

# Legislative Assembly

Thursday, the 20th August, 1959.

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

## FATAL ACCIDENTS BILL

### Message—Appropriation

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

## QUESTIONS ON NOTICE

### UNEMPLOYMENT

#### Child Welfare Payments

1. Mr. FLETCHER asked the Premier:

Does he consider that the figures and dates of child welfare payments to unemployed in Perth and Fremantle areas, namely—

for the week ended the 5th June, 1959—Perth 674, Fremantle 144;

for the week ended the 24th July, 1959—Perth 780, Fremantle 208,

reflect a growing unemployment situation since his Government assumed office?

Mr. BRAND replied:

No. The latest figures of child welfare payments to unemployed are considerably less than for the corresponding period last year. This is confirmed by the official figures which I have already quoted to the House showing that since this Government assumed office the number registered for employment with the Commonwealth Department of Labour and National Service has decreased by 406.

Mr. Graham: We don't believe it.

## TRAFFIC ACT AND REGULATIONS.

### Redrafting

2. Mr. GRAHAM asked the Minister for Transport:

What progress has been made in the condensing, simplifying and redrafting of—

(a) the Traffic Act;

(b) the Traffic Regulations,

as intimated by me to Parliament last year?

Mr. PERKINS replied:

(a) The Police Traffic Department has completed its work on a redraft of the Traffic Act.

(b) Redrafting of the regulations is dependent on whether the redrafted Act is acceptable.

**BLACK ROCKS DEEP-WATER PORT***Initial Recommendation*

3. Mr. HAWKE asked the Minister for Works:

Who first recommended to the State Government the advisability of locating a deep-water port at Black Rocks near Derby?

Mr. WILD replied:

The Kimberley Development Committee, consisting of State and Commonwealth officers.

**MEDICAL SCHOOL***Readmissions Following Failure in Examinations*

4. Mr. HAWKE asked the Minister for Health:

What are the main reasons for allowing students to continue at the Medical School when they have failed in all subjects in the previous year, and for refusing some students the right to continue when they have failed in some subjects the previous year?

Mr. ROSS HUTCHINSON replied:

The need to ensure that every student has a fair chance. Some students, owing to immaturity and living away from home, find University studies very different from high school work, and therefore every attempt is made to ensure that students who have a reasonable chance of success are given the opportunity to prove themselves. But where it is clear from results of previous examinations, including repeated attempts, that students are not likely to succeed they are refused readmission.

**ILMENITE DEPOSITS***Particulars of Leases*

5. Mr. HALL asked the Minister representing the Minister for Mines:

- (1) Are leases for ilmenite deposits in the Cheyne Beach area, Albany, held by the firm of Hancock and Jackson; if not, by whom are leases held?
- (2) Are leases for ilmenite deposits in the Torbay area held by the firm of Hancock and Jackson; if not, by whom held?
- (3) Can he advise if the terms of the leases are being adhered to, and is it the intention of the firm holding leases to work them in the near future?

Mr. ROSS HUTCHINSON replied:

- (1) The ilmenite claims in the Cheyne Beach area are held by P. R. Jackson, F. A. Moore, and Hancock Prospecting Pty. Ltd.
- (2) There are no mining tenements for ilmenite held at present in the Torbay area.
- (3) The Cheyne Beach claims have been under exemption since February, 1957, the latest period of which expires on the 2nd December next. It was stated in evidence in support of the latest exemption application that a large company was interested and would be examining the deposits this year.

**ROAD TRANSPORT***Prosecutions for Overloading*

6. Mr. GRAYDEN asked the Minister for Transport:

- (1) How many prosecutions for overloading were proceeded with in the year ended the 30th June, 1958, and the year ended the 30th June, 1959, for—

- (a) passenger buses;
- (b) goods vehicles?

- (2) What were the respective amounts of fines imposed?

