

# Legislative Council.

Thursday, 6th December, 1945.

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

## ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

- 1, Mines Regulation Act Amendment.
- 2, Rights in Water and Irrigation Act Amendment.
- 3, Motor Vehicle (Third Party Insurance) Act Amendment.
- 4, Police Act Amendment Act, 1902, Amendment.
- 5, Police Act Amendment.
- 6, Inspection of Scaffolding Act Amendment.

## QUESTION—RABBIT CONTROL.

*As to Use of Virus and Supplies of Netting.*

Hon. H. L. ROCHE (for Hon. A. L. Loton) asked the Chief Secretary:

1, Is it the intention of the State Government to investigate further the properties of the rabbit virus with a view to ascertaining the possibilities of controlling the rabbit, especially as the supply of galvanised netting is so unsatisfactory?

2, If so, when are the experiments to be carried out, and by whom?

3, What steps, if any, is the State Government taking to secure supplies of galvanised netting, realising as it must that large quan-

ties are, and will be, needed in the near future to rabbit-proof holdings where such work was impracticable during war years?

The CHIEF SECRETARY replied:

1 and 2, The department has obtained permission to conduct a trial in the use of rabbit virus under field conditions at the Muresk Agricultural College. A practical difficulty exists not only at the college but also generally throughout the State that a sufficiently heavy infestation of rabbits after the severe summer cannot be found to commence a trial immediately. It will be necessary to wait until rabbits breed up again. A further difficulty is that supplies of rabbit netting are not available immediately to fence in an area sufficiently large as to give a reasonable practical demonstration to comply with the conditions of quarantine imposed by the Controller General of Health.

3, The manufacture of galvanised fencing materials will be commenced immediately adequate supplies of coal are available.

## BILLS (2)—THIRD READING.

- 1, War Service Land Settlement Agreement (Land Act Application).
- 2, War Service Land Settlement Agreement.

*Passed.*

## BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Report of Committee adopted.

## BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL.

*In Committee.*

Resumed from the previous day. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Postponed Clause 6—Definitions:

Hon. A. THOMSON: I move an amendment—

That in lines 1 to 4 of the definition of "board" the words "the Workers' Homes Board, constituted under the Workers' Homes Act, 1911-1941 as re-printed in Volume 2 of The Reprinted Acts of Parliament of Western Australia" be struck out and the words "the Building Operations and Building Materials Control Board constituted under this Act" inserted in lieu.

I am not casting any reflection on the Workers' Homes Board which has done excellent work. The present definition will mean the placing on the three men constituting that board, who are already overworked, the responsibility of issuing permits for materials. If the Workers' Homes Board were not engaged in the construction of hundreds—and later it will be dealing with thousands—of homes under the Commonwealth scheme, one would feel that it would not be biased. If any hon. member were a member of that board and it came to the matter of issuing a permit for the available materials, would he give some person out in the country preference, or would he not be more likely to give to persons already dealing with the board at least more than a fair quota of the material? I do not say that the Workers' Homes Board will do that, but human nature is human nature.

The reason why I suggest that we have an independent board is that it will be composed of men who are engaged in the construction of homes and in the position of handling and supplying much of the materials that are necessary. I am behind the Government in its desire to control materials, but we want men who are actively engaged in the business. If this matter goes direct to the Workers' Homes Board I presume that it will have to send one of its officers to the various merchants and manufacturers to find out how much material is available. I assume that, in accordance with ordinary business practice, those who have put in applications and have been waiting for some time would receive more consideration from an independent board. You, Mr. Chairman, did say that there would have to be machinery whereby this clause could be implemented. If the Committee agrees to what I have suggested then the Government will be able to provide the necessary means by which this will be workable.

Hon. C. F. BAXTER: I support the amendment. I do so with one end in view, and that is to protect one of the few departments that has been successful in Western Australia. Under the Bill as it is at present the Workers' Homes Board will necessarily have to employ a larger staff and turn its attention to avenues outside of those in which it has been so successful. It would be very

wrong for Parliament to insist on that. Let us keep that department where it is today.

Hon. L. CRAIG: It is controlling material today.

Hon. C. F. BAXTER: Yes, but this is going to extend until it will be a very big job.

Hon. G. W. MILES: It has been doing all through the war.

Hon. C. F. BAXTER: I know, but this will mean the employment of a very big staff. I know the position. I called for papers in this House and did not get them except for one file on which the last record was dated the 21st May. That was laid on the Table late in October. The Government would not allow Parliament to see what was happening. It is a reflection on any Government to withhold information as it did on that occasion. Let us not interfere with the Workers' Homes Board. We want something altogether separate from that institution.

Hon. Sir HAL COLEBATCH: I have two very strong objections to this Act being administered by the Workers' Homes Board. The first is that so long as there is a shortage of supplies there will be keen competition between the board and private builders. It is not fair that either should have the deciding voice. I do not care how well the board will administer the Act, for in the discharge of its duties it will have to be up against public criticism and will be bound to give dissatisfaction. The first essential is that the controlling body should be independent and not tied to one side or the other. The other objection I have is still stronger. I think I am right in saying that the chairman of the Workers' Homes Board is the Under Treasurer, and I do not think there is any State officer who is more competent, more conscientious or hardworking than Mr. Reid, but he cannot carry on a dozen different jobs.

In the present condition of the State finances, the Under Treasurer has a fulltime job. He has to go to the Eastern States frequently to attend various conferences. He has to prepare the case for Western Australia for presentation to the Grants Commission and he has to attend to dozens of other matters connected with his job. We cannot keep piling work on him no matter how competent and willing that officer may be. I have heard the argument used that

the Workers' Homes Board has done an excellent job during the war period. That is quite so, but its object during the war was to stop building operations with a view to augmenting the war effort.

Now it will have to act in an entirely different direction and help to promote building operations in every way possible. In future there should be a hundred buildings erected for every one that was put up during the war, and it will be a full-time job for a properly constituted board. It may be more expensive but let it be so, so long as the board does its job and accomplishes the maximum in housebuilding. I do not think it could be expected that the board, whatever it does, will completely please the public, particularly if the work is entrusted to the Workers' Homes Board, which already has its hands full. I do not intend to pledge myself to any kind of board. That suggested by Mr. Thomson would be too big altogether.

The HONORARY MINISTER: Despite the opposition expressed to this clause, I appeal to members to consider the position calmly. Generally when Government departments are mentioned in this House, they are adversely criticised because of the non-success of their administration and business methods, but the Workers' Homes Board has always been praised because it has been so successful. Mr. Thomson said the members of that board were overworked and Mr. Baxter said it was one of the few departments that had been successful. Members are aware that up to date the board has made a tremendous success of its work in granting permits and pushing on with buildings. Its task in the future will be far easier than during the war period when its objective was to restrict such operations while hostilities continued. Mr. Thomson wants a new board and Mr. Seddon has suggested another one which I take it will be the one to be considered as Mr. Thomson's amendment does not appear on the notice paper. How is it possible for local authorities to elect a representative country contractor? Fancy a country contractor being required to come to Perth to attend board meetings once or twice a week!

Hon. A. Thomson: It will be a full-time job.

The HONORARY MINISTER: In that event the country contractor will have to

relinquish his business interests and remain in Perth. Then there is to be a representative of the Goldfields' R.S.L. The country is mentioned but the public is to have no say.

Hon. H. Seddon: Yes, it is. There is the secretary of the board.

The HONORARY MINISTER: But the secretary is an officer of the board. From that standpoint, Mr. Thomson's suggestion is preferable to that of Mr. Seddon. The point to be remembered is that it is now proposed to put this work into the hands of an entirely new organisation and it will take at least two months to get into its stride. It would take easily two or three months before the country builder and contractor could be elected by the local governing bodies.

Hon. A. Thomson: Who are the members of the Workers' Homes Board?

The HONORARY MINISTER: Mr. Harler, Mr. Reid and the Principal Government Architect, Mr. Clare. That is a well-balanced experienced board and why take the work out of the hands of a successful body that has proved its worth in the past, and by so doing indulge in an expensive and dangerous experiment?

Hon G. W. MILES: I agree entirely with the Honorary Minister's remarks. We are asked to have another board. Soon there will be nothing but boards running the country. In the Workers' Homes Board we have a body that has done a good job. All the talk about the people in the country not having received a fair deal from the board is all hokey.

Hon. H. Seddon: Is it?

Hon G. W. MILES: Yes it is; and I can speak from experience.

The CHAIRMAN: Order! Will Mr. Miles define what hokey is?

Hon. G. W. MILES: You, Mr. Chairman know that just as well as I do. We know that during the war period the Commonwealth Government arranged for a certain proportion of supplies to be set aside for postwar reconstruction, repairs and renewals. I put in an order with a firm for timber, iron, paint and so on for two different areas. That application was submitted to the Workers' Homes Board which granted it. The application was for £500

worth of materials to repair buildings. That is how I was treated coming from a country area. Members complain that the Workers' Homes Board will not give them a fair deal, but I say that is not correct.

Hon. C. F. Baxter: I did not hear anyone say that.

Hon. G. W. MILES: Mr. Thomson said that it would look after its own business but that the man in the country would not get a fair deal. My point of view is that the man in the country has had a fair deal. There is no need to create another board when we already have one in operation. New boards are constantly being formed. We have an onion board, a potato board and an egg board and now members want another board to handle building materials. Soon we will be unable to breathe unless we get a permit from a medical board. I oppose the whole suggestion.

Hon. H. SEDDON: The Workers' Homes Board has a definite duty to perform and it exists to carry out the policy of the Government with respect to building. It is obviously an interested party as to what materials are available. We should see to it that other interested people have some say in the distribution of the available material. The Honorary Minister argued that it would be necessary under the new proposal to set up additional machinery. All that the proposed board would do would be to see to the allocation of materials on an equitable basis.

The Chief Secretary: You do not think there will be two boards controlling that department?

Hon. H. SEDDON: All that will go before the proposed board will be the allocation of material.

Hon. G. Fraser: Do you want a foreign board to control the employees of the department? What a ridiculous proposition!

Hon. H. SEDDON: I contend that a board constituted along the lines suggested will allocate the materials more equitably than would the existing board. The activities of the Workers' Homes Board in the country areas have been referred to.

The Chief Secretary: Why not talk about the control of materials which it has been handling?

Hon. H. SEDDON: A board constituted as I have suggested could handle the materials in a more equitable manner than could one which is largely an interested party in view of the programme of the Government. There is undoubtedly a prejudice against building in certain areas when it comes to some Government scheme. As to the granting of emergency releases of materials I can confirm what has been said by other members. The activities of the Workers' Homes Board in this direction during the war were satisfactory, but I think we should now have a different set-up so that we may have building pushed forward as fast as possible in every direction.

