

or donkey wagon, wool clips were shifted at less than 6d. per ton mile by motor transport.

Hon. Sir Charles Latham: You cannot compare rail transport with camel transport.

The MINISTER FOR RAILWAYS: One is as fast as the other. There is no substance in that fear. Hauliers operate in the various districts in the north and at one time the price was reduced to as low as 4d. per ton mile. When the price tended to rise the haulier was bought out. The business was subsequently sold to Wesfarmers which still runs that service. That fear has been proved groundless.

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

Ayes	17
Noes	9
Majority for	8

Ayes.

Hon. G. Bennetts	Hon. G. MacKinnon
Hon. E. M. Davies	Hon. R. C. Mattiske
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. D. Willmott
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. W. F. Willesee
Hon. F. R. H. Lavery	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. J. Cunningham
Hon. L. A. Logan	(Teller.)

Pair.

Aye.	No.
Hon. J. J. Garrigan	Hon. A. F. Griffith

Question thus passed, and a message accordingly returned to the Assembly.

BILL—RESERVES.

Received from the Assembly and read a first time.

BILL—SEX DISQUALIFICATION (REMOVAL).

Order Discharged.

On motion by Hon. Sir Charles Latham, Order discharged from the notice paper.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till 2.15 p.m. today.

Question put and passed.

House adjourned at 4.37 a.m. (Wednesday).

[117]

Legislative Assembly

Tuesday, 18th December, 1956.

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

ASSENT TO BILLS.

Messages from the Governor received and read notifying assent to the following Bills:—

- 1, Land Act Amendment (No. 1).
- 2, Bookmakers Betting Tax Act Amendment.
- 3, Betting Control Act Amendment.
- 4, Farmers' Debts Adjustment Act Amendment (Continuance).
- 5, Mental Treatment Act Amendment.
- 6, Architects Act Amendment.
- 7, Brands Act Amendment (No. 1).

- 8, Criminal Code Amendment (No. 2).
- 9, Land Act Amendment (No. 2).
- 10, Royal Commissioners' Powers Act Amendment.
- 11, Trustees Act Amendment.
- 12, City of Perth Act Amendment.
- 13, Friendly Societies Act Amendment.
- 14, Child Welfare Act Amendment (No. 1).
- 15, Medical Act Amendment.
- 16, Licensing Act Amendment (No. 4).

PAPER—GOVERNMENT PENSIONERS.

Nicholas Report Tabled.

The PREMIER: I move—

That the Nicholas report be laid on the Table of the House.

I would like permission to say that the Government has not been able to see its way clear to accept the main recommendation in the report. I think it is desirable for me to say this, in order that the public will not take it for granted that the main recommendation in the report will be adopted. A Bill will be introduced tomorrow to make certain amendments to the existing legislation.

Question put and passed.

QUESTIONS.

FACTORIES AND SHOPS DEPARTMENT.

Number of Employees, etc.

Mr. ROBERTS asked the Minister for Labour:

(1) How many persons were employed in the Factories and Shops Department during the years 1950-1951 to 1955-1956, inclusive, and what number of such persons were inspectors?

(2) How many inspectors operated in—

(a) country areas;

(b) metropolitan area;

during the year 1955-1956?

(3) How many persons were charged for a breach of the Factories and Shops Act in—

(a) country areas;

(b) metropolitan area;

during the years 1950-1951 to 1955-1956, inclusive, and what were the details of the charges so laid?

The MINISTER replied:

	Staff.	Inspectors.
(1) 1950-1951	25	13
1951-1952	25	13
1952-1953	24	13
1953-1954	24	13
1954-1955	24	13
1955-1956	24	13

(2) (a) One full time for seven months (this officer then went on long service leave and retired). Eight metropolitan inspectors made eight visits in the main centres and districts.

(b) 12.

(3) The number of cases were—

(a) Country—

(Ended the 30th June)

1950-1951	12
1951-1952	5
1952-1953	7
1953-1954	16
1954-1955	14
1955-1956	5

The 1st July to the 17th December, 1956 Nil

(b) Metropolitan—

(Ended the 30th June)

1950-1951	14
1951-1952	19
1952-1953	13
1953-1954	41
1954-1955	11
1955-1956	16

The 1st July to the 17th December, 1956 45

Details of charges would take some time to obtain, but if the hon. member so desires, this information could be obtained and submitted to him in due course.

SERVICE STATIONS.

(a) *Number in Metropolitan Area.*

Mr. HEARMAN asked the Minister for Labour:

(1) How many service stations operate in the metropolitan area?

(2) Of the total number of service stations operating in the metropolitan area, how many of the proprietors or lessees are members of the Automobile Chamber of Commerce?

The MINISTER replied:

(1) The annual report of the Chief Inspector of Factories and Shops for the year ended the 31st December, 1955, shows the registration of 276 actual service stations for the metropolitan shop district. In addition, there is a percentage of establishments registered under the heading "Motor Dealers and Accessories" which have petrol pumps and oils for sale, as well as a number of stores.

The metropolitan area under the Factories and Shops Act, 1920-54, however, is roughly limited by Cannington, Greenmount, Spearwood, and North Beach-Sorrento.

Allowing for the above circumstances, and the fact that it is generally taken that the metropolitan area includes the Kalamunda, Safety Bay and Armadale area, it is considered that the figure given in evidence to the Royal Commission would be approximately correct as 400 suppliers of petrol and oils in the metropolitan area.

(2) This information is not in the possession of the department.

(b) Amplification of Answer.

Mr. HEARMAN (without notice) asked the Minister for Labour:

In view of the bearing that the above question has on Order of the Day No. 8—Factories and Shops Act Amendment Bill (No. 3)—in answer to the question I asked about the total number of service stations operating in the metropolitan area whose proprietors are members of the Automobile Chamber of Commerce, the Minister indicated that he did not know. Could he give the House some indication of what percentage are members of that organisation in view of the responsibility that is proposed to be given to the Automobile Chamber under the Factories and Shops Act Amendment Bill (No. 3)?

The MINISTER replied:

I cannot add anything to the answers I have given. The department has no figures in this regard and I cannot oblige the hon. member.

EDUCATION.*(a) New School, Bunbury.*

Mr. ROBERTS asked the Minister for Education:

(1) Have plans been finalised in regard to the erection of a new school on a site in Bunbury known as St. Clair's Hospital?

(2) If so—

(a) how many classrooms are now envisaged;

(b) what will be the cost of same;

(c) what will be the fate of the buildings at present on this site?

(3) Has consideration been given to suitability of this site for a technical school?

(4) As the 5 acres 1 rood 5.8 perches comprising this site were resumed on the 6th August, 1943, and to date no compensation has been paid, when is it expected that such land will be utilised for the purposes it was resumed?

The MINISTER replied:

(1) and (2) No. The most urgent needs at Bunbury are additions to the Carey Park school and the erection of a new school to cater for the children from the Rathmines and new council subdivision areas.

(3) The overall plan for Bunbury provides for the present Bunbury primary school to become the technical school, the first steps being the taking over of the home science centre when the new centre is built on the high school site.

(4) The building of the school on the St. Clair's site is entirely dependent on the development of the Bunbury area and the completion of the works mentioned above.

(b) John Curtin High School.

Mr. ROSS HUTCHINSON asked the Minister for Education:

(1) When completed will John Curtin High School be a single entity, or will the school be a collection of units separate from the site of the new buildings?

(2) For what estimated period will the school have to accommodate approximately 2,500 pupils?

(3) How many pupils will the new buildings accommodate when work is completed?

(4) What is considered to be the desirable maximum number of pupils at—

(a) a three-year high school; and

(b) a five-year high school?

(5) What will be the total cost when completed of the new buildings of the high school?

(6) Is the playing field accommodation at the high school sufficient to cater adequately for from 2,500 to 2,700 pupils?

The MINISTER replied:

(1) A single entity.

(2) The school is designed for a population of 1,500 and that is the number which it is intended to hold, when additional high schools are available in the district. These additional schools are dependent on the availability of loan funds.

(3) 1,500.

(4) (a) 1,250.

(b) 1,500.

(5) £550,000, including grounds, paths, etc.

(6) No. Temporary emergency provisions must be used to the utmost.

(c) Amendment of Junior and Leaving Examination System.

Mr. COURT asked the Minister for Education:

(1) Does his reply to my question of the 12th December, 1956, mean that in view of the Education Department's whole-hearted agreement with the Public Examinations Board's report for amending the junior and leaving examination system, the Government has adopted the report?

(2) If so, is it proposed to implement the report and in what manner?

The MINISTER replied:

(1) The Public Examination Board is an independent statutory body established under University Statute No. 15. The decisions of the board are, therefore, not subject to governmental approval.

(2) The board has not yet decided.

(d) Canning Vale School.

Mr. WILD asked the Minister for Education:

(1) How many rooms is it intended to build at Canning Vale school?

(2) What type of construction is to be undertaken?

(3) Can these plans be viewed by a representative of the parents and citizens' association prior to the calling of tenders?

The MINISTER replied:

- (1) Three rooms.
- (2) Timber framed.

(3) The Public Works Department does not favour the submission of plans of new school buildings to parents and citizens' associations.

IMMIGRANTS.

Incidence of Tuberculosis.

Mr. ROSS HUTCHINSON asked the Minister for Health:

(1) Will he supply for the years 1950-55 and for 1956 to date, the figures indicating the incidence of pulmonary tuberculosis in migrants?

(2) Will he outline what steps have been taken to reduce the incidence?

(3) Does he consider any further steps are necessary?

The MINISTER replied:

(1)

	Arrivals in W.A. of aliens and British.	Notification of arrivals during year.	Notification of arrivals since 1948.
1950	28,845		*67
1951	14,105		*55
1952	16,861		*40
1953	13,791	6	41
1954	9,870	18	44
1955	18,345	6	61
1956	11,097	5	45
To 30-6-56			

* Not separated in these years.

(2) Action was initiated in this State under Section 293A, Subsection (1) of the Health Act, 1911-55, gazetted to require the following classes to undergo compulsory x-ray examination of the chest for tuberculosis:—

- (i) Persons who are over the age of 14 years and have entered Australia from overseas otherwise than through the agency of the Commonwealth Immigration Department—within one month of entering Western Australia ("Government Gazette," Friday, the 2nd March, 1951).
- (ii) On the 31st May, 1951, similarly persons entering Western Australia from overseas who hold landing permits issued by the Commonwealth Immigration Department. Such persons are designated as landing permit holders: Within one month of their entering Western Australia (gazetted the 1st June, 1951).
- (iii) On the 16th May, 1952, assisted migrants who are over the age of 14 years: Within one month of entering Western Australia (gazetted Friday, the 23rd May, 1952).

On each occasion, the places where x-ray facilities are available were specified.

The above three orders, then, cover all migrants.

The Commonwealth Government, as a result of disclosure of migrants with tuberculosis arriving in this State in the years 1948, 1949 and 1950, have intensified their work at ports of embarkation in Europe, and now there is quite a staff of Commonwealth medical officers including radiologists abroad, specifically with the object of excluding t.b. cases from intending migrants.

The tuberculosis control branch of the Health Department in this State examines the x-ray films of those migrants who report for chest x-ray after arrival, and re-examines large numbers of chest x-rays submitted to them by the Commonwealth Health Department.

(3) It would appear that there is now no undue prevalence of tuberculosis in migrants (compared with that found in native born Australians) due to steps already being taken.

Should any concern be felt about the position, further policing of the Health Act in regard to migrants—(particularly full fare-paying passengers)—reporting for chest x-ray after arrival, could be considered.

TECHNICAL EDUCATION.

Facilities for Service Personnel.

Mr. ROSS HUTCHINSON asked the Minister for Education:

(1) What percentage of the technical educational facilities of the State are used for reconstructional training of service and ex-service personnel and war widows?

(2) What has been the approximate annual percentage of these facilities used for such training for each year since 1946?

(3) What financial assistance from the Federal Government in regard to such training has been allocated to the State for each year since 1946?

The MINISTER replied:

(1) Since training for the Commonwealth was undertaken partly in State-owned accommodation and partly in rented premises, it is not possible to give a definite figure. This is particularly so in view of the utilisation for apprentice training of Commonwealth rented premises in the latter stages of the system.

(2) The attached table shows the percentage Commonwealth trainees in relation to total enrolments in class and in correspondence courses. The percentage utilisation of State facilities mentioned in question No. (1) above applies also in this case, particularly in class attendance.

(3) The total Commonwealth advances and other receipts in connection with Commonwealth training schemes in the period from the 1st July, 1946, to the 30th June, 1956 is £519,296.

The table referred to in No. (2) is as follows:—

TECHNICAL EDUCATION DIVISION.

Total Individual Enrolments—Correspondence shown separately.

Class figures given are average of three terms—Correspondence as at 31st December.

Year.	Student Enrolment.	Class Enrolment.	Per cent. Individuals Common- wealth Training.	Popula- tion.	Corres- pondence Enrolment. (Subjects).	Per cent. Common- wealth Enrolment.
1938	5,382	11,437	....	465,576	....	....
1939	5,673	12,231	....	469,780	....	....
1940	6,210	11,437	....	473,397	....	....
1941	6,299	12,605	....	473,988	....	....
1942	5,326	9,554	....	476,619	....	....
1943	5,499	10,417	....	476,745	....	....
1944	5,624	12,255	2.8	481,498	1,133 d	89.2
1945	6,993	12,294	12.7	487,510	5,181	93.0
1946	9,760	16,306	51.6	492,771	8,140	87.0
1947	12,084	17,473	57.0	502,978	8,240	85.0
1948	11,060	17,228	45.2	514,843	8,034	76.0
1949	10,746	18,244	22.0	533,083	8,452	64.0
1950	11,349	18,378	17.5	558,709	7,585	51.0
1951	12,382	20,287	11.2	581,459	5,804	27.0
1952	13,280	21,787	2.8	602,026	5,698	16.0
1953	14,726	23,538	1.9	622,697	5,593	4.0
1954	16,189	26,602	1.7	640,086	6,023	1.5
1955	18,737 a	30,916	.8	657,000 b	6,772 c	1.0

(a) Figures for 1955 are first term enrolments less 4 per cent. being average decrease from first term figures to average figures.

(b) June, 1955, estimate.

(c) As at March, 1955.

(d) Correspondence school established in 1944.

(e) Commonwealth trainees were in the period 1945-50 accommodated largely in Commonwealth rented premises.

WAR SERVICE LAND SETTLEMENT

Settlers' Accounts.

Mr. HEARMAN asked the Minister for Lands:

(1) How often are departmental accounts rendered to settlers under the W.S.L.S.S.?

(2) Is there any delay in the issuing of such accounts?

(3) How much money, if any, is at present held by the Treasury that would normally have been paid to settlers had the accounts been rendered promptly?

The MINISTER replied:

(1) Half-yearly.

(2) No.

(3) Answered by No. (2). No money held at Treasury.

HEALTH.

(a) T.B. Examinations, Kalgoorlie and Boulder.

Mr. MOIR asked the Minister for Health:

(1) Is he aware that following the recent examinations held in Kalgoorlie and Boulder by the Health Department under

the Tuberculosis Control Act, numbers of mine-workers have been issued with notices threatening prosecution if reasons are not given for their non-attendance at the clinic?

(2) As mine-workers were advised through the local Press that it was not necessary for them to present themselves for examination because they are x-rayed annually at the Kalgoorlie Health Laboratory, will he take steps to have the department check the Kalgoorlie laboratory's roll before further action is taken by the department?

The MINISTER replied:

(1) Yes.

(2) Yes. It is regretted that, due to inaccuracy of electoral rolls, some miners have received routine circulars asking the reason for non-attendance during the survey. However, the reason for this follow-up is amply justified by the fact that, apart from persons giving satisfactory replies for non-attendance during the survey, a further 250 persons without a satisfactory reason have since reported for x-ray examination at the Kalgoorlie District Hospital.