Mr. PERKINS replied:

- |         |        |        |
|---------|--------|--------|
| (1)     | 1958   | 1959   |
| (a)     | Nil    | Nil    |
| (b)     | 929    | 697    |
| (2) (a) | Nil    | Nil    |
| (b)     | £7,071 | £7,221 |

**ROAD SAFETY***Stop Accidents Campaign*

7. Mr. CROMMELIN asked the Minister for Transport:

- (1) Did he read an advertisement in *The West Australian* of Saturday, the 15th August, in which Mr. McKell, calling himself the Director of the Stop Accidents Campaign, offered employment to retiring police officers or men of similar character, for work in connection with his campaign?
- (2) If so, did he note that the advertisement stated that the salary retainer or other financial arrangement for doing work was entirely up to the applicant?
- (3) Is he in a position to say whether the Mr. McKell mentioned in the advertisement is the McKell who was associated with the rather unsavoury promotion and exploitation of the Road Courtesy League in this State sponsored some five or six years ago by a man named Elliott?

- (4) Will he state whether the Road Courtesy League and Mr. McKell, and the Stop Accidents Campaign under his direction are in any way recognised or authorised by the Government of this State?

Mr. PERKINS replied:

- (1) Yes.
- (2) Yes. I was particularly struck by the irresponsibility of the wording of the offer in regard to salary retainer or other financial arrangement.
- (3) Yes. I understand that Mr. McKell was associated with Mr. Elliott in the establishment of the Road Courtesy League, and later undertook the same type of promotion in Victoria.
- (4) Neither Mr. McKell nor any person associated with the Road Courtesy League is recognised or authorised by the Commonwealth or State Government to conduct a "Stop Accidents Campaign." I feel it is my duty to warn the public about contributing to funds for the promotion of road safety to other than the National Safety Council in this State for which I am the Minister.

### BADINGARRA BORES

#### *Number and Results*

8. Mr. LEWIS asked the Minister representing the Minister for Mines:

- (1) What is the proven capacity of the bore put down in 1958 at Badgingarra?
- (2) What was the analysis of the water?
- (3) What is the depth of water in the bore?
- (4) How many bores have been sunk by the department, this year at Badgingarra, and what has been the result?

Mr. ROSS HUTCHINSON replied:

- (1) The No. 1 bore at Badgingarra was baled to the capacity of the machine. The quantity so baled was not recorded, but would be about 300 gallons per hour. The supply is much greater than this.
- (2) The water contained 26 grains per gallon total soluble salts, of which 10 grains per gallon was sodium chloride.
- (3) Water was struck at 698 feet, and the bore was continued to 702 feet. The static level is 378 feet.
- (4) Drilling was stopped by the previous Government after the No. 1 bore, but was recommended when this Government took office, and two bores are in progress.

On the 14th August, 1959, No. 2 bore was at 672 feet. No water had been found.

No. 3 bore encountered water in the section 205 to 215 feet. The static level was 195 feet. Analysis showed 42 grains per gallon total soluble salts and 31 grains per gallon sodium chloride. The flow was tested by baling to the capacity of the machine at 420 gallons per hour without lowering the water level. This flow was cased off and the bore was at 632 feet on the 14th August, 1959, no further water having been found.

### W.A. NATIONAL FOOTBALL LEAGUE

#### *Grant of Land*

9. Mr. GRAHAM asked the Attorney-General:

Will he inquire of the Solicitor-General when he anticipates completing his action in connection with the vesting of certain areas of land in State Housing Commission estates in the W.A. National Football League, and advise me?

Mr. WATTS replied:

I regret that I have not a written answer to this question; but in view of the urgency of the thoughts in the mind of the member for East Perth, I have ascertained that the Solicitor-General has practically finished his inquiries, and the information should be available not later than tomorrow morning.

### SCAEVOLA SPINESCENS EXTRACT

#### *Value in Treatment of Cancer*

10. Mr. JAMIESON asked the Minister for Health:

- (1) What further progress has been made into the investigation of the extract obtained from the native plant *scaevola spinescens*?
- (2) What progress has been made in the establishment of a Department of Pharmacology?
- (3) How many cancer patients are being supplied through the Public Health Department with the extract?
- (4) What experiments are being carried out—

(a) by the Government Medical Department;

(b) by pharmaceutical firms?

- (5) Are any reports available? If so, will he report to the House?

Mr. ROSS HUTCHINSON replied:

- (1) Clinical observations on the effect of this preparation on patients with cancer have continued.