The CHAIRMAN: I see no necessity for retaining the definition of "board," and I suggest it be struck out. The fate of the definition depends on the proposed new clause. I suggest that the proposed new clause be prefaced by these words, "There is hereby established for the purposes of this Act a board," and then will follow the wording of the new clause.

Hon. E. M. HEENAN: I cannot see much virtue in your proposal, Sir. If the definition remains as desired by the Honorary Minister it is quite clear.

The CHAIRMAN: If the definition goes out why leave in the words "board means"? All the other words will be unnecessary if the new clause is agreed to.

Hon. E. M. HEENAN: If the definition remains there will be no need for the new clause.

The CHAIRMAN: That is so, but if the definition is taken out the new clause will be needed. There must be some administrative authority.

Hon. E. M. HEENAN: It appears to me that the Workers' Homes Board will have a very responsible and onerous job to perform. The controlling authority should be one in which the public has entire confidence. It should also consist of persons who have had the necessary experience and there must be some organisation behind it. The Workers' Homes Board has all the necessary qualities to carry out an excellent job. That is the body we should start with in arranging for the administration of this legislation. It is in a much better position to carry out the wishes of Parliament than any new body would be. People

frequently complain about the new boards that are being set up, and I see no necessity for a new one on this occasion.

Hon. G. FRASER: Whilst members are satisfied that the Workers' Homes Board carried out a good job for the Commonwealth, now that the operations with the Commonwealth have ceased and the functions have been handed back to the State they desire to appoint a new board. The proposition is ridiculous. Mr. Thomson has suggested that the Chief Architect be a member of the new board and Mr. Seddon wants the secretary of the Workers' Homes Board to be a member of it. The proposed new board will be unwieldy. If a new board is appointed it must have its own staff and premises. I do not see how we can appoint a new board which can tell the Workers' Homes Board to do certain things. All through the war the present board handled its job most satisfactorily. Because of the scarcity of material much extra work was thrown upon it. Soon there will be ample material and the clients of the board can be satisfied without much investigation. The job from now on should be much easier. It is absurd to talk about electing a new board representative of all parts of the State. Such a board will cost a good deal of money. Mr. Thomson suggested that the members of it should work full time. That is preposterous. It would only be necessary for it to meet once or twice a week, so that its members would not be called upon to work full time. I have every confidence in the Workers' Homes Board, and think that the Committee should leave well alone.

Hon. H. SEDDON: I can quite understand Mr. Fraser's attitude, because he lives in the metropolitan area and has the full benefit of the activities of the board; but I cannot understand Mr. Heenan's attitude, because the Goldfields are shorter of materials today than before the war. We have to look after the people outside the metropolitan area. Do not forget that the Workers' Homes Board policy demands that it shall get all the material it can for its own purposes. I am trying to safeguard the interests of the people coming back from the war and doing their best to get homes of their own. They are entitled to share in the distribution of these materials. At present there is no hope of having houses erected on the Goldfields because the materials are all required in other direc-

tions. People on the Goldfields and in the country are as much entitled to consideration as those elsewhere.

Hon. E. M. HEENAN: The remarks of Mr. Seddon could be taken to convey that, in supporting the Bill as introduced I am careless of interests of people on the Goldfields. I want to refute that imputation most strongly.

Hon. H. SEDDON: I had no desire to reflect on the hon. member in any way. I merely said I was surprised at the views he advanced, but did not reflect on his care for the interests of his constituents.

Hon. A. THOMSON: I wish it to be understood that I did not intend to cast any reflection on the activities of the Workers' Homes Board in controlling materials over the last few years. The board includes Mr. Clare, the Principal Architect. I have no objection to his being a member of this board. The next man is Mr. Reid, the Under Treasurer. Is it meant to be conveyed that Mr. Reid has so little to do as Under Treasurer, with his frequent visits to the Eastern States, that he will be able to devote the time necessary to the granting of permits for building materials?

The Chief Secretary: What is his staff there for?

Hon. A. THOMSON: We are not dealing with the staff, but with the Workers' Homes Board. If the staff is in a position to issue all the permits, and the matter is not coming before the board, I cannot see what the objection is. The next man is Mr. Harler, who, if he is doing his job properly, must be away for a considerable period attending to his duties as assistant manager of the Wyndham Meat Works. Apparently the Government realises that the board has had additional responsibilities placed on its shoulders. It certainly has done excellent work but has a bigger job to face than it has ever had. One can go to the district around Karrakatta, and North Perth and Bunbury and Katanning—in fact, all over the place—and find houses being built under the workers' homes scheme.

Hon. G. Fraser: They have done that while doing their other job, too.

Hon. A. THOMSON: I would point out that the responsibilities of the board today are quite different from those it had during the war period. I agree that to the best of their ability the members of the board, dur-

ing the war years, prevented the use of materials for the construction of homes. Today thousands of homes are required in this State; but apparently the Government, according to the Minister in charge of the Bill, has realised that the board is overworked, because we are informed that a builders' representative is to be added to the board. I would prefer to see a representative of the Chamber of Manufactures or of the merchants, because they are the people who are handling the materials. I think my suggestion for the composition of the board under this Bill is quite fair. I have no objection, however, to that proposal being amended. I am sorry some members are taking the attitude that I have been attacking the Workers' Homes Board; but there are two men on the board who, if their job is so easy that they can devote so much time to these matters—I refer to Mr. Reid and Mr. Harler—are being overpaid for the job they are doing; but I do not believe that is so. No man has a greater responsibility in this State than the Under Treasurer.

Hon. H. Seddon: I would say they were overworked.

Hon. A. THOMSON: In my opinion, he is overworked; and we are proposing to pile on extra work. I have no objection to Mr. Bond. He is an excellent officer and is doing a good job. He has been most courteous and obliging to me, and I have always had a fair deal from the board when making applications to it. But during the war there was a certain amount of grave dissatisfaction on the part of people who were not granted permits. I have discussed that with the members of the board and they are quite entitled to their opinion. I take no exception to the attitude they adopted, though I think that in some instances they were somewhat hard in refusing permits. But I am not attacking the board for the work it has done in the past or may do in the future. If this measure is going to be the benefit we hope it will be, we should not place a greater responsibility on men who already are very much overworked. If the Government's intention is to provide increased staff, that information should have been given to members.

The CHAIRMAN: Members have spent an hour today and almost half an hour yesterday as well, discussing whether the Workers' Homes Board

should be the board operating under this Bill, and apparently have got no further. I suggest that the Committee should take a vote as to whether the definition of "board" shall remain and then proceed with the other amendments on the notice paper. For the purposes of discussion, I suggest that the provision in the Industrial Development (Resumption of Land) Bill be taken as a basis and that Mr. Thomson's proposed new clause should read—

7. There is hereby established for the purposes of this Act a board to be called the Building Operations and Building Materials Control Board. The board shall consist of seven members, namely:—

Then the representatives suggested in Mr. Thomson's new clause, appearing on the notice paper, could be included. Members could decide whether or not to strike out the definition of "board," and take my suggestion as the basis for a definition.

Hon. A. Thomson: I am prepared to accept that.

The CHAIRMAN: Is it the wish of the Committee that Mr. Thomson have leave to alter his amendment by striking out the definition of "board"?

Hon. G. FRASER: I take exception to the course suggested.

The CHAIRMAN: The hon. member cannot debate it; he can vote against it.

Hon. G. FRASER: You are suggesting an amendment to follow, if something else is done, but we have not reached the stage of considering Mr. Thomson's amendment.

The CHAIRMAN: It is not an amendment; it is a new clause.

Hon. G. FRASER: The new clause will not be wanted if the attitude of some members, including myself, is followed by the Committee.

The CHAIRMAN: The new clause will not be required if the Committee retains the definition of "board". Mr. Thomson wants leave to alter his amendment. Instead of moving to insert after "means" in the definition of "board", the words "the Building Operations and Building Materials Control Board constituted under this Act", he wants the whole of the matter contained in the definition of "board" to come out.

Hon. G. FRASER: I take exception to this procedure because the amendment we are on is altogether different.

The CHAIRMAN: I am not putting the new clause. If exception is not taken leave will be granted.

Hon. G. FRASER: Let us deal with the necessity when it arises—

The CHAIRMAN: What necessity? It has arisen now.

Hon. G. FRASER: It has not.

The CHAIRMAN: The Committee can refuse leave.

The HONORARY MINISTER: Your attitude, Mr. Chairman, is unusual, because you are anticipating what may happen. If the clause is defeated Mr. Thomson can move his amendment later. Why not decide whether we are to throw it out or not? I anticipate that the Committee will retain the original clause. In reply to Mr. Seddon, who I think made an unfair reflection on Mr. Heenan, I say that in my opinion the amending of certain clauses last night did a great deal of damage to the country, as will be found in due course. There were 118 permits granted in November.

Hon. W. R. Hall: How many to Kalgoolie?

The HONORARY MINISTER: There were 35 granted to the country out of a total of 118. The Workers' Homes Board has the confidence of the country and I think it should be kept on the job. The board frames the policy and I think it would be unbusiness-like to have two boards controlling the same matter. The inspectors are specially selected for the work of sorting out the facts and arriving at fair decisions. This organisation, with the addition of the building representative, will do an excellent job and that would be much better than the dangerous experiment of a new board, which would take months to get into operation.

Amendment, by leave, withdrawn.

Hon. A. THOMSON: I move an amendment—

That in line 1 of the definition of "Board" after the word "means" the words "the Workers' Homes Board, constituted under the Workers' Homes Act, 1911-1941, as reprinted in Volume 2 of The Reprinted Acts of the Parliament of Western Australia" be struck out and the words "the Building Operations and Building Materials Control Board constituted under this Act" inserted in lieu.

Hon. E. H. H. HALL: Emphasis has not been correctly placed in the discussion on this clause. The difficulty in the past has

been to obtain materials, and we have been told this afternoon that in future that difficulty will be lessened. If the materials are there they must be allocated in order of preference as the board thinks right.

Hon. A. Thomson: If that is so, there is no need for the Bill.

Hon. E. H. H. HALL: I am sorry I cannot agree. Too much stress has been laid on the duties of the board. I agree with the Honorary Minister that responsible officers such as the Under Treasurer and Principal Architect should not have to travel round the country making inspections.

Hon. A. Thomson: Nobody suggested that.

