water. There is no reason whatever why the Water Supply Department should secure the freehold of the land they desire to use in the park. The Minister suggested that the department were establishing an asset in the park in the shape of a bore and mentioned the cost of £25,000. Does the Minister realise what he said? One bore—£25,000!

The Minister for Country Water Supplies: I know what I said, and it was perfectly right.

Hon. A. LOVEKIN: The bores that have been sunk previously cost between £1,300 and £1,600. Yet the Minister talks about £25,000 for one bore. If any engineer of the Water Supply Department is going to spend that amount of money on a bore in the park, then the sooner we get another engineer the better.

Hon. J. T. Franklin: It is not the bore, so much as the pipes.

Hon. A. LOVEKIN: But the bore is quite close to the reservoir.

Hon. J. T. Franklin: Yes, but the ground rises all the way from the bore.

Hon. A. LOVEKIN: Another point is that we are not aware what flow will be obtained from the bore nor yet what the quality of the water will be. We know that two bores were put down at Osborne Park and the then Minister for Works, Mr. George, gave himself great credit for having put down the two bores for what it had cost to put one down before. A month had not elapsed when those bores were shut down because the water was not fit for human consumption. I do not know whether those bores were deepened so that water was obtained from another level, but I know that is what happened at that time. However, to deal with the question before the Committee, what difference does it make whether the land is held by the King's Park Board or the department, seeing that it is Crown land. It is the obvious duty of both authorities to facilitate each other's operations.

While it makes no difference now, it may do so in the future. To-morrow we may have a water supply trust, and then that outside body would have a valuable piece of freehold land alienated from the park. When the suggestion was made to widen King's Park Road and Thomas Street by taking a strip of land from the park, there was much adverse correspondence in the newspapers. People objected to cutting off part of the park for that purpose and maintained the park should be held for the people in its present state for all time. As a matter of fact, the Water Supply Department has a valve house on the ground. We facilitated the work of the department as we had done in other directions. I am at a loss to understand the action of the Government in putting such a clause in the Bill.

The MINISTER FOR COUNTRY WATER SUPPLIES: I cannot agree with Mr. Lovekin or Sir William Lathlain. It is necessary that land on which public funds amounting to £25,000 have been spent should be controlled by the department. The taxpayers' money must be safeguarded. Mr. Lovekin argued that it did not matter in whom the land was vested. It does matter, because there may be a difference of opinion between the King's Park Board and the department. True, the park is the people's park and the water supply belongs to the people, but they are governed by different bodies. The £25,000 covers the pumping machinery, piping and everything else. It seems a large amount, but it is imperative to have the additional water supply. We were on the verge of trouble at the end of last summer, and, but for the rain, there would have been a shortage. For many years to come all the water supplies we have and all that we can bring into existence will be needed to provide an adequate supply for Perth. The successors of Mr. Lovekin and Sir William Lathlain might not be such public-spirited men, and trouble might easily ensue between the two bodies.

Hon. A. LOVEKIN: The attitude of the Minister is absurd. Where is the provision in the Bill for the pipeline from the pump house to the reservoir? The board control the park and they might easily say to the department, "There is your bore; get the water to the reservoir as best you can." The Bill evidently does not go far enough. What has happened in fact is that the Government

have put the pipeline in and the board's employees are looking after it.

Hon. J. T. FRANKLIN: I protest against the Government continuing the false policy of sinking bores to augment the water supply of the city. It is an obsolete scheme. The Government should undertake a comprehensive scheme to increase the supply from Mundaring. If the King's Park Board objected, the Government would have no right to run their mains from the bore through the park. Possibly they might connect the bore with other pipes.

Hon. A. Lovekin: They cannot.

Hon. J. T. FRANKLIN: It is time the Government awoke to the fact that the tinkering with bores should cease.

The CHAIRMAN: I cannot permit a general discussion on the water supply.