- (2) The University of Western Australia has decided to establish a Department of Pharmacology and applications have been called for the position of Professor of Pharmacology. At the same time, negotiations are continuing between the Treasury and the University concerning an extension of this new department's work in the direction of a survey of the State's flora to discover its possibilities for use in medicine.
- (3) To date, 57 have been supplied; 12 are at present being supplied.
- (4) (a) See No. (1). The Public Health Laboratories have carried out observations on possible antibiotic properties of the extract. None was found.
- (b) The Wellcome Foundation in London has carried out experiments on the effect of the extract on experimental cancer in rats. The foundation reports that "this series of results is quite disappointing", and that "the only conclusion to be drawn from our investigation is that the extract tested does not appear to have any potential value for the treatment of cancer".
- (5) The clinical trial on 57 patients conducted by the Public Health Department in association with various doctors in charge of the treatment of these cases has shown that the extract has no effect on the progress of the cases and on malignant disease.

### UNEMPLOYMENT

#### *Weekly Figures, and Alleviation*

11. Mr. BRADY asked the Premier:
- (1) Is the Premier's Department receiving weekly reports on the unemployment situation in the metropolitan area?
- (2) Is the Government planning any special works to employ the unemployed?
- (3) What work, if any, is being planned?
- (4) Will the weekly figures of unemployed be tabled?
- Mr. BRAND replied:
- (1) For some years the Premier's Department has received from the Commonwealth Department of Labour and National Service a weekly return of unemployment benefit statistics and a monthly return of unemployed applicants.
- (2) and (3) The Government is planning a works programme of approximately £19,300,000, the full

amount of the loan money available to us. In addition, £3,000,000 is to be spent on Commonwealth-State housing and approximately £7.8 million on main roads activities.

- (4) The release of these figures is a matter for the Commonwealth Government.

### WELSHPOOL-BELLEVUE FREEWAY

#### *Details of Construction, etc.*

12. Mr. BRADY asked the Minister for Works:
- (1) When is it expected the new freeway (highway) from Welshpool via Forrestfield and Bellevue northward will be commenced?
- (2) Is it intended to build the South Guildford by-pass road before the main freeway (above)?
- (3) Is a bridge to be built in the vicinity of South Guildford or Redcliffe in road projects?
- Mr. WILD replied:
- (1) The new freeway north and south of the Bellevue area is a long-range project and no date can be given for start of construction. However, it is not expected that construction need be started within the next 10 years.
- (2) The programming of the South Guildford by-pass is bound up with the ultimate plans for the other freeway through Bellevue. It, too, is a long-range project, and a construction programme has not been drawn up.
- (3) Major highway planning in the vicinity of Redcliffe is not yet completed. Sites of bridges have not been decided upon.

### STATE ENGINEERING WORKS

#### *Dismissals since the 3rd April*

- 13A. Mr. W. HEGNEY asked the Minister for Works:

What is the number of employees dismissed from the State Engineering Works since the 3rd April, 1959?

Mr. WILD replied:

85 dismissed.

10 under notice.

### PUBLIC WORKS DEPARTMENT

#### *Dismissals since the 3rd April*

- 13B. Mr. W. HEGNEY asked the Minister for Works:

What is the number of employees dismissed from the Public Works Department since the 3rd April, 1959?

Mr. WILD replied:

Assuming the question relates only to the architectural division—

282 dismissed.

14 under notice.

## STATE TRADING CONCERNS

### *Disposal*

14. Mr. W. HEGNEY asked the Premier:

- (1) Has the Government yet entered into negotiations with any person or company in connection with the disposal of all or any of the State trading concerns?
- (2) Has a decision been made as to what trading concerns will be disposed of, if the opportunity arises?
- (3) If a decision has been made, will he give details of such decision?

Mr. BRAND replied:

The Government has clearly stated its policy on the disposal of State trading concerns. It will announce any developments at the appropriate time.

## MOTOR-VEHICLE REGISTRATION FEES

### *Increase*

15. Mr. W. HEGNEY asked the Minister for Transport:

- (1) Arising out of a report in the daily press on the 27th May last, to the effect that it was likely an overall increase of about one-third in motor-vehicle registration fees could take place, will he state whether the Government has yet made any decision?
- (2) If a decision has been made, what are the particulars of such decision?
- (3) If no decision has been made, when is one likely to be arrived at?
- (4) Is he aware that motorists are becoming more concerned at the report referred to now that the Government proposes to impose an additional tax on metropolitan landowners?