Hon. E. H. H. HALL: It would be a sorry state of affairs if they had not reliable officers on whose reports they could depend. It is a pity members have not the opportunity to be addressed by either Mr. Bond or Mr. Irving, who have been doing the work, as that would give them a better appreciation of the facts. This afternoon I have seen an anonymous letter written to a member of this House, complaining about a decision of the board. No board can give 100 per cent. satisfaction, because each applicant thinks his own need greatest. We cannot each judge our own applications. I have had no difficulty with the applications I have made. Mr. Taylor may have been too busy to see me, but since he has gone I have been readily admitted and have received reasonable explanations of failures to meet my requirements.

This morning a man wanted a couple of tons of cement urgently, and I rang an officer of the board, and made an appointment for him at 2.15 p.m. I had been to the board only a few days earlier and had been told that we were 1,000 tons of cement behind. We want only to see the most deserving people get the supplies to which they are entitled. When Mr. Seddon mentions the country districts he makes a strong appeal to those who come from the country, but I do not think men in high positions would leave themselves open to a charge of showing favouritism to people in the metropolitan area. I know it has been a sore point with people on the Goldfields for many years.

Hon. W. R. Hall: They have had a raw deal.

Hon. E. H. H. HALL: Even in the days when Philip Collier was Premier there was an agitation for more workers' homes on the Goldfields, but we are not dealing with the Workers' Homes Board. Mr. Seddon said that board was primarily concerned with obtaining materials for building workers' homes, and that therefore that board would have preference. If I thought that, I would vote for Mr. Thomson's amendment. I consider Mr. Seddon's amendment to be impracticable. Now that we have agreed on a builders' representative I will give the Honorary Minister my support.

Hon. G. FRASER: Several times during the course of the debate it has been said that during the past six years the function of the board has been to prevent building.

Hon. W. R. Hall: Some of them have told us that, at times.

Hon. G. FRASER: That is not the function of the board. It is to parcel out available material for essential building, and that is its function from now on. The function has not altered. There has not been sufficient material available for building requirements and the board has had to investigate all applications and issue material to the most deserving. The position will ease in future because more material will be available as time goes by and men are released from the Forces.

Hon. H. SEDDON: During the war building had to be kept down to the absolute minimum, and the only building permitted, apart from that for defence purposes, was that which was essential, but the set-up today is entirely different. We now hope for constantly expanding production, and I wish only to see that every section of the community gets a fair deal. That is why I suggested the amendment.

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

Ayes	..	..	..	10
Noes	..	..	..	13
				—
Majority against	..	..	3	—

## AYES.

Hon. C. F. Baxter	Hon. H. Seddon
Hon. Sir Hal Colebatch	Hon. A. Thomson
Hon. V. Hamersley	Hon. H. Tuckey
Hon. H. S. W. Parker	Hon. F. R. Welsh
Hon. H. L. Roche	Hon. W. J. Mann
	(Teller.)

## NOES.

Hon. L. Craig	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. C. B. Williams
Hon. E. H. H. Hall	Hon. G. B. Wood
Hon. W. R. Hall	Hon. C. R. Cornish
Hon. E. M. Heenan	(Teller.)

Amendment thus negatived.

The HONORARY MINISTER: I move an amendment—

That in line 2 after the word "Act" of the definition of "building materials" the following words be inserted:—"but excluding building materials previously used."

The amendment will make it absolutely clear that secondhand material is not included.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That in lines 5 and 6 of paragraph (a) of the definition of "building operation" the words "decoration, painting, colouring, white washing or papering of" be struck out.

The HONORARY MINISTER: Mr. Thomson has not given any reason why the words should be deleted. It is essential that control be exercised not only over building, but also over repair operations. This would not apply to the mere white washing of an outhouse, but we desire to control all materials for repairs so that we may direct to the best purpose the labour that is available. For 12 months at least we shall require this power so that various kinds of repairs and buildings shall be under the control of the board.

Amendment put and negatived.

The HONORARY MINISTER: I move an amendment—

That in line 2 of the definition of "religious building" the word "public" be struck out and the word "religious" inserted in lieu.

The amendment will make the intention clear. The definition should not apply to a church hall used for entertainment purposes, but should be restricted to the church itself.

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

Schedule, Title—agreed to.

Bill reported with amendments.

## BILLS (4)—FIRST READING.

- 1, Industries Assistance Act Continuance.
- 2, Marketing of Eggs.



3, Adoption of Children Act Amendment.

4, Albany Freezing Works Agreement.  
Received from the Assembly.

### **BILL—LAND ACT AMENDMENT.**

#### *Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [5.57] in moving the second reading said: This Bill seeks to amend a section of the Land Act 1933-1939 which, through the expansion of land settlement and the development of transport, has become obsolete. The section was formerly a part of the Agricultural Lands Purchase Act, 1896, and upon the repeal of that Act in 1933 it was incorporated in the Land Act. It prohibits the purchase of land for disposal under the Land Act unless such land is within 20 miles of a railway or the intended route of a proposed and authorised railway. This prohibition may have been necessary at the close of the last century and for many years subsequently when horses provided the main means of transport.

Modern methods of transport and the improvement of roads, however, render it possible successfully to farm lands that lie beyond the limit prescribed by the Act. Members may ask why this amendment has not been introduced earlier, but this is answered by the fact that for many years there has been no necessity to purchase land under the Land Act for disposal for settlement purposes. Many persons are now offering excellent land situated beyond the 20-mile limit stipulated by the Act to the Land Purchase Board for use for the War Service Land Settlement Scheme and, in order that these offers might be taken advantage of, it was considered desirable to introduce this Bill.

The proposals are that the limit of 20 miles from a railway be amended to read 40 miles, and that land within 25 miles of some other authorised form of transport, the facilities of which are comparable with those of a railway, may also be selected under the Act. If the Bill is agreed to we provide that the limit shall be extended to 40 miles from an established railway and to within 25 miles of an authorised railway. The Bill is simple and in keeping with the modern

trend of development. For that reason I think the House will find it acceptable. I understand that some of the land being offered to the Government for the soldier settlement scheme is of excellent quality and will afford an opportunity to at least some soldiers who desire to take advantage of the scheme. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

#### *In Committee.*

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

### **BILL—LOCAL AUTHORITIES (RESERVE FUNDS) ACT AMENDMENT.**

Returned from the Assembly without amendment.

### **BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND).**

#### *Second Reading.*

Debate resumed from the 4th December.

**HON. H. SEDDON** (North-East) [6.5]: This Bill follows a trend which, unfortunately, has developed of recent years. It authorises the Government to take from its rightful owner land which he has lawfully acquired and then to pay him a price fixed by another party in order to give the land to a third party. In plain words, the State proposes to use its power to deprive a citizen of his rightful property. This is no new departure by rulers; it is a departure which, as I said, is in accord with modern trends, and it indicates the attitude which is being adopted today towards a man's personal rights and what belongs to him. It means a lot. Once we embark on that road, we do not know where it will lead us; it will probably get us into a position which we never anticipated. Notwithstanding that a case has been put up for adopting this policy, it is such a dangerous departure as to need more than ordinary methods to review the transactions. After all, this is one of the methods conceived by Hitler and adopted by his followers. They arrogated to themselves the right to take property belonging to other people.

The reason offered for the introduction of the Bill is that the land will be acquired for industrial purposes. The fact that some speculatively-inclined person, or a person more far-sighted than others, or perhaps more fortunate, owns a block of land which is valuable because of its proximity to an industrial establishment, is not an unusual occurrence. In the past, a person whose business was developing and expanding was prepared to negotiate with the owner of such land in order to acquire it. The Bill, however, provides that the price shall be fixed by the Local Court. If that court were to operate under normal conditions, we would say that that was about as equitable a means of depriving a man of his property, in order to give it to another, as could be devised. The position at the present time, however, is nothing like that. In the course of the debate on another Bill the other day, it was pointed out that land prices were fixed arbitrarily by a Government department.

This Bill provides that the Government may resume land. Obviously, the system which applies today of assessing land at its value in 1942 will apply when the Bill is in operation, and we shall have a state of affairs which will cause not only much dissatisfaction but perhaps create grave and serious injustice. In discussing the Bill to which I referred, Mr. Craig, who is a good judge, said that in his opinion the Government department had adopted too low a valuation for agricultural land. The department's policy, as we know, is to fix prices in such a way as to prevent serious inflation. That objective may be good in such a case, but it is obviously unfair to apply the method to ordinary commercial transactions. There should be some recognition of the value of the land. That there is not is one of the serious objections I have to the Bill; I would describe it as a definite nigger in the woodpile. Such methods, in my opinion, are arbitrary.

The Government not long ago adopted another method of dealing with land resumption for other purposes which gave rise to considerable disturbance. Recently some people had their land in the metropolitan area resumed, apparently for the purpose of building a school. According to the statement they made to me the first intimation they had of the resumption was a notification published in the "Government Gazette."

We are aware that considerable pressure is being brought to bear upon people to dispose of their land to the Government for home sites. I know of one instance at least where an attempt was made to bring pressure to bear upon an owner to sell his land at a certain price which had been determined by the authorities, who wished to purchase the land. That person asked me whether the Government had the right to dictate to him and I pointed out that there is no provision for the land to be resumed. That is an indication of the trend of affairs and of the attitude taken by the Government, an attitude which this Bill will strengthen, thus making the Government even more inconsiderate than it has been in the past. It is necessary that the public should be safeguarded. A method should be adopted by which these transactions would come under public notice, so that the people might have the opportunity to deal with them, that is, before Parliament.

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

Hon. H. SEDDON: I was referring to the point that there was already a policy of pressure adopted with regard to the acquiring of land by the Government, and instanced the fact that land was being acquired for the use of building homes. I understand that there are some 10,000 blocks of land in the metropolitan area whose owners cannot be located and on which rates and taxes have remained unpaid for quite a long time. One would think that it would be possible for use to be made of these blocks by the Government rather than bring pressure to bear upon people who have met their obligations with regard to the property they are holding, and who obviously intend to make use of it. There are many people who put their savings into land. Real estate has been recognised as one of the safest methods of investment and a policy of this description would operate very unfairly against such people.

There is a very serious objection to Clause 11 which provides that if the Minister thinks that land is likely to be of value for industrial purposes he may have inquiries made and, if he thinks fit, resume the land on his own initiative and make it available to other persons. This policy has been in force for a long time

with autocratic rulers. It is on record that such a policy was adopted some 2,500 years ago by a ruler who acquired a block of land to which he took a fancy. That is regarded as an outstanding example. A certain king had a great regard for a vineyard and because he could not buy it from the rightful owner he consulted his wife, the queen, and between them they soon took the necessary steps to acquire this land by doubtful methods.