(b) Checking of Kalgoorlie Laboratory Roll.

Mr. MOIR (without notice) asked the Minister for Health:

My question was in relation to the Kalgoorlie laboratory's roll and the answer the Minister has given refers to the inaccuracy of the electoral rolls. Will he assure me that the Kalgoorlie laboratory's roll will be checked in order that it may be determined who are the men working in mines who have received these notices threatening legal action?

The MINISTER replied:

Yes.

IRRIGATION.**Costs and Revenue.**

Mr. I. W. MANNING asked the Minister for Water Supplies:

(1) What has been the expenditure on direct operating costs for—

(a) irrigation;

(b) drainage;

for the year 1955-56?

(2) What has been the revenue from—

(a) irrigation rates;

(b) drainage rates;

for the year 1955-56?

(3) What is the anticipated expenditure on direct operating costs for—

(a) irrigation;

(b) drainage;

for the current financial year?

(4) What is the anticipated revenue from—

(a) irrigation rates;

(b) drainage rates;

for the current financial year?

The MINISTER replied:

(1) (a) Irrigation: £63,927.

(b) Drainage: £106,963.

(2) (a) Irrigation: £28,738.

(b) Drainage: £27,293.

(3) (a) Irrigation: £75,100.

(b) Drainage: £108,500.

(4) (a) Irrigation: £32,000.

(b) Drainage: £34,000.

ROADS.**Consideration of Link Road, Laverton and Darwin-Adelaide-rd.**

Mr. MOIR asked the Premier:

In view of the serious State shipping losses recently incurred at Darwin and the cancellation of orders for Western Australian goods by Darwin users, would he have an examination made of the practicability of developing a road from Laverton eastwards to the Darwin-Adelaide rd., in order that Western Australian goods could be transported by road to Darwin?

The PREMIER replied:

The position at Darwin will be watched carefully, and a decision will be made on the basis of future experience at Darwin on the question as to whether a road should be developed from Laverton eastward to the Adelaide-Darwin-rd.

SCRAP METAL.**(a) Sale from Government Departments.**

Mr. COURT asked the Premier:

(1) What is the method of selling scrap metal from Government departments and Government instrumentalities?

(2) Is preference given to local users?

(3) If so, in what manner?

The PREMIER replied:

(1) The usual method of selling is by public tender through the Government Tender Board.

(2) and (3) The highest tender is normally accepted.

(b) Alternative Method of Sale.

Mr. COURT (without notice) asked the Premier:

As regards the sale of scrap metal, the Premier referred to the usual method of selling being by public tender through the Government Tender Board. Does this imply that there are exceptional cases and, if so, could he indicate what would be the nature of the exceptions?

The PREMIER replied:

I cannot supply any further information off hand but if the hon. member likes to put the question on the notice paper, I will obtain the information for him.

RAILWAYS.**Closure of Level Crossings.**

Mr. WILD (without notice) asked the Minister for Transport:

Further to the question I asked on Friday last about the closing of certain roads in the Gosnells road district, is the Minister prepared to receive submissions from the local authority regarding alternative proposals for the closure of roads in the district, or is it too late?

The MINISTER replied:

I would suggest it is too late because these proposals were gazetted, I think, last week, and they arose from a full examination made by the Assistant Under Secretary of the Department of Local Government and an officer of the Railways Commission, both of whom, I understand, consulted with local authorities at the time the examination was made, which, from memory, would be the best part of 12 months ago. I do not want that to be construed as meaning that there was necessarily agreement on the part of the local authorities in every case.

Accordingly, the action having been taken, and I understand in some cases the materials are on site and no doubt work is proceeding or is about to proceed, it is too late for other action to be taken. However, in every case, as a prerequisite to the closing of these railway crossings to vehicular traffic, there is a condition that suitable arrangements shall be made to allow pedestrians to cross at these particular points.

COLLIE COAL.

Use of Output and Price per Ton.

The MINISTER FOR MINES: On Thursday, the 13th December, the member for Collie asked certain questions and I was not able to supply some of the information. That information, with the question and answer, reads as follows:—

Question No. (2).—What was the average price per ton of coal landed in the metropolitan area for the year 1954?

Answer—107s. 9d. per ton.

Question No. (5).—What was the average price per ton landed in the metropolitan area for the year ended the 30th June, 1956.

Answer—103s. 4d. per ton.

Included in these prices is an average freight charge of 37s. 6d. per ton.

It is also pointed out that the check of costs of Amalgamated Collieries coal for the period from the 1st January, 1956, to the 30th June, 1956, has not yet been completed and therefore coal from this company has been taken in at an estimated price based on the cost sheets maintained by the company, which in the past have proved to be reasonably accurate.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th December.

MR. ROSS HUTCHINSON (Cottesloe) [4.49]: I do not intend to oppose this Bill. Its provisions appear to me to be sound enough—

Mr. Norton: Speak up!

Mr. ROSS HUTCHINSON: —and not contentious, and whilst it is not the sort of Bill about which one can be wildly enthusiastic it is essential in part. There is one provision in it which indicates certain occupations within the Education Department which are outside the purview of appeal, and those are defined here as firstly, headmaster of a class (1), primary school; headmaster of a basic high school; principal or deputy principal, Perth technical college; or principal, class (1) technical school. Another provision widens the field of appeals, and with that I have no objection. The last

provision assists in defining seniority as between persons employed in the Education Department as teachers in any Government school or schools, or in any Government teachers' training college. I have no opposition to the proposals and support the second reading of the Bill.

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 read a third time and transmitted to the Council.

BILL—ADMINISTRATION ACT AMENDMENT.

Council's Amendments.

Schedule of 9 amendments made by the Council now considered.

In Committee.

Mr. Molr in the Chair; the Treasurer in charge of the Bill.

No. 1.

Clause 4, page 3, line 14—Insert after the word "house" the following "or an interest in a dwelling house."

The TREASURER: In an endeavour to avoid the necessity for a conference, the Government intends to accept this amendment. I move—

That the amendment be agreed to.

Hon. Sir Ross McLarty: Hear, hear.

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

No. 2.

Clause 7, page 5—Add after line 30 a new paragraph as follows—

(c) by adding after the word "trustee" in line fourteen of subsection (3) the words "nor in respect of the beneficial interest in any money received or payable under any bona fide superannuation or pension scheme or arrangement."

The TREASURER: In a further effort to obviate the necessity for a conference, I move—

That the amendment be agreed to.

Hon. Sir Ross McLarty: Again, hear, hear! Why don't you accept them all?

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

No. 3.

Clause 10, page 6, line 20—Insert after the word "the" the word "beneficial."

The TREASURER: In pursuance of the Governments objective of trying to obviate the necessity for a conference, I move—

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

No. 4.

Clause 10, page 6, line 22—Add after the word "beneficiary" the words "who is the widower or widow, or the parent or brother or sister or any issue of the deceased person and who was at the date of the death of the deceased a bona fide resident of, and domiciled in, Western Australia."

The TREASURER: The Government is prepared to go a third of the way on this amendment. The Council desires the concession to be extended beyond the widow as contained in the Bill when it left this Chamber, and seeks to include widowers, parents, brother or sisters and so on. The Government is prepared to include the words "or widower" and thereby extend the concession in the Bill when it left this Chamber. I move—

That the Council's amendment be agreed to subject to the following amendment:—

That all the words in the Council's amendment be struck out and the following words inserted in lieu:— Insert the words "or widower" after the word "widow" in line 23, page 6.

Hon. Sir ROSS McLARTY: I had hoped the Treasurer would have agreed to the Council's amendment. As we know, a parent, brother or sister is very closely related to a deceased person, and it is possible that a parent might find himself or herself in a difficult financial position. It is wrong to deprive them of the benefits proposed by the amendment. The Council's amendment is reasonable and I would ask the Treasurer to accept it. I support the Council's amendment.

Mr. COURT: The present Bill deals only with widows and children of the deceased who have not attained the age of 16 years. That is very restrictive. There could be many children, for instance, of 19, 20 or 21 years who are completing their studies. They might be at a critical stage of those studies and their exclusion could entail a great hardship on them. There are many cases where children have started work at the age of 18, but there are a lot of children between the ages of 16 and 21 years very much dependent on their parents for their studies to assist them in following a profession or some other vocation. The amendment would only bring in a widower and be of no benefit to such children. There would also be cases where parents would be seriously embarrassed because they had become aged and dependent on the deceased. The amendment

makes no provision for them; it only provides for a widow, widower and children under 16 years. I cannot help feeling that the Legislative Council thought of the wider implication of the family group.

The TREASURER: As I remember, the Leader of the Opposition moved to insert, "widower" when the Bill was originally in Committee. The Government did not agree to the amendment on that occasion because it was anxious to conserve the revenues of the State to the greatest extent possible. The amendment now proposed includes the word "widower" and that is a further concession in connection with the Bill and is as far as the State could be expected to go at this stage.

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

No. 5.

Clause 10, page 6—Delete paragraphs (a), (b), (c) and (d) in the interpretation of "beneficial interest."

The TREASURER: The Legislative Council made this amendment as a consequential amendment to that we have just dealt with. Because of the amendment which has been made to the Legislative Council's amendment, it will now be necessary to reject this amendment. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 6.

Clause 13, page 8, line 35—Delete proposed new Subsection (2) and substitute the following:—

(2) From the amount which would otherwise be the final balance of the estate of a person who dies after the coming into operation of the Administration Act Amendment Act, 1956, there shall be deducted the amount of any gift, devise, bequest, legacy or settlement mentioned in Subsection (1) of this section and on the final balance as so reduced duty shall be payable at the appropriate rate declared by Parliament in the Death Duties (Taxing) Act, 1934-1956.

The TREASURER: I move—

That the amendment be not agreed to.

The incidence of this amendment would substantially reduce the revenue to the Government and it is not in a position at the present time to accept a proposal of this kind. I pointed out when the Bill was previously before us that the Government had introduced the measure to obtain additional revenue.

In that situation, we have members in another place trying to put into the parent Act concessions which have never been there before. In other words, they are trying to liberalise the Act and thereby give

away revenue which all Governments in the past have received. We are not in a position to do that at this stage in our history as our great overriding necessity is to obtain additional revenues to meet rising costs of government. Therefore the Government cannot see its way clear to agree to this amendment.

Hon. Sir ROSS McLARTY: I think this request from the Legislative Council is reasonable. A person in a will may have decided to leave money to a medical school, hospital, for cancer research, to orphanages or other public institutions, thereby saving the Government a considerable amount of expense. Under the Federal probate Act, when a person leaves a certain sum of money to charitable institutions or for educational research, a provision is made for a reduction respecting probate. Where money is left by a person to a particular charity or for research work it saves expenditure on the part of the Government and it is reasonable to ask that it be exempt from probate duty.

In these days we find quite a number of institutions appealing to people to leave them bequests in their will and I have seen some where a footnote has been placed that such gifts be not subject to probate duty. That has been some inducement to people to make provision for these institutions in their will. I do not think this will cost the Government a lot of money but it will save it a lot because if these people did not provide the money for certain institutions now which are largely supported by the Government, the Government would have to find the money. There is a justification for this amendment and I hope the Committee will agree to it.

The TREASURER: If times were normal, I would be inclined strongly to agree with the Leader of the Opposition. However, I would point out that he was Treasurer of the State during six prosperous years because of external circumstances—

Hon. Sir Ross McLarty: Because of good government.

The TREASURER: —and he did not amend the parent Act to provide this concession which he now praises highly. Clearly, in a time of financial stringency the Government cannot agree to launch out and distribute concessions in all directions when the distribution of those concessions would deprive the Government of very sorely needed revenue. When financially better times come along, I think the Government would agree to most, if not all, of the amendments made by the Legislative Council on this occasion.

Mr. JOHNSON: I fancy the proposed amendment by the Legislative Council is contrary to the Constitution Act in that it imposes a charge on the Government which was not previously there and that is a sound reason for opposing the amendment. It not only amends this Bill in

such a manner as to do the Government out of revenue which is proposed in the Bill, but it proposes to do the Government out of revenue which it is already receiving. I think it is contrary to the Constitution and should be rejected on that account.

Mr. COURT: The Treasurer has advanced the argument that the Leader of the Opposition was Premier for some six years and did not take any steps to adjust the Administration Act. That may be true.

The Treasurer: Not "may be true."

Mr. COURT: It is true. He took no action. However, there are probably a thousand other Acts he did not amend about which he would have liked to have done something. If we do not deal with the tax when the assessment Act is before us, we will not have a chance to raise this matter successfully in the Chamber.

The Treasurer: I have no objection to its being raised.

Mr. COURT: It is an important matter and could reflect to the advantage of the Government if highly publicised. At most, under the present law, if a person makes a substantial bequest or bequests to a worthy cause which would normally seek assistance from the Government, there would be a deduction from the total estate, but the rate would be levied at the higher rate applicable to the estate before the deduction of the gift was made. Under this amendment the gift is deducted and the rate is struck. The present law means that the remaining beneficiaries are, in fact, making a contribution of the bequest for a charitable purpose, and I feel it is more equitable to have it so that the Government—

Mr. Johnson: It is made by the Government instead of the beneficiaries.

Mr. COURT: Over the years there has been no consideration for the beneficiaries, and that is the object of the Legislative Council's amendment.

Question put and passed; the Council's amendment not agreed to.

No. 7.

Clause 14, page 9, line 19—Delete the word "three" and substitute the word "five."

The TREASURER: I move—

That the Council's amendment be agreed to subject to the following amendment:—

That the word "five" proposed to be inserted be deleted and the word "four" inserted in lieu.

I do this in a further substantial effort to avoid the necessity of holding a conference. Members of the Committee will recollect that the Leader of the Opposition moved an amendment to provide for five years as against two years and three years was agreed to as a compromise. The

Legislative Council now proposes five years and the Government is prepared to go a little further and offer four years.

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

No. 8.

Clause 14, page 9—Insert after paragraph (b) a paragraph to stand as paragraph (c) as follows:—

(c) by inserting after the word "parent" in line ten the words "or brother or sister."

The TREASURER: We have to some extent already debated the principle of this amendment, which will deprive the Government of revenue and I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 9.

Clause 14, page 9, line 21—Delete proposed new Subsection (2) and substitute the following:—

(2) From the amount which would otherwise be the final balance of the estate of a person who dies after the coming into operation of the Administration Act Amendment Act, 1956, there shall be deducted the value of any property (or substituted property) referred to in Subsection (1) of this section and on the final balance as so reduced duty shall be payable at the appropriate rate declared by Parliament in the Death Duties (Taxing) Act, 1934-1956.

The TREASURER: This is a similar type of amendment. For the information of members, I would point out that assessing practice throughout Australia is to arrive at the value of an estate and then calculate the duty at the rate applicable to the final balance or estate value, with free-of-duty legacies not being assessed for tax. The beneficiaries of an estate pay the proportion of duty on legacies at the rate applicable to the final balance of the estate. In view of the fact that our existing system is in line with that operating in the other States, I suggest that we are not in a position to set up a more generous system of assessment than that operating in the wealthier States. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

Resolutions reported and the report adopted.

A committee consisting of Hon. Sir Ross McLarty, Mr. Johnson and the Treasurer drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILL—FISHERIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th December.

MR. ROBERTS (Bunbury) [5.24]: This amending legislation provides for an addition to Section 31 of the principal Act. It seeks to give local authorities the right to register as trout acclimatisation societies. I agree with the intention and intend to support the Bill.

However, there are one or two observations I would like to make at this stage. Under Section 31 of the principal Act, any society the objects of which, as set out in its rules, are wholly or mainly the hatching, rearing, distribution or protection of trout may, subject to any regulation, made under the Act, apply to the Governor for registration by depositing with the Chief Inspector of Fisheries a copy of its rules, together with a statement indicating the area in respect of which it desires to be registered.