Mr. PERKINS replied:

- (1) No decision has been made.
- (2) Answered by No. (1).
- (3) No further statement is possible at this stage.
- (4) As no action has been taken in regard to vehicle fees, this is rather premature.

## DENTAL DECAY

### *Incidence, and Use of Fluoride*

16. Mr. W. HEGNEY asked the Minister for Health:

Is he aware—

- (1) That Professor Martin, Associate Professor of Preventive Dentistry at Sydney University, stated that the incidence of dental decay in Australian children was one of the highest in the world *vide The West Australian* of the 27th May, 1959?
- (2) That at a recent survey of 7,000 children in New South Wales it was revealed that only 1½ per cent. were free from dental decay and this figure would be approximately the same in most parts of Australia?
- (3) That according to Professor Martin, the greatest single weapon in combating tooth decay was the use of fluoride in drinking water?
- (4) What are the views of the Public Health Department of this State with respect to dental decay and the use of fluoride?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) The Public Health Department is of the opinion that the use of fluoride will reduce substantially the amount of dental decay. The implications of fluoridation are at present under investigation.

17. *This question was postponed.*

## TRAFFIC ACCIDENTS

### *Charles Street-Green Street Crossing*

18. Mr. W. HEGNEY asked the Minister for Transport:

- (1) How many fatal accidents have occurred at the Charles Street-Green Street crossing?
- (2) How many serious accidents (not fatal) have occurred at the above crossing?
- (3) What is the total number of accidents at the crossing over the past ten years or as far as statistics will disclose?
- (4) What is the highest number of accidents at any other crossing and the name of such crossing?

(5) Is it intended to place traffic lights or flashing warning lights at the Charles Street-Green Street crossing?

(6) If so, when is the necessary installation to be effected?

(7) If not, will he outline the reasons?

Mr. PERKINS replied:

(1) During the three-year period 1957-59 for which accident records are available, no fatal accidents have occurred at the Charles Street-Green Street crossing.

(2) During the same period six accidents have occurred involving personal injury.

(3) During this period there has been a total of 26 accidents at this crossing.

(4) It is not possible without lengthy investigation of all accident records to determine the crossing with the higher number of accidents, but the Wellington Street-William Street intersection is a representative high accident spot. The total accidents recorded at this intersection are—

1957	40
1958	19
1959 (6 months)	24

(5) The complex form of the intersection of Charles Street, Green Street, and Walcott Street makes the provision of traffic control signals technically unattractive and plans are under consideration in the Main Roads Department for the provision of a traffic rotary instead. As yet, no firm decisions have been made in this respect.

(6) and (7) Answered by No. (5).

19. *This question was postponed.*

### UNIMPROVED LAND

#### *Area Exempted in Metropolitan Region, and Value*

20. Mr. W. HEGNEY asked the Minister representing the Minister for Town Planning:

(1) What is the total unimproved value of land situated within the metropolitan region referred to in the Town Planning and Development Act Amendment Bill, 1959?

(2) What is the estimated unimproved value of the land which will be exempt from the provisions of the above measure?

Mr. PERKINS replied:

(1) £77,000,000.

(2) £10,000,000.

### IRRIGATION OF VINES

#### *Experimental Artesian Bore*

21. Mr. CRAIG asked the Minister for Agriculture:

(1) Is an artesian bore to be sunk at the research station, Upper Swan, to obtain water for experimental irrigation of vines?

(2) If so, when is it proposed to undertake this work?

Mr. NALDER replied:

(1) Provision has been made on the Consolidated Revenue Estimates to enable boring to be done at the Swan Research Station to obtain an increased water supply for the experimental irrigation of vines.

(2) It is hoped to commence the work in October.

### QUESTIONS WITHOUT NOTICE

#### UNEMPLOYMENT

##### *Reconciliation of Figures*

1. Mr. BRAND: The member for East Perth yesterday asked a question with regard to checking certain figures. The question was—

(1) From what source did he obtain the figures relating to unemployment in Western Australia?