By passing this Bill we will be opening a door that we might find difficult to close in view of the developments that are taking place. It appears to me that in order to safeguard the position as far as possible it is necessary to provide that before any land can be resumed the transaction must be submitted to Parliament so that Parliament will have an opportunity to adjudicate and make any inquiry that it thinks fit. By that means we shall provide that there will be the widest publicity and a chance of intervention in cases where it is obvious that something has been done that is unfair to an owner. I trust that when the Bill gets into Committee we will introduce that safeguard. I intend to oppose the Bill.

**HON. W. R. HALL** (North-East) [7.35]: I support Mr. Seddon's remarks about the resumption of land. There have been several complaints of late about the way in which the Commonwealth Government, I think, has taken unto itself the right to resume land from private individuals. To my way of thinking that is not proper. Some people who have had land taken from them had held it for several years. They received a notice from the Government to the effect that it desired to resume the land and the Government actually put a price on it. The owners have had the right of appeal to some board, but nine times out of 10 what is received is not comparable with the amount that was paid for the land. It does not seem right that a person should buy and then be subject to its resumption at such a price. I remember that 30 years ago there was some tall order in regard to the Naval Base here. I can recall my parents buying a block of land there from some agent—Hyem, Hester and Co., I think. Two or three years passed and they were forced by the Government of the day

to sell the land back at the price which the Government fixed.

Serious consideration should be given to the Bill because, after all, it is taking away the people's rights. Land is something that a person buys and acquires as his own property. Why should we stand for anyone taking something from us when we have struggled for years to pay for it? There are ways and means of taking land from people when they do not pay their rent, but an opportunity should be given to the people who own land to get more than they have been receiving in the past in such cases as have come under my notice. Only recently the Workers' Homes Board sent out notices to resume land belonging to the father of two boys at the war. The father had acquired this land somewhere in the metropolitan area and was desirous of setting aside those blocks for his sons to build on when they returned. I have seen the notices and have been dealing with the case. Now the Workers' Homes Board wants to resume the land. Is it not fair that the father of those boys should be allowed to retain that land for them, whether it be the Workers' Homes Board or some other body that wants it? I shall vote for the second reading, but will have something more to say in the Committee stage.

**HON. H. L. ROCHE** (South-East) [7.38]: This House should give serious consideration to putting some sort of a brake on the acquisition of land by legislation. We have been getting quite a lot of such legislation in the last few weeks. It would seem, under the Bill, that anyone who considered certain land desirable for industrial purposes could make application and the Minister could, through the proposed committee, ensure that the land so taken from someone who had held it for a worthwhile purpose, would be used for the establishment of an industry that might or might not be a success. We should hasten somewhat slowly with legislation like this which seems to be destroying, or is liable to destroy, the average man's faith in the value of his personal property as expressed in land. We were in the position of having to pass a Bill dealing with closer settlement under which we gave the Government power to resume areas for soldier and other land settlement purposes. We were all agreed

that some such measure was likely to be necessary for soldier settlement. I find difficulty in believing that this measure is as necessary as was that one.

Except for picked sites which, when all is said and done, should be worth something extra to those who hold them, surely there are available sufficient areas of land, reasonably adjacent to facilities, without passing a Bill containing such extraordinary powers as this. The constitution of the committee proposed in the measure does not appeal to me. All its members are to be Government servants. I doubt whether at any time that is desirable. The chairman of the Town Planning Board will, I think, be acting to some extent in a dual capacity. The Bill provides that land, when resumed, can be leased or disposed of as freehold. Whilst the latter is quite satisfactory from my point of view, I do not feel that a measure providing for the Government to be a landlord in industry is satisfactory. The Government already has power to be a landlord in some other matters. I doubt whether it should be a landlord in regard to industry, because of the influences that can be brought to bear on it, no matter what Government it may be. So, whilst the second reading may be carried and the Bill amended in Committee, I have considerable doubts as to whether, in its present form, the House is justified in carrying the second reading.

**HON. H. TUCKEY** (South-West) [7.43]: So far, I cannot see the justification for this measure. I shall probably vote for the second reading with the idea of supporting suitable amendments in Committee. But it is beyond me to imagine where the necessity arises for this measure when we have so much land around the metropolitan area. Practically half the metropolitan area is vacant today. Simply because one or two landowners refuse to sell their land to some commercial company is not a good reason for this Bill which provides very wide powers. The Government might resume large areas and hold them for long periods whether they are now being used or not. I reserve the right to vote against the second reading.

**HON. E. H. H. HALL** (Central) [7.45]: The Government is quite justified in bringing a Bill of this description before the House at the present stage. I notice from the preamble that it is not proposed to purchase land in order to erect Government-owned factories but to enable those persons desirous of engaging in industry to obtain areas they require. Anyone who goes about the metropolitan area and is aware of the great demand for land for the purpose of erecting factories or homes, cannot fail but be impressed with the necessity for legislation of this description. For my part, I wish that the Government would go further. I can speak with first-hand knowledge of various vacant blocks of land that are being held for one purpose only. That purpose is one to which everyone who describes himself as a democrat is opposed.

Most of the owners of such blocks are well-to-do people who are merely hanging on to the properties in order to reap the unearned increment. While I am prepared to allow such persons to obtain a reasonable return on their capital outlay, I know from eight years' experience on a municipal council, that local authorities from time to time have been forced to incur much unnecessary expense in making roads, providing gas mains or electricity supplies and so on past scores of vacant blocks because someone or other has been forced out to the edge of the municipal area to secure a block on which to erect his home. There is land in my home town that has remained vacant for many years and some of it is the property of absentee owners.

I congratulate the Government upon the introduction of the Bill and suggest to them the necessity for going the whole way in view of the fact that people are being forced far away from the city to secure building blocks and of the further fact that in due course the State will be called upon to provide extra transport facilities to serve such areas. My inquiries show that since the Sub-Treasury regulations were imposed people just will not sell. As to the cases mentioned by Mr. W. R. Hall, I certainly have not that sort of thing in mind and cannot understand the attitude of a Government department that would adopt such an attitude as he indicated. If a case like that

came under my notice, I would feel justified in ventilating the matter before Parliament. I support the second reading of the Bill.

**HON. G. FRASER** (West) [7.49]: I am not satisfied with the Bill. If it were for the purpose of enabling such actions as Mr. E. H. H. Hall mentioned, I would support it, but it must be remembered that this measure deals with industrial matters, not residential concerns. If some people hang on to corner blocks with a view to the unearned increment and this Bill would force them to sell so that homes might be erected, I would certainly support it, but the object here is to provide for industrial expansion. The Chief Secretary did not give the House any reasons for the introduction of a Bill of this description.

My experience is that there is no difficulty whatever in buying land where industries have been established. As a matter of fact, people are only too anxious to get rid of blocks adjacent to established industries and from that point of view the Bill is not necessary. If the object is to provide for the establishment of new industries, I think there is any quantity of land available away from settled areas that could be used for that purpose, and therefore I cannot see the necessity for such a Bill. I assume, seeing that the Bill has been introduced, that there must have been some particular instances that induced the Government to submit this legislation.

Hon. E. H. H. Hall: There must be.

Hon. G. FRASER: When the Chief Secretary replies to the debate, I would like to hear something about them. At the moment I can see no reason why I should support the Bill, and therefore I hope the Minister will give us some more information.

**HON. L. CRAIG** (South-West) [7.52]: There is a real reason for the introduction of the Bill. At the same time, I agree with some of the amendments that appear on the notice paper. The Government, quite rightly, desires to define certain areas for industrial purposes. That is a very laudable objective. Instead of industries being scattered all over the place, they should be concentrated in certain prescribed areas. Today there are some industries established where there is necessity for expansion. The

erection of further buildings adjacent to existing premises is essential. In odd cases owners have asked exorbitant prices for land because they knew it was essential for the industries concerned to gain possession of the area.

Hon. A. Thomson: Can you give us instances?

Hon. L. CRAIG: I know of three or four, but it is not my duty to inform the House of the particulars.

Hon. E. H. H. Hall: I take it you are in the confidence of the Government.

Hon. L. CRAIG: In this instance, I am. I happen to be a member of the Council of Industrial Development and know a little about the objective. I am not always in the confidence of the Government regarding such matters, but I am in this instance. It is likely that there may be one or two obnoxious industries proposed to be established near residential areas, and they should be established in a defined area. That is one object of the Bill.

Hon. H. L. Roche: It does not say so.

Hon. L. CRAIG: It will enable the Government to define an area and purchase blocks there at reasonable prices where exorbitant prices might otherwise be demanded. The Government will be able to say then that a factory shall be started here, there or somewhere else. It is desirable that such factory sites should not be too far from the city because of the distance the employees will have to travel to their work. It would be useless, for instance, to buy a block five miles away from the city and require workers to travel all that distance to and from work. Areas must be reasonably close to the city if the industrial expansion we anticipate is to take place here. I assure members that there will be industrial expansion in this State.

Hon. V. Hamersley: Are you sure of that?

Hon. L. CRAIG: I certainly think so. There are many inquiries concerning industries and for land for industrial purposes. I quite agree that provision must be made in the Bill to protect the interests of owners. Those who possess property have a right to full protection and decent prices for their blocks. Mr. E. H. H. Hall spoke about the unearned increment. Usually the tale told by people who own land is quite the contrary. I know of land that has been held

for 50 years and today is worth less than it was years ago. I know of  $1\frac{1}{2}$  acres of land in the main street of a country town on which water rates have been paid for 40 years. I know of that case because I had to give a man £5 to take it over. That was in a town of which Mr. Wood has some knowledge.

Hon. G. B. Wood: Why did you not give me the £5?

Hon. L. CRAIG: That sort of thing applies to many blocks. I assure the House that the Bill has not been introduced without a real objective, one that is most desirable. I trust the second reading will be agreed to and then it can be amended in Committee in some directions that appear to be necessary. There is one point regarding which I would like some enlightenment. The Bill sets out that an owner or purchaser of land acquired under the provisions of the legislation may not in any way traffic in it without the consent of the Minister, without which any such transaction will be null and void.

A block may be taken up and the owner may die. The new owner may want to mortgage the land and may approach someone with that object in view. The man approached may make the ordinary search and, finding nothing on the title, may lend the money as desired. That transaction would be null and void, and the man would lose his money. I want to ensure that on all such titles there will be an endorsement indicating that under the provisions of this Act the land is not subject to trafficking. If that is not done, there will be nothing to indicate to a person making a search that no deal can be effected in connection with the land. I would like the Minister to make inquiries about that aspect, although I understand that something of that description is to be done. I support the second reading of the Bill.