The Bill provides that a local authority may apply to the Governor for registration by depositing with the chief inspector a statement indicating the area, but it overlooks the necessity for supplying to the chief inspector rules governing the hatching, rearing, distribution and protection of the trout. That should be clarified at the Committee stage; and Subsection (6) of Section 31 of the principal Act should also be clarified inasmuch as that subsection provides that not more than one trout acclimatisation society shall be registered in respect of the same area.

I think that it should be made perfectly clear that a local authority must not usurp the functions of an existing trout acclimatisation society. There is a lot of merit in this. Every assistance should be given to societies to try to distribute greater numbers of trout in our rivers and every encouragement should be given, especially to local authorities and trout acclimatisation societies in the southern portion of the State, in the stocking of rivers and streams with trout with a view to encouraging tourists to this State.

There is another fact which must not be overlooked. If the Local Government Bill is passed, there may be a slight alteration in the make-up of local government. I have the greatest admiration for members of local governing authorities, and I feel that future members of those bodies will have the same interest in their districts and do all they possibly can for them. Nevertheless, we must be careful to see that they do not spend unnecessarily large amounts of money on trout acclimatisation.

I support the second reading of the Bill, but I would like the Minister to indicate what is intended in regard to the rules that the local governing authorities—

Mr. Lawrence: It is a private members' Bill.

Mr. ROBERTS: Well, I would like the hon. member to indicate what is the intention in regard to the rules a local governing authority would have to submit to the Chief Inspector of Fisheries.

MR. LAWRENCE (South Fremantle—in reply) [5.29]: In reply to the hon. member, I suggest that certain other Bills will be brought down covering the issues raised by him.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Moir in the Chair: Mr. Lawrence in charge of the Bill.

Clause 1—agreed to.

Clause 2—New Section 31A added:

Mr. ROBERTS: Although this is a private member's Bill, I feel that the Government should indicate its attitude in regard to a local authority having some rules covering the hatching, distribution and protection of trout in its area. I move an amendment—

That after the word "Fisheries" in line 9, page 2, the words "a copy of its rules and/or by-laws in respect to the hatching, rearing, distribution and protection of trout together with" be inserted.

Mr. LAWRENCE: As I pointed out when introducing the measure, other Bills that are to be introduced will cover the position, and I see no reason why the amendment should be agreed to.

Mr. ROBERTS: Section 31 of the principal Act states that any society shall submit a copy of its rules and I think that that provision should apply to any local authority also. Irrespective of what other legislation may be brought down, I feel that the amendment should be agreed to.

Mr. LAWRENCE: Does not the hon. member realise that the local authorities have no rules as yet because this measure is designed to give them the necessary authority and therefore the amendment is completely unnecessary.

The MINISTER FOR FISHERIES: I assure the member for Bunbury that the local authorities will be under exactly the same provisions as any acclimatisation society. As the member for South Fremantle said, there are other measures to be introduced in another place and they will cover the position.

Mr. Roberts: But this measure does not require local authorities to submit a copy of their rules.

Mr. Lawrence: They have no rules.

Mr. ROBERTS: I appreciate that the acclimatisation society has to submit its rules to the Chief Inspector of Fisheries, and I think that the local authority should also have to.

Hon. L. THORN: The Trout Acclimatisation Committee has its rules and the Fisheries Department has its rules. Would not those rules apply to the local authorities when they handled trout.

The Minister for Fisheries: Of course they would.

Hon. L. THORN: I thought so, and I agree that the amendment is unnecessary, because I know that that is the routine that will be followed.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and passed.

BILL—ELECTORAL ACT AMENDMENT No. (1).

Second Reading.

Order of the Day read for the resumption of the debate from the 6th September.

Question put.

The SPEAKER: I have counted the House. There is an absolute majority present and voting and, there being no dissentient voice, I declare the question carried.

Question thus passed.

Bill read a second time.

In Committee.

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

Third Reading.

The MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre): I move—

That the Bill be now read a third time.

Question put.

The SPEAKER: To be passed, this Bill requires an absolute majority. I shall call for a division.

Division taken with the following result:—

Ayes	....	....	....	28
Noes	....	....	....	16
Majority for				12

Ayes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Hawke	Mr. Potter
Mr. Heal	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Toms
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. May

(Teller.)

Noes.

Mr. Ackland	Mr. Nalder
Mr. Court	Mr. Oldfield
Mr. Crommellin	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Thorn
Mr. J. Manning	Mr. Watts
Mr. W. Manning	Mr. Wild
Sir Ross McLarty	Mr. Hutchinson

(Teller.)

The SPEAKER: I declare the motion carried by more than an absolute majority of members of the House.

Question thus passed.

Bill read a third time and transmitted to the Council.

BILL—CONSTITUTION ACTS AMENDMENT.

Second Reading.

Debate resumed from the 30th August.

HON. SIR ROSS McLARTY (Murray) [5.50]: Those members with long memories will recall that this legislation was introduced many months ago; the exact date being the 30th August. The Minister who introduced it spoke for about one minute or two at the most. Therefore, I do not think the Government regards this Bill very seriously otherwise it would not have introduced it in August and then left the debate on it until now—this very late hour in the session.

Of course, it will be dealt with. I am sure, in another place. That place will give some consideration to the Bill and it will be dealt with as it should be. The measure is very short indeed. All it seeks to do is to take out of the Constitution Acts Amendment Act of 1899 those sections dealing with the qualifications of electors for the Legislative Council and to put them into the Electoral Act.

Hon. J. B. Sleeman: It is time they were left out.

Hon. Sir ROSS McLARTY: The idea being that adult franchise shall prevail in the elections held for another place. I made a speech a very long while ago on the Bill which was correlated to this and which has passed the third reading. The reason I advanced in opposing that Bill can be applied with equal force to this one. During this session I have seen the Government bring down some of the most extraordinary pieces of legislation that have ever been introduced in Australia and therefore, for that reason, I feel more justified in opposing this Bill than I did when opposing the other one.

Hon. J. B. Sleeman: Which Bills do you refer to?

Hon. Sir ROSS McLARTY: The member for Fremantle knows the Bills to which I refer, so I do not think I need to cover that ground again. I feel certain that the Government is not very concerned about the fate of this Bill.

The Minister for Justice: We are very concerned!

Hon. Sir ROSS McLARTY: Well, why should a Bill be introduced as long ago as the 30th August without any discussion being held upon it until the last week in the session?

Mr. Molr: We thought you might have mellowed a bit by now.

Hon. Sir ROSS McLARTY: The member for Boulder has given a reasonable excuse for this delay, but I have not mellowed and I do not think any other member on this side of the House has mellowed, either. Apart from the principles involved in this Bill, the fact that it has been lying dormant before Parliament for three months is an indication that the Government does not view it very seriously.

I do not know how long it is since we have had a Bill being introduced so early in the session and such a lengthy period elapsing before being debated by Parliament, as has happened in this case. Therefore, I would be interested to learn from the Premier why he has waited 2½ months before bringing this Bill forward for discussion.

The Minister for Education: He gave you a chance to consider it.

Hon. Sir ROSS McLARTY: No, it is nothing of the sort. I think the reason is that the Premier has allowed some of his followers to have a little trip here and a little trip there, and before leaving he has said to them, "Now boys, it does not matter much, but I want you back in the House at such and such a time so that we can put this Bill through. However, I am not worried about it, any time will do." As a result, we have this extraordinary position of a Bill being introduced 2½ months ago following which it is not dealt with by Parliament until the last week in the session.

I can only say again that as it has not been seriously considered by the Government—and this action is proof of it—this is a good reason why Parliament should reject it, particularly at this late hour in the session. I intend to oppose the second reading.

THE PREMIER (Hon. A. R. G. Hawke—Northam) [5.55]: It is refreshing as it is unusual to find the Leader of the Opposition in a playful mood. If time permitted, I would endeavour to match his mood. However, as he and I are jointly due at a Christmas "do" down town very shortly, I have to resist the opportunity to play with him here.

The Minister for Transport: But whack—oh elsewhere!

THE PREMIER: The Leader of the Opposition well knows the reason why a decision on this Bill has been postponed somewhat from time to time.

Hon. Sir Ross McLarty: Tell us!

The PREMIER: The Government could have brought this Bill forward much earlier and had a decision made on it which would have pleased the Leader of the Opposition greatly. However, under the Constitution a constitutional majority is required to pass the Bill at the second and third reading stages. The Leader of the Opposition knows that circumstances develop from time to time which make it necessary for members from both sides of the House to be absent from the sittings of the Chamber for periods, and that has been the situation which has faced the Government.

Rather than put the Bills to a vote when a constitutional majority was not present to support the Bills, which would have resulted in their defeat, the Government decided to withhold them until such time as a constitutional majority was present to carry them. These Bills are certainly not new in principle. Every member in this House understands them thoroughly as does everyone in another place. Those members in another place, therefore, understand the principles contained in this Bill and the one we have just passed through the third reading. Similar measures have been debated by them at length on many previous occasions.

The fact that members in another place will receive the Bills late in the session on this occasion will not militate against their making a decision, but whether it will be based on the merits of the proposed legislation is another matter. Past experience would indicate that the merits of these measures will not be considered at all. However, we will entertain the hope that the merits of the Bills on this occasion will be considered by those in another place. I know that the Leader of the Opposition was playful when he said the Government was not keen, was not anxious and was not even sincere in introducing these Bills, but I tell the Leader of the Opposition that the members of the Government are very keen, very anxious and very sincere in connection with these measures and they will continue to strive until this legislation finds a place on the statute book.

Question put.

The SPEAKER: To be passed, this Bill requires an absolute majority. I shall call for a division.

Division taken with the following result:—

Ayes	....	....	....	....	28
Noes	....	....	....	....	16
Majority for	....	....	....	....	12

Ayes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Hawke	Mr. Potter
Mr. Heal	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Steeman
Mr. Johnson	Mr. Toms
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. May

(Teller.)

Noes.

Mr. Ackland	Mr. Nalder
Mr. Court	Mr. Oldfield
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Thorn
Mr. I. Manning	Mr. Watts
Mr. W. Manning	Mr. Wild
Sir Ross McLarty	Mr. Hutchinson

(Teller.)

The SPEAKER: As there is an absolute majority voting in the affirmative, I declare that the Bill has passed the second reading.

Question thus passed.

Bill read a second time.

In Committee.

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

Third Reading.

The MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre): I move—

That the Bill be now read a third time.

The SPEAKER: To be passed, this Bill requires an absolute majority. I shall call for a division.

Division taken with the following result:—

Ayes	....	....	....	....	28
Noes	....	....	....	....	16
Majority for	....	....	....	....	12

Ayes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Hawke	Mr. Potter
Mr. Heal	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Steeman
Mr. Johnson	Mr. Toms
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. May

(Teller.)

Noes.

Mr. Ackland	Mr. Nalder
Mr. Court	Mr. Oldfield
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Thorn
Mr. I. Manning	Mr. Watts
Mr. W. Manning	Mr. Wild
Sir Ross McLarty	Mr. Hutchinson

(Teller.)

The **SPEAKER**: As there is an absolute majority voting in the affirmative, I declare that the Bill has passed the third reading.

Question thus passed.

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

BILL—CITY OF PERTH PARKING FACILITIES.

In Committee.

Resumed from the 14th December. Mr. Moir in the Chair; the Minister for Transport in charge of the Bill.

Clause 3—Commencement:

The **CHAIRMAN**: Progress was reported on this clause after Mr. Jamieson had moved the following amendment:—

That the word "Council" in line 27, page 2, be struck out and the word "Minister" inserted in lieu.

Mr. **JOHNSON**: When this measure was last dealt with before the Committee I intended to speak on the amendment, which to me is an important one. The idea is to delete the word "Council" with a view to inserting the word "Minister." This is a small amendment which will create a considerable change in the real value of the legislation. This Bill can be made into a useful measure, but I do not feel that that can be achieved if administration is handed over to a body which is not directly under the control of Parliament.

Traffic, and its attendant problem of parking, is not confined only to the area that comes under the control of the Perth City Council. The problem is the same throughout the State—in all cities, towns and municipalities. The problem is just as difficult in a district like Fremantle as it is in Perth. It might even be worse because in the main the Fremantle streets are narrower, and the volume of traffic per square foot of road surface is very nearly the same when compared with Perth. The principle to be adopted to solve the traffic problem in Fremantle is the same as that adopted for Perth.

If this Bill is to be effective it must have State-wide application, and if the amendment is agreed to, the legislation will apply to all parts of the State where vehicles move or stand. For that reason I ask all members to think very carefully about the principle, and that is: Who should be the controlling authority? Can the body to whom it is proposed to hand over this authority carry out the job? It is certain that the Perth City Council cannot handle the job in the City of Fremantle, nor can it in the municipalities of Subiaco, Midland Junction, Guildford and others. The problem is the same in all those places. The Perth City Council will not be able to exercise control in Kalgoorlie or Geraldton.

If power is given to the Minister, he will not be restricted to within the boundaries of the Perth City Council, therefore the proposition contained in this amendment is quite different. Furthermore, under the control of the respective Minister is the Police Force which is highly experienced in handling traffic and parking regulations. In addition, there is already established a department to control traffic, and that is under the control of the inspector in charge, who has had considerable experience in these matters, in research and in contacts made with the authorities in the other States.

I feel sure it is highly desirable that responsibility for the administration of this legislation should be placed in the hands of the Police Force, and thus enable the legislation to be applied to all parts of the State. Another advantage is that where an officer has gained experience in solving traffic problems in one place, he can be transferred to another where traffic problems begin to show. Thus it will be possible for an officer who has gained experience in Perth to be transferred to another centre where the traffic problem is growing. The principle contained in the amendment is an important one and should be adopted. For that reason, I support the amendment.

Sitting suspended from 6.15 to 7.30 p.m.

The **MINISTER FOR TRANSPORT**: I ask the Committee to reject the amendment. There are several other amendments associated with it, and about them revolves the fate of the Bill. We should reflect before deciding on action of this nature. It perhaps savours of tedious repetition even to mention that we have a traffic problem in our capital city and that the position is getting worse as more cars are being licensed each year—they are increasing at the rate of approximately 10,000 each year. Unless some provision is made for the parking of vehicles off the streets—because the kerbside cannot accommodate them all—and for regulating or rationing the kerbside space, the position will become chaotic.

The question before us, is, broadly, whether this activity should be undertaken by the Perth City Council or by the Government. More than 12 months ago the Government made a decision in respect of the matter. I have before me a clipping from "The West Australian" of the 1st October, 1955, and it is headed, "Government Approves Council Control of City Parking." That was a public pronouncement by the Government of the day, and the decision was conveyed to the governing authority of the City of Perth.

Because Parliament terminated early last year, legislation was not proceeded with, but action has been taken now, at the first available opportunity. I know that in all good faith the Perth City Council has taken

certain preliminary steps. Tentative orders have been placed, I understand, with regard to meters; approaches have been made to financial institutions to sound out the position regarding the availability of funds, and estimates have been made of the work and the cost involved in the development of car parks.

It is anticipated that within six months, at least one of the car parks will be developed sufficiently to accommodate some hundreds of motor-vehicles. From this it will be appreciated that in good faith, both the Government and the City Council have taken certain steps. It is conceded that not only this Chamber, but Parliament as such, has the right to decide yes or no. Under the Bill the Government will guarantee the Perth City Council in respect of loans up to £447,000. The developing of these car parks will be an expensive matter. The Government certainly has not the funds to do it, but the Perth City Council is able to raise the money because, in connection with this matter, it is not tied up with the Loan Council as the Government is. Therefore, acceptance of the amendment will mean that no progress can be made for another 12 months at least. I have no idea what resources will be available to the Government in 12 months' time. It may or may not be possible to proceed, but I would guess there will be water supplies necessary somewhere, drainage elsewhere and all the other public works and facilities that the people expect and for which members clamour. No proper control of traffic in the heart of the city can take place unless we are able to reduce the number of vehicles cluttering up the streets—in other words to provide for off-street parking.