(2) How does he reconcile 6,382, the number of unemployed as at July, 1959, given today (Wednesday) by him, with 6,404 given yesterday (Tuesday) by him, and with 6,982 given on Monday by the Commonwealth Labour Minister (Mr. McMahon)?

The reply to the question is—

(1) The Commonwealth Department of Labour and National Service.

(2) The correct figure is 6,382. Apparently an incorrect figure of 6,982 was published in the *Daily News* on Monday, but the correct figure was given by the Minister in *The West Australian* on Tuesday. The minor discrepancy of 22 in the figure which I gave to the House on Tuesday was due to a clerical error which the Department of Labour and National Service has since corrected.

### UNIVERSITY LAW COURSE

#### *External Study*

2. Mr. EVANS asked the Attorney-General:

(1) Would he please ascertain for me whether negotiations between the Barristers' Board and the Law Faculty of the University of Western Australia have been undertaken to establish a course of external study to meet the situation caused by those law clerks who

desire to avail themselves of the provision of the amendment made to new Rule 30 of the rules of the Barristers' Board, which was brought about by a motion passed by both Houses of Parliament last year?

- (2) If these negotiations have not been made, would he, as ex-officio chairman of the Board, make arrangements for the details of these negotiations to be published when they are made?

Mr. WATTS replied:

- (1) and (2) The honourable member was good enough to discuss this matter with me a short time ago, and I now inform him that I shall be glad to take up with the Barristers' Board the question of taking action—in one way or another, anyway—along the lines that he suggests. So far as I am aware, up to the present no arrangements have been made; but I am prepared to suggest that they should be made.

### PERTH ROAD BOARD

#### *Issue of Rate Notices*

3. Mr. GRAHAM asked the Premier:

Is he in a position to make a statement or supply any information with regard to the situation which appears to have developed between the Minister for Local Government and the Perth Road Board whereby it seems that the local authority mentioned will not be in a position to issue rate notices and, accordingly, will be without funds to carry out its activities? This matter is of considerable importance, and I take it that the Premier and Cabinet have some knowledge of the steps that have been taken; and, if so, I would like his comments on the matter.

Mr. BRAND replied:

The matter was discussed with me by the Minister for Local Government only a few minutes after, I understand, his having received a deputation this morning from the Perth Road Board. That is, if the honourable member and I are referring to the same subject—the matter of rating.

Mr. Graham: Yes; that is correct.

Mr. BRAND: But I am not prepared to make any further statement until I ascertain from the Minister his views and give him the opportunity to supply me with the facts; because I do not, in any way, wish to mislead the House in regard to the matter. The question, as such, has not been before Cabinet.

### UNEMPLOYMENT

#### *Child Welfare Payments*

4. Mr. FLETCHER asked the Premier:

In view of his flight of mind—I think there has been some misunderstanding—and his assertion now that he does not want to mislead the House, I would point out that I asked him the following question:—

Does he consider that the figures, etc. that have been quoted reflect a growing unemployment situation since his Government assumed office?

and the Premier replied—

The latest figures of child welfare payments to unemployed are considerably less than for the corresponding period last year.

That was not the nature of my question. The words used in my question were, "Since his Government assumed office"; and I asked for the figures for the week ended the 5th June, 1959; and for the week ended the 24th July, 1959, the interim period amounting to approximately six or seven weeks. I do not know whether any further explanation is necessary, but I did ask whether the figures reflect a growing unemployment situation since his Government assumed office. The Premier merely replied that the latest figures were considerably less than for the corresponding period last year.

Mr. BRAND replied:

The honourable member asked whether I considered the figures reflected a growing unemployment situation since my Government assumed office, and I replied that they did not by comparison with the corresponding period last year.

Mr. Fletcher: But I did not ask that.

Mr. BRAND: It does not matter what the honourable member asked; that is what I am telling him. And just in case the honourable member is not out so much for the information, but is asking the question more for the purpose of creating an impression that this Government has a worse record than the previous one, I will read these figures. For the week ended the 7th August, 1959, for Perth and elsewhere, payments made through the Child Welfare Department to the unemployed—

#### *Points of Order*

Mr. TONKIN: On a point of order, Mr. Speaker, has the Premier asked for permission to make a statement?