Hon. J. T. FRANKLIN: We are told that the reserve will not affect the widening of Mounts Bay-road, but I believe it will. It is only 30 feet from the line. The City Council had a conference with the ex-Minister for Works about widening the road, and it was recognised that the ground occupied by the cottages would have to be resumed. Otherwise it would be impossible to widen the road with the Swan Brewery there, and I do not think anyone would advocate resuming the brewery property. The bore should never have been sunk there. There was a suggestion to build another road outside the brewery, but that would be a very expensive undertaking. The clause should be negatived, and the Government should be content to lease the land for a period of years.

Hon. E. H. HARRIS: The Government are asking for 12 perches. How many perches have been granted in King's Park for tennis courts and bowling greens?

Hon. A. Lovekin: The clubs are tenants at will and could be pushed off to-morrow.

Hon. E. H. HARRIS: Similarly, the Government could be pushed off to-morrow. Surely something better can be done for the Government!

Hon. A. Lovekin: There is no power under the Act to lease the land.

Hon. Sir William Lathlain: The assets of the tennis and bowling clubs are of greater value than the bore.

Hon. E. H. HARRIS: I am disposed to support the Government in their request for the land, though it should be possible for

the Government and the board to arrive at an agreement satisfactory to both.

Hon. A. LOVEKIN: The board can facilitate the Government only by giving them the use of the land. There is no power under the Parks and Reserves Act to grant a lease to anyone. Tennis clubs and bowling clubs only have the use of the land and have been satisfied to spend as many thousands as the bore will cost.

Clause put, and a division taken with the following result:—

Ayes	..	..	..	..	12
Noes	..	..	..	..	7

Majority for .. 5

AYES.

Hon. F. W. Allsop	Hon. J. M. Macfarlane
Hon. C. F. Baxter	Hon. Sir C. Nathan
Hon. J. M. Drew	Hon. H. Seddon
Hon. J. Ewing	Hon. C. B. Williams
Hon. G. Fraser	Hon. E. H. Harris
Hon. G. A. Kempton	(Teller.)
Hon. W. H. Kitson	

NOES.

Hon. E. H. Gray	Hon. G. W. Miles
Hon. V. Hamersley	Hon. J. Nicholson
Hon. Sir W. Lathlain	Hon. J. T. Franklin
Hon. A. Lovekin	(Teller.)

Clause thus passed.

Clauses 13, 14—agreed to.

The MINISTER FOR COUNTRY WATER SUPPLIES: Two new clauses came into my hands to-day. As I do not think it is fair to ask members to consider them now, I will report progress.

Progress reported.

BILL—AGRICULTURAL BANK ACT AMENDMENT (No. 2).

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILL—EVIDENCE ACT AMENDMENT.

In Committee.

Resumed from the 11th November. Hon. J. Cornell in the Chair; Hon. J. Nicholson in charge of the Bill.

New clause:

Hon. J. NICHOLSON: I move—

That a new clause be inserted, as follows:—

3. Section one hundred and five of the principal Act is amended by inserting at the commencement thereof the following words:—
“subject to the provisions of section one hundred and six A.”

In order to give effect to Section 106a, it seemed necessary to insert these words at the commencement of Section 105.

New clause put and passed.

Title—agreed to.

Bill reported with an amendment.

MOTION—COLLIE POWER SCHEME.

Debate resumed from the 28th October on the following motion by Hon. A. Lovekin:—

That in the opinion of this House the best interests of the State will be served by installing any new units for production of electric power at Collie instead of at East Perth.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East) [5.52]: The advisability or otherwise of generating power at Collie was debated exhaustively when the matter was brought forward by Mr. Ewing in 1928. On that occasion my predecessor (Mr. Drew) comprehensively stated the departmental viewpoint relative to the proposal. The position to-day is essentially the same as it was when Mr. Drew's speech was delivered. That speech was conclusive. As in my opinion it contained sufficient reasons to close the subject I cannot understand why the House has had to delay other business to discuss it, more especially as it must be apparent that the scheme would not be a sensible one in the present state of the finances. As, however, the matter has again been raised, I am required to express the views of the Government. In so doing I should like, in the first place, to deny the statement that the article in the “West Australian” of the 15th October, 1930, was written by the General Manager of the Government Tramways and Electricity Supply (Mr. W. H. Taylor). The article was not written and handed to the newspaper by Mr. Taylor. In explanation of its appearance in the newspaper I am informed that the whole of the information in it appeared in the Commissioner of Railways' annual reports for 1928 and 1929,

and therefore the publication of the matter seems somewhat belated. In removing the impression that the article was contributed by Mr. Taylor, I desire to add that the additional particulars of Mr. Taylor's views, referred to by the hon. member, are not of recent date and they did not appear in that particular article.