Hon. L. Thorn: You can go ahead with your parking arrangements.

THE MINISTER FOR TRANSPORT: No, because the car parks will cost many tens of thousands of pounds—I would suggest several hundreds of thousands of pounds.

Hon. L. Thorn: We agreed to something in the Reserves Bill.

THE MINISTER FOR TRANSPORT: The Reserves Bill has been held back until the Chamber has determined the matter in this Bill. It is a question of the Perth City Council controlling parking in the city, or of no one controlling it. There is nothing unusual in this because every local authority, outside the metropolitan area, is the traffic authority. It is not intended that this should be the position in Perth because all the moving traffic and those who commit breaches in these respects, and others, will still be subject to the traffic police. The Perth City Council will have charge only of the stationary vehicles.

From documents I have read, I find that this procedure is common throughout the Commonwealth with the exception of Brisbane; and I have a report from Mr. Dugan, the Minister for Transport in that

State, indicating that talks have taken place between the Premier of Queensland and the Lord Mayor of the City of Brisbane for the purpose of putting into operation something identical with what is contemplated here.

The arguments that have been submitted have been so conflicting—some in direct contradiction of others—that it seems futile to submit reasoned argument in connection with them. To give one illustration, I point out that it was suggested that matters should be deferred until I visited the other States. As soon as I indicated that I had visited those States, it was suggested that there was no reason why we should ape the other States. In these circumstances, it is impossible for anyone to do the right thing.

This is a serious matter. Some members may have personal squabbles with the Perth City Council and perhaps dislike it because of certain activities, but the matter should not be approached on that basis; it should be dealt with on its merits. I again point out that this amendment, which is a prelude to many others, will have the effect, if carried, of killing this aspect of traffic control for 12 months, if not for many years.

MR. WILD: I hope the Committee will not agree to the amendment. Had I previously taken part in the debate—I was indisposed—I would strongly have supported the move made by the Minister because in this traffic question we have to get our heads above the clouds. In the main I agree with what has been done although I know that some criticism could be made, but the matters that can be criticised will be ironed out as time goes by.

Whilst a few commercial people have been hurt, I would say that in the main never before have we seen traffic in such an orderly fashion as it has been in the past fortnight. Last week my wife came into town and for the first time parked in the parking place near C.B.C. There, to her great satisfaction, she was able to pay 2s. in order to park for a couple of hours. She was not fearful at any stage that she would be apprehended by a traffic policeman for having stayed beyond the requisite time. Even though she had to walk a matter of 400 or 500 yards to the city, she was quite content.

If, with the installation of parking meters, the motorist pays 6d. for 30 minutes, he will, for the same amount of money, have a similar privilege right in the heart of the city. The motorists will be happy in the thought that for the payment of 6d. they will be able to park for thirty minutes without any worries, or, on the other hand, if they want to walk a little further, they can park in the parking areas that are to be provided. For the last three weeks there has been some semblance of orderliness in our traffic flow, whereas prior to that it was just chaotic.

I cannot see eye to eye with those who do not want the Perth City Council to have the authority in regard to parking meters. Parliament can override the council at any time and if in twelve months or two years' time we think that it is not doing what it ought to do, the Government of the day can bring down legislation to take over control. I hope the Committee will not agree to this amendment and I strongly oppose it.

Mr. JAMIESON: I hope the Committee is not deceived by what the Minister had to say regarding the financing of this venture. It is true that the Government has not sufficient funds at the moment but it is also true that these parking meters will pay for themselves in two and a half months. I cannot see why the Government could not buy these meters because as has been pointed out, they will pay for themselves in that short period. The Minister said that certain people did not like the Perth City Council. That is quite true and some people have expressed themselves regarding that on more than one occasion. But that makes little difference to this argument.

If we give this authority to the Perth City Council, what is to stop the Subiaco council, the Fremantle council or any one of a dozen suburban local authorities controlling traffic at present, from having the right to install parking meters and doing certain things with the funds derived therefrom? Surely we are not going to give each individual local authority a special Act to cover this aspect! Next year the Fremantle council will require this right and the year after the Subiaco council, and so on. They all have parking problems.

Surely the Minister can administer the fund without setting up little police forces in each area! The one for Perth alone will cost about £13,000 a year in wages and if the Subiaco council wants similar facilities a separate office will have to be set up there. Two extra policemen would be required at Subiaco and three or four more on the beat in Perth would be sufficient if this amendment were agreed to. It is just too silly to have all these little police forces each with a separate staff. It is of no use the Minister's saying that this is the only way out. He has a perfect right to administer this Act and to administer it properly, and if he wants the Perth City Council to do things from time to time he can co-opt that body.

There is talk about obligations and preliminary arrangements that have been entered into. The Minister, as well as the Perth City Council, knew that before any action could be taken final approval would have to be given by Parliament. Surely the Government could take over some of those obligations! Nobody would lose by it. As a matter of fact the Government would gain by it; but do not let us get

back to the stage where we have uniformed people marching around looking after the traffic in each different local authority district.

As the member for Dale said, the Minister has done a good job in getting the traffic flowing; nobody denies that. But do not let us get to the stage of a police state, as we hear referred to so often. The Police Department has never been opposed to the control of suburban traffic; it is concerned with the Minister's taking it away from the department. This amendment will do no harm; if it and the following amendments are accepted, the Minister will be able to carry on as he is doing now and, in addition, he will have complete control of the fund.

The Minister for Transport: How will we develop one car park?

Mr. JAMIESON: After two and a half months, the Minister will have a constant income and he can develop car parks with that money. That is all the Perth City Council proposes to do. All these reserves are being turned over by the Government.

The Minister for Transport: They have to be developed.

Mr. JAMIESON: Of course, they do.

The Minister for Transport: What with?

Mr. JAMIESON: Money from the meters.

The Minister for Transport: They will be developed quickly; a sum of £400,000 will be required in the next twelve months.

Mr. JAMIESON: The Minister is not going to see the Perth City Council spend that sum in the next six months.

The Minister for Transport: I said twelve months.

Mr. JAMIESON: Or within twelve months or two years.

The Minister for Transport: You know all about it!

Mr. JAMIESON: I do not; but I ask the Minister and the Government to be reasonable about this business. Is the Minister happy at the thought that next year he will have to come to Parliament with a similar measure to cover the Fremantle, Subiaco, or Midland Junction councils? Or is he prepared to tell them that they cannot have this privilege even though the Perth City Council has it? If the amendment is agreed to it will be incumbent upon local government to work in with the Minister, but I can see absolutely nothing wrong with the amendment. The Minister is only using a figment of his imagination when he says that it will do harm. I recommend this amendment to the Committee and hope it will be agreed to.

Mr. COURT: I think I should say something on this amendment because it is a vital one. If one wanted to monkey about, I suppose it would be an interesting

pastime to join forces with those who oppose the Minister, and I suppose from the point of view of political gain, it would be fair game. But I think the issue involved is far too important. There is an important piece of machinery about to be set up, or is contemplated, although from the trend of the discussion it looks as though it is not quite as sure as I thought it would be.

If the amendment is successful, I will do all I can to oppose the Bill in its entirety, because if this power is left with the Government instead of vested in the City of Perth, the whole scheme will take on an entirely different character. There seems to be an amount of concern that giving this power to the City of Perth will create an isolated situation which cannot be dovetailed into the problems of other places such as Fremantle, Subiaco, Albany and so on. But apparently members have overlooked the fact that the conditions under which the City of Perth will operate its car parks and the facilities that go with them and their meters, will all be subject to regulation.

The Minister would be plumb crazy if he did not keep some degree of uniformity in the method of conduct, such as the type of signs that will be used, the wording and so on. In any case, these regulations will come before Parliament and will be subject to the usual fourteen day provision. That would avoid one set of circumstances to be created in Fremantle, another one in Kalgoorlie and so on.

Mr. Jamieson: That is what you are asking by this Bill.

Mr. COURT: Nothing of the sort. The major problem at the moment is in the City of Perth.

Mr. Jamieson: That is your opinion.

Mr. COURT: That is the major problem.

Mr. Jamieson: What will be the position in Fremantle next year?

Mr. COURT: There is nothing to stop the Minister amending the Act at a later date to give the same powers to other authorities. While we are considering this problem as to who shall have the task of installing parking meters and parking facilities, the same problem is being dealt with in London at present. I have here a copy of "The Daily Telegraph" of the 17th November and the heading of one article is "London Parking Meters Likely by Easter. Minister to Speed Plans." It goes on to say that plans are on the way for parking meters in London and other parts.

Mr. Lapham: Are you comparing London with Perth?

Mr. COURT: We would be foolish if we did not try to get ahead of our problem; or at least catch up with it quickly so that it does not become insurmountable at a later date. The problem in London

is far from being solved with parking meters. The problem there is so colossal that it will take years to solve. In effect, the cutting says that a number of the London borough councils are preparing schemes for the adoption of meters and are only awaiting authority to proceed with their installation. One of these borough councils is Westminster, where batteries of meters are visualised. The rest of the cutting reads like a newspaper report of the speeches made by the Minister in the last few days.

As I understand the position in Melbourne and other cities, the authority for the conduct of the meters will be vested in the cities concerned. I am not so worried about having to set up separate administrations in each city as I am about the entire ramifications of parking throughout the State being added to the Government services. Surely if this responsibility were vested in the local authorities, they would see that it was carried out efficiently!

Members on the other side seem to feel that the State can do no wrong, but I am fast coming to the conclusion that the State can do very little right. Being under criticism from their ratepayers, it is obvious that the local authorities will see that this is run on economic lines. A further point which appears to be colouring the judgment of members on this matter is their hatred of the City of Perth which I cannot understand. I have had my differences with the City of Perth from the Lord Mayor downwards, but that does not make me feel they should be damned. They have done a fine job and they will continue to do a fine job as long as they are given the power.

Parliament has control of the regulations and the Minister has control of everything the City of Perth can do. So I do not see why members are worried. In the matter of finance, if all the Government has told us is factual—and I see no reason to think otherwise—it will not be able to find the money to lay out and embark on a scheme of this magnitude, particularly if all we have read in the paper this evening concerning the necessity for classrooms and other educational facilities is any indication.

Mr. OLDFIELD: Everybody seems to be running contrary to what they have expressed at some time or other. Only recently the Minister said he would take steps to bring the problem of traffic in this State under one authority. I agree that should be done, particularly in the light of different speed limits being established in different local authority areas in the country as opposed to the metropolis. The member for Nedlands should also be more consistent. When discussing the Local Government Bill he was of the opinion that local authorities should not indulge in profitmaking ventures.

Mr. COURT: I still agree with that.

Mr. OLDFIELD: If that is to apply to all local authorities then it should also apply to the City of Perth, which is perhaps the greatest local authority. It should not be permitted to indulge in profitmaking enterprises. For those reasons, I support the amendment.

Mr. GRAYDEN: I intend to vote for the amendment and I hope the Bill will lapse. I have not had occasion to criticise the Perth City Council nor have I had any difference of opinion with that body. I respect the Minister's views on this question. I feel, however, that our parking problem could be solved by the construction of a few car parks, and the money proposed to be spent on parking meters could be devoted to this purpose. There is no comparison between the position in Sydney and that which exists here. We have not reached the stage of charging the public a fee for parking. We should extend the time for parking and police it much more vigorously.

Mr. CROMMELIN: I oppose the amendment. To a certain extent I object to paying a parking fee, but the knowledge that this fee must be paid will tend to have the effect of restricting extended parking. The member for Beeloo said that the meters would pay for themselves in ten weeks. They have been established in Melbourne for some time and the average period in which they will be paid for is 25 weeks. It will not be possible for them to pay for themselves in ten weeks unless a charge of one shilling per half-hour is made.

Another aspect is that, with the installation of parking meters, the suburbs in Melbourne have grown tremendously and this has been a great help to storekeepers. I do not suggest that businessmen do not have to come into Perth every day, but, on the other hand, many of the women who come into the city will, because of these parking restrictions, tend to do what business they can in the suburbs. All this must help to build up the suburbs considerably.

It would be possible for the City of Perth to employ a few girls to watch these meters, and this would release a number of policemen who today spend their time walking up and down the streets checking parking. Without exception, all the policemen to whom I have spoken would like to see the parking regulations dispensed with. If the Bill is passed, we will not be faced with a thousand parking meters the next day. It will take some time to install them. Some people may feel this is an infliction but I would point out that people in Melbourne are far happier under the system of parking meters than under that which existed previously.

Mr. JAMIESON: I do not know where the member for Claremont got his information from about the meter position

in Melbourne. He said that if the meters were to pay for themselves in a certain time a charge of one shilling per half hour would have to be made. In central Melbourne parking is of a 20-minute duration while in the suburbs it is for a duration of half-an-hour. The estimated installation cost of these meters is in the vicinity of £45 per meter. Assuming they are used on an average for eight hours out of 9½ hours a day they would be in operation, which would be reasonable in the busy sections of Perth, on that basis for five days a week, they would not be long before they were paid for. There would be other expenses and it will not be a small job, from the point of view of finance, in maintaining parking meters in the City of Perth. The cost of salaries for staff alone would be around £13,000 a year.

The Minister for Transport: What do you base that on?

Mr. JAMIESON: On the ten proposed inspectors and the girl typist associated with it, without going any further in regard to the technical men who will be required to maintain the meters.

The Minister for Transport: Who proposes ten inspectors?

Mr. JAMIESON: Certain information is circulated that that is the number in mind. The Minister is not going to say they will do with less than ten men over 9½ hours a day. Inspectors will have to be on duty at all times and until 1 p.m. on Saturday. That is the minimum number expected to police it. We will have £13,000 a year going down the drain in additional salaries, while roughly, the salary of two or three more policemen might cost another £4,000. There could be a substantial saving there.

The present administration has been handling parking tickets for many years and knows the game backwards. I suggest the member for Claremont look at the position in this light and in particular in regard to the lesser authorities when they want similar facilities and considers what it is going to cost them. An extra policeman could probably administer the district in the smaller localities. I ask the Committee to support the amendment.

Mr. COURT: Briefly, I wish to make an explanation. If the member for Mt. Lawley reads the debate which took place in regard to local government trading, he will find we did not seek the deletion of certain powers given to local authorities but we did object to them going into ordinary trading ventures of buying and selling. I proposed to put an amendment on the notice paper, but the member for Cottesloe beat me to it, to delete from the Bill the provision in this measure which permits the Perth City Council to enter into trading operations. I still oppose the extension of trading rights in the ordinary course of business to local authorities.

The MINISTER FOR WORKS: This year I have had to refuse requests for improvements to school playgrounds which have been urgently in need of attention. Requests have been made for them to be bituminised and I have had to refuse the lot because in no circumstances could loan funds be allocated for such a purpose. It would seem incongruous to me, on the one hand, to refuse to put school playgrounds in order and, on the other hand, to spend loan funds to provide parking areas for motorcars.

That is what we will be obliged to do if the member for Beeloo has his way. He overlooks the fact that revenue from parking meters will not provide the loan funds in the manner required for the establishment of the areas upon which the cars will be parked out of the city. These areas will need a lot of preparation and attention, and I am perfectly certain the Public Works Department will not have any funds for those purposes this year or next year.

Mr. Ross Hutchinson: I am certain it will take longer than 10 weeks to recoup such expenditure.

The MINISTER FOR WORKS: It is just too fantastic to refuse water supplies in the metropolitan area as I am bound to do because I have no funds—Maida Vale has been refused year after year—and spend these funds in providing parking areas for motorcars.

Mr. JOHNSON: On the matter of finance, as I understand it, the Perth City Council will be required to borrow money to do this proposed construction. Borrowings made by the Perth City Council are made under the authority of the Loan Council in relation to semi-governmental authorities and are portions of the authorisations made for the whole of the State. Unless I am mistaken, the total amount available under the Loan Council is reduced by the amount the Perth City Council borrows.