The SPEAKER: I think I can decide whether the Premier is making a statement or whether he is giving further information in answer to the question by the member for Fremantle.

Mr. BRAND: Just to ensure that nobody has his blood pressure increased—

Mr. FLETCHER: On a point of order, Mr. Speaker, I would like the Premier to confine his remarks to the period to which I have referred in my question. Since the Premier mentioned it, I do not wish him to deliberately evade the issue—

The SPEAKER: I think we have had enough of members making speeches in the form of questions without notice. I was fairly lenient with the member for Fremantle. I had thought of pulling him up, but I allowed him to proceed. Therefore, I think I will have to show the same indulgence to the Premier in making his reply.

#### *Questions Without Notice Resumed*

Mr. BRAND: Thank you, Mr. Speaker. I would ask for permission to make a statement, if necessary, to enable me to give this further information to the member for Fremantle. In Perth, for the week ended the 7th August, 1959, the number of unemployed was 751; and for the week ended the 8th August, 1958, the number of unemployed in Perth was 856. Therefore, there were more people drawing unemployment benefits last year than there are now.

Mr. Graham: Because you chopped out 17s. 6d. a week from the single unemployed fellows.

Mr. BRAND: At Fremantle, for the week ended the 7th August, 1959, the number of unemployed was 196 and for the week ended the 8th August, 1958, the number of unemployed at Fremantle was 202. For the week ended the 14th August, 1959—these are the dates which the honourable member quoted—the number of unemployed in Perth was 720; but for the week ended the 15th August, 1958, the number of unemployed in Perth was 862. At Fremantle, for the week ended the 14th August, 1959, there were 180 unemployed; but for the week ended the 15th August, 1958, the number of unemployed at Fremantle was 216. Therefore, if the position this year is not better than it was last year I will eat my hat, because they are the authentic figures

which indicate that the unemployment position this year is not any worse than it was last year; and, at this stage, the position is becoming better because of the conditions that apply, year by year, which increased employment.

#### *Effect of Withdrawal of Payment to Single Unemployed*

5. Mr. HEAL asked the Premier:

Is it not a fact that the figures he has quoted for the year 1958 relate to single unemployed men being paid 17s. 6d. per week; and that the figures he quoted for 1959 of persons receiving such unemployment allowance were not included in the figures of unemployment for 1959, because of the action of his Government in abolishing this payment of 17s. 6d. a week?

Mr. BRAND replied:

I would say that the payment of 17s. 6d. sustenance to single unemployed men does not make one iota of difference.

#### *Authenticity of Figures*

6. Mr. FLETCHER asked the Premier:

Since the queue of persons receiving this payment was previously confined to the building, but has now extended beyond the doorway, would he consider that within the last few months it was an optical illusion on my part in assuming that the figures have increased?

Mr. BRAND replied:

Unlike that of the honourable member, it is my practice to quote authentic figures, whether or not he considers them to be optical illusions. I have quoted the figures in relation to unemployed persons on the dates he referred to for both Fremantle and Perth.

#### *Exclusion of Figures*

7. Mr. GRAHAM asked the Premier:

(1) If the present Government decided to abolish all payments from the Child Welfare Department and his replies to previous questions were nil for Perth and nil for Fremantle, would he consider that as being an improvement in the employment situation?

(2) Is it not a fact that the figures quoted for the year 1958 included many single persons who were in receipt of 17s. 6d. per week from the Child Welfare Department on account of unemployment, as agreed to by the Hawke Labour Government; and that those persons were excluded from the



figures quoted by him in respect of 1959, because of the action of his Government in denying the single unemployed the supplementary sustenance granted by the previous Government?

Mr. BRAND replied:

I replied to those matters when I answered the member for Fremantle who, in his question, made reference to the Child Welfare Department. He did not mention whether they were payments to single unemployed persons. He simply asked for the figures of payments made by the Child Welfare Department to unemployed people in the Perth and Fremantle areas.

8. Mr. GRAHAM asked the Premier:

Is it the intention of the Premier to endeavour to answer the two questions which I have just addressed to him?

Mr. BRAND replied:

I have quoted the figures which are available to me from the Child Welfare Department. If the honourable member wants any further information he can put his question on the notice paper.