Hon. A. Lovekin: I did not say they did.

THE MINISTER FOR COUNTRY WATER SUPPLIES: I think it desirable to make known that aspect, otherwise it might be believed that Mr. Taylor had just recently committed himself to the generation of power at Collie, and that the Government were unable to see eye to eye with him in the matter. To save the time of the House, I accept in its entirety the speech made by Mr. Drew in 1928, and wish to reinforce it by a complete denial that most of the generating sets at East Perth are obsolete or worn-out.

Hon. A. Lovekin: Mr. Taylor says so.

THE MINISTER FOR COUNTRY WATER SUPPLIES: In correcting any misunderstanding on that point I desire to say it has been found that the last two generating sets are more economical than the three small original units, which are still rendering good service. When the last two turbo-generators were installed—and these were of the latest design—it was expected they would prove more economical. Such expectation has been realised, but that anticipated fact does not justify the statement that most of the earlier sets are worn-out.

Hon. A. Lovekin: Mr. Taylor says so.

THE MINISTER FOR COUNTRY WATER SUPPLIES: The growth of the use of electrical power in the metropolitan and outer suburban areas requires that the plant shall be kept up to a sufficient capacity to supply such demands, and provide for stand-by plant to permit of overhauling and breakdowns, and the Government are not neglectful of those considerations insofar as the funds at their disposal will permit. There are no engineering difficulties in the establishment of a power station at Collie, or in transmitting power to Perth; but the cost of such a scheme could not be justified in our present financial position, even if by the introduction of such a scheme electrical power could be supplied cheaper to the consumer. The only saving to be effected by generating at Collie is that of railway freight on coal, but against that the

cost of transmitting over 124 miles must be charged and the expert officers are adamant in the opinion that the losses in transmission, transformation, capital cost and maintenance would outweigh the saving in the railway freight on coal.

Hon. Sir William Lathlain: A matter of £68,000.

The MINISTER FOR COUNTRY WATER SUPPLIES: To erect a power station at Collie, provide a 124-mile transmission line, and erect transforming substations at Collie and Perth, would cost at least £1,500,000, and that amount does not include the cost of any subsidiary lines to supply the towns en route. The station would require to be of such a design that it could be developed to 100,000 kilowatts; otherwise a 124-mile transmission scheme could not be justified, and an initial capacity of 25,000 kilowatts would require to be installed if such scheme was to be of any use to support East Perth. The initial installation at Collie would require extending as the load on the metropolitan system increased; otherwise East Perth would have to supply the difference between 25,000 kilowatts and the maximum load, for which coal would have to be hauled over the railways. Therefore unless the plant at Collie was extended as the demand in Perth necessitated, we would in a year or so be back where we are to-day. As the load increased, additional plant would have to be installed at Collie; and for an additional 12,500 kilowatts a further £300,000 would be required.

In regard to the supply of power in the South-West, the installed capacity of generating plant at present in use in that part of the State, taking a line from Perth due east, amounts only to 1,800 kilowatts, with an output of approximately 3,000,000 units per annum against the metropolitan area of 86,000,000 units. If the Government had a power station at Collie and decided to supply electric power to the South-West area, £500,000 would be required, and that amount would be additional to the £1,500,000 and the £300,000 previously mentioned.

Reverting to the question of the supply of power in the metropolitan area, with a power station at Collie it would be necessary for East Perth to stand by, which would mean three shifts of men, in addition to expensive and highly economical generators being idle. In addition, the overhead charges at Perth and Collie would have to

be provided, and therefore the cost to the consumer would have to be increased to cover the cost of the two plants.