**HON. C. B. WILLIAMS** (South) [7.57]: I support the second reading of the Bill. Any Labour member who opposes it must have a very short memory—if he has a memory—at all. Had a Bill of this description been on the statute-book years ago, the Treasury would have benefited greatly. Had such legislation been enacted when the Midland Junction railway workshops were removed from their earlier location at Fremantle, the

position would have been much more satisfactory. The trouble is that much of land there was held up and still is held and remains idle today. The effect of it is that workers have to travel from as far as Spearwood to get to their work at Midland Junction. That is just stupid, and uneconomical. In the wintertime workers leave their homes in the dark and return again in the dark. If a Bill of that description had been passed years ago, the land that was needed could have been secured despite what one member said who he remarked that this does not apply to residential purposes.

Then again I buy "The West Australian" and other local papers—I do not come to the Parliament House to do my reading of newspapers; I do not insinuate that some members here do—but I remember that a few weeks back the Wanneroo Road Board advertised a long list of properties and included among them was the estate of William Padbury, whoever he was or which was listed as owing the board rates of £16,000 for rates. That was a large amount as near as I can remember—that estate still holds the land. Fancy some one being able to hold up a district for a long period of years and to owe £16,000 in rates.

Hon. H. Seddon: What was the board thinking of?

Hon. C. B. WILLIAMS: I am not interested in the board. Perhaps William Padbury's family are represented on it. The Bill is to prevent that kind of thing. I read in the paper that the board is about to take that land.

Member: He has been dead for 17 years.

Hon. C. B. WILLIAMS: Somebody has interjected that Padbury has been dead for 17 years. Is it not time that we have a Bill like this to give authority to prevent people holding up a district for that length of time?

Hon. J. Cornell: Why not give it to the Perth City Council for a sanitary depot?

Hon. C. B. WILLIAMS: We might want to erect some works at Wanneroo.

Hon. J. A. Dimmitt: It is 20 miles away.

Hon. C. B. WILLIAMS: That is the trouble! The workers travel 20 miles from Spearwood to Midland Junction. I suppose

the Bill, and for any Labour member to oppose it on some parochial ground is nonsensical.

**HON. E. M. HEENAN** (North-East) [8.2]: I can appreciate the reluctance some members have in supporting this measure, but I think it provides ample safeguards for genuine cases. The Bill has as its object the industrial development of the State. That is a most worthy object, and one we should all support. We must all agree that we know of many cases where land is unnecessarily and unwisely, from the point of view of the State, held up, and industrial development is hindered and hampered. I agree that freehold land is a very precious asset and it must be preserved as such. But circumstances, and the exigencies of the State, alter cases; and I think that if members will peruse Clauses 6 and 7 of the Bill, they will find that before any land can be resumed, a very strong and watertight case must be made out.

**Hon. J. Cornell**: That part of the Bill is all right; it is the latter part that is a bit open.

**Hon. E. M. HEENAN**: I think that anyone who desires to have a block of land resumed has a very big job ahead of him. He has to establish about five points that safeguard the owner. If he establishes those five points beyond all reasonable doubt, and can satisfy the Committee and withstand appeal to the local court, then it looks to me as though the land should not be resumed. In view of what I consider the very ample safeguards to protect the bona fide owner, I intend to support the measure.

**THE CHIEF SECRETARY** (Hon. W. H. Watson—West—in reply) [8.5]: I am afraid I have been under some misapprehension, because I thought members of this Chamber were very keen to do whatever is possible to foster secondary industries in this State. They know, of course, that the Government has all the power necessary to resume land for Government purposes, and if they listened to my introduction of the Bill they will know it is necessary—if we are going to support some industries which are already established and provide areas of land within reasonable distance of all facilities that are necessary for industry—that the Govern-

ment should have powers which are not possessed by private individuals, in order to make sure that land can be made available for industrial purposes. One would imagine from the remarks of one or two members that the Government is likely to resume huge tracts of land just for the sake of doing so. That is not the case. The Bill provides that where a private owner finds he has any difficulty in getting additional land adjacent to his present industrial enterprise, he may approach the Government with a view to obtaining its assistance. The Bill gives all the protection I think is necessary to the owner of the land concerned. It certainly goes a bit further and provides that the Government may resume and dedicate an area of land for industrial purposes.

**Hon. J. Cornell**: That is the questionable feature.

**The CHIEF SECRETARY**: I wonder whether it is questionable? I have heard several members in this House in previous sessions drawing attention to the fact that South Australia has gone ahead by leaps and bounds insofar as secondary industries are concerned. I have heard members say, "Why cannot this Government do as the South Australian Government has done? Why cannot we encourage private industries to establish themselves in the metropolitan and greater metropolitan areas? Why cannot we do this and why have we not done that?" Then as soon as we bring forward a measure which is based on very sound principles, we find that there is strong objection even from some members who have criticised the Government that way in the past. I have been asked whether I can quote any particular instance.

I do not want to mention names or refer to any particular firm or person; but I want the House to rest assured that there have been many complaints in recent times on this very point. There is a case in East Perth where an industry which has only been established for a somewhat limited time is anxious to expand. It requires a property adjacent to its present building. There are two condemned houses next door. The firm wants to buy the condemned houses, but the owner will not sell. Should there not be some means whereby a matter of that kind can be dealt with? That is one case of which I have

knowledge. There are several other instances of a somewhat similar character, but not where condemned houses are involved. Every precaution, to my way of thinking, is included in the Bill to protect the interests of those who own the land which it is desired to resume. A point was raised by Mr. Craig concerning the latter part of the Bill where there is a penalty if the owner of the land either deals in the land or uses it for a purpose other than that for which it was bought in the first place. That is absolutely essential. If a private concern, after having taken the procedure laid down in the Bill, is successful in securing a certain area of land for a certain purpose, is it not only right that his use of that land should be limited to that purpose? If it were not so, would it not be possible for some unscrupulous person to obtain possession, ostensibly for a particular purpose, and use the land for another purpose? I believe that the point raised by Mr. Craig concerning the title, is receiving attention. I am not in a position to say whether it is possible to do what he suggested. I think it must be possible, but I cannot say that it is. This Bill has not been introduced for the sake of bringing down a measure to allow the Government to take somebody's land. It has been introduced with the object of assisting secondary industries in this State. It has received considerable thought and attention from those people who have to do with the usual process of resuming land. The Government feels that the protection given to the owners of the land which it may be desired to resume, is all that could reasonably be asked for.

I feel with Mr. Craig that there is going to be a considerable extension of secondary industries in this State, particularly in the greater metropolitan area; and anyone who has a knowledge of the metropolitan and greater metropolitan area will, I think, understand some of the difficulties with which new enterprises will be faced. If we have to say to those people, "There is plenty of land 10 to 20 miles out, but there is no electric light there, and no water supply, and no sewerage, and there is no rail communication or any of the facilities you require," is it likely that they are going to look favour-

ably on a proposal of that kind? I think we have to be prepared to offer an incentive to people to come to this State, more particularly manufacturing interests, in order that we may provide not only for our own requirements in Western Australia but probably for requirements of people outside of this State in those markets we trust will be opened up in the near future.

I hope the number of members who have spoken against this measure is not an indication that this House is going to defeat the Bill. I agree with Mr. Craig that it is very definitely required, and I should say that the representatives of private industry at any rate would appreciate the opportunity to have some method whereby they could make representations to the Government in the event of their being thwarted when they desire to extend their premises. I hope the House will agree to the Bill as it stands.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Establishment of Land Resumptions for Industries Committee:

Hon. J. A. DIMMITT: The provision made in this Bill is for the chairman of the Town Planning Board to be a member of the committee. Provision is also made for the Town Planning Board to lodge an objection and therefore we would have the unusual position of an objection over the signature of the chairman of the Town Planning Board being adjudicated on by the chairman of the Town Planning Board, which seems to me to be entirely wrong. I move an amendment—

That in lines 1 and 2 of paragraph (c) of Subclause (2) the words "Chairman of the Town Planning Board as constituted under the Town Planning Act" be struck out and the words "a representative of the Chamber of Manufactures" inserted in lieu.

The CHIEF SECRETARY: I cannot support this amendment. Mr. Dimmitt desires to provide for a representative of the Chamber of Manufactures instead of the chairman of the Town Planning Board to hold this position, but I suggest that this



committee would be all the better if there were no manufacturing interests represented on it. Manufacturing interests will be making representations to the committee for the purpose of securing a particular parcel of land. The reason submitted by Mr. Dimmitt has not the merit he seems to think it possesses.

The Town Planning Board is a body of reputable men and the Town Planning Commissioner is a capable man. I do not think it will be prejudicial to anyone that he should be in the position indicated by Mr. Dimmitt. I think we could not have a better committee for the purpose. The Surveyor General knows the areas well and has a good idea of land values. The Director of Industrial Development has devoted all his time during the last few years to the fostering of secondary industries in this State, and the Town Planning Commissioner has been active in several associated ways. I do not think we can take exception to the constitution of that committee. The land resumptions for industries committee will be anxious only to do the best possible for the industries involved in the representations made. I believe there is sufficient protection in the Bill for the interests of the other people that might be concerned. I hope the Committee will not agree to the amendment.

Hon. J. A. DIMMITT: I agree with the Chief Secretary in his high esteem of the Town Planning Commissioner and his ability to do the job, but I will not subscribe to the principle that a man should be appellant and judge at the same time. In my second reading speech I made it clear that I would not insist on a representative of the Chamber of Manufactures, and I was hopeful that some other representative would be suggested. I do not mind who the representative is, but for want of another I suggested a member of the Chamber of Manufactures, because that chamber is interested in the industrial development of the State. I do not object to the Town Planning Commissioner as Town Planning Commissioner, but I object to his acting in a dual capacity. If the Chief Secretary will suggest someone else as a representative I shall be happy to support the suggestion. I hope the Committee will not agree to the one man acting as both judge and appellant.

Hon. H. SEDDON: When the Town Planning Board makes a report, it is submitted to the committee consisting of the Surveyor General, the Director of Industrial Development and the Town Planning Commissioner himself, which is absurd. The Town Planning Commissioner is to make a report from himself to himself and then adjudicate on it. Surely some other person can be substituted for the chairman of the Town Planning Board.

The CHIEF SECRETARY: There is a great difference between the Town Planning Board and the Town Planning Commissioner. The commissioner is only one of that board of four and acts as a member of the board and must accept its decision. When he is acting in the other capacity the fact that he knows what has transpired before the board will be of advantage. In his capacity as Town Planning Commissioner he is anxious to do all he can to assist in fostering and establishing secondary industries in the metropolitan area. His services will be valuable in this other capacity and the appointment is not absurd, as suggested by Mr. Seddon. If Mr. Dimmitt can suggest somebody else for the job I do not mind his making the suggestion.

