

# Legislative Assembly,

Wednesday, 13th October, 1926.

## Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

	PAGE
Question : Licenses Reduction Board, hotel boarders	
Bills : Dairy Cattle Compensation, 1B	1370
Supply (No. 3) £1,363,500, all stages	1370
Road Districts Act Amendment, Com.	1370

## Committee of Supply.

The House having resolved into Committee of Supply, Mr. Lutey in the Chair,

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

## QUESTION—LICENSES REDUCTION BOARD.

### Hotel Boarders.

Mr. MANN asked the Minister for Justice: 1, Was the chairman of the Licenses Reduction Board correctly reported in the Press recently, when he is alleged to have said: "Proprietors of hotels in the metropolitan area should not utilise the whole of their accommodation for permanent boarders and they would be justified in raising the tariff one hundred per cent. in order to drive respectable persons from hotel premises"? 2, What authority had the chairman for making such a statement?

The MINISTER FOR JUSTICE replied: 1, I do not know. 2, As the board is not a Government department, its actions cannot be questioned in this way.

## BILL—DAIRY CATTLE COMPENSATION.

Introduced by the Minister for Agriculture, and read a first time.

## BILL—SUPPLY (No. 3), £1,363,500.

### Standing Orders Suspension.

## THE PREMIER AND TREASURER

(Hon. P. Collier—Boulder) [4.36] : I move—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and of Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

Question put and passed.

**THE PREMIER** (Hon. P. Collier—Boulder): I move:

That there be granted to His Majesty on account of the service of the year ending the 30th June, 1927, a sum not exceeding £1,363,500.

Question put and passed.

Resolution reported and the report adopted.

## Committee of Ways and Means.

The House having resolved into Committee of Ways and Means, Mr. Lutey in the Chair,

**THE PREMIER** (Hon. P. Collier—Boulder): I move—

That towards making good the Supply granted to His Majesty on account of the service of the year ending the 30th June, 1927, there be granted out of the Consolidated Revenue Fund the sum of £850,000, and from moneys to credit of the General Loan Fund £500,000, and from moneys to credit of the Government Property Sales Fund £10,500, and from moneys to the credit of the Land Improvement Loan Fund £3,000.

Question put and passed.

Resolution reported and the report adopted.

## Supply Bill introduced, etc.

Bill passed through all stages without debate, and transmitted to the Council.

## BILL—ROAD DISTRICTS ACT AMENDMENT.

### In Committee.

Resumed from the previous day. Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 3—amendment of Section 148:

Hon. Sir JAMES MITCHELL: The clause deals with the fencing of land on either side of a road resumed from private property. Does the Minister think it neces-

sary that the land owner should give notice to the board within six months? What does it matter whether the notice be given within six months or within six years?

**The MINISTER FOR LANDS:** The clause has been inserted for the protection of the land owner. To-day if a road be declared by the local authority for the use of the general public, and if the land be not fenced, the owner from whom the resumption was made has to fence it. The clause provides that the road board has to do the fencing.

**Hon. Sir James Mitchell:** Yes, but should notice be given by the owner?

**The MINISTER FOR LANDS:** If the clause be agreed to, immediately the owner fences his land the road board will have to fence the road. The clause provides that whether or not a man had his land enclosed by a fence, the board should go on with the fencing of the road.

**Hon. Sir James Mitchell:** But has the owner of the land to give notice at the time of the resumption?

**The MINISTER FOR LANDS:** No, only when he wants the land fenced in. Then the local authority shall be bound to erect fencing on both sides.

**Hon. Sir James Mitchell:** I am afraid that under the clause the notice has to be given within six months.

**Mr. Davy:** Does this mean that if the prescribed requisition is not made, the board cannot be bound to erect the fencing?

**Hon. Sir James Mitchell:** I think so.

**The MINISTER FOR LANDS:** The owner gives six months notice that he wants the land fenced.

**Hon. Sir James Mitchell:** That is from the time of the resumption?

**The MINISTER FOR LANDS:** Immediately the owner gets his land fenced he can ask the board to fence the road. However, to make quite sure, I will look into the question.

**Hon. Sir James Mitchell:** If the Minister will have that attended to I shall be satisfied.

**Mr. LINDSAY:** The parent Act prescribes that notice shall be given within 90 days of the resumption of the land. But the Act of 1919 prescribes that notice shall be given within six months. Under the Act of 1919 there is no liability on the board to fence the road unless the land was enclosed or partially enclosed. The clause means that if the land is not enclosed by a

fence the local authority are liable for the fencing after the owner has complied with the Land Act, which prescribes that the land must be enclosed within ten years. I was under the impression that if the local authority put a road along the boundary of a man's property, the board, not the owner, had to erect the fence. However I was wrong in that. The clause applies only to a road put through a property. That is my interpretation, and if the Minister agrees to that I shall be satisfied with the clause, for it appears to be much fairer than the provision in the existing Act. If the road goes through a man's property, certainly the fence should be erected by the ratepayers. However, if it be intended to do away with the notification to the board I am inclined to think it will result in confusion.

**Hon. Sir JAMES MITCHELL:** I want to do away with the necessity for giving notice within the prescribed time. As soon as the local authority notifies the owner of the resumption, it can be assumed that he will require the fencing to be done. It will only lead to difficulty if we demand that the owner shall give the board notice within a definite time. I hope the Minister will look into this.

**The MINISTER FOR LANDS:** In various Acts, various terms for the fencing of land are set out, ranging up to ten years. The amendment provides that the board's liability to fence shall continue during all those periods in the event of the land not being fenced at the time the resumption is made. The Leader of the Opposition asked whether it would be necessary for the owner of the land to give notice at the time of the resumption. I shall find out whether that is so.

**Hon. G. TAYLOR:** I think these conditions should apply irrespective of whether a road is constructed along the boundary or through a man's property.

**Mr. LINDSAY:** Section 148 reads—

(1) Within six months of the taking of any land by a board for a road, the owner or occupier may, in writing, require the board to erect along the land taken, on both sides thereof, either at once or at some future time to be specified by such owner or occupier, a fence similar to that on or bounding the land not taken.

This clause, however, deals with unfenced land. Where a road has been put through a man's property, he must, when fencing, enclose the balance as far as possible and the road board must fence both sides of the

through road. At present, if the land is not enclosed, there is no obligation on the board to fence land taken for a road.

Clause put and passed.

Clauses 34 to 36—agreed to.

Clause 37—Amendment of Section 155:

Mr. SAMPSON: This clause will enable the Minister to approve of roads of less than one chain in width. That will be an innovation. I take it such permission will be given only in exceptional circumstances. There is a growing feeling that roads should be even one and a half chains wide.

Hon. Sir JAMES MITCHELL: I entirely approve of this clause.

The Minister for Works: Especially in its application to rich swamps on the Peel Estate.

Hon. Sir JAMES MITCHELL: Yes, and at the Stirling Estate and on other garden land. Where land is rich the Minister should see that a road is not more than half a chain wide. There are few roads in the State where the half chain width is used, except for droving stock. Where noxious weeds occur it would be advantageous to have by-ways of not more than half a chain in width. I am sorry that the Minister is not taking power to reduce the width of some of the roads.

The Minister for Works: The roads on the Peel Estate are only half a chain wide, but we cannot compel the boards to take them over.

Hon. Sir JAMES MITCHELL: I am not enamoured of the wording of the provision. It is tantamount to saying that this shall be the law unless the Minister otherwise permits. That should suit the Minister for Works.

The Minister for Lands: I wish similar discretionary power was included in the Land Act.

Hon. Sir JAMES MITCHELL: That is precisely where it originated. All through the Land Act Lord Forrest provided that such and such should be the law unless the Minister determined otherwise.