If the money is to be borrowed by the Perth City Council, then there would appear to be very little reason why it cannot be borrowed from the same source and under the same authority by the Government. The variation in authority is not one I have seen reported as having been considered by the Loan Council and it could be that the Perth City Council has considered moving ahead of the authorisation or it is intending to borrow the money out of its own special purposes reserves, which it has accumulated for a long time in a manner which is not entirely approved by all the ratepayers.

But whatever the situation is in that regard, if the money is to be borrowed, then it must come under the authority of the Loan Council. If it is under the authority of the Loan Council, then it is borrowed in such a framework which is not altered, and if the funds are available

under the Loan Council, they are available to either the Government or the Perth City Council.

The Minister for Works: No, they are not.

Mr. JOHNSON: It could be, but I fancy the Minister for Works could clear the matter up by telling us the story accurately and at no great length.

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

Ayes	....	....	....	....	15
Noes	....	....	....	....	26

Majority against 11

Ayes.

Mr. Evans	Mr. Norton
Mr. Grayden	Mr. Oldfield
Mr. Jamieson	Mr. Rhatigan
Mr. Johnson	Mr. Rodoreda
Mr. Lapham	Mr. Sleeman
Mr. Lawrence	Mr. Toms
Mr. Marshall	Mr. Thorn
Mr. Naider	

(Teller.)

Noes.

Mr. Ackland	Mr. I. Manning
Mr. Andrew	Mr. W. Manning
Mr. Brady	Sir Ross McLarty
Mr. Crommellin	Mr. May
Mr. Gaffy	Mr. Nuisen
Mr. Graham	Mr. O'Brien
Mr. Hawke	Mr. Owen
Mr. Heal	Mr. Potter
Mr. Hearman	Mr. Roberts
Mr. W. Hegney	Mr. Sewell
Mr. Hoar	Mr. Tonkin
Mr. Hutchinson	Mr. Wild
Mr. Kelly	Mr. Court

(Teller.)

Amendment thus negatived.

Mr. LAPHAM: I move an amendment—
That after line 35, page 2, the following proviso be added:—

Provided that no regulation or by-law made pursuant to this Act shall become operative unless and until it has been laid on the Table of both Houses of Parliament and either

- (a) notice of motion pursuant to the provisions of the Interpretation Act, 1918-1954, within the time prescribed therein for the disallowance of such regulation has not been given in either House of Parliament by the expiration of that time; or
- (b) a resolution moved pursuant to any such notice that has been given pursuant to the lastmentioned Act has been moved in either House and the regulation has not been disallowed as the result thereof;

whichever is the later date.

The reason for moving for the addition of this proviso is to give some effect to the Interpretation Act. There is a provision in the Act which permits a regulation or by-law to be disallowed during

the period it is laid on the Table; but, in practice, what actually happens is that regulations and by-laws become effective immediately Parliament is in recess and operate until the House resumes. During that period, in many instances a considerable amount of finance is spent in consequence of regulations; and if those regulations were to be disallowed, much inconvenience would be suffered by the public. Consequently, members are loth to disallow regulations and by-laws.

As an illustration, I would remind members of what happened in regard to the stop signs erected at street crossings. They were installed willy-nilly over the whole of the metropolitan area just after Parliament rose. They were costly to erect and would have been costly to pull down after they had been in use for six months. Moreover, people had become accustomed to the monstrosities, and the result was that it was felt that the regulation might just as well be allowed to continue.

My proviso lays it down that no regulation or by-law shall be effective until approved by both Houses. The result will be that it will have the sanction of Parliament, which will be carrying its authority in regard to this measure. The member for Nedlands mentioned that it would be most unwise to allow differing regulations to exist in different local authorities' areas. This proviso would prevent that, and I hope it will be agreed to.

THE MINISTER FOR TRANSPORT: This is unquestionably just another means being sought to make the measure ineffective and inoperative. Anybody who has studied the provisions dealing with the making of regulations and by-laws will know that nothing can be done unless there is first of all a regulation. Under the proviso, no start could be made with regard to constituting and defining any part of the City of Perth as a parking region until Parliament met next year, and after we had got the Address-in-reply debate out of the road—in other words, about September or October. Not until then could we get on with the job of discussing by-laws and regulations, and in the meantime nothing could happen.

This is a matter of such urgency that, so far as I am concerned, it cannot start soon enough. A great deal of my time and energies have been devoted to that very purpose of getting as much preliminary work done as possible, so that as soon as the Act is proclaimed, the Perth City Council can spring into action. Notwithstanding that there are by-laws, great and small, placed on the Table of the House by the thousands, I venture the opinion that not too many members bother to read them.

Hon. J. B. Sleeman: Very often they slip them through.

THE MINISTER FOR TRANSPORT: They are not slipped through. They are outlined by the Minister and placed on

the Table. A comparatively recent innovation has been that they are listed in every copy of Hansard; so members know precisely what papers are tabled. But the overall experience is that it is almost news for one or two regulations to be disallowed in both Houses in the whole of a parliamentary session. This proposition of having to wait until regulations are tabled and discussed by Parliament would defeat the whole purpose of regulations.

If what is sought by the hon. member were desirable, what we would do would be to dot every "i" and cross every "t" in this Bill, and set everything out in detail; because, in his opinion, everything should be closely examined by Parliament before it has the force of law. If that happened, the only way it could be stopped would be by a majority vote and repeal legislation. What is proposed by the hon. member is completely contrary to established practice and would have the effect of preventing any portion of this legislation becoming operative for the best part of 12 months.

Amendment put and negatived.

Clause put and passed.

Clause 4—Interpretation:

MR. COURT: On page 4, line 19, appear the words "parking region." Try as I will, I cannot find any legal definition of it. Can the Minister indicate just what is the significance of the words or do we take it in its plain, simple English meaning as being an area where parking is conducted.

THE MINISTER FOR TRANSPORT: The conception is that the Minister may declare either the whole of the district of the municipality of Perth or any portion of it a region for the purposes of the Act. It would be hardly likely that Floreat Park—to mention one area—would become a region initially. No doubt regions would be extended, and contracted perhaps—certainly varied from time to time—in accordance with necessity. The final determination would be made after consultation with the Perth City Council; but the intention, as I understand it, is roughly from Leederville to East Perth and from the Perth foreshore to Vincent-st.

MR. COURT: What is the significance of it in the set-up of the parking scheme? I cannot see why it has been singled out and why we want to declare a region.

THE MINISTER FOR TRANSPORT: It may not be desirable—and I do not think it is—for the whole City of Perth district or municipality to be within the ambit of this Act. We declare a region, a portion of the Perth City Council area, which would be encompassed by this measure. The purpose is to deal with a particular problem—that of the parking arrangements in the heart of the city and the immediate surroundings. Perhaps I should make it clear that the Perth City Council never wanted

authority to do this. It made the approach to the Government because nothing was being done.

Mr. Jamieson: Another joke!

The MINISTER FOR TRANSPORT: The member for Beeloo seems to have become completely irresponsible in connection with this legislation. I do not want to go into the history and genesis of his hostility to the Perth City Council, because I do not think it would make pretty reading. I do suggest that if there is something a local authority has done that has got completely under our skins, that is no reason why we should not discuss a Bill on its merits.

Mr. Court: Do I take it that the Perth City Council could be relieved of responsibility in a substantial portion of its area or made responsible for a definite portion?

The MINISTER FOR TRANSPORT: That is the position.

Mr. JAMIESON: In supporting this amendment, I think I must refute what the Minister said. He made a statement regarding the genesis of some of my opposition and, all-in-all, has been particularly violent in his approach to the matter. The Committee will recall, however, that I made no reference, when debating earlier clauses, to anything except the principle involved. It ill becomes the Minister to get out of the rut and into the gutter. However, I support the amendment.

Mr. Court: What amendment is the hon. member referring to?

The CHAIRMAN: There is no amendment.

Mr. Court: He spoke of an amendment.

The CHAIRMAN: The question is that the clause stand as printed. I am not responsible for what the hon. member said.

Clause put and passed.

Clauses 5 to 7—agreed to.

Clause 8—Borrowing powers of Council:

Mr. LAPHAM: I move an amendment—
That Subclause (5) in lines 12 to 20, page 8, be struck out.

The intention of the amendment is to throw on the Perth City Council the onus of making a success of the project. It is suggested that the Government will stand as guarantor for the principal and interest in regard to the £447,000 that it is proposed the council shall borrow.

The Perth City Council is elected by a small minority of the people of the State, by a most peculiar and undemocratic method and I do not think the Government, which is elected by, and responsible to, all the people in the State should stand guarantor for the council. Of course, the Government believes that the scheme will prove a lucrative one and that it will not be called on to meet the guarantee, and I hope that that proves to be the case

should this provision remain, but I repeat that the Perth City Council should stand on its own feet in this matter.

The MINISTER FOR TRANSPORT: Members can envisage that for the first several years there will be large expenditure of capital moneys for the installation and development of parking facilities. Some of those developments may take several years as an area, which is still part of the Swan River, will have to be reclaimed and consolidated, suitable filling and so on attended to, followed by surfacing, kerbing, tree planting, fencing, etc.

Members can see that there will be quite a period before there is any return on the loan money involved. Obviously it is the fervent wish of the Government that it will not be called on to meet the guarantee in any way but it is felt that if the Perth City Council is to borrow money on debentures, those lending the money should be assured of a return, which might be doubtful in those first few years. I think the safeguard of this provision is necessary, because it will not be the intention of the council to use the facilities provided as a taxing measure to squeeze the last penny out of the motorist, as that would tend to keep people away from the areas concerned and to that extent depress property values and, accordingly, the rates.

It has been said repeatedly that the scheme will be a lucrative one for the Perth City Council, but again I emphasise as strongly as possible that none of the money resulting from the scheme will go into the coffers of the council. It will all go into the fund and be used for the policing, maintenance and development of the existing and further facilities. The subclause is indispensable and I hope the Committee will not agree to the amendment.

Mr. JOHNSON: We have accepted the principle of the Perth City Council being the parking authority and we must remember that this legislation will be the model when other local authorities wish to follow a similar course. If they feel that they have a right to be guaranteed by the Government, the result will be that many local authorities, which otherwise could not afford such undertakings, will be tempted to do so with the assistance of Government guarantees.

Amendment put and negatived.

The MINISTER FOR TRANSPORT: Those who have read the relevant sections of the Municipal Corporations Act will realise that somewhat long and complicated processes could develop in the raising of money. Unfortunately, certain wording inadvertently appears in the clause and I therefore move an amendment—

That the words "four hundred and fifty-two inclusive, Sections four hundred and fifty-four to" in lines 25 and 26, page 8, be struck out.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That after the word "section" in line 30, page 8, the words "as if the loan were money borrowed pursuant to, and for a purpose mentioned in, that Part of the Act" be added.

This is to ensure the Perth City Council shall borrow money in the same manner as is laid down in the Municipal Corporations Act.

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

Clause 9—Council to report on its activities to Minister:

Mr. LAPHAM: I move an amendment—

That after the word "year" in line 35, page 8, the words "such report to be laid on the Table of both Houses of Parliament in this State within seven days of it being received by the Minister, provided that where Parliament is in recess, the seven-day period shall commence to take effect as from the first sitting day of such Parliament," be added.

This is a simple amendment to which I think the Minister will agree. What it seeks is that seven days after a Minister receives that report, he shall lay it on the Table of the House. In my opinion, the various departmental reports are far too slow in coming forward for laying on the Table of the House and as a result by the time we are able to study them, they have lost much of their value.

The MINISTER FOR TRANSPORT: I am not unduly perturbed by the amendment, but it is being unnecessarily difficult. I have never known of any Minister in any Government deliberately withholding any departmental report once it is made available to him. There are many circumstances which are responsible for delays in presenting reports. For instance, the report of the the State Housing Commission was completed several months ago and the majority of it has been lying with the Government Printer ready for printing. However, the work cannot proceed until the section dealing with the commission's accounts has been approved by the Auditor General. If the amendment satisfies the member for North Perth, I will accept it. I notice that it does not contain any penalty.

Mr. Roberts: It will be gaol.

The MINISTER FOR TRANSPORT: I see no reason why a Minister should not present such report to the House within seven days once he has received it, but I was wondering if the member for North Perth would compromise and make it 14 days.

Mr. Lapham: Yes.

The MINISTER FOR TRANSPORT: In that case, I move—

That the amendment be amended by striking out the word "seven" in line 4 and inserting the word "fourteen" in lieu.

Amendment on amendment put and passed.

The MINISTER FOR TRANSPORT: I move—

That the amendment be amended by striking out the word "seven" in line 7 and inserting the word "fourteen" in lieu.

Amendment on amendment put and passed.

Amendment, as amended, put and passed.

Clause, as amended, agreed to.

Clause 10—agreed to.

Clause 11—Powers of council to create departments and appoint officers:

The MINISTER FOR TRANSPORT: The member for Cottesloe has placed an amendment on the notice paper with a view to achieving certain things. I examined it and found that it would not achieve what the hon. member sought. I conferred with him and I have prepared an amendment which, I am assured by legal opinion, will remedy the weakness that he saw in the clause, but about which I am not concerned. This has to do with the establishment and operation of service stations on car parks for the supply of petrol and other requisites to motorists but not for the establishment and operation of a workshop.

I indicated that it was unlikely that the Perth City Council would establish and conduct one of these businesses, but would lease the site to one more skilled in such a task. However, drawing a long bow, it could be the desire of the Perth City Council to do this itself. The chief purpose of the clause is to establish these parking areas and also to provide certain facilities for the motorists. As long as they are provided, I am not concerned who provides them. However, in order to establish the point clearly it is necessary to make several amendments which I hope members have related to the clause. I give the assurance that the amendments will achieve only what I have mentioned and no more. I move an amendment—

That before the word "provide" in line 20, page 9, the words "and subject to the provisions of Subsection (3a) of this section," be inserted.

Mr. ROSS HUTCHINSON: I confirm the remarks made by the Minister and thank him for being good enough to consult with me on the amendment I proposed and for the work he has done in drafting the amendments he now proposes to move. It is my intention to support them.

Amendment put and passed.

The MINISTER FOR TRANSPORT: Before I proceed to move for the insertion of a new sub-clause, it will be noted that because of the arrangement before us, a new issue altogether obtrudes itself. It is desired to empower the Perth City Council, as the parking authority, to insure against the liability which it might incur under the provisions of this legislation. That pertains to a number of factors which need not be referred to now. In my view, this is a very necessary provision. I therefore move an amendment—

That after the words "parking regions" in line 14, page 10, the following be inserted to stand as paragraph (i):—

insure against any liability which it might incur under the provisions of this Act;

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That after the words "parking facility" in line 37, page 10, the following be added to stand as Subclause (3a):—

Notwithstanding the provisions of subparagraph (ii) of paragraph (b) of Subsection (1) of this section, the council shall not manage or operate a parking facility which provides any of the services referred to in paragraphs (a) and (b) of Subsection (3) of this section.

Members can accept my assurance that what I have said earlier will also apply in this case.

Mr. ROSS HUTCHINSON: I support the amendment. It is wise that the Perth City Council should not conduct a business venture on a parking station because highly anomalous situations could arise. If it is given that power, it could act in competition against its own ratepayers, and that could lead to wrongdoing by an unscrupulous council or councillors. Under this amendment, the Perth City Council will not be able to operate a service station on a parking lot.

Mr. JOHNSON: I oppose the amendment and would register my protest against the whole proposition. I know it is the practice of the Perth City Council to deal with such matters by leasing the undertakings to private operators. This amendment will prevent the council from doing that in any other way. This Bill will be the model for similar legislation to cover other municipalities. I expect that many other Bills will be introduced into Parliament to cover other areas in future sessions.