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

Ayes	..	..	..	16
Noes	..	..	..	7
Majority for				9

#### AYES.

Hon. Sir Hal Colebatch	Hon. A. L. Lolon
Hon. C. R. Cornish	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. F. E. Gibson	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. F. R. Welsh
Hon. W. R. Hall	Hon. G. B. Wood
Hon. V. Hamersley	Hon. H. L. Roche
	(Teller.)

#### NOES.

Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. Gray	Hon. E. M. Heenan
Hon. W. H. Kitson	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clauses 5 and 6—agreed to.

Clause 7—Application to be considered by committee:

Hon. J. A. DIMMITT: I move an amendment—

That in line 9 of Subclause (5) (a) after the word "proprietor" the following words be inserted:—"and all persons interested, as

appears from the register at the Lands Titles Office, the Lands Office or the Mines Office, as the case may be."

The whole purpose of the amendment is to ensure that the interests of all persons who have any financial connection with a block of land that may be resumed are amply protected.

The CHIEF SECRETARY: I suggest that if the registered proprietor objected to the procedure, he would be acting in the interests of anyone who might have a financial connection with the land. Surely it should not be necessary for the Government to make itself au fait with all the transactions the owner might have had!

Hon. J. A. Dimmitt: The title could not be in two places at once.

The CHIEF SECRETARY: Probably for some land it would be on the registers of two departments, though I do not think that would apply to the Mines Department.

Hon. H. Seddon: A mortgage might be endorsed on a mining tenement or lease, and obviously that person would have an interest and should be notified.

The CHIEF SECRETARY: It might not be registered.

Hon. H. Seddon: Then it would not be on the document.

The CHIEF SECRETARY: There might not be any objection to notifying those who are registered on the title, but that point should be made clear.

Hon. H. Seddon: It is a matter of giving notice to persons interested, and that notice obviously concerns a mortgagee and a lodger of a caveat, as well as the proprietor.

The CHIEF SECRETARY: But surely it would be for the proprietor to give other parties such notice.

Hon. H. S. W. PARKER: The owner of land might not have any real interest in it. He might have sold under a contract of sale and the buyer would be protected by a caveat. The caveator should be given notice of a resumption. Similarly mortgagees, lessees and others interested should be notified. It is usual to give notice of all persons who appear, according to the register, to be interested. If they do not register, that is their own fault. Local authorities when selling land for arrears of rates notify the interested parties. There will be no undue expense by confining notice to those on the

register. I think the provision has been accidentally omitted in the drafting.

The CHIEF SECRETARY: There is no comparison between these resumptions and the selling of land by a local authority for arrears of rates. In that case the person other than the registered proprietor would probably lose all interest as a result of the land being sold, but in this case his interest would be protected.

Hon. H. Seddon: How?

The CHIEF SECRETARY: By virtue of the proceedings.

Hon. J. A. Dimmitt: He probably would not know of the proceedings unless he had to be notified.

The CHIEF SECRETARY: In view of the explanation by Mr. Parker, I will not raise any strong objection to the amendment. In this case the owner of the land would receive the money whereas in the other case—

Hon. H. S. W. Parker: The owner might not have an interest in the land.

The CHIEF SECRETARY: I shall not object to the amendment.

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

Clause 8—When approval of application recommended, Minister to refer application to Treasurer:

Hon. H. SEDDON: I move an amendment—

That in line 4 of Subclause (1) after the word "and" the following words be inserted:—"subject to approval by Parliament shall."

When a transaction of this sort takes place, which involves depriving one person of his rights and giving them to another person, although we have elaborate machinery laid down in the Bill, there should be a final appeal, if necessary, to public opinion, and this can be made only by having the matter presented for the approval of Parliament, either in the same way as we deal with regulations or by insisting upon the whole of the transaction being reported to Parliament.

The CHIEF SECRETARY: The method proposed in the amendment would greatly delay operations under the measure. Some of these resumptions will involve comparatively small areas and, if it were necessary to wait until Parliament had dealt with them, there might be a delay of anything from six to 12 months.

Hon. L. Craig: Could it not be done by regulation laid on the Table of the House?

The CHIEF SECRETARY: It would be too late.

Hon. L. Craig: That is the usual practice.

The CHIEF SECRETARY: But this would not be done by way of regulation. The delay occasioned by having to await the approval of Parliament might be very expensive to the firm. I do not think the delay that would be entailed would be justified.

Hon. H. SEDDON: On the second reading I indicated that the present method of fixing the value of land is by the decision of the Sub-Treasury and, until the existing regulations are repealed, they will continue to apply. Obviously there is a risk of inflicting a serious injustice on the owner of a block of land. When the matter was submitted to the court, the Sub-Treasury valuation would unquestionably be brought in and used as a basis. Our experience has been that the valuations of vacant land made by the Sub-Treasury are, as a rule, lower than the recognised value of the land. In those circumstances, it is desirable, in order to prevent injustice, that any valuation made in pursuance of this measure should be subject to Parliamentary review. The person who made the valuation would thus have a very strong motive to make a fair one, as he would know that it would lie on the Table of the House in the same way as a regulation does.

Hon. G. FRASER: I agree with the major portion of Mr. Seddon's contention with regard to the under-valuation of land. But if his suggestion is adopted that the transaction should be submitted to Parliament, how can we get over the difficulty that the valuation will be that of the Sub-Treasury?

The CHIEF SECRETARY: We are dealing with what will be a permanent measure, not a temporary one. The National Security Regulations may be lifted at any time now.

Hon. H. L. Roche: But this Parliament passed the Commonwealth Powers Bill recently and that will take the place of the regulations.

The CHIEF SECRETARY: The hon. member should not be foolish. As I say, the National Security Regulations may be

lifted at any time. We have nothing to be afraid of from the Commonwealth Sub-Treasury.

Hon. H. SEDDON: Under this Bill, the owner of the land cannot refuse to sell. The National Security Regulations are being continued with the object of preventing inflation, and it seems to me that we have quite a few years ahead of us before we will be rid of that danger. If the transaction is put before this Parliament, the person concerned will be assured of justice.

Hon. H. L. ROCHE: I assure the Chief Secretary that in this matter I have no intention of being foolish. I concur in Mr. Seddon's remarks upon the National Security Regulations. I understand that State Governments are not bound by the decisions of the Commonwealth Sub-Treasury in these matters; but, at the same time, the Sub-Treasury controls private transactions, and it is on these transactions that the level of values is established. I support the amendment.

Amendment put and passed.

Hon. H. SEDDON: I move an amendment—

That in line 1 of Subclause (3) before the word "if" the words "subject to Subsection (1) hereof" be inserted.

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

Clauses 9 and 10—agreed to.

Clause 11—Authority to Governor to acquire and dedicate land to industrial purposes:

Hon. H. SEDDON: I move an amendment—

That in line 1 of Subclause (2) before the word "The" the words "Subject to approval by Parliament" be inserted.

Amendment put and passed.

Hon. J. A. DIMMITT: I move an amendment—

That in line 6 of the proviso to Subclause (2) after the word "proprietor" the words "and all persons interested, as appears from the register at the Lands Titles Office, the Lands Office, or the Mines Office, as the case may be" be inserted.

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

Clauses 12 to 16, Title—agreed to.

Bill reported with amendments.

## BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

### *Second Reading.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [8.59] in moving the second reading said: It is proposed by this Bill to amend the parent Act for the purpose of facilitating administration and extending the powers of municipal councils. It cannot be denied that these authorities are performing valuable work on behalf of the community, and that their duties in the main are carried out in an efficient and conscientious manner. It is also apparent that the majority of municipal councils are vitally interested in the well-being and progress of the districts under their control. It is therefore interesting to note that most of the provisions of the Bill have been initiated by organisations associated with local government.

The intention of the first clause is to extend the term of office of mayors from the present period of one year to two years. This amendment is the result of a suggestion submitted by the Country Municipal Association, and the principal reason advanced in its favour is that it would provide a greater opportunity for a mayor to carry to its conclusion any project which he had initiated.

Hon. C. B. Williams: The councillors do not count, but only the mayor.

**The HONORARY MINISTER:** The mayor is the leader, or should be, and the councillors are elected for a period of three years. In the case of road boards, the chairman, who is elevated to this position by members of the board, can, in the event of defeat for chairmanship for a subsequent term, retain his position as a member for the balance of his term of three years, and thereby still maintain an interest in undertakings for which he was responsible. A mayor, as members will be aware, is elected annually by the ratepayers, and if rejected for a further term of office does not retain a seat on the council. It therefore appears that an annual tenure of office is insufficient and does not permit a man, strange to municipal work, to acquire an adequate grasp of his new responsibilities, which he could obtain in a more extended term, with consequential increased benefits both to the municipality and to the council. The next

amendment relates to the selfish and undemocratic system of plural voting.

Hon. G. B. Wood: Who said it is undemocratic?

**The HONORARY MINISTER:** Western Australia is one of the few countries in the world which clings to this outmoded style of franchise. In this regard we, who pride ourselves on our broadmindedness and on our progressiveness, are forced to admit that we are bound to the chariot wheels of a feudal and fallacious system. The time has long passed when property should be regarded as the yardstick of a man's worth. In 1929 Great Britain decided that the plural vote was obsolete, and it was abolished. Parliaments with their very wide powers, including that of taxation, are elected on a democratic franchise but municipal councils are selected by a restricted franchise which represents only a section of the community.

If additional powers are to be given to municipal councils then the basis of representation should be reviewed. Australia has commenced a move in the right direction, for plural voting has been abolished in New South Wales, Queensland and Tasmania. There can be little doubt but that those who oppose this step in the path of progress and enlightenment do not represent the wishes of the majority of the people. And so I trust that these opponents of progress will gracefully accept the position and realise that the world in its evolution has passed them by and that they are clinging to the ideas and methods of a bygone era.

It must be admitted that there has been a remarkable awakening through the country, both in the metropolitan area and the country districts, of a new civic pride. The people are forming themselves into organisations and becoming very interested in the welfare of their districts. They should be encouraged to do so, and the greatest argument against the plural vote is the fact that our soldiers who are returning from the war are surely entitled to equality of voting, if they own a small house, with their next-door neighbour who may live in a large house and claim to have more votes. We should amend our legislation so that everyone who is prepared to work in an honorary capacity for the good of his district, shall have equal voting power with

other residents and landowners for representation on the council. The next amendment is of a consequential nature. In 1933, when the principal Act was amended to provide that annual elections must be held on a Saturday owing to that day being by far the most suitable for the average elector—

Hon. F. E. Gibson: Fewer votes have been recorded since then.

The PRESIDENT: Order! Members will have an opportunity to discuss the Bill later.