The MINISTER FOR LANDS: Paragraph (f) provides that an appeal may be heard by some officer of the department of Lands and Surveys, who is a licensed surveyor, specially authorised in writing by the Minister. At present, if an appeal is made, the Minister must hear it. It is unfair to ask the Minister to decide an appeal, par-

ticularly one arising in his own district. I move an amendment—

That in line 6 of paragraph (f) the words "who is a licensed surveyor" be struck out.

Hon. Sir James Mitchell: Why were those words inserted?

The MINISTER FOR LANDS: I do not know how they got in.

Hon. Sir James Mitchell: Why not provide for the Under Secretary for Lands to hear the appeals?

The MINISTER FOR LANDS: He would be the officer appointed, but on occasions he might be away.

Hon. Sir JAMES MITCHELL: The hearing of such appeals is an important duty and the Minister should continue to undertake the responsibility. It is not a responsibility that any officer of the Department should be asked to undertake. The draftsman evidently realised its importance because he provided for a licensed surveyor to hear the appeal. Some Minister of the future might be careless in the appointment of an official for this duty.

The Minister for Lands: I am prepared to trust any Minister.

Hon. Sir JAMES MITCHELL: What is wrong with the present arrangement? Probably only one appeal is lodged each year.

The Minister for Lands: I have had three appeals this year.

Hon. Sir JAMES MITCHELL: This year will be the Minister's third and last year, and so the average is one a year.

The Minister for Lands: I have had others.

Hon. Sir JAMES MITCHELL: I shall move to strike out paragraph (f).

The CHAIRMAN: There is already an amendment before the Chair.

Hon. G. TAYLOR: Could a licensed surveyor adjudicate on such appeals to greater advantage than could a lay person?

The Minister for Lands: No.

Hon. G. TAYLOR: Then I have no objection to the Minister's amendment.

Mr. DAVY: I would rather have the Minister himself exercise this power than permit him to delegate it to an officer of the Lands Department. No doubt the present Minister would be careful as to whom he selected, but a careless Minister might delegate the power to a subordinate officer who should not be asked to exercise it. I would rather have appeals made to a court of law. If, however, the Minister is permitted to delegate his authority, he should be restricted as to the choice of officer.

The MINISTER FOR LANDS: It is not fair that a Minister should be called upon to adjudicate upon matters connected with his own district. I will withdraw my amendment.

Amendment by leave withdrawn.

The MINISTER FOR LANDS: I move an amendment—

That in paragraph (f), line 4, after the words "licensed surveyor," there be added "or the Under Secretary for Lands."

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

Clause 38—agreed to.

Clause 39—Insertion of section between Section 156 and Section 157.

Mr. THOMSON: Will the Minister explain why under this proposed new section it will be necessary to submit plans, levels and widths of new roads?

The MINISTER FOR WORKS: The grades of a road may be unsuitable. The surveys may have been made without any regard to the cost of upkeep, and to what the cost may be to the local authorities. The department should be in a position to know that in the case of private lands the roads have been surveyed, and that consideration has been given to the grades.

Hon. G. Taylor: Will this protect the local authority from a speculative seller?

The MINISTER FOR WORKS: It will protect the local authority from being obliged to make roads over impossible grades. It may be the means of better grades being chosen.

Mr. LATHAM: I agree with this provision but it might be extended. When the Wilberforce estate was cut up, certain blocks of land showed that roads were running through them but when people took up the outer blocks they found there was no road to the nearest siding. Some provision should be made to ensure that all subdivisional plans are submitted to the local authority for approval, setting out the surveyed roads. People should also be prevented from releasing one block at a time. In some of these areas no roads are provided, or the roads run the wrong way. It is time we looked into the question of making our roads suitable for traffic, instead of their being run in a straight line irrespective of their suitability.

The MINISTER FOR LANDS: Sometimes a person does not submit a plan for

registration, and the land is sold bit by bit. Some doubt exists as to what can be done to prevent this.

Clause put and passed.

Clause 40—Amendment of Section 159:

The MINISTER FOR WORKS: I move an amendment—

'That in line 9 the word "board" be struck out and "council" inserted in lieu.

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

Clause 41—Amendment of Section 160:

Hon. Sir JAMES MITCHELL: Surely these local authorities are not to have the right to deal with drainage on private lands, as is proposed in paragraph (a) of this clause. I hope the paragraph will be deleted. Can the Minister explain why this provision is made?

The MINISTER FOR WORKS: Sufficient power is provided in paragraph (b) to deal with the drainage problem and will allow a rate to be levied against private owners should they benefit from the drainage works carried out by local authorities. Paragraph (a) is therefore unnecessary. I move an amendment—

That paragraph (a) be struck out.

Amendment put and passed.

Mr. THOMSON: Does the proposed amendment embodied in paragraph (b) mean that road boards may improve recreation grounds by the erection of pavilions and so forth?

The Minister for Works: Yes.

Mr. THOMSON: But they have that power already, and have erected pavilions.

The Minister for Works: They have not the power, and this will give it to them.

Hon. Sir JAMES MITCHELL: The Minister proposes to give power to road boards to hold agricultural shows, yet at the same time the Minister for Lands is to introduce a Bill to provide for the affiliation of agricultural societies. If the paragraph be agreed to the road boards may hold agricultural shows apart from those conducted by agricultural societies.

The Minister for Works: This will not affect them at all.

Hon. Sir JAMES MITCHELL: Of course it will. What prompted this amendment? I do not know of any road board anxious to hold agricultural shows. Members of local governing bodies find it diffi-

cult to do the ordinary road board work respecting roads, and therefore should not be called upon to do this extra work. The Minister does not seek to give the road boards additional power of a useful description; he will make it possible for unlimited arguments at meetings upon many questions that may be dealt with under the Bill. This is the clause of the Bill that will enable road boards to establish, conduct, and maintain hospitals, agricultural shows, cinematograph entertainments, and so on. I do not know whether the Minister realises what he is doing when he proposes to insert such powers in the Bill. The road boards will be able to erect workers' homes.

Hon. G. Taylor: The Government have gone nearly broke trying to carry out some of these propositions, so what will happen to the local authorities?

Hon. Sir JAMES MITCHELL: I do not think road boards should be called upon to undertake these works. It is useless to claim that while the powers are being inserted in the measure, it is not expected that they will be used by any road board unless there be good reasons for so doing. All the powers it is proposed to give should be struck out. It is proposed to give power to erect workers' homes. We have a Workers' Homes Board and the power exists already to erect homes in country districts, and to dispose of them to people with limited means. We have a good and capable department; indeed, there is no department that is controlled more satisfactorily than that, but they have no money to-day to meet the demands that are made upon them. I am told that the applications already before the board will have to wait several months. I do not see why so many responsibilities should be passed on to road boards. The money to be collected by road boards should be spent on wages in connection with road construction. The change over from slowly drawn vehicles to the faster motor vehicles has made it difficult for the local authorities to keep the roads in repair. That is a reason why all the money at the disposal of the road board should be spent by them on the road. The Minister has not made out a case for saddling the people with these responsibilities. Therefore, I intend to vote against the whole clause as the only way to deal with the matter.

Mr. THOMSON: There are parts of the clause with which I do not agree, but there are also parts which I consider are worthy

of consideration. When the boards are incurring expenditure the ratepayers have the right to demand a poll. Therein they have a safeguard. I am in favour of a local authority establishing a ferry service if they desire to do so. I suggest to the Minister that he should add a provision to the clause that the Government should contribute pound for pound in connection with the projects. That would be carrying into effect the policy of to-day. The addition of such an amendment would, I think, meet the objections of the Leader of the Opposition. In regard to hospitals, I know the difficulties that have had to be overcome in the country. I have to thank the Government for giving Katanning one of the best hospitals outside the metropolitan area. Certainly the people there have accepted half the responsibilities as far as the capital cost is concerned, and I take it it is the intention of the Government to give power to local authorities to levy rates for the maintenance of hospitals. There are many committee-controlled hospitals. There are three in my district and very often it would be satisfactory for a road board to be able to hand over the control of a hospital to a committee who could be elected by ratepayers. I hope the Minister will accept my suggestion. To paragraph 27, providing for the erection of workers' homes by local authorities, I am strongly opposed on the ground that funds for the purpose are available through our Workers' Homes Board and that there is a prospect of money for the same purpose from the Commonwealth.