It may not always be the practice of the Perth City Council to manage its affairs in the manner adopted at the present time. We know that it will have to

employ people to service the parking meters and they will be employed on shift work. They will work for more than five days in a week. Being a good employer it will work the employees on five shifts of eight hours per week, so there will be a considerable number employed. It might be considered advisable by the council to establish a petrol selling point in one of these parking centres, to be manned by its own employees in their off periods.

The council may also find it advisable to have its own garage to maintain and repair its vehicles, and to establish it alongside one of these parking areas. It might consider doing repairs and maintenance to vehicles parked in that parking area, or it might contemplate selling petrol and cleaning vehicles. Whilst I realise that the council will lease petrol stations if the lessees are available, we should not restrict the council and give it no other choice.

Mr. COURT: I support the amendment especially as it is consistent with what is proposed by the member for Cottesloe. I would suggest to the Minister that between now and when the Bill is considered by the Legislative Council, it would be a good idea to ask the Crown Law Department to consider the wording of the new subclause, to ensure that it does not go further than is proposed.

The Minister for Transport: I am satisfied that the subclause does not go further than is intended. The word "provide" has been omitted, so the Perth City Council will still be able to provide parking areas, etc.

Mr. JAMIESON: I oppose this amendment for a reason which must be abundantly clear if the Minister searches his conscience deep enough.

The MINISTER FOR TRANSPORT: We have to be realistic about this legislation. Does any member of this Chamber seriously think that the Perth City Council is likely to conduct petrol selling stations of its own?

Mr. Lapham: Yes.

The MINISTER FOR TRANSPORT: Apparently the hon. member does.

Mr. Lapham: Why give the Perth City Council authority to do that?

The MINISTER FOR TRANSPORT: This clause does not make any such provision. It makes provision for the council to lease.

Mr. Lapham: To trade in a highly competitive field.

The MINISTER FOR TRANSPORT: It is a totally different matter from operating those establishments itself. Except for the sake of convenience, I would not care if there was no provision made to enable the council to set up points for the refuelling and cleaning of vehicles. From a

traffic point of view, my desire is to see that parking areas cater for these facilities so as to obviate the cluttering up of the streets by the motorists having to go outside to avail themselves of those facilities.

Mr. Court: In the multi-storey parking buildings, the provision of such facilities is very important.

The MINISTER FOR TRANSPORT: They are very important in any scheme. Instead of the motorist having to undertake a journey to obtain these minor services, they will be available in the parking areas. After consultation with the member for Cottesloe, seeing that he intended to do something in this respect, I put the provision into the proper form. As I have submitted the new subclause to the Crown Law Department, I accept full responsibility if it runs off the rails.

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

Clauses 12 to 15—agreed to.

Clause 16—Parking inspectors:

Mr. LAPHAM: I move an amendment—

That the words "and without receiving express authority from the council" in lines 23 to 25, page 12, be struck out with a view to inserting the words "with the approval of the council or a person authorised by it."

This clause sets out the powers of parking inspectors. I have it on good authority that a number of them will be appointed. I would refer to the wording of Clause 16 (1) (a), which gives so much power to an inspector that, in effect, he becomes a little dictator in his own right. I do not agree with the provision at all. It is not right to give parking inspectors complete authority. In my opinion, they should be made to answer to someone above them, such as a chief inspector, who could indicate whether their interpretation of a section of the Act was correct or not, otherwise each inspector would interpret the Act in his own way and thus put individuals to the expense of going before a court to contest any interpretation. It is entirely wrong to have the provision as it is in the Bill. Some person should be responsible, and not every parking inspector. There could be 10 or 20 of them. A traffic constable has not the powers outlined here, yet in the main he is a man of considerable experience.

The parking inspectors will be taken more or less out of the blue and given this power. They will be answerable to no one. They could institute proceedings against a person for any alleged offence, and the offence would simply be as a result of their own interpretation of the Act. I am only reasonable in asking the Minister to accept the amendment. There should be some restraining influence on the parking

inspectors. It is too dangerous to put such power into the hands of inexperienced people.

The MINISTER FOR TRANSPORT: There is no need to get excited about this. The reason for the provision is to prevent something which, I think, is feared by some members—that the Perth city councillors may have too much of a finger in the pie and will grant special dispensations to themselves and their friends. This is designed to ensure that where there has been a breach, the matter will not have to be referred to the Perth City Council or the councillors, but that the inspectors may go ahead. They will merely have the vehicle registration number, and not until after they learn who is the registered owner will they know upon whom they have to serve notice. What damage could they do? The most they could do would be to charge a person with an offence, of which he may be found not guilty.

Mr. Lapham: That is so, but it would cost him money to get out of it.

The MINISTER FOR TRANSPORT: Most of these offences would be what are known as minor offences for which the penalty would be 10s. to 20s.

Mr. Lapham: There would be solicitors' fees.

The MINISTER FOR TRANSPORT: Solicitors are not required in connection with these offences. At present if a person feels he is wrongly charged, he can contest the matter. If he is not proven guilty, costs can be given in his favour. This does not alter the present procedure. If an inspector went to excesses by provoking people or unnecessarily charging them so that a series of them were found not guilty in the court, he would shortly be without a job.

Mr. Lapham: What about the people who had been so charged?

The MINISTER FOR TRANSPORT: I cannot answer or even cater for all these imaginary things that could happen. I have instanced statutes which provide for complete freedom on the part of the Minister. It could be said that an irresponsible Minister could turn the country upside down. The Traffic Act provides that the metropolitan traffic fees may be allocated to the metropolitan local authorities as the Minister thinks fit. Having regard to his own rates, he could decide that the lot should go to the Perth City Council, but he does not do that.

Parliament assumed the Minister would have a certain amount of commonsense and I am prepared to assume that the Perth City Council and the persons it appoints to these positions are likely to have commonsense and will do the best they can to make the scheme operate. I assure the member for North Perth that I shall be the first to come forward with amendments to further tighten up the position if it is found there are any abuses. I do not

think we are entitled to assume there will be frivolous and vexatious proceedings against people.

Mr. LAPHAM: Frivolous and vexatious matters are not the ones that keep solicitors in courts, but differing interpretations of various sections of Acts. People who are immature in relation to traffic matters will now have authority to interpret the provisions of this measure and will have the right to institute and carry on proceedings against any person for any alleged offence. If a person so charged wishes to defend himself, he must employ a solicitor and that is costly.

I feel I have asked for something reasonable, namely, that before these inspectors can institute and carry on proceedings they must first go to someone in higher authority. The person in higher authority would be the council or some person authorised by it. I want one person to be in charge of the inspectors and to say what is the interpretation of particular sections and whether an inspector can proceed with the case. I do not want ten inspectors having ten different views and so creating chaos for the motoring public. We have had too much of it in the past, and I do not want any more of it in the future.

Amendment (to strike out words) put and a division called for.

The CHAIRMAN: As I gave the call to the ayes and the member for North Perth questioned the decision, calling for a division, I must ask him, under Standing Order 196, to cross over and vote with the noes.

Mr. Lapham: You gave me a shock when you said, "The ayes have it."

Division taken with the following result:—

Ayes	.....	21
Noes	.....	21
A tie		0

Ayes.

Mr. Ackland	Mr. Nalder
Mr. Brady	Mr. Norton
Mr. Evans	Mr. O'Brien
Mr. Grayden	Mr. Oldfield
Mr. Hall	Mr. Owen
Mr. Jamieson	Mr. Perkins
Mr. Johnson	Mr. Rhatigan
Mr. Lawrence	Mr. Rodoreda
Mr. W. Manning	Mr. Sleeman
Mr. Marshall	Mr. Toms
	Mr. Andrew

(Teller.)

Noes.

Mr. Court	Mr. Kelly
Mr. Crommelin	Mr. I. Manning
Mr. Gaffy	Mr. May
Mr. Graham	Sir Ross McLarty
Mr. Hawke	Mr. Nulsen
Mr. Heal	Mr. Potter
Mr. Hearman	Mr. Roberts
Mr. W. Hegney	Mr. Sewell
Mr. Hoar	Mr. Tonkin
Mr. Hutchinson	Mr. Wild
	Mr. Lapham

(Teller.)

The CHAIRMAN: I give my casting vote with the ayes.

Amendment (to strike out words) thus passed.

Mr. LAPHAM: I move an amendment—
That the words "with the approval of the council or a person authorised by it" be inserted in lieu of the words struck out.

The effect of the amendment will be that the council will have the authority to appoint a chief inspector for the purpose of controlling other inspectors and he will be answerable for any charges to be instituted against the public.

The MINISTER FOR TRANSPORT: I was not the least bit concerned about this amendment and had no intention of calling for a division, but I think the hon. member got a little excited about it. The clause was framed purposely to meet the objections of some of my protesting colleagues and, incidentally, an independent member on the other side. He felt that if it was left to members of the Perth City Council, they would be bestowing favours upon themselves and their friends. I was told of the things members of the council would get up to and what they would do to members of Parliament because of resentment that they are alleged to have against them. It is a strange situation when it was never proposed that this should go into the Bill originally and it was put in at a request to meet objections—and now they have voted against it! I have no qualms about it.

Amendment (to insert words) put and passed; the clause, as amended, agreed to.

Clauses 17 and 18—agreed to.

Clause 19—Duty of owner to identify driver of vehicle:

Mr. LAPHAM: I move an amendment—

That after the word "do" in line 32, page 14, the words "within seven days of the commission of the alleged offence" be inserted.

I desire to make sure that the authorities do not delay notifying a motorist when they feel that the person in charge of the vehicle has committed an offence. It may be a simple matter for an owner to indicate who was the driver of a vehicle if it was only a few days before; but if a month or so elapsed it would be very difficult. The Minister has indicated that he is prepared to accept the amendment and therefore there is no need for me to explain it any further.

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

Clause 20—agreed to.

Clause 21—By-laws:

Mr. OLDFIELD: I move an amendment—

That all words after the word "provided" in line 4, down to and including the word "charges" in line 7, page 16, be struck out.

Similar words appear in two other paragraphs and if this amendment is agreed to it will be necessary to strike out the same words in those two paragraphs. We

are giving the Perth City Council the right to do certain things and the officer of the council, or the council itself, who frames these by-laws will be in a position to say who will be exempt, if necessary, from paying any parking charges and so on, within the City of Perth.

No matter who the person may be, he should have to pay the approved charges for parking, the same as everybody else. I realise that special types of vehicles must be exempt, such as fire engines, ambulances, police vehicles, and so on when on their lawful duty. But they should be specifically named; although I believe that under the various Acts the vehicles I have mentioned are absolved from the traffic laws.

Mr. Potter: What about members of Parliament?

Mr. OLDFIELD: They are not even allowed to park in the parking area at Irwin-st.; only a few privileged ones such as Ministers and ex-Ministers are allowed to park there.

Hon. Sir Ross McLarty: Where can they park?

Mr. OLDFIELD: The hon. member missed out, because he did not know whom to approach. He is only the ex-Premier; but a couple of his very junior Ministers arranged before they left office to have this parking space made available to them, and they still have their stickers. We can tell by the colour of their faces at the moment who they are. I suggest that the Minister give this amendment favourable consideration.

The MINISTER FOR TRANSPORT: If the position were as outlined by the hon. member I would be with him 100 per cent. But he is forgetting the first few words in the clause which read—

The council may, with the approval of the Minister, make by-laws—
I think the hon. member can accept my assurance that the Minister will be most vigilant.

Mr. Oldfield: But you may not always be the Minister.

The MINISTER FOR TRANSPORT: Judging by the debate this evening, when the regulations are laid on the Table there will be many vigilant members who will get hold of those regulations to see what is contained in them and if special privileges were being granted, I can imagine motions being moved to disallow those regulations.

The types of vehicles mentioned by the member for Mt. Lawley have certain traffic rights in cases of emergency, but there are others that are not so privileged and there is a certain measure of doubt as regards commercial vehicles. The Perth City Council may decide that commercial vehicles upon legitimate loading and unloading business shall not pay any charge. But

in order to keep the spirit of the scheme in operation, there may be a series of discs which they may use rather than coins and the firms serviced on the one hand or the distributing firms may pay a weekly or a monthly rental for the trading rights on the kerb side.

I do not suggest this will happen but it is a possibility. I think members will agree that commercial vehicles are in a different category from cars and it is desirable to exempt them from the charges the ordinary motorist would pay. The Minister, and I am sure other members, would look at this very closely. I spoke to the Town Clerk and impressed on him that the Minister and other members would go very closely into the matter of any by-law that came before them. It is a direction that is necessary.

Sitting suspended from 10.2 to 10.55 p.m.

Mr. OLDFIELD: In view of the undertaking given by the Minister, I ask leave to withdraw my amendment. I will consider moving suitable amendments to the parent Act next session.

Amendment, by leave, withdrawn.

Mr. ROSS HUTCHINSON: I move an amendment—

That paragraph (r) of Subclause (1), lines 18 to 33, page 18, be struck out. This is the kernel of the nut, in so far as it relates to the tow away provision and the power given to the Perth City Council to make by-laws defining the circumstances under which a vehicle causing obstruction to traffic within the parking region may be removed by a person duly authorised by the council. It prescribes a scale of charges to be paid by the owner and authorises the person removing the vehicle to use such force as is necessary to enter the vehicle or remove it.

During the second reading debate a number of other speakers and myself were opposed to this tow away provision. We pointed out how arbitrary this measure was. We felt the laws of the land were sufficient to handle parking offenders, but at the same time we considered there should be a tightening up with regard to people who broke the parking laws. I would ask the Minister to reconsider his decision and agree to the deletion of paragraph (r). I am sure the Minister will appreciate that we have been most reasonable in our approach to this Bill, and that had we desired to play politics on certain clauses, the measure could have gone overboard. We felt, however, that it was in the best interests of the city and the parking laws generally. If the Minister holds to this tow away provision, we might have to reconsider our approach to the third reading of the Bill. I am not threatening anyone.

Mr. May: Not much!

Mr. ROSS HUTCHINSON: I have not said we would oppose the third reading, but that we would have to reconsider our approach to it.

Mr. Johnson: You would not oppose it; the newspaper approves.

Mr. Crommelin: Pull your head in!

Mr. Court: The newspaper does not approve of this Bill anyhow.

Mr. ROSS HUTCHINSON: The member for Leederville does himself no credit by interjecting in that fashion. It is essential that the Bill be effective. If next year the Minister feels that it is necessary to have this tow away provision inserted in the measure, he can come back to Parliament and ask to have it included. Let it be that way rather than the other way. Let us have the strict policing of the parking laws rather than this intimidatory section.

As I was pointing out earlier, we may have to consider our approach to the third reading. I am not suggesting we are going to oppose the third reading if the tow away provision is left in, because there are those in the House who would like to have done with the Bill. I am not going to try and browbeat the Minister to agree, just because of that. However, we would like him to reconsider this clause and keep it in mind next year when he could possibly show us more positively than at the present time that this paragraph is essential.

The MINISTER FOR TRANSPORT: My first impression is that there has been a great deal of hysteria in connection with this matter. I am going to ask all members of the Committee to view the question logically and sensibly. I saw in this morning's issue of "The West Australian" an article from the Eastern States showing the experience in Sydney, and from past experience I will hazard a guess that details were sought from that State in the hope that there would be something detrimental to this Bill, of which I happen to be in charge. However, it is revealed that the experiment in Sydney is working exceedingly well.

I am somewhat handicapped as far as Brisbane is concerned because the information I have is confidential, but I think I can say this without breaching the confidence, that the traffic authorities in Brisbane are absolutely appalled and feel that there is no such thing as law and order. Through an administrative defect, they were compelled to give away this tow away service. Whereas there has been law and order and something systematic, it has given way to a state of laissez-faire, where anybody and everybody pleases himself entirely. I am afraid because of the confidential nature of the information and the persons who may be implicated, I cannot say more than that.