#### *Soup Kitchen Meals for Unemployed*

9. Mr. HALL asked the Premier:

Since the curtailment of the 17s. 6d. per week as relief, is the Premier aware there are 120 people a day receiving meals at the soup kitchen in Fitzgerald Street, which was not established under the previous Labour Government?

Mr. BRAND replied:

I want to know who established the soup kitchen. I am not aware of any soup kitchen arrangement which has been made. If the honourable member wants any information as to the correctness of the figures regarding unemployed persons in any area, I shall make them available, if at all possible, on notice.

#### *Effect of Withdrawal of Payment to Single Unemployed*

10. Mr. TONKIN asked the Premier:

The first question asked by the member for Fremantle refers to payments made by the Child Welfare Department to unemployed persons. Normally the Child Welfare Department does not make payments to such persons. They are made by the Department of Social Services of the Commonwealth. If the Premier has quoted figures showing Child Welfare

Department payments to unemployed persons, it appears that those figures must have included payments to single unemployed persons. I ask the Premier:

(1) Is that not so?

(2) If Child Welfare Department payments to unemployed persons do include payments to single unemployed persons, would not the figure for this year be reduced, because the relief to single persons is no longer being paid by the Child Welfare Department?

Mr. BRAND replied:

I am not able to say. I do not want to make a guess. So if the honourable member will put his question on the notice paper I shall obtain the information from the same source as the information was obtained in replying to the previous questions. I shall do my best to give him the information.

#### *Reconciliation of Figures*

11. Mr. FLETCHER asked the Premier:  
I would like an explanation of this from the Premier.

The SPEAKER: This question must be framed as a question, and put in the form of a question.

Mr. FLETCHER: Can the Premier explain the discrepancy in the figures he has quoted and in those given to me in answer to my question on the 5th August, when I obtained the figures from the Minister representing the Minister for Child Welfare? I have quoted those identical figures from the reply I received; and I framed my question, which is on today's notice paper, on those figures. How can he reconcile the discrepancy?

Mr. BRAND replied:

I ask that this question be placed on the notice paper.

#### **OSBORNE PARK HOSPITAL**

##### *Tenders*

12. Mr. W. HEGNEY asked the Minister for Health:

Has he any idea when tenders are likely to be called for the construction of the hospital at Osborne Park?

Mr. ROSS HUTCHINSON replied:

It is not possible for me to say at this stage when tenders will be called, but negotiations are taking

place in regard to the building of a hospital in this region. Perforce, there have had to be some alterations to the plans, which have not yet been finalised. In due course these will be made public.

## BILLS (2)—FIRST READING

### *First Reading*

1. Nurses Registration Act Amendment.  
Introduced by Mr. Ross Hutchinson (Minister for Health).
2. State Electricity Commission Act Amendment (No. 2).  
Introduced by Mr. Watts (Minister for Electricity).

## TRANSFER OF LAND ACT AMENDMENT BILL

### *Second Reading*

**MR. WATTS** (*Stirling—Attorney-General*) [2.51] in moving the second reading said: This is a small Bill to amend the Transfer of Land Act in two aspects. Firstly, it empowers the Minister to approve of the destruction of obsolete documents and records of the Lands Titles Office. The second amendment is to enable the use by the Titles Office of photographic and photostatic methods of copying documents.

The problem of storing the constantly increasing volume of records at the Lands Titles Office is becoming greater every year. In fact, it is not only a problem in Western Australia. It has become a problem in almost every State—if not every State—of the Commonwealth, to such an extent that a resolution was carried last year at a conference of registrars held in Adelaide. This resolution reads as follows:—

This conference is of the opinion that each Registrar should in concurrence with any authority nominated by the appropriate Minister be given power to destroy any documents considered obsolete. Unless something of this nature takes place, conference feels that the incidence of the accumulation of documents, as under the old system, is being perpetuated under the Torrens system by departmental hoarding.

That was the resolution passed at the conference of registrars last year; and it is quite clear, I think, that in the circumstances as they exist some attention has to be paid to that point of view, and the only way to legalise such a point of view is to amend the Transfer of Land Act.