Mr. SAMPSON: I am glad the Minister has included a safeguard against the Belmont type of local misgovernment.

Mr. Clydesdale: The Belmont type is quite as good as the Swan.

Mr. SAMPSON: While hoping that the majority of the provisions contained in this clause will be accepted, I think the Minister should not press for authority to road boards to erect workers' homes, that being a matter beyond their powers and functions. The members of the Workers' Homes Board are experts, while road board members and secretaries already have ample to do and various proposals under this measure will further increase their work. If paragraph 27 is retained, road boards with more enthusiasm than judgment might embark on the work of erecting homes.

The Minister for Lands: They can please themselves.

Mr. SAMPSON: Paragraph 27 proposes to give road boards a function which is al-

ready undertaken by the Government. There is considerable difficulty in obtaining money from the State for workers' homes, and I am convinced that local authorities will not be able to furnish funds for the purpose. Moreover, the road boards would not be able to do the administrative work required.

Hon. G. TAYLOR: In my opinion some of the powers contained in this clause have nothing whatever to do with the functions of road boards. The Title of the Bill does not indicate the side shows included in the measure. Some of the functions proposed for road boards are not in keeping with the judgment and experience of the type of men elected to those bodies. We might as well empower road boards to build gaols within their districts. Again, looking after the sick is a function of the Government, and the necessary funds should come out of Consolidated Revenue. Free hospitals and free medicine have been a plank of the Labour platform for years. I hope the clause will be rejected.

Mr. J. H. SMITH: I support Clause 41. If the boards are granted these powers, they will not necessarily exercise them. The clause proposes to give road boards authority to do certain things if the ratepayers wish them done.

Hon. G. Taylor: The boards cannot get money to make roads now.

Mr. J. H. SMITH: If this Bill is passed, the boards may be able to raise more money. At Bridgetown, for example, the road board run a picture show every Saturday night with satisfactory results.

Hon. G. Taylor: What is the condition of the roads in the district?

Mr. J. H. SMITH: It compares favourably with the condition of roads elsewhere. Under the clause ratepayers will be able to exercise certain powers without first having to go cap in hand to the Minister. Members on this side of the Chamber are inconsistent in arguing against the grant of increased powers to road boards. The safety valve is the necessity for obtaining the approval of the ratepayers for any scheme that may be proposed. As to hospitals, for years we have heard the platitude that the first duty of the Government is to look after the sick; but the necessary funds are not available. Only those centres which are favoured with Government hospitals are on a good wicket. Other centres are continually struggling to collect funds for the maintenance of their hospitals.

The Minister for Lands: Rich towns like Northam pay nothing towards the upkeep of their hospitals.

Hon. Sir James Mitchell: Fremantle does not pay a farthing.

Mr. J. H. SMITH: Under the present system of collecting funds for hospitals, the free giver has to pay continually. If the hospitals are placed under the control of the local authorities, those who can pay will be called upon to pay. Dozens of people evade their responsibility in that respect.

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

Mr. J. H. SMITH: Before tea I was dealing with the question of hospitals. At present if a hospital is required in an outback town, the local public have to subscribe to entertainments of all sorts in order that the necessary funds may be raised. If the local authorities had power to levy rates for hospital purposes, the position would be very much improved. To-day we have Government hospitals at Bunbury, at Northam, at Albany, at Katanning, and at other places. Recently £10,000 was spent on the Katanning hospital, the Katanning Road Board subscribing £5,000. Either the local authority should have power to levy upon the whole of the people in the district for hospital purposes, or the Government themselves should impose a levy. I welcome the Bill as giving the local authorities more power. I do not see why local authorities should undertake the building of workers' homes, but in all other respects I will support this amendment of the Act.

Mr. Richardson: Even to the running of cinematograph shows?

Mr. J. H. SMITH: Yes, why not, if it means additional revenue?

Mr. LINDSAY: Road boards in my electorate require the additional powers contemplated in the Bill. They have had to guarantee certain funds in order that additions could be made to local hospitals. In one district the people subscribed £2,000 for additions to the hospital, and within 15 months after those additions were completed the hospital accommodation had to be almost doubled. It was altogether unreasonable to ask the people to find another £1,000 or more, and the difficulty was got over by the road board guaranteeing a sum, an expedient of somewhat doubtful legality. I do not agree that it would be altogether right to have local authorities building workers'

homes indiscriminately, but I certainly hold that they should be empowered to build homes for their own employees. That, I think, is all that would be necessary. At present, when a road board is formed in a new country town there is no accommodation for the secretary. So he has to stay at the hotel, paying three guineas or four guineas per week, and until a home is erected for him he cannot ask his wife and family to join him. The building speculator is not found in small country towns, and therefore the only thing to be done is for the local authority to erect homes for its employees.

Hon. Sir JAMES MITCHELL: I should like to hear the Minister say something in defence of the clause. The member for Toodyay declared that if the local authority had power to erect homes for its own employees, that would be sufficient. I can well understand that in a small remote country town it is necessary that the local authority should undertake this responsibility. The members for Toodyay and for Nelson seem to be gratified at the increased power proposed to be conferred on the local authorities. However, what I see is, not so much the increased power, as the increased responsibility. It is a big thing to ask of a local authority that it should erect and finance and manage a hospital. A district hospital is not used exclusively by the local people, but caters for the people of the surrounding districts as well. Even the Perth Hospital is maintained very largely for people coming from outside the metropolitan area. Perhaps because of that, the people of Perth have never contributed any considerable sums to the maintenance of that hospital. When we have a department of professional men controlling country hospitals, they ought to be allowed to exercise that control. If the Bill passes they will not be permitted to do anything of the sort, for country hospitals will be outside the control of the Medical Department. The member for Nelson is mistaken if he thinks he is getting more power for the local authorities; what he is getting is a great deal more responsibility. The Minister has not had sufficient regard for the fact that some of the local authorities in remote districts embrace several towns. Lighting plant will be a charge upon only the people benefiting, but when it comes to the construction of cooling chambers and hospitals, the whole of the ratepayers will have to pay. Why was provision included

for cooling chambers? What does the Minister mean by cooling chambers?

Mr. Davy: Is this House ever called a cooling chamber?

Hon. Sir JAMES MITCHELL: Not since the Minister for Works came here. The municipality of Northam has a cooling chamber. Is that what the Minister has in mind?

The Minister for Works: Yes.

Hon. Sir JAMES MITCHELL: Not expensive stores for fruit such as have been erected at Mt. Barker. I hope members realise the increased responsibility that will devolve upon road boards. It is a responsibility that they cannot afford to undertake. All the money collected by road boards should be spent on the roads. When it is thus spent it is really used for the payment of wages, because material is obtained alongside the roads and horse feed is grown in the district.

Mr. STUBBS: For a long time road boards have been seeking increased powers, and I am satisfied that the men who devote so much of their time to their districts have too much sense to abuse the powers proposed to be conferred under this clause. For some years a road board in my district endeavoured to get power to conduct a cinematograph show on Saturday evenings, and after considerable trouble they succeeded. It is astonishing how much money has thus been collected towards the provision of one of the most up-to-date halls in the Great Southern. The road board in any district desiring a hospital would take the ratepayers into their confidence and would not be likely to start or maintain a hospital against the wishes of the ratepayers. I hope the clause will be passed.