Mr. Ross Hutchinson: It has not been reimposed there?

The MINISTER FOR TRANSPORT: No, but that has nothing whatever to do with the efficacy of the system. Certain people breach the law and place their vehicles in the heart of the city which is sufficiently labelled so that anybody ought to know where it is possible to park and where it is not possible to park. Certain people will fully place their vehicles in a place so as to obstruct other traffic. They are wrongdoers as they have offended against the law. In the ordinary course of events they would be prosecuted and pay a fine of 10s. or 15s. I feel we must have a through-routing of our bus services and what would be the position if a person or a number of persons decided to park on the bust stops? It would mean in such an eventuality that it would be impossible for the omnibuses to operate without double-parking.

Mr. Court: What do the police do now?

The MINISTER FOR TRANSPORT: We will come to that in a moment. Is it suggested that these cars which are breaching the law, and knowingly breaching the law, should be permitted to remain and cause an obstruction?

Mr. Ross Hutchinson: That has happened, has it?

The MINISTER FOR TRANSPORT: I do not want to be led astray in connection with this because there are a lot of new processes being evolved and in all cases sufficient warning will be given out; but this problem becomes complex and the city congested, and every move becomes more important day by day than previously.

In reply to an interjection by the member for Nedlands and also to the member for Cottesloe as to what happens at the present time, if a vehicle or a number of vehicles are completely blocking the street, because they are regarded as minor offences, when the person returns to his car and sees a sticker, he goes back to the local tavern because he knows he will have to pay only 10s. or 15s. In other words he goes back for three, four or five hours and his vehicle completely dislocates the traffic movement of the city. The city is rapidly growing and is confined between the railway and the river and it is long and elongated. Are the police to be empowered to remove that vehicle?

Hon. J. B. Sleeman: They do not have to leave it there all day in Sydney.

The MINISTER FOR TRANSPORT: I know. Are the police or traffic authorities to be permitted to remove that vehicle? Surely it should not be necessary to take the vehicle around a corner and find parking space for it somewhere else. It should be towed away and the person pay the towing fee, which has to be met by the police or traffic authority. Somebody has to pay it. The person pays that fee and recovers his vehicle, and still has to pay the fine. Is there anything wrong with that?

Hon. J. B. Sleeman: Yes.

The MINISTER FOR TRANSPORT: I think it is time the old member of the House brushed up his history.

Hon. J. B. Sleeman: You would want brushing up to put this through.

The MINISTER FOR TRANSPORT: We should have a little less temper and a greater amount of temperateness. I am saying this seriously as a person who has had his car towed away and paid the towing fee, and if anybody has any doubt in connection with this, it was an old Dodge 4, registration No. 39283.

Mr. Court: Under what law was that done?

The MINISTER FOR TRANSPORT: Under the Traffic Act, in respect of which there seems doubt as to whether the police are exceeding their duties and responsibilities in connection with that statute. I am informed by the police that there are numerous occasions on which they have to move vehicles and make arrangements for them to be towed away. So there is no need for hysteria on the part of members, the Press or anybody else. It is an established fact and something that has been in operation for 30 or 40 years. It is something they will do whether or not we agree to this provision. The only difference will be that instead of the Perth City Council dealing with it, there will be a little more red tape by getting another authority to take the step.

I have here some particulars prepared for me by officers of the Police Traffic Branch. They tell me that where there is a fatality or a possibility of death, the police impound the vehicle and have it towed to the police yard for examination. If the person is injured and taken to hospital, the vehicle is removed to the police station for safe custody because the police have the duty of protecting property. That is the same action as is provided for in this measure. Any towing fees are charged for when the vehicle is released.

As I stated earlier, a person by the name of Graham happened to be in that category. I need not recite the details. It happened 12 to 15 years ago and I had to pay for the towing service. It was a private towing firm which was called by the police to take away that vehicle. It was taken to the police yard and upon explanation being given and the payment of a fee, the vehicle was returned to me.

Mr. Ross Hutchinson: It was an accident, was it?

The MINISTER FOR TRANSPORT: Yes, but only a minor one. My car was parked. Neither I nor anybody else happened to be in it. It was during the blackout and another car happened to graze it and caused a little damage. Some time subsequently, when I looked for my vehicle, it was not there. I went to the police and it was in the yard. So it will be seen there

is nothing revolutionary in this. It is something that has been in existence since we have had a Traffic Act. The police report states—

Police have moved many vehicles during the past 30 years where they have caused obstruction and danger to others. These cases are usually dealt with under regulations and no report of removal is made of such. Therefore figures cannot be quoted but probably hundreds have been moved.

That is a report which was submitted by the Acting Commissioner of Police and prepared for him in the first place by Inspector Hickson, the officer in charge of the Police Traffic Branch.

So I think that answers the questions of the member for Nedlands and the member for Cottesloe. There is no new principle involved. What I am suggesting is that traffic and traffic obstructions are becoming increasingly important in our capital city and if there are vehicles that are obstructing or impeding the free flow of traffic, or creating a danger of some sort, surely—apart from law altogether—there is a moral obligation on the traffic authority to see that those vehicles are removed! And what is better than having them removed to a place of custody, where they can be looked after and protected and subsequently recovered by the owners.

Mr. Ross Hutchinson: Are you not seeing imaginary dangers?

The MINISTER FOR TRANSPORT: I am not seeing dangers, but it would appear that some members are.

Mr. Ross Hutchinson: I mean as far as the bar to traffic is concerned—about cars parking on bus stops. You have not given an instance of that.

The MINISTER FOR TRANSPORT: I have not given any concrete examples, other than the statement by the police that hundreds of cars have been moved and towed away by the police or by some private firm acting with the authority of the police. And there has not been any hue and cry about it. So why should there be any now?

After all, I have not a vested interest in this matter. All I want to see is a better organisation of traffic in our capital city. Surely the Perth City Council and the police are people to be reasonably trusted and people who would exercise discretion and who could be trusted to do the right thing and against whom, if we saw they were going to excesses, we could take appropriate parliamentary action!

Mr. Ross Hutchinson: Won't you give it 12 months without this tow away provision?

The MINISTER FOR TRANSPORT: There will still be that tow away. The only difference, or the principal difference, will be that instead of the authority

we have vested with the control of this parking being able to do the job, it will have to go to another party.

Mr. Ross Hutchinson: The police.

The MINISTER FOR TRANSPORT: Yes.

Mr. Ross Hutchinson: That is for accidents and so on. That has always gone on.

The MINISTER FOR TRANSPORT: They go beyond accidents. They refer to vehicles that can cause danger and obstruct other users of the road.

Mr. Ross Hutchinson: They can be vehicles involved in accidents and staying on the road.

The MINISTER FOR TRANSPORT: They can be others, too—and, indeed, are. My own interest in this is to see that whatever we decide works reasonably effectively. Is anybody going to suggest that because person "A" has a vehicle parked about six inches over the parking stall, the Perth City Council is going to get somebody to up-end that vehicle and cart it to the parking yard?

Mr. Crommelin: They are doing it now.

The MINISTER FOR TRANSPORT: I am talking on this question of hauling vehicles to other places. This sort of thing is done by the police at present where people park in entrances to drive-ins. There has been a parking ban on that for 24 hours of the day for 365 days of the year, notwithstanding that only one a week goes into the building or the laneway. If a vehicle is parked there, the police move it and without any provisions for compensation, insurance or anything else.

The position is that because this subject has had headlines and because it has been pretended that there is something outrageous about it, some members feel a little concerned. But the practice has been long-established in many parts of the world. I notice from a book of vehicle codes in the State of California handed to me by the Minister for Mines who recently returned from the U.S.A., that they have it there. I find that it applies effectively in New South Wales and even "The West Australian" in its article this morning could not find anything wrong with it.

I find that the Brisbane City Council in its discussions with the Queensland Government has asked that there should be a provision such as this to deal with the wilful offender who is really obstructing the traffic of the capital. Upon research, I find that hundreds of vehicles have been towed away or moved by the police in this State. So is there anything dreadful or out of the way being proposed?

Mr. Court: How do you get over your bus stops? You have not dealt with that matter. Everyday somebody who should not do so, is driving on to them.

The MINISTER FOR TRANSPORT: So as not to obstruct traffic. Apropos of that, it is not of such concern or consequence because there are great lengths of kerbside set aside for omnibuses. Some of them—and this cannot be allowed to go on indefinitely—spend up to hours there until it is their time to take off. Under the proposals being considered at the moment for through routing—something which is not particularly approved by the Omnibus Proprietors' Association for reasons I need not outline—space will become valuable because there will be greater numbers of vehicles passing backwards and forwards through the heart of the city and anybody who obtrudes on a bus standing place will cause very grievous interference with the flow of traffic. Viewing the matter dispassionately, I do not see how validly a case can be made out for defeating this provision.

Mr. JAMIESON: Whether it be the effect of the hospitality of the Joint House Committee or not, I do not know, but I find myself in almost complete agreement with the Minister on this matter. It may be the approach of the festive season. But I do not want the Minister to run away with the idea that I am teaming with the member for Cottesloe in his suggestion that this would be a good reason for defeating the Bill at the third reading or voting against it then.

Mr. Ross Hutchinson: You would not do that, then?

Mr. JAMIESON: Not on the reasoning of the member for Cottesloe. I might have my own reasons. This tow away provision is most necessary, irrespective of the Bill. I often come down from town by tram along Hay-st. and it is not unusual for the tram to be stopped by some vehicle parked in such a way as to obstruct the free flow of traffic, and without very much time elapsing, there is a complete blockage of traffic in the street.

Surely no member of the Opposition will suggest that anybody is entitled to park a vehicle and maintain a traffic hold-up like that! I see no real objection to this provision. The Minister has covered the position rather well by stating that the police appear to have done this for some time. The only point on which I am not quite clear is whether a person who remained in a parking spot for some time could be charged with having repeated the offence rather than be towed away.

Mr. ACKLAND: So far I have been an enthusiastic supporter of the Minister in this debate and I think that the action he has so far taken, without this measure, has done much to relieve traffic congestion in the City of Perth, yet I feel he is to blame for the opposition to this clause because when introducing the measure and in reply to interjections he seems to have delighted in the fact that

the Bill provides for the towing away of vehicles that infringe the traffic regulations. He said that even if a vehicle was damaged in the process, the owner would be responsible and would not be covered by insurance.

The Minister for Transport: I did not say that.

Mr. ACKLAND: That was the impression I gained, and I saw the smiles of glee on the Minister's face when discussing the provision. He has not made out a good case for the provision and has been anything but logical in his comments during the Committee stage. He has given no valid reason why the clause should be agreed to. If a vehicle remains parked in a parking place for longer than the statutory period, I would think the law would be breached repeatedly with the result that there would be an added fine. The Minister, who has done a good job so far, should not be carried away with enthusiasm to the extent where he brings down a by-law or regulation to make it possible for a locked car to be skidded away, with perhaps hundreds of pounds worth of resultant damage. I cannot agree to this provision.

Mr. COURT: The Minister is responsible for any hostility to the clause because when introducing the Bill, he gloated over this provision as the answer to all things and suggested that it would prevent people from being guilty of unauthorised parking.

The Minister for Transport: It would be better than some other penalty.

Mr. COURT: The Minister said the provision would be electrifying. He mentioned San Francisco and Brisbane and said that in Brisbane the regulation had been cancelled owing to the pending election. We know people will offend—

Mr. Toms: I think the effect of this provision would be deterrent.

Mr. COURT: The fact that the police over the years have been able to tow away vehicles shows that they should have that right in certain circumstances—

The Minister for Transport: You agree with the right to tow away?

Mr. COURT: In certain circumstances. There is no change of principle but of approach. The provision is placed in the Bill for a different reason and, in fact, invites the Perth City Council to use it in the case of parking breaches. If the other statutes concerned are ineffective, let us amend them accordingly so that a man guilty of dangerous parking can be penalised accordingly and then after ten or twelve months, if it is found that the Perth City Council has not sufficient power, the Minister can ask Parliament to increase the penalty in this regard. If we agree to this provision now it will become permanent and I think we should

have experience of the measure before agreeing to this clause. I support the amendment.

Mr. JOHNSON: It has become clear why and to whom the provision is obnoxious, as it would interfere with the rights of property in favour of the rights of the person. The provision would apply only to unattended vehicles and so would interfere with nothing but property, the rights of which are expected by certain people to override those of persons or the right of a citizen to travel freely from place to place in accordance with the law.

We know that parking is prohibited in Barrack-st. at certain times of the day, yet almost daily one sees vehicles parked there during prohibited hours. If those vehicles were towed away, that action would double the volume of traffic that passes along Barrack-st. at the busiest times. I feel that discretion should be in the hands of the police authorities in this regard and not those of the council and I will vote accordingly.

Mr. W. A. MANNING: I think the answer is to be found somewhere between the two points of view that have been expressed. The Minister mentioned a parked vehicle obstructing a bus route, but such isolated occurrences do not justify this provision where a car is over-parked in a prescribed spot. I think the wording could be altered to achieve the desired result. It would still be possible to remove the vehicle when it is causing obstruction to traffic within a parking region. That is the instance the Minister has given. He has made no attempt to give any reason in regard to what the position would be when a car is left in a parking lot but is not causing any undue obstruction. If it is permitted, I would like to give notice of an amendment that those words be deleted, namely, "or is parked in contravention of a by-law" in line 20.

The CHAIRMAN: I am afraid the hon. member cannot move such an amendment because it has already been moved to delete the whole passage and that will have to be decided first.

Mr. W. A. MANNING: If the amendment is lost, could I move my amendment then?

The CHAIRMAN: No.

The MINISTER FOR TRANSPORT: There is a compromise offering. I had marked on my copy of the Bill the deletion of the exact words proposed to be deleted by the member for Narrogin. May I suggest that the member for Cottesloe withdraw his amendment so that the member for Narrogin can move his amendment to delete certain words. Action could then be taken to deal with the whole clause.

Mr. ROSS HUTCHINSON: I agree to that and ask leave to withdraw my amendment.

Amendment, by leave withdrawn.

Mr. W. A. MANNING: I move an amendment—

That after the word "region" in line 20, page 18, the words "or is parked in contravention of a by-law" be struck out.

The MINISTER FOR TRANSPORT: For the sake of those members who are trying to follow this amendment, the clause will now provide that by-laws may be made defining the circumstances in which a vehicle can cause obstruction in a parking region and whereby it may be removed and so on. This would deal with those instances of parking where a vehicle need not be an obstruction to traffic though it would be most undesirable for a vehicle to be parked in a certain spot. For example, a vehicle may be parked between an intersection and a vehicular traffic light pad. I am, however, quite prepared to accept the amendment to delete these words.

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

Clauses 22 and 23—agreed to.

Clause 24—Protection of Minister, council and officers:

Hon. J. B. SLEEMAN: I would like the Minister to explain this clause because it seems to be all-embracing and designed to free the Minister or the Police Force from any responsibility for damages that may be incurred to a vehicle.

The MINISTER FOR TRANSPORT: The provision in this clause is practically identical with that appearing in other statutes. The important thing is that they are doing these things in good faith in discharge of the powers, duties, etc. defined by the legislation. This has nothing to do with the payment of compensation where damage occurs. Earlier, on page 10, I inserted the provision whereby the Perth City Council can take out insurance cover for damage and on the notice paper there is a further amendment in my name to provide for payment of compensation.

Clause put and passed.

Clause 25—agreed to.

New clause:

The MINISTER FOR TRANSPORT: I move—

That after Clause 24, page 21, a new clause be added to stand as Clause 24A as follows:—

(1) Notwithstanding the provisions of Section twenty-four of this Act, where

(a) damage is caused to a vehicle in the course of being removed by a member of the Police Force, an inspector, or a person duly authorised by the council,

pursuant to a by-law made in exercise of a power conferred by paragraph (r) of Subsection (1) of Section twenty-one of this Act, and

(b) the whole or a part of the damage so caused is not recoverable by the owner of the vehicle from an insurer under a policy of insurance or from any other person liable in law to make good to the owner the value of the damage,

the council shall compensate the owner out of the fund to such extent as is agreed between the council and the owner, or if there is no agreement, as is determined on a reference to arbitration under the Arbitration Act, 1895.