The Torrens system of registration is based on a register book and the registration of documents therein. Every document, when registered, becomes constructively part of the register book; and to

destroy any registered document, as the position stands at present, means in effect that part of the register book is destroyed. There again is a reason why, if this matter is studied from a legislative angle, it is obvious that only very old and carefully selected documents could be destroyed with any safety; and to ensure that only those documents which no longer serve any useful purpose are destroyed, the Bill provides that both the Commissioner of Titles—who at present is, as is well known, Mr. Shillington—and the Registrar of Titles (Mr. Buchanan) shall firstly decide which documents may, with safety, be destroyed. The Bill also provides that after they have come to that decision, they shall report to the Minister to obtain his approval for this destruction. In that way, there is no possibility that the matter will not be fully considered.

**Mr. Nulsen:** There is no duration given for the holding of the documents?

**Mr. WATTS:** No. I will come to that in a moment. While, as a general rule, no documents less than 30 years old would be destroyed, it is not thought advisable to stipulate any period in the Act because there are some documents of more recent vintage than that, which could safely be destroyed for reasons I shall mention in a moment.

It is considered that the classes of documents which could be destroyed after 30 years, and in a few cases earlier, are discharged mortgages; caveats that have been withdrawn; cancelled Certificates of Title where new titles have been issued; and documents which have been lodged for the purpose of bringing land under the provisions of the Transfer of Land Act.

It might be well to make a passing reference or two to those particular types of documents. The first one is the discharged mortgage. If a mortgage has been discharged for a considerable period of years, particularly up to 30 years, it presents no difficulty at all, because the fact that the mortgage has been in existence and has been discharged will be first noted on the Certificate of Title.

The second—caveats that have been withdrawn—would, of course, present no difficulty at all in similar periods because a caveat is only lodged, to put it shortly, for protection of some claim that the person who lodged it may consider he has, or actually has, upon the land of the person concerned—the holder of the land. When that caveat has been withdrawn, and the withdrawal registered, it is quite obvious that the caveator has lost interest in the property. Cancelled Certificates of Title when new ones have been issued, comprise the third class of document. New Certificates of Title, under the Transfer of Land Act, when issued, provide the party concerned with an indefeasible title. Therefore there is little use in retaining for an

indefinite period the Certificates of Title which have been cancelled in order to provide new ones.

The fourth and last class of document is that lodged for the purpose of bringing land under the provisions of the Transfer of Land Act. Of course there have been, in the main, very few of these of recent years. They have steadily declined since the introduction of the Torrens system of registration. There were considerable areas of land many years ago under the old system, which involved separate documents; and which, in effect, piled one on top of the other, to evidence the title of the person who is the proprietor of the land. But when those documents have been produced to the Registrar of Titles, application has been made to bring the land under the Transfer of Land Act, and that application has been acceded to, once again, the title becomes quite clear; and after a long period of years, there does not seem to be any necessity to give the matter any further attention, except in a few cases—and there the determination of the registrar, the commissioner, and the Minister might be of value.

I have a note here from the registrar to the effect that last year the storage position was relieved somewhat as a result of demolitions necessary for the erection of the new Rural & Industries Bank building, because of the provision of new strong rooms in place of the old ones, and the installation of some modern filing cabinets.

Nevertheless, there is no doubt that accommodation at the Titles Office leaves much to be desired, and the need for further improvement is fully recognised. I have, in comparatively recent times, had a look at the storage position there; and it is obvious—as my worthy friend, the member for Eyre will know—that it is becoming extremely difficult, and some relief on the safe lines suggested by this Bill appears to be absolutely essential.

Members will, I am sure, agree that the hoarding of old records that have no useful purpose should not be encouraged, irrespective of whether there is room or not; but when there is no room, surely we must give consideration to their destruction on a careful basis.

Mr. Nulsen: Will the Historical Society have access to them before they are destroyed?

Mr. WATTS: I doubt whether that would be wise, seeing that the majority of the transactions are between personal individuals; and as some of the transactions have been made within the last 30 years, they would be fairly recent. It might be practicable to arrange for the archivist to have some of the very old ones for that purpose. That is a matter to which we can easily give consideration.

Regarding the other amendment, members will be aware that throughout the world there is an ever-increasing use being made of photographic reproduction of original records. Generally this method of duplication is quicker, cheaper, and more accurate than that done manually. The Bill proposes