Mr. SAMPSON: I move an amendment—

That subparagraph 27 of paragraph (g) be struck out.

This relates to the erection of workers' homes. It is clearly beyond the functions of a road board to carry out the duties of a workers' homes board. If a road board adopted the policy of erecting workers' homes it would have to be maintained over a long term of years, although their successors might be opposed to that policy. Such homes would have to be provided on easy terms, allowing for repayments over a period of 30 to 50 years.

The Minister for Works: That would be subject to the Workers' Homes Act

Mr. SAMPSON: Anyhow, the period would be considerable, and in that time the personnel of the board might alter greatly. The duties of road boards are continually growing and it is not reasonable to ask them to undertake such work. The supervision and inspection of various works at present make such demands upon road board members that no time would be left to devote to these additional activities.

Mr. C. P. WANSEROUGH: I cannot support entirely the amendment of the member for Swan. Numerous road boards have requested power to enable them to assist their secretaries and other officers to erect homes. If the Minister assured us that the intention was limited in that way I would support him. The housing of road board officials, especially in new areas, is a serious problem, and some such authority as this is necessary to enable boards to erect workers' homes.

The MINISTER FOR WORKS: This clause was inserted at the request of a number of road boards, including the Beverley Road Board. When I visited that district the board members feared they would lose the services of a valuable officer, who could not obtain accommodation for his family. He had applied for a workers' home, but there were so many applications from other parts of the State that the board could not meet his request. The Beverley board told me that if they had the power, they would erect homes for their officers. I consider it wise to give road boards this power. Men cannot be expected to settle in the country unless they can get accommodation for their families and make them comfortable. Now that power is given to road boards to combine and jointly employ an engineer, it becomes all the more necessary that they should be able to provide accommodation. I am not concerned whether we give the wide power provided in the Bill or whether it is restricted to accommodation for employees of a board. As the years go on districts will grow, boards will have greater revenue and will be able to do locally much of the work that is now done by the central authority. Many things could be done more efficiently if handled by men on the spot. I desire that boards should have power to provide homes for any workers in their districts.

Hon. Sir James Mitchell: The Government find it difficult to provide the necessary funds and the road boards will find it even more difficult.

The MINISTER FOR WORKS: I realise it is hard to find funds, but the road boards will not have to find very much money. If the Government had to provide funds for three homes in each road district, it would mean a tremendous amount; if each road board provided the funds for three homes, say £1,800, it would not be much.

Hon. Sir James Mitchell: But the Government draw taxes from the whole of the State, whereas a road board draw taxes from only their own people.

The MINISTER FOR WORKS: The hon. member has been harping on taxes for some time. This is not a matter of taxes. The workers' homes scheme has not imposed one penny of taxation upon the people, and this scheme would not involve the ratepayers of a road board in one penny of taxation.

Hon. Sir James Mitchell: Of course it would.

The MINISTER FOR WORKS: I desire that the clause be retained as printed, but if an amendment is desired, the best plan would be to strike out the words "persons of limited means" and insert in lieu the words "employees of road boards."

Hon. Sir James Mitchell: The Workers' Homes Board could provide all these places.

The MINISTER FOR WORKS: During the hon. member's term of office very few workers' homes were erected. There are 250 local authorities in the State, and if each built two homes a year they would make a great difference to the housing accommodation in their districts.

Hon. Sir JAMES MITCHELL: The Government have not added one penny to the capital of the Workers' Homes Board. The previous Government built many homes in the country, but I do not think one has been built by the present Government. All this work ought to be carried out by the Workers' Homes Board. Building is far more costly than it used to be, and the financing of an undertaking like this properly belongs to the Government. The cost of these homes was greatly increased when the soldiers' homes were being erected, owing to the competition between the two authorities. What is wanted is a building that a person can pay for in comfort. No local authority would be able to carry out this work as satisfactorily as the Workers' Homes Board.

Mr. LATHAM: If these homes are to be built out of loan funds, the ratepayers will be able to approve or otherwise of the rais-



ing of the necessary money. I do not think many ratepayers would agree to money being spent in this direction.

Mr. LINDSAY: Am I at liberty to move an amendment to this proposed new subsection?

The CHAIRMAN: Not unless the amendment before the Chair is withdrawn.

Mr. SAMPSON: Evidently some of the local authorities wish to have power to erect workers' homes. In the circumstances I shall withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. LINDSAY: I move an amendment—

That in lines 2 and 3 of proposed new paragraph 27 the words "persons of limited means" be struck out with a view to inserting "employees of the council."

Amendment put and passed.

Mr. THOMSON: The object of the hon. member is to enable homes to be provided for the employees. It is as well, therefore, that it should be made possible to lease them a home rather than that they should be compelled to buy it.

Mr. LINDSAY: I move—

That in lieu of the words struck out, the words "or let to employees of the council" be inserted.

Mr. PANTON: I am against the inclusion of the words "or let to" in the amendment. The Minister's proposal, which has been accepted by the Opposition, is that workers' homes should be built. If road boards build houses for letting, they will simply become landlords. Further, the letting of houses is not a function of the Workers' Homes Board. Even if the purchaser of a worker's home erected by the board sublets it, he is still liable to the board for the payments; and he has to give a good reason before he is permitted to sublet. Road boards should not be allowed to make a profit by building houses and letting them to their employees.

Mr. C. P. Wansbrough: Employees come and go.

Mr. PANTON: One employee following another could take over his predecessor's home and the liability attaching.

Mr. Mann: If the road board had a home on their hands, would you object to their letting it?

Mr. PANTON: No.

Mr. Mann: That is all the amendment proposes.

Mr. PANTON: There is more than that in it. Under the amendment road boards could build homes and never sell one of them. Many landlords to-day are getting from 10 to 12 per cent. on the investment.

Mr. C. P. WANSBROUGH: The last speaker's objection is met by the words "to dispose or sublet to employees of the council." There is no such danger in the amendment as the hon. member suggests.

The MINISTER FOR LANDS: Suppose a home were built for the engineer of a local authority, and the engineer eventually decided to join another local authority which already had a home for its engineer. To whom would the other home be let then? I am rather surprised at the discussion, seeing that the clause contains nothing that is compulsory on road boards. It merely provides that the boards may do certain things, among them the building of homes. They can build homes if they please. Further, they can build homes for their employees and refuse to build them for anybody else. Are members opposite afraid to trust the road boards? Those same members have urged that the road boards should be trusted entirely.

Mr. Lindsay: The road boards have not asked for this power.

The MINISTER FOR LANDS: It is a discretionary power. In many parts of the world local authorities are building houses. In England they have been compelled to do so since the war. Members opposite seem to fear that road boards will run wild and splash up large sums of money in building homes; but the consent of the ratepayers is necessary before the building of homes is embarked upon. Surely, if road boards can be trusted to build hospitals and agricultural halls and run picture shows and racecourses, they can be trusted to build workers' homes.

Mr. ANGELO: The member for Toodyay is anxious to allow road boards to erect buildings for the accommodation of their employees, and the member for Katanning is anxious to extend that by permitting the boards to rent houses to their employees; but it seems to me they are going about it the wrong way. They should allow the paragraph to remain as it is, seeing that there is a fairly good chance of its being deleted, and they should move a new subclause empowering boards to erect homes for the accommodation of their employees, which homes could be sold to such employees on terms stated, or else let to them on condi-

tions approved by the boards. The aim of the subclause is to permit local authorities to build homes for ratepayers, but not for employees.

Mr. PANTON: I move an amendment on the amendment—

That the words "or let to" be struck out.