The HONORARY MINISTER: —the necessity for an amendment to provide a similar arrangement for extraordinary elections was overlooked, and it has since occurred that elections of this nature have been held on a week day. The amendment therefore seeks to rectify this anomaly. The commencement of ordinary, special and committee meetings at an hour earlier than 7 p.m. is prohibited by the next amendment in the Bill, with the proviso that committee meetings may be held at any hour subject to the agreement of each member of the committee. It is at present a feature of municipal work that meetings may occur at any time during the day, and it is obvious that councillors who are employees or who have business to occupy them find it difficult to be in attendance. Many men are deprived of the opportunity to seek municipal honours owing to its being inconvenient for them to attend daytime meetings. The amendment seeks to enable worthy and diligent citizens, who are precluded in this manner from applying for office, to attempt election and, if successful, to assist in the development of their districts.

It is considered essential that action should be taken in regard to the parking of caravans, not only from a traffic congestion point of view but—which is more important—as a health protective measure. Of recent years it has been found in many instances that owners of these vehicles have parked for weeks or months in some localities at their own convenience, without concerning themselves about proper sanitary conveniences or the rights and privileges of other people. In this regard the Bill provides for the issue of licenses subject to certain conditions. A similar provision to that

proposed is contained in the Road Districts Act. In many other countries legislative powers for the control of caravans has been found to be most necessary. It is the considered view of all local authorities that there should be an increase of power as proposed in the Bill.

A provision has been included to authorise councils to contribute to the local authorities' superannuation scheme, when passed by Parliament. This is another amendment sponsored by the Country Municipal Association and by the Local Government Association. I was hopeful that we would have prepared and presented a superannuation Bill to Parliament this session. Mr. Tuckey has been on a committee that has been drafting a scheme. One has been prepared and submitted to the local authorities for their concurrence, and I am hopeful that early next session a Bill will be introduced into Parliament. Practically four-fifths of our local authorities have asked for a superannuation scheme. Although good progress was made in the matter, we felt at the finish that it was desirable for the scheme to be submitted to the local authorities' associations before finality was reached. This amendment will give the necessary authority for councils to participate in the superannuation scheme when approved by Parliament.

The Bill sets out that any by-laws made by a council shall be advertised in three consecutive issues of a newspaper circulating in the council's district prior to the by-laws being submitted to the Governor for approval. This will enable residents of the district to become aware of any action of this nature which is contemplated by their municipal council, especially with reference to by-laws in connection with the erection of buildings and the materials of which they are to be constructed. This will remove the grievance that any land owner may have who purchases land in a non-brick area and discovers, when he wishes to build, that by-laws were subsequently proclaimed preventing him from proceeding with the erection of the building for which he purchased the land. The object of this amendment is to give every ratepayer or owner of land an opportunity to know what the council is doing so that he can lodge a protest in the way prescribed by the Act.

Power is given by the Bill to a council to contract for drainage and filling work on land other than that vested in or under its control, with the concurrence of and at the expense of the owner. The approval of the Governor is necessary where the expenditure exceeds £150. This is a similar provision to one which appears in the Road Districts Act. This amendment will materially assist owners and be of great advantage to the local authorities.

Another privilege, which is possessed by road boards and is to be given by the Bill to councils, is that which authorises the erection of houses for the convenience of their employees. They may also, with the approval of the Governor, erect on land vested in or purchased by the council for the purpose, houses to be let on lease or sold under contract to any persons. This power has been specially requested by the Country Municipal Association, whose viewpoint is that councils should be permitted to construct houses which would be in harmony with district planning and which would be adapted to local conditions, thereby rendering a most essential service to rate-payers. This proposal has received support from a number of the larger metropolitan local authorities and from various women's organisations.

It is proposed that councils be given authority for the control of jetties, and the clause containing this provision is identical with Section 167 of the Road Districts Act. Although jetties have been maintained and controlled by councils, there is no authority in the Act for such a procedure. There is no intention to compel any council to assume such control contrary to its desires, and this is clearly stated in the Bill.

Section 293 of the Act, which provides for the drainage of surface and stormwater from lands by means of drains or channels, is sought to be amended. The new proviso gives an alternative—subject to the consent of the owner—of raising the level of the land by filling in with sand or other material. The cost of such work may be recovered by the council from the owner, and the Governor's approval will be necessary for any expenditure in excess of £150. The right of appeal to the Minister is provided in cases where alterations to existing buildings are concerned and where plans and specifications have been rejected by a council. The Act

at present gives this power of appeal in cases of new buildings only. Now that the housing shortage is so acute, it is considered that where a council has not approved of an application for structural alterations to an existing house in order to provide additional accommodation, the owner should be allowed the right to submit his case to the Minister, who may uphold or alter the council's decision after hearing representations from both parties.

Experience of appeals lodged in connection with proposed new buildings has revealed that whenever the Minister calls the parties together for discussion, a satisfactory compromise is usually obtained. As a matter of fact, this provision was thought to be embodied in the principal Act and for some years action was taken accordingly until the practice was challenged by one local authority. It was then discovered that appeals to the Minister could be legally made only in respect of new buildings and not in connection with permits for alterations. That was discovered about 18 months ago. This particular amendment to the Act is not required from the point of view of ministerial interference but for the purpose of assisting local authorities and in the past has often been availed of in order to get local governing bodies out of trouble.

It is proposed that councils be given the power to approve of the use of wood or some structural material other than brick in the construction of dwelling houses, provided that the designs of these buildings are in conformity with the general standard of neighbouring houses. The Act as at present constituted gives no discretion in this regard, and in view of the various types of suitable building materials now in use or about to be introduced as a result of world-wide research, it is considered that councils should be granted this discretion. Any dissatisfied intending builder will have the right of appeal to the Minister under Section 293 if his plan is refused by the council. So far as the Minister is concerned, every care will be taken to prevent abuse of this provision.

The Bill seeks to give the Governor authority to make general building by-laws, with power to modify them to meet conditions peculiar to any district. A similar provision to this exists in the Road Districts Act. For some years representations have been made

by Government departments, the Local Government Association and various builders' organisations for the issue of building by-laws which would be at least uniform in main principles, particularly in the metropolitan area, which comprises some 24 local authorities with conflicting building requirements. Early in 1941 the Institute of Architects forwarded to the Minister for Works a draft standard set of building by-laws prepared by a sub-committee, which included the Government Principal Architect and the City of Perth Building Surveyor. The draft standards were approved generally, subject to the right to modify them to meet the particular requirements of any district. War developments precluded final consideration of this scheme, but the time is now considered opportune for the Governor to issue uniform building regulations to meet post-war activities.

Another proposal in the Bill is that power be given to a council to purchase land and to erect abattoirs thereon outside the council's district. The Act now authorises councils to construct abattoirs within their districts. In country districts the difficulty has arisen of closely settled municipal districts which are relatively small in area and where it would be necessary to obtain land outside a council's boundaries if an up-to-date district abattoir were to be provided. The Bill provides that the adjoining local authority shall be given full opportunity of stating to the Minister any objections which it may possess.

Clauses 28 to 31, inclusive, refer to the abolition of interest on rates. Section 411 of the original Act of 1906 made it mandatory to charge £5 per cent. interest on all unpaid rates. This section was repealed by the amending Act No. 42 of 1938, but consequential amendments to a number of machinery sections were overlooked and it is now sought to correct these omissions and to remove any legal doubt. Authority is given to the councils to levy a loan rate, not exceeding 4d. in the £, on the unimproved capital value of all rateable land, if it so desires. When the Act was amended in 1939 to give councils the power, with the consent of the Governor, to make valuations and levy general rates on the unimproved value, no provision was included to levy loan rates on that system of valuations.

Clause 34 amends Section 480 which gives councils the power to subsidise up to any sum not exceeding in the aggregate 10 per cent. of its ordinary revenue for the purpose of establishing various necessary amenities within its district or elsewhere. The amended powers have been asked for by municipal councils which have had brought home to them the necessity of providing facilities to improve the health and welfare of its citizens and to cultivate and to develop a healthy community spirit.

This is a very important provision. At the present time there are 33 infant health committees throughout the State and the shortage of materials prevents building operations being undertaken in order to meet their requirements. If this particular provision is agreed to, in the exercise of the powers granted there will be great economy and considerable saving of money in the erection of buildings for purposes associated with the infant health movement, dental clinics, immunisation centres and kindergartens and so on. The Bill will enable local authorities to subsidise the erection of buildings on land outside their respective boundaries. For instance, in many cases, particularly in the metropolitan area, much saving would be effected if a couple of local authorities combined in the erection of a building on land in the area of one of them.

The penalty for persons obstructing a council's officers in the course of their duty is increased. This is a serious offence, and the present penalty is disproportionate to the general penalty provided under Section 528 of the principal Act, which provides a maximum amount of £20. That is an outline of the Bill which it is expected will prove of great value in the administration and the work of municipal councils. Very many of the suggested amendments were adopted at the suggestion of the Country Municipal Association, and others have been sponsored by individual councils, the Local Government Association and interested organisations. In view, therefore, of the many requests for these improvements, which represent a progressive step in the lives of municipal bodies, I trust that Parliament will favourably consider the Bill. I move—

That the Bill be now read a second time.

**HON. SIR HAL COLEBATCH** (Metropolitan) [9.23]: I have no wish to delay the passage of the Bill but I trust the Minister will agree to defer the Committee stage until tomorrow.

The Chief Secretary: I will defer it until Tuesday, if the hon. member desires.

**Hon. Sir HAL COLEBATCH:** The Bill, like the curate's eggs, is good in parts, and for the sake of those good parts I am prepared to support the second reading of the measure. If, when we deal with the Bill in Committee, members agree to the amendments that I think should be made to the Bill, it will then at least have the merit of being very considerably reduced in size, for which the Minister ought to be thankful.

I shall confine my remarks to some of the new principles embodied in the Bill. First of all there is the matter of the election of mayor for two years instead of one. I do not see any objection to that, nor do I see any particular merit in it. If a mayor does his job during the first year he never has much difficulty in securing re-election. In fact the mayoralty is one of those positions that are harder to get out of than to get into. I speak from knowledge and experience. I do not know exactly how long ago it was, but almost half a century ago the Municipal Corporations Act limited to three years the period during which a mayor could hold office. Then it happened that there was a mayor of Perth—it was long before we had any Lord Mayor—I refer to Mr. Alexander Forrest—and a very definite attempt was made to extend his term beyond three years.

As a result, that three-year limitation was eliminated from the Act, and since then, I think rather to the disadvantage of some people, some mayors have become almost indefinite in their periods of office. One mayor, for instance, goes on seemingly like the brook—forever! Such a procedure quite possibly in that instance may not be to the disadvantage of that particular municipality. At the same time, I should have liked to see provision made that a mayor should be elected by the council. That would ensure that he was either a man who had served on the council and had acquired experience and the respect and esteem of his fellow councillors, or else that because of

public services rendered by him, he was regarded as a suitable occupant of the office.