In the metropolitan area the load falls from 10,000 kilowatts at 11 p.m. to 5,000 kilowatts at 1 a.m., which means that from 1 a.m. to 7 a.m. the load would have to be supplied from Collie, and East Perth shut down. That condition would exist when the maximum load at East Perth exceeded 25,000 kilowatts. The maximum load at East Perth has reached 22,000 kilowatts, and it is therefore safe to assume that 25,000 kilowatts will be reached as soon as conditions are again normal. If the East Perth power station were shut down altogether and the whole system supplied from Collie, a power station with an initial capacity of 25,000 kilowatts would be insufficient, as no stand-by would be available and £1,500,000 would not cover the cost of a power station to supply the whole load of 25,000 kilowatts and provide reserve plant.

It is essential in any case that East Perth should be the stand-by station, because with one of the generating sets at Collie shut down East Perth would have to be started up to supply the load which had been dropped at Collie. That condition at East Perth would obtain at all times otherwise it would take from 6 to 8 hours to get a set under way with cold boilers. It would be impossible to have the boilers at East Perth standing under steam, with steam pipes drained and turbines ready for immediate operation, without adding to the operating costs. Therefore the cost of the stand-by station at East Perth would be an important consideration in the proposal to generate at Collie. If a portion of the load was carried at East Perth, coal would have to be hauled to East Perth, and in any case East Perth would have to come off load at 10 p.m. every day.

Another aspect is that the question of supplying small townships from the main transmission line would present risks of interruption to Perth, and in such circumstances a subsidiary line operating at lower pressure would be necessary. Then there is the problem of tapping a 130,000-volt transmission line to supply 50 to 60 kilowatts en route. The expense of such connection alone, with protective devices, switchgear and transformers, would result in so high a cost that the consumer would not obtain cheap light or

power, and certainly a cost very much higher than by a small isolated crude oil driven plant such as is now being used. Also, in the considered opinion of Mr. Taylor, the supply of electrical energy to the principal parts of the State is at present out of the question; and the futility of that proposal was emphasised by Mr. Drew in 1928. Hon. members will ascertain why the suggestion is not entertainable if they will peruse his speech.

Apart from the main purpose of Mr. Lovekin's motion, it may be mentioned that a private company is erecting a power station at Collie; and it is an obstinate fact that that company offered to supply Bunbury and other country centres with energy but that the proposal was not entertained. Since then the Bunbury Municipal Council have installed crude oil engines, and are now generating power from that source. Also, the Collie Company offered power to the new fertiliser works at Pieton, but the management of the latter decided to instal crude oil engines notwithstanding the fact that by taking power from the Collie Company it would be using a local product in preference to paying for imported oil.

Returning to the main question and Mr. Lovekin's statement that Mr. Taylor had admitted that Collie was the right place to go to, I am assured by the latter gentleman that at present the proposal is not a commercial one, and that in any case financial conditions permit of no alternative to the generation of power at Perth instead of the unthinkable suggestion of heavy expenditure at Collie. Perhaps it is unnecessary to say that the erection of power stations and long transmission lines are matters for expert electrical engineers to deal with. As ordinary laymen we can have no conception of the problems that have to be faced in such schemes, and for that reason I think we should submit ourselves to the guidance of those competent to advise.

The Government are in no way hostile to the Collie proposal, and if they could reasonably see, on the advice of Mr. Taylor, that by not extending the East Perth power station the suggested expenditure at Collie would be practical and within our means, and that the cost to the consumer would be lower than that now prevailing, serious consideration would be given to the expenditure

of moneys. I think, in the circumstances, that the motion might well be withdrawn. Whilst recognising Mr. Lovekin's interest in the matter, the Government are of the emphatic view that in the parlous state of the finances the scheme is one for the pigeon hole of proposals for consideration in more prosperous times.

On motion by Hon. J. Ewing, debate adjourned.

House adjourned at 6.10 p.m.

Legislative Assembly,

Thursday, 13th November, 1930.

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

BILLS (2)—FIRST READING.

1, Friendly Societies Act Amendment.

Introduced by the Chief Secretary.

2, Land Act Amendment.

Introduced by the Minister for Lands.

BILL—TENANTS, PURCHASERS AND MORTGAGORS' RELIEF.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. J. Scaddan—Maylands) [4.37] in moving the second reading said: All members will join with me in expressing regret that it