How can the local authorities lend money to themselves for the purpose of building houses to be let? If the words "or let to" are included, the whole subclause will be wrong. I am not prepared to allow the Workers' Homes Act to be utilised to enable road boards or any other bodies or persons to become landlords.

Mr. THOMSON: I object to the inclusion of the clause, but in deference to members who consider that road boards are in a difficulty as to providing homes for their employees I have modified my objection. What will be the position if the amendment on the amendment is carried? I have no desire to make road boards into landlords, but we have to bear in mind that it is in new districts, where there is lack of housing accommodation, that road boards are going to build. There is no continuity of employment or any guarantee that a man for whom the house may be erected by the board will continue in their employ.

Mr. Panton: That applies equally under the Workers' Homes Act.

Mr. THOMSON: Naturally a road board employee would desire to secure a home under the Workers' Homes Board conditions because it would be much cheaper than if he secured it under ordinary conditions. Then again if the employee left and he had an equity in the building erected for him, he would naturally ask for the payment of his equity when he left. The man who was engaged to fill the vacancy might not require that house, and the board would then be unable to let that house should the clause be agreed to as it stands.

Mr. LINDSAY: I have already intimated that I intend to move an amendment to delete the restrictions based on the Workers' Homes Board conditions that appear later on in the proposed new paragraph. As that paragraph stands, engineers or secretaries would not come within the scope of the measure.

The Minister for Works: Those officers could buy their own homes.

Mr. LINDSAY: But they might not have the necessary cash. I was concerned in an instance where the members of a road board provided a house for one of their officers and then found they had done something illegal. They had to take over the house themselves.

The Minister for Lands: Would not that come within the meaning of the term "plant"?

Mr. LINDSAY: Not in the opinion of the Local Government Officer, I can assure the Minister. The board should have the right to provide homes for their employees, if necessary, in outlying centres. Unless some provision is made for letting, a board might provide the home, but the employee might leave. If the employee became the owner of that home and subsequently left the employ of the board, the local governing authorities would then be faced with the necessity for providing another home for the man engaged to take the place of the man who had then left.

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

Mr. LINDSAY: I move an amendment—

That in lines 11 to 14 the words "and that no home shall be disposed of and no advance made to any person who is not a worker within the meaning of the Workers' Homes Act, 1911" be struck out.

The MINISTER FOR WORKS: I hope the amendment will not be agreed to. It would mean that no matter what salary an officer might be receiving, he could take advantage of the Workers' Homes Act and secure the benefits of long terms and easy payments without having the disadvantage of being a low paid man. The Workers' Homes Act was not intended for such purposes.

Mr. ANGELO: I think the Committee are making a terrible botch of this paragraph! If it is desired to achieve what the member for Toodyay suggests, it would be better to strike the paragraph out and insert a simple one empowering the board to erect homes for the accommodation of employees and to let them on terms and conditions to be approved by the Minister.

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

Clause 42—Insertion of new section after Section 160:

The MINISTER FOR WORKS: There is here a clerical error, which I propose to correct. I move an amendment—

That in line 3 of the proposed new section "or" (where it first occurs) be struck out and "on" inserted in lieu.

Amendment put and passed.

Mr. THOMSON: The local authority may require the owner of the land to contribute towards the cost of the drainage work such annual amount as the local authority may think fit. I conclude there will be a right of appeal against the amount of contribution fixed.

The Minister for Works: Yes, to arbitrators.

Clause put and passed.

Clauses 43 to 50—agreed to.

Clause 51—Amendment of Section 225:

- Mr. THOMSON: It is here provided that in any valuation the Minister may make, the last valuation adopted by the Commissioner of Taxation may be adopted by the Minister. Considerable dissatisfaction has been caused through the adoption by local authorities of valuations made by the Taxation Department. When appeals have been made against those valuations the Commissioner of Taxation has made available his valuer to attend the court of appeal. I do not think it should be mandatory on any road board to accept valuations made by the Taxation Department. Hundreds of people would rather pay unjust valuations than fight the Taxation Department, for the department is quite prepared to go as far as the High Court, which means that it is cheaper for the unfortunate ratepayer to accept an unduly high assessment. I should like to know from the Minister why the clause has been inserted.

The MINISTER FOR WORKS: This has nothing to do with the valuations adopted by the local authority; it relates to any valuation made by the Minister. In making such a valuation the Minister, under this clause, may adopt the last valuation made by the Commissioner of Taxation. In many instances the valuations made by local authorities are entirely unsatisfactory. Last year, taking the whole State, the valuations made by the local authorities were £5,500,000 below those made by the Taxation Department. In one district the local authority refused to rate above a certain limit; and that in a district where there has been a

great deal of land speculation, mainly on behalf of absentee owners who are holding their land out of use.

Mr. Thomson: That discrepancy of £5,500,000 may have been ascribable to over-valuations by the Taxation Department.

The MINISTER FOR WORKS: Certainly it is an enormous discrepancy. Low valuations are of no use to the landowner for they suggest that the land is of little value. However, the clause merely provides that the Minister in making a valuation may be guided by the Commissioner of Taxation. Even without the clause, probably that is the course the Minister would adopt.

Mr. THOMSON: This is of vital importance. Section 223 of the Act provides that the local authority may make valuations itself or may appoint valuers to do the work. Section 225 prescribes that the Minister may make or cause to be made any valuation, and may require the local authority to adopt such valuation. The Minister has a free hand to-day. Very often the local authority should be the best judge of the amount of revenue that is required. Road boards have been informed that they must rate up to a certain value or they will not receive the Government subsidy. A road board might employ a valuer at great expense to value the district, and if his valuation proved to be lower than that of the Commissioner of Taxation the Commissioner's value would stand.

The Minister for Works: I am not aware that that section has ever been put into operation.

Mr. THOMSON: It has been put into operation in this way. Road boards have power to levy up to 3d. in the pound on the unimproved value. Some boards imposed a rate of only ½d. in the pound, and they were informed that unless they imposed a higher rate they would receive no subsidy from the Government.

The Minister for Works: They were told it would be regarded as an indication that they did not require a subsidy.

Mr. THOMSON: If my land is valued by a valuer, I can appeal to the road board. If they refuse to grant me a reduction, I can take the case to the local court and, provided I can prove my case, I am able to secure a reduction. If the principle now proposed is adopted, I fail to see how any appellant can get redress from the court.

Clause put and passed.

Clause 52—Repeal of Section 233 and substitution of new section:

Mr. THOMSON: A serious anomaly will be created under the proposed new Subsection 2. If the Minister gave a board power to rate up to 9d. in the pound on the unimproved value, the owner of a block worth £100 would pay £3 15s. a year in rates. If the adjoining district rated on the annual value, the amount of rates payable on a £100 block would be 10s. a year. A rate of 9d. on the unimproved value is exceedingly heavy; 6d. is ample.

The Minister for Works: That applies to the metropolitan area.

Mr. THOMSON: It is too high a rate to approve for any board. Still, the anomaly exists and should be removed. I move an amendment—

That in line 8 of the proposed new Subsection 2 "ninepence" be struck out and the word "sixpence" inserted in lieu.

The MINISTER FOR WORKS: The rate of 9d. may be applied only with the approval of the Minister, and before approval was granted, the proposal would be thoroughly investigated. There is no danger of the Minister endorsing such an anomaly as the member for Katanning has indicated.

Hon. Sir James Mitchell: Is there any case that would justify your amendment?

The MINISTER FOR WORKS: There are several boards rating up to 6d., and they complain that it is insufficient owing to the high cost of labour and material. The district in which I live rates up to 6d.

Mr. Davy: You will have to run a cinematograph in order to get the rate reduced.

The MINISTER FOR WORKS: Until the board can finance a cinematograph show, they may require to increase the rate.