**Hon. C. B. Williams:** You would have party politics properly then, would you not?

**Hon. Sir HAL COLEBATCH:** The highest mayoral office in the Empire—the Lord Mayoralty of London—is determined in a rather curious fashion. The man elected as Lord Mayor must be selected by the Liverymen of the City Companies and the method adopted is such as to absolutely ensure that he must be in every way a man suitable for the job. Members can go back over the centuries and they will find that there never yet has been a Lord Mayor of London that did not prove suitable for his office. His term is confined to one year. I do not suppose there are many men who could afford to carry on the duties associated with the Lord Mayoralty of London for more than one year. However, I do not intend to suggest any alteration to the Bill in that respect.

We can next deal with a much more important matter—the franchise. It is suggested that the mayor and councillors should be elected on the Legislative Assembly electoral roll. What is the practice in other parts of the Commonwealth? In Melbourne the election is by plural voting according to the annual valuations. That is the position also in Adelaide and Hobart. In Sydney there is a somewhat different system. Owners and ratepayers have votes in each ward in which they have the requisite qualifications. The Bill under discussion goes further than that and adopts the Brisbane system where the election is conducted on the basis of the adult franchise.

**Hon. C. B. Williams:** And it worked detrimentally to the Labour Party in Brisbane.

**Hon. Sir HAL COLEBATCH:** I daresay it did; that is how things work out. I directed the hon. member's attention to the old saying—

“For forms of government let fools contest;

Whate'er is best administr'd is best;”

The municipalities of Adelaide, Melbourne, Hobart and Perth, have been far better administered than those of Brisbane and Sydney. I recollect that 15 years ago it was found necessary to suspend the municipals



council of the City of Sydney for very sound reasons. Has there ever been any suggestion of necessity to suspend the municipal councils of Melbourne, Adelaide, Hobart or Perth? I think that one of the greatest objections to such an amendment as is now proposed is that it would inevitably introduce the party political system into municipal government and I cannot imagine anything worse. Personally, I wish some means could be discovered of breaking down, to a large extent, the party system in our Federal and State Parliaments. I am sure it would be all to the good of the people of Australia if that could be done. To suggest that we should introduce the party political system into municipal government is a step in the wrong direction.

I do not hesitate to say that in a general way municipal administration is better than Government administration. It is an old saying that freedom depends in the first instance on the Government being close to the people who are governed; and in the case of a municipal council the councillors and mayor are close to the people governed. I think that we can take practically all our public activities, such as tramways and electric light, and find in every case that such enterprises administered by the municipalities render a better service to the citizens and provide a greater profit to the rate-payers than those administered by the Government. This is eminently a Bill for Committee consideration and matters of this kind can be thrashed out at that stage. There is, however, another provision to which I object, and that is the one providing that no meeting of a council shall be held before 7 o'clock in the evening.

Hon. C. B. Williams: That is wrong.

Hon. Sir HAL COLEBATCH: The provision is to apply to the meeting of a council or a committee of a council. What is the idea? Surely the members of the councils are the best people to decide what time is suitable to them for meetings! There is a funny provision in this Bill. It will be found on page 6. It reads—

Provided that no meeting of any committee and no resumption of any such meeting after an adjournment thereof shall commence on any day before 7 o'clock in the evening of such day unless all the members of the committee have agreed.

That is to say, if there is a council of 16 members and 15 of them want to have a meeting in the afternoon and one says "no", the one prevails over the other 15. That is a new conception of the idea of majority rule. It is a conception entirely new to me, and I think it is entirely wrong. The whole provision should be struck out. Let each council decide for itself what time it will hold meetings. I am informed that under this provision it would be impossible for the Perth City Council to carry on; and if it attempted to do so, it would impose very great hardship on the officers of the municipality. That, however, is another matter we can thrash out in Committee.

Then there is a provision in regard to houses for employees. I have no objection to that, except that I would like the Minister to note that the Bill states the council may erect houses on any land vested in or acquired by the council. I do not know that that is a good idea. Land vested in a council should be reserved for the purpose for which it is vested. I do not know that any of the councils have too much land vested in them; and if they are going to build houses for municipal officers, I see no objection to their doing so. But surely it is best to acquire land and build houses thereon instead of erecting them on the very scanty reserves the councils possess.

The Chief Secretary: It may be a caretaker's house.

Hon. Sir HAL COLEBATCH: There is another clause towards the end of the Bill that should be carefully considered. It extends the powers of a municipality, in most directions quite desirably. But paragraph (vi) reads as follows:—

(vi) Contributing on a pound for pound basis towards the cost of improvement of school grounds.

I would like the Minister to tell us what is meant by a pound for pound basis. Does it mean that if the Government decides certain improvements are necessary to school grounds—and goodness knows they are very necessary on almost all school grounds—the Government shall say, "We propose to carry out improvements to the extent of £500 and you must pay £250 and we will pay £250?" Is it a compulsory provision? Must the councils pay on a pound for pound basis? Or on the other hand, does it mean that if a council realises that improvements should

be made to school grounds and is prepared to provide £500, the Government will be compelled to find another £500? I think we should know exactly what it does mean. I would like to draw attention to Section 350 of the existing Act which provides—

It shall be lawful for the council from time to time to appropriate, out of the ordinary revenue of the municipality, such sum or sums as the council should think proper for or towards any of the following purposes:—

Providing, maintaining, or improving museums, libraries, and reading rooms; the improvement of any recreation ground or public reserve which may be vested in or under the control of the council, and for providing such amusements as the council may deem desirable; for the erection and maintenance of camps or bungalows.

Then Section 351 provides that a council may, amongst other things, provide children's playgrounds. But there is not one single municipality in Western Australia that has sufficient funds to carry out those purposes. What excuse is there for saddling on the municipality a job which appears to be the clear duty of the Education Department? Why should a municipality be called upon to provide recreation grounds at schools on the property of the Education Department, when not one of the councils, from one end of the State to the other, has ever had sufficient revenue to carry out the obviously proper things municipalities should be able to do? For that reason that paragraph should be struck out.

I do not think the time is ripe for extending the functions that municipal councils are supposed to undertake. They are going to have a terribly difficult job to carry out the major duties imposed upon them by the Act. A case occurred quite recently in which the Government practically forced a municipality against the wish of the councillors to agree to provide for hospital improvements on, I think, a pound for pound basis. Now the auditors have said, "You have no power to do this," and it has caused a little trouble. I think the Government was entirely wrong in forcing the council to provide money for hospital purposes.

The Chief Secretary: Did the Government force the municipality?

Hon. Sir HAL COLEBATCH: I am not going into that argument. What happened

was that the council was promised certain support from the Lotteries Commission; and if it failed in that effort it serves no right. It turns out that the Lotteries Commission was giving the vote not to the local governing authority but to the Government, so the upshot was that if the council wanted the hospital it must provide money on a pound for pound basis. Although the council two or three times decided it would not do so, it finally agreed to the Government's conditions, because that was the only way to get the hospital. Now it appears that the council had no power to do what it did! I mention this as indicating that the obligations at present on municipal councils are as heavy as they can hope to carry out to the satisfaction of the ratepayers. If they are going to be charged with looking after school grounds on the property of the Education Department they will have to tell the ratepayers that rates will need to be increased. I do not think that would be desirable.

Hon. C. B. Williams: What about road boards that come into a town like Kalgoorlie? They do not pay anything but they surround the town.

Hon. Sir HAL COLEBATCH: Does the hon. member think this Bill will correct the position?

Hon. C. B. Williams: No; I think it will thought out.

Hon. Sir HAL COLEBATCH: I support the second reading, but I think the matters which I have referred are deserving of very close consideration.

HON. G. B. WOOD (East) [9.40]: I realise this is a Committee Bill and my remarks will be brief. With regard to the provision concerning mayoral elections, I heartily approve the extension of the term to two years. I would not object to three. The chairman of a road board is elected for three years and so are councillors and members of Parliament. One of the important provisions in this Bill is the abolition of plural voting. I think the Honorary Minister anticipates a little opposition because he used the word "unprogressive" and a few other words of that kind. I daresay he will receive opposition to the provision dealing with plural voting.

I cannot see why if a man has property in two wards he should not have a vote for each ward. I am in favour of a limitation of votes in any one municipality, but I think that one vote for each of four wards in a municipality would be fair and desirable. I know there have been difficulties when local authorities have wanted to spend money in the territory of other local authorities. That has applied when one has desired to spend money on a cemetery in another's area, and special Acts of Parliament have been passed to enable that to be done. The provision in this Bill in that regard is commendable. There is much in the measure that is good and much that is bad, and I hope that we will be given a lot of time to deal with it in Committee.

On motion by Hon. H. Tuckey, debate adjourned.

*House adjourned at 9.42 p.m.*

## Legislative Assembly.

*Thursday, 6th December, 1915.*

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

## QUESTIONS.

### MUTTON AND LAMB.

*As to Local Trade and Advances for Export.*

Mr. TELFER asked the Minister for Agriculture:

1, Has the Department taken any steps to distinguish between mutton and lamb carcasses when these are offered for sale to consumers?

2, Now that the Commonwealth Meat Commission is paying 97½ per cent. of the value of carcasses of mutton and lambs submitted for export would he consider Meat Export Works paying the farmer the full value of carcasses submitted for export?

The MINISTER replied:

1, Special roller brands have been completed by the State Engineering Works, and an announcement will be made in the near future by the Prices Office and the Department of Agriculture advising consumers of the date on which branding of lamb carcasses will commence.

2, Following upon the announcement by the Commonwealth Meat Commission that the first payment for export mutton or lamb had been increased to 97½ per cent. of the export value, Meat Export Works agreed to pay farmers the full value of carcasses accepted for export. The remaining 2½ per cent. is being carried by Meat Export Works until final payment is received from the Commonwealth Government.

### PENSIONS AND SUPERANNUATION.

*As to Recipients of Dual Benefits.*

Mr. THORN asked the Premier: Are any, and if so, how many, ex-civil servants drawing pensions under the 1871 Act and in addition receiving payments under the Superannuation and Family Benefits Acts?

The PREMIER replied: No.

### PRIVILEGE—MARKETING OF EGGS BILL.

*As to Votes and Proceedings.*

MR. WATTS (Katanning): On a question of privilege, Mr. Speaker, I wish to raise a small but important matter in connection with yesterday's Votes and Proceedings. Dealing with Clause 7 of the Bill for the marketing of eggs, it is stated on