(2) Where there is no agreement between the council and the owner of the vehicle on any other matter or question referred to in, or arising from, the provisions of Subsection (1) of this section, that matter or question may at the same time be determined on a reference to arbitration, under the Arbitration Act, 1895.

As indicated earlier, there is provision made for the Perth City Council to take out an insurance policy to cover any damages that may arise from the operation of this legislation and this is to provide that payment shall be made in certain circumstances.

Mr. LAPHAM: I am not sure of the words "in the course of being removed" in lines 2 and 3 of paragraph (a) of the proposed new clause. I would like to know whether a member of the Police Force or an inspector authorised by the Perth City Council would have power, in any parking area, to remove a vehicle, but not to remove it in the case of there being no obstruction and, should it be removed and in the event of damage being done to the vehicle, whether a person would be compensated for such damage.

The MINISTER FOR TRANSPORT: This new clause is being inserted to meet objections raised during the second reading stage. Provision is made that the authority can remove cars and not be responsible if damages were sustained should the vehicles be removed in good faith during the course of an officer performing his duties. It was to meet the position outlined in paragraph (r) of Clause 21 that this provision was inserted. I cannot think of any other circumstances where an authority would be likely to remove cars and thereby damage them.

Mr. Court: The member for North Perth instanced the case of a car being moved within a parking area. It may be required to move a car from point "A" to point "B" to make room for another car.

The MINISTER FOR TRANSPORT: At present no specific provision is made for the payment of compensation and I would hazard a guess that the officer who moved a vehicle in the course of his duties and where there was no towing away required, would be doing so in good faith and no compensation would be paid.

Mr. ROSS HUTCHINSON: I am not buying into the argument raised by the member for North Perth although I appreciate his point of view. I support the proposed new clause. During the second reading I was critical of Clause 24 and, in effect, I said that damage could be sustained to a vehicle with the owner having no redress. The proposed new clause will overcome the objection that I raised.

Mr. LAPHAM: Something should be done about a vehicle that might be parked in a normal way in a parking zone but which, for some reason or other, is parked in contravention of a parking by-law. An attendant may require to move that vehicle and it may be damaged in some way or other. In those circumstances, the authority which will be in charge of controlling the administration of the Act should be responsible for any damage done to that vehicle. I would like an assurance from the Minister that he will look into the question of improving that provision in the Bill when it is considered in another place.

The MINISTER FOR TRANSPORT: I will readily give the assurance that I will have the point investigated by the Chief Secretary prior to the Bill being considered in another place.

New clause put and passed.

Schedule, Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—CEMETERIES ACT AMENDMENT.

Returned from the Council without amendment.

BILL—RESERVES.

In Committee.

Mr. Moir in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 to 9—agreed to.

Clause 10—Reserve No. A13012:

Mr. COURT: For the sake of the record I ask the Minister to confirm to this Chamber that the botanical gardens area is the rectangular area and not the two long strips along the foreshore shown on the plan, and marked in red.

The MINISTER FOR TRANSPORT: It was at my instigation that the Minister for Lands included this area in the Bill. It will be appreciated that Ministers have different requirements, and the Minister for Lands includes them all in this piece of legislation. Whilst it is true that the rectangular area, as well as the long strip along the foreshore, are shown in red, a close perusal will indicate that it is the intention to use the rectangular area to create a car park and gardens, leaving the long strip to be used for its intended purpose, namely botanical gardens, park and recreation ground. Therefore the only area affected is lot 478, the larger portion, which, with the concurrence of the Perth City Council, is to be converted into a car park with a stipulation that 50 per cent. shall be retained as a park.

Mr. Court: What are the legal requirements in respect of a vehicle parking on a Class "A" reserve?

The MINISTER FOR TRANSPORT: Before the purpose of a reserve can be changed, the consent of Parliament must be obtained.

Mr. Court: What is the statutory requirement in respect of use? Can it be used as a multi-storeyed building, or must it be used as a flat parking area?

The MINISTER FOR TRANSPORT: That matter is in the hands of the Perth City Council which has the best record of any local authority in the Commonwealth in respect of the provision of parks. That council desires that no buildings of the nature indicated by the member for Nedlands shall be constructed thereon.

Mr. JAMIESON: In the past few days a prominent botanist drew attention to the fact that this State was the only one in the Commonwealth that was without an efficient and properly conducted botanical gardens. I would like an assurance from the Minister that consideration has been given to establishing another area as a botanical gardens to offset the reserve to be used as a car park. Botanical gardens are very useful to enable horticulturists and home gardeners to ascertain the type of lawn, shrub or flower most suitable to any piece of land. I feel sure that in the near future, with the horticultural development in this State, the provision of such a botanical gardens would be expected by the community.

Mr. LAPHAM: Now that the City of Perth Parking Facilities Bill has been agreed to, there is no object in persisting with my objection. There is not the slightest doubt that as power has been given to the council to create parking stations, land must be made available for that purpose. Like the member for Beeloo, I am perturbed that a botanical gardens site has been taken away from the people. It is a reflection on the City of Perth that

no botanical gardens site exists, and I would urge the Minister to rectify the position as early as possible.

The MINISTER FOR LANDS: The provision of a botanical gardens in the metropolitan area has been given consideration. No regret should be expressed that this reserve is to be used for a car park because the land is of no use as a botanical gardens. The authorities are anxious to secure an area in a locality which will be more suitable for a botanical gardens. The matter will not be lost sight of.

Mr. JAMIESON: As this reserve has been set aside for use by circuses and similar shows, which find a place in our community, has consideration been given to the provision of an alternative site, accessible to transport, on which these shows may be located in future? The children appreciate very much attending circuses, and on their behalf I ask the Minister to consider the provision of an alternative site.

Mr. GRAYDEN: The present site occupied by the zoological gardens in South Perth is ideal for a botanical gardens. It consists of an area of about 43 acres, and only a few acres are used for the animal exhibits. For some time there has been agitation in South Perth for a reduction in the number of animal exhibits. This could be a long-term policy. The South Perth people hope that ultimately the zoological gardens will be converted into a botanical gardens. Opposite the zoological gardens there is Richardson Park and one or two other areas which could be used for such gardens. I also point out that there is a plentiful supply of hot mineral water there which is ideally suited for hot houses. With the construction of the Narrows bridge, this site would be readily accessible to the people of Perth.

Mr. JAMIESON: The children attending Christian Brothers' College use the site, to which I referred, as a playing field, both at recess and at lunch time. I ask the Minister to get an assurance from the Perth City Council that there will be no objection to the students using Langley Park. I have noticed that the children have been limited to the particular area, but whether that is by an ordinance of the City Council, I do not know.

The MINISTER FOR LANDS: The two points raised by the member for Beeloo will be given consideration. I do not know that there will be much difficulty with regard to circuses for there is plenty of space for them now. I am not too clear about the other matter, but it will not be overlooked. It will be sympathetically considered.

Clause put and passed.

Clause 11—Reserve No. A23123:

Mr. COURT: In considering the plan one has to be careful to realise that Clauses 11 and 12 refer to two separate parts of one area. I would like further information regarding the present area at the foot of Mill-st., which is used as a parking area. It appears that a considerable addition will be made to it when the final plans are drawn in connection with the reclamation for the Narrows bridge. We know that 3½ acres at least will be added to this car park. Should that be dealt with on this occasion, or is it to be the subject of a clause in a later Bill?

Mr. JAMIESON: What is the position in regard to the temporary sheds on the reserve, and also the service station? Has there been an assurance from the Commonwealth Government, or whoever is the tenant, that it will vacate the area within a reasonable time? In view of the assertion by the Minister for Transport that the Perth City Council had no power under the Municipal Corporations Act to provide parking space, am I to assume that during the years that the council has used this section as a parking area, it has done so illegally? If so, what was the reason for granting such a request when it was not according to the law of the land? However, I am more concerned with the aspect of the quitting of the buildings by the present occupants, and when it is likely to occur.

The MINISTER FOR TRANSPORT: This pertains to parking. Clause 11 refers to an area which is already developed as a car park in a sort of fashion. It merely proposes to alter the purpose of the reserve to make it a vehicle park and gardens. The eastern portion, which is the subject of the next clause, is at present covered with old air force huts, many of which are being used by the Education Department. A portion of the area is used by the Red Cross, some of it by Sydney Anderson Motors and some of it by the Commonwealth. Sydney Anderson Motors is the subject of a lease terminable at short notice.

The Education Department is endeavouring to move out as rapidly as it can find other accommodation, and the Commonwealth, from memory, has a lease with two or three years yet to run. The huts were sold to the Government, subject to any rights of the Commonwealth, for £27,000. There will be a lag of two or three years before the area is completely cleared. Then it will become a car park.

The reclaimed area will become a reserve, no doubt vested in the Perth City Council if the Bill considered just before this one, becomes law, and in the ordinary way it will be declared a Class "A" reserve by the Lands Department.

Mr. Court: In other words, it will not come before Parliament.

The MINISTER FOR TRANSPORT: No. I think that is the general procedure.

Mr. Court: We will not know what we are giving away.

The MINISTER FOR TRANSPORT: Under this, nothing will be given away. If a Class "A" reserve is to be cancelled, or the purpose for which it was created, changed, the matter has to be referred to Parliament, but I am a little hazy about the inauguration of such a reserve. This will be declared by whatever the process is for a Class "A" reserve. It is desirable to make it a Class "A" reserve so that no irresponsible Minister or department may deal with the matter.

Mr. JAMIESON: At present there are two or three tenants, including Sydney Anderson, on the reserve. Who receives the rents for the whole area that was formerly 5 S.T.T. of the old air force days?

The MINISTER FOR TRANSPORT: The State Gardens Board, under its vesting order, has issued leases to the Commonwealth Repatriation Department for three years from the 1st November, 1955, to the 1st November, 1958, at a rental of £206 per annum; to the Education Department from the 1st July, 1955—no term—at a rental of £794 per annum; to the Red Cross at a rental of approximately £156 per annum—in other words it will leave as soon as it is asked to go, and it is agreeable to that. A lease to Sydney Anderson Automotives expiring in 1960 was in the course of preparation, but was held up. The rental is £500 per annum. Sydney Anderson is on a weekly or monthly tenancy at present. The reply to the hon. member's question is that the State Gardens Board at the moment is in receipt of the rentals from the various parties.

Mr. ROSS HUTCHINSON: Is 50 per cent. of reserves A. 23123 and A. 23124 to be used for gardens instead of a car park? Are they going to be constructed on the same terms as apply to the previous reserve No. A. 13012? Can the Minister for Works at this stage give us any idea when he will be able to supply a scale plan of this region, which he promised some time ago?

The Minister for Works: It is not ready yet.

Mr. ROSS HUTCHINSON: I think we should have that information as early as possible. Would the Minister answer me about the 50 per cent.?

The MINISTER FOR TRANSPORT: With regard to the 50 per cent. formula, if this area is vested in the Perth City Council for a vehicle park and gardens, the matter will be at their discretion as to what proportion will be developed as a car park and what proportion as gardens. On Friday I had a talk with the town clerk and it is his intention, with the approval

of the Minister, to landscape every one of the car parks developed by the Perth City Council. So we can be assured that there will be this garden treatment instead of bare spaces.

Clause put and passed.

Clause 12—Reserve No. A23124:

Mr. COURT: This clause has been partly discussed in conjunction with Clause 11. The area in question is at present occupied by the old air force huts, Sydney Anderson Motors and the Red Cross. At one stage there was talk of using the area as a bus station because of its size and location. Certain people objected that they did not like the idea of walking up William-st., which is fairly steep. Will the vesting of this area in the City of Perth for parking purposes mean the end of the potential use of this area as a bus station?

Mr. JAMIESON: Like the member for Nedlands, I think that some clarification should be given as to the possibility of establishing a bus station on this area. While there is the disadvantage of William-st. being hilly, it is one of the few open spaces left where a bus terminal could be provided. The Minister for Transport has intimated that a certain amount of through-routing of transport is envisaged—and the omnibus proprietors are not too happy about it—but there will still be need for some bus termini in the City of Perth. Is the proposal for a bus terminus on this area still under consideration?

The MINISTER FOR TRANSPORT: It appears that from a humble beginning we are discussing all sorts of matters which are of considerable interest and importance. No decision has been made, not even a tentative one, with regard to a bus terminal in the heart of the city. But the dedication of these areas will not affect that position one iota, because there is no body more concerned than the Perth City Council. The best part of three-quarters of a mile of kerbside space in the heart of the city is at present banned to motorists and reserved for omnibuses. Accordingly, I do not anticipate any trouble in the matter of the Perth City Council co-operating with the transport and traffic authorities regarding the establishment of a bus terminal.

Mr. Court: But once it is committed to the Council for parking purposes, that body will not give it back very easily.

The MINISTER FOR TRANSPORT: As at present half of St. George's Terrace and a good deal of Murray-st. Wellington-st. and William-st. are banned to motorists, I think the City Council thinks it of considerable importance and I do not anticipate any trouble from it.

Mr. Court: Could you reach some agreement with it that if you want to take it over the council will agree to it?

The MINISTER FOR TRANSPORT: Either that or the matter comes to Parliament.

Clause put and passed.

Clause 13, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. A. R. G. Hawke—Northam): I move—

That the House at its rising adjourn till 11 a.m. today.

Question put and passed.

*House adjourned at 12.38 a.m.
(Wednesday).*

Legislative Council

Wednesday, 19th December, 1956.

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The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

LEAVE OF ABSENCE.

On motion by Hon. J. Murray, leave of absence for six consecutive sittings granted to Hon. A. F. Griffith (Suburban) on the ground of private business.

MOTION—LAND TAX AND VERMIN RATE.

Report on Working of Laws.

HON. H. K. WATSON (Metropolitan) (2.17): I move—

That in the opinion of this House, there should be presented to Parliament as soon as possible in the next session a report by the State Commissioner of Taxation on the working of the laws relating to land tax and vermin rate from the 1st July, 1948, to the 30th June, 1956.

The motion speaks for itself and requires little exposition on my part. As I explained earlier in the week, it was customary from 1907 to 1943 for the Commissioner of Taxation to present an annual report to Parliament on the working of the land tax law. The explanation for the report not having been tabled in this House since the 21st September, 1943, when the 34th annual report was submitted, was that with the pegging of land values during the war the necessity for an annual report disappeared.

Whatever merit that explanation might have had in respect of the period 1939 to 1948, it is no valid excuse for the succeeding year, particularly as there is a wealth of information in the hands of the commissioner relating to statistics on land tax and vermin rate, which information should be placed before this House.

It will be observed that I have not called for an immediate report. It can be prepared at leisure. I submit that the report should be prepared along the same lines as those which have been tabled in this House for 30 years, to be supplemented by statistics supplied by the local office, in a like manner to the statistics which were prepared by the local office for the purpose of Federal land tax. If anyone cares to read the report of the Federal Commissioner of Taxation it will be seen that in respect of Western Australia, particulars are available as to the classification of the land assessed by the industry of the tax-payers and the location of that land.

For example, in respect of Western Australia, it shows the area of country land; the area of city land; the unimproved value, as assessed, of capital city land, urban land and country land; and also the net tax assessed in respect of each class. It still further subdivides the various assessments into the industries—primary production, mining, manufacturing, building, transport, wholesale and retail trading, banking, insurance and so on.

The information is there and is—ought to be—readily available in the hands of the Taxation Department; and in view of the very serious fluctuations and variations which have occurred in respect of land tax valuations since 1948, I feel that when the House meets again it is entitled