Hon. Sir James Mitchell: I think 6d. is high enough.

The MINISTER FOR WORKS: Only exceptional cases would a rate of more than 6d. be asked for or approved. Generally it would be for a special service.

The Minister for Lands: The tendency of road boards is always to keep the rates down.

The MINISTER FOR WORKS: That is the trouble. Some of them rate as low as ½d. in the pound and depend upon the Government for a subsidy. Some of them, when told that such low rating would be regarded as an indication that they did not need a subsidy, have raised their rates only sufficiently

to recoup themselves for the loss of the subsidy.

Mr. Thomson: But you must admit an anomaly exists.

The MINISTER FOR WORKS: Each case would be thoroughly investigated, and no Minister would permit such an anomaly. The safeguards provided are ample.

Mr. SAMPSON: The valuations have increased to a greater extent in the metropolitan area than in the country districts. I cannot appreciate the reason for the special increase in the one case. No increase is provided for in connection with the annual value; it is limited only to the unimproved value in the metropolitan area.

Amendment put and negatived.

Clause put and passed.

Clauses 53 to 55—agreed to.

Clause 56—Amendment of Section 243:

*[Mr. Panton took the Chair.]*

Mr. LINDSAY: The Act gives ratepayers the right of appeal to the board against valuations, but this amendment of Section 24 says that the appeal shall be only to the local court in certain cases. It also says that no local court shall reduce a valuation if it has been made in a certain way. This means that the ratepayers may have no chance of appeal. I know of one case in which a magistrate did reduce the valuations made by the Taxation Department, but this clause will prevent ratepayers from getting that much justice. Evidently the Minister thinks the Commissioner of Taxation can do no wrong, although in some instances that officer himself has reduced valuations. In my district we are paying eight times as much as we did in 1923, when the board was established. Our revenue then was £1,500, but to-day it is more than £6,000, owing to the revaluations. If we are to be deprived of the right of appeal either to the board or the local court, we may have to go to the Supreme Court, which very few country people would care to do.

The MINISTER FOR WORKS: The Minister would only interfere with valuations in exceptional cases. That would be when the board refused to function by declining to make valuations, or when it made absurd valuations. In such circumstances there should be no appeal from the Minister back to the board. No Minister would override the decision of a board unless it did something ridiculous.

Mr. Davy: Has there never been a ridiculous Minister?

The MINISTER FOR WORKS: I do not think any Minister would do that.

Mr. George: They are not all fools.

Mr. Davy: We might get one occasionally.

Mr. George: Not in this State.

The MINISTER FOR WORKS: I would not be afraid that any Minister would exercise this power in the wrong way.

Mr. George: You are taking away a just right of appeal.

The MINISTER FOR WORKS: If the Minister were obliged to step in, there should be no appeal against his decision. The appeal provided is from the Minister to the local court.

Mr. Lindsay: But the court cannot function.

The MINISTER FOR WORKS: The court cannot function if the Minister has not exceeded the valuation of the Commissioner of Taxation. That is the only point I consider worth arguing. The department are of opinion that it is most desirable to obtain uniformity in valuations, as far as possible. My predecessor tried, and I have tried, to induce the boards to adopt a uniform system. The question here is whether the Committee agree as to the desirableness of uniformity. Some of the richest and oldest-settled districts in the State both value lowest and rate lowest.

Mr. Davy: This clause will not remedy that.

The MINISTER FOR WORKS: If valuations were absurd, the Minister could step in. The object of the clause is to provide against a breakdown of local government. My predecessor has not had to use the power, nor have I so far found occasion to use it, but both my predecessor and I have advised road boards that if they did not rate up to 2d. in the pound it would be regarded as an intimation that they needed no subsidy. Some boards were rating very low indeed, one as low as a halfpenny, while others were rating up to 6d.; and the boards rating lowest were the most insistent in their demands for subsidies.

Mr. George: Some of the boards have not been alive to their duties at all.

The MINISTER FOR WORKS: I have pointed out to the boards the difference between their valuations and the Commissioner's. The low valuations of some boards depreciate the value of the land.

Mr. Davy: Do you think those valuations affect sale prices?

The MINISTER FOR WORKS: I have proof that they do. The sooner we adopt uniform valuations, the better. While I do not assert that the Commissioner of Taxation never makes a mistake, I do say that he is in the best position to value. A police magistrate could only decide upon the evidence submitted to him. The Commissioner of Taxation decides upon information obtained by his inspectors, frequently as the result of personal examination of the land. He has a large staff of inspectors out now, and is making a big effort to get the whole of our lands valued.

Mr. Davy: Why should not there be an appeal? The Commissioner has made serious mistakes at times.

The MINISTER FOR WORKS: His valuation can be appealed against.

Mr. Davy: But that would not alter the valuation for the road board.

The MINISTER FOR WORKS: Of course it would. The Minister would adopt the valuation fixed on appeal.

Mr. Davy: The Commissioner's valuation might not affect the owner to the extent of twopence, whereas the road board's valuation might matter a great deal to him.

The MINISTER FOR WORKS: Let us have the lands of the State valued on some common basis. The majority of the road boards concede that uniformity would be advantageous. The owner has his right of appeal when the Commissioner makes the valuation, and the cost of appealing against the Commissioner's valuation will be very little if any more than the cost of appealing against the Minister's.

Mr. Lindsay: How about the expense of bringing witnesses to Perth?

The MINISTER FOR WORKS: That disadvantage could be overcome by amending another Act so as to permit of appeal to a local tribunal. The enormous discrepancy of 5½ millions sterling between the Commissioner's valuations and those of the road boards ought not to exist.

Mr. THOMSON: I object to taking away from the ratepayers the right of appeal against the Minister's valuations, particularly in view of the wording of the proviso. An ordinary taxpayer is not in a position to fight the valuation placed upon his property by the Commissioner of Taxation. There are scores of men who pay more than they feel justified because they cannot afford

to fight the Commissioner of Taxation or any other Government department. I am with the Minister in his desire to secure a uniform method of taxation, but the clause goes too far. There is no British justice or fair play in the proposal. Neither the Minister nor any Government official charged with the duty of making valuations is infallible. In his annual report the Commissioner of Taxation states that a considerable saving has been made by taking the valuations of the Agricultural Bank and the Lands Department in respect of 3,700,000 odd acres, instead of arriving at the values by means of field inspections.

The Minister for Lands: I think he made a great mistake, because the Lands Department's valuations are too low.

Mr. Latham: That is a mistake; he meant the classifications.

The Minister for Works: It is generally admitted that they are pretty reliable.

Mr. THOMSON: The Minister accepts the valuations of the Commissioner of Taxation and there is no appeal against it. That is wrong. The Minister should agree to postpone the clause in order to re-draft it.

Mr. DAVY: I do not think it is necessary to recommit the Bill for the purposes suggested by the member for Katanning. I move an amendment—

That after "only" in line 8, the words "and provided further that a local court shall not reduce any valuation made or caused to be made by the Minister of any land in respect of which the valuation of the Commissioner of Taxation is by this Act permitted to be adopted if the Minister's valuation does not exceed that of the said Commissioner" be struck out.

I sympathise with the Minister's desire to have uniform valuations. Instead of going boldly and directly for his objective, as he usually does, the Minister proposes to insert the thin end of the wedge, but when it is driven home, I do not think it will bring him nearer to what he desires. The clause appears to be capable of working some injustice, whereas the worst that could happen, if my amendment were agreed to, would be that some local authority might disagree with the valuation of the Commissioner of Taxation. It is well known that expert valuers differ widely in their valuations. I suggest to the Minister that until he is prepared to lay it down as a general principle that the unimproved values of land throughout the State for all taxation purposes shall be those fixed by the Commissioner of Taxation,

he should not introduce an exception such as that indicated in the clause. While it might do some good, it might do more harm, besides creating at least the appearance of an anomalous position.

Mr. LINDSAY: From actual experience I know that road boards have been placed in the position of having to accept the valuations of the Commissioner of Taxation. Naturally the Minister who accepts those valuations would not make a revaluation of a road board area, but would adhere to the Commissioner's figures. I believe I am responsible for the commencement of the practice of the Commissioner of Taxation valuing road board areas. It arose out of the anomalies I knew to exist in the Dowerin and Wyalcatchem areas respectively. I mention the part I took in endeavouring to get the Commissioner to undertake the valuations on a basis agreed to between the boards and himself, to make it clear to the Minister that I desire to have uniform valuations. Under existing conditions there are many anomalies regarding the valuations in my own district. Some of my better class land has been valued as second class, and some of the second class land as first class land. There should be some right of appeal and I agree with the Minister that it might be advisable to amend another Act to get over that difficulty. It must be clear to the Committee that men in the country districts will not go to the expense of coming to Perth with their witnesses to fight an appeal. I have had an appeal before the Commissioner for five months and almost every week he puts forward some quibble regarding it.

The Minister for Lands: Have you no local court in your district?

Mr. LINDSAY: There is a local court at Goomalling. Until the other Act is amended the Commissioner should not deprive rate-payers of the right to go to the local court, for it causes discontent.

Mr. J. H. SMITH: I am not in favour of the amendment, but I am entirely opposed to the whole clause, which is of no use at all.

The CHAIRMAN: The hon. member will stick to the amendment for the present.

Mr. J. H. SMITH: In my district the Commissioner has increased the valuations by 200 per cent. and 300 per cent., and in many instances the local authorities have adopted the Commissioner's valuations, less 33 $\frac{1}{3}$  per cent. Unless the amendment be agreed to, there will be no appeal against the valuation. In the South-West there are many anomalies that ought to be corrected.

The Minister for Lands: How much have some of the landowners been getting for their timber?

Mr. J. H. SMITH: A good deal, but they have to pay income tax on the timber they sell. The point is that there is to be no appeal against the valuation.

The Minister for Works: There is an appeal.

Mr. J. H. SMITH: The whole thing is too drastic. I am opposed to the clause, but I will support the amendment.

The MINISTER FOR WORKS: The issue between the amendment and the clause is as to which may be the more competent, the Commissioner of Taxation or the local magistrate, to arrive at a sound judgment; which of the two is in the better position to fix a fair valuation. I know which I would rather trust. Not one per cent. of the magistrates have the foggiest idea of valuing land.

Mr. Davy: Of course not; they have to decide it on evidence.

The MINISTER FOR WORKS: And the evidence that would appeal to them would be the rough-and-ready calculation the hon. member has outlined; the magistrate would take the two sets of figures and split the difference between them. There is nothing sound about a decision such as that; it is mere guesswork. On the other hand, we have a department with experts out, devoting their whole time to the making of valuations. They have some sort of system upon which to base their figures.

Mr. Sampson: They judge the land by what they see it producing.

The MINISTER FOR WORKS: The hon. member knows better than that. All will agree that there is some logic in the valuations made by the department, as compared with those made by the local authority; and if the local magistrates are to override the Commissioner—I would rather trust the local authorities than the magistrates, for the local authorities have some practical knowledge, whereas the magistrates have not any idea at all of the work.

Mr. Lindsay: Surely the court has to call witnesses to prove that the valuation is too high or too low. What are the courts for?

The MINISTER FOR WORKS: I have not much faith in courts at all, particularly when they are dealing with technical matters

such as valuations. It is not right to say there is to be no appeal against the Commissioner's valuation.

Mr. Lindsay: There is only an appeal to the Commissioner.

The MINISTER FOR WORKS: No, to a court. Of course, the hon. member's objection is that the ratepayers have to come to Perth. If that is so, I will help him to get it rectified.

Mr. Latham: An appeal can be heard wherever a local court is held.

Mr. Davy: If the Minister rectifies that it will mean that the Commissioner's valuation will be subject to the decision of a magistrate in Perth.

The MINISTER FOR WORKS: If there is to be an appeal from the Commissioner it should be made to somebody just as competent as the Commissioner himself. Most of the magistrates know nothing about valuations. The clause cannot do any harm. The member for West Perth argued that there is a risk of injustice being done, but he quite overlooked the fact that there is an appeal against the valuation of the Commissioner of Taxation. The Committee should decide who is the more capable of fixing a correct figure, the Commissioner of Taxation or a local magistrate.

Mr. DAVY: I have not overlooked the fact that there is an appeal against the Commissioner's valuation, but the Minister has overlooked the point that it is seldom worth while, unless a man is a large landowner, to appeal against the Commissioner's valuation. The land tax on the house in which I live amounts to one or two pounds a year, but the rates amount to ten or twenty times that sum.

The Minister for Works: If you knew that that depended on the Commissioner's valuation, you would contest it.

Mr. DAVY: How could I anticipate that the Minister would step in arbitrarily and value my land according to the Commissioner's valuation? The Minister said the Committee should decide between the capacity of the Commissioner and of a magistrate to arrive at a fair valuation. Nothing of the sort. The Commissioner does not value the land. He has paid servants who do the work in bulk.

The Minister for Works: They do not do it in bulk.

Mr. DAVY: There are few men to do the valuing and with them it is a matter of massed production.

The Minister for Works: You find adjoining blocks of different values.

Mr. DAVY: But they do it as a big job at thousands of acres per day, and they are liable to make mistakes. There is only one way to arrive at the value of land and that is to take the price realised at recent normal sales. All a magistrate can do is to listen to the expert witnesses on both sides and decide upon the evidence submitted. Although a magistrate might be utterly ignorant of land values—he ought to be if he is going to decide an appeal fairly—he is likely to form a correct judgment on the evidence of recent sales. It is regrettable that the Minister should hold such a low opinion of the capacity of country magistrates, and yet make no definite attempt to improve their capabilities. I suggest strongly that the words I desire to have struck out cannot possibly do anybody any good and may do some persons an injustice. Owing to the slight degree in which land tax would affect a man, he may have refrained from appealing, but when he is faced with the local authority's taxation, it may affect his pocket sufficiently to make an appeal worth while. If the clause is passed as printed, a man in that position may find it too late to appeal. We should not run the risk of doing an injustice unless the Minister can show that substantial good will result. If the Minister came down with a proposition to adopt one valuation for all land of a similar kind, I would feel inclined to agree with him, but why he should want the special privilege of no appeal when he comes into the picture, I cannot understand.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	22
<hr/>					
Majority against	..	..	..	..	10
<hr/>					

## AYES.

Mr. Davy	Mr. J. H. Smith
Mr. Griffiths	Mr. J. M. Smith
Mr. Latham	Mr. Teesdale
Mr. Lindsay	Mr. Thomson
Sir James Mitchell	Mr. C. P. Wansbrough
Mr. Sampson	Mr. Richardson

(Teller.)

## NOES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Marshall
Mr. Collier	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Panton
Mr. Cunningham	Mr. Sleeman
Mr. Heron	Mr. Troy
Miss Holman	Mr. A. Wansbrough
Mr. Kennedy	Mr. Wilcock
Mr. Lambert	Mr. Withers
Mr. Lamond	Mr. Wilson

(Teller.)

## PAIRS.

AYES.	NOES.
Mr. North	Mr. W. D. Johnson
Mr. Mann	Mr. Clydesdale
Mr. George	Mr. Hughes
Mr. E. B. Johnston	Mr. Munie

Amendment thus negatived.

Clause put and passed.

Clauses 57 to 59—agreed to.

Clause 60—Amendment of Section 270:

Mr. THOMSON: I should like an explanation of this clause.

The MINISTER FOR WORKS: This clause is framed to meet cases where the receipts from the sale of the land do not cover the whole of the payments that have to be made in connection with it.

Clause put and passed.

Clauses 61 to 68—agreed to.

Clause 69—Insertion of new section between Sections 316 and 317:

Mr. LATHAM: It is proposed to give the Minister power to dispense with the appointment of an auditor. The Act compels local governing bodies to have an annual meeting of ratepayers, and to produce the latest balance sheet. In the case of Government audits, the work is sometimes three years behind.

The Minister for Works: Not now, though that was the case when we took over.

Mr. LATHAM: In some instances they are still three years behind. If the ratepayers' auditors are abolished, no balance sheet will be presented at the annual meeting. I hope the Act will not be interfered with.

The Minister for Works: This clause is to meet cases where local auditors cannot be obtained.

Mr. THOMSON: If a qualified accountant is available he should always be appointed as auditor.

The Minister for Lands: The auditor is the ratepayers' official, not the boards. Why should the board appoint an auditor when:



the ratepayers may want another man to check the accounts of the board?

Mr. THOMSON: Unfortunately some auditors are not properly qualified, and a considerable amount of embezzlement may take place.

The Premier: Auditors do not prevent embezzlement.

Mr. THOMSON: A monthly check should be made by a qualified man. Such a man could handle the accounts for half a dozen local authorities.

Mr. SAMPSON: It would be unsafe to allow the election of the ratepayers' auditor to be done away with. Some of the boards are far behind in their audits, as much as three years.

The Minister for Lands: Why do not those boards get auditors of their own?

Mr. SAMPSON: They have to depend on the ratepayers' auditor because the Government fail to provide a sufficient number of auditors.

The Minister for Lands: Why should the Government provide auditors?

Mr. SAMPSON: The Act sets out that the Government auditor shall go over the accounts. Road boards might be put on the same footing as municipal councils in this respect. Meantime, however, road boards look to the Government auditor for the checking of their accounts. Some road boards have a trial balance every three months.

Clause put and passed.

Clauses 70, 71, 72—agreed to.

Clause 73—Re-printing of principal Act with amendments:

Mr. SAMPSON: I suggest to the Minister that if the Bill passes the measure should be published in the form of a manual with an index.

Clause put and passed.

New Clause:

Mr. SAMPSON: I move—

That the following be inserted to stand as Clause 43:—"196a. Subject to this Act, a board may make by-laws to prohibit the quarrying for stone, gravel, or other material, and other similar excavations on land within townsites and prescribed areas, without the license of the board: Provided that any person aggrieved by the refusal of a board to grant such license shall have the right of appeal to the Minister, who may confirm the action of a board in refusing a license, or may direct the board to issue a license subject to such conditions (if any) as the Minister may think fit; and it shall be the duty of the board to observe the direction of the Minister.

The new clause is highly necessary. To-day any person can go into a townsite or prescribed area and open up a quarry or a gravel pit, or even establish a brick kiln, without any reference to a local authority.

The Minister for Lands: Not without a license.

Mr. SAMPSON: I mean that he can do it on land of his own. The quarry or excavation becomes a menace to life and limb in the case of children and others. It also becomes a permanent scar on the landscape. Examples of this may be seen at Mt. Helena, Parkerville, and elsewhere in the hills district. Under the new clause there is recourse to the Minister in case of refusal by the local authority. The matter recently received consideration by the Road Boards' Association, which unanimously approved the new clause. It is remarkable that existing legislation does not provide the power now sought.

The MINISTER FOR LANDS: The new clause conflicts with the Land Act, which gives power to the Crown to grant licenses to obtain gravel or other material.

Hon. Sir James Mitchell: On Crown lands.

The MINISTER FOR LANDS: Yes, on Crown lands. The new clause interferes with the prerogative of the Crown in any townsite or prescribed area.

Mr. Sampson: I am prepared to alter my amendment so as to make it refer only to freehold land.

The MINISTER FOR LANDS: I shall not object to that. However, the new clause would be unworkable, inasmuch as Section 154 of the Land Act, 1898, provides—

The Minister, or any person authorised by him in writing for that purpose, may grant a license in the form in the Thirtieth Schedule or to the like effect, to any person to quarry, dig for and carry away any rock, soil or other material on any lands vested in the Crown, not being on a goldfield or in a mining district, for building purposes and to make bricks or any other commodity. The fee to be paid for such license shall be determined by the Governor. . . .

Mr. SAMPSON: Acting on the suggestion of the Minister for Lands, I ask leave to alter my amendment by inserting after "excavations on land" the words "other than Crown."

Leave given; the new clause amended accordingly.

Mr. CHESON: Will the new clause refer only to freehold land? I ask because under the mining law anyone can operate for mining purposes on all Crown lands other than those dedicated as permanent reserves.

Hon. Sir James Mitchell: The new clause refers only to alienated lands.

New clause put and passed.

New clause:

Mr. SAMPSON: I move—

That the following new clause be added:—  
“Section 196 of the principal Act is amended by the insertion of the following paragraph, to stand as (41a):—To require that where any land which adjoins or abuts upon any road or way within any prescribed area or townsite in any district council is overgrown with underwood or bushes the council may, from time to time, by writing under the hand of the president or secretary, order such land to be cleared.”

The need of some such provision is obvious. There would be grave danger from fire where there is undergrowth as suggested in the amendment, while there might also be danger from snakes and other vermin that might be harboured there. A local authority should have power to order the land to be cleared in those circumstances.

The MINISTER FOR LANDS: I hope the Committee will not agree to the proposed new clause. Crops might be growing close to a roadway and they might be affected by the operations of the amendment.

Mr. Sampson: It would only apply in prescribed areas.

The MINISTER FOR LANDS: But a road board might prescribe the whole area.

Mr. Sampson: They could not do so without the approval of the Minister.

The MINISTER FOR LANDS: The Minister is not mentioned in the amendment at all. The proposal might work a hardship in many districts.

New clause put and negatived.

Title—agreed to.

Bill reported with amendments.

*House adjourned 10.45 p.m.*

## Legislative Council,

Thursday, 14th October, 1926.

	PAGE
Question: Federal pensions and grants ...	1387
Bills: Stamp Act Amendment, 3a, passed ...	1387
Inspection of Scaffolding Act Amendment, Report ...	1387
Justices Act Amendment, Report ...	1387
Supply (No. 3) £1,363,500, 2a., etc. ...	1387
Broome Loan Validation, 2a., Com. Report ...	1388
State Children Act Amendment, 2a. ...	1389
Public Education Acts Amendment, 2a. ...	1387
Resolution: Railway Gauge Unification ...	1390

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

### QUESTION—FEDERAL PENSIONS AND GRANTS.

Hon. Sir EDWARD WITTENOOM asked the Chief Secretary: What is the amount of money paid to Western Australia by the Federal Government per annum for the following, respectively: (a) Old age pensions; (b) invalid pensions; (c) maternity bonus; (d) pensions to returned soldiers; (e) pensions to soldiers' widows and dependants; (f) grants to disabled and mentally affected soldiers?

The CHIEF SECRETARY replied: The State Government have no information upon these matters. They consider it should be secured from Federal sources.

### BILL—STAMP ACT AMENDMENT.

Read a third time and passed.

### BILLS (2)—REPORT.

1, Inspection of Scaffolding Act Amendment.

2, Justices Act Amendment.

Reports of Committee adopted.

### BILL—SUPPLY (No. 3)—£1,363,500.

*Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.36] in moving the second reading said: This Bill asks for further Supply for two months. The last Supply asked for and granted was only for one month. It was then considered that the Estimates would reach this Chamber before the end of October. There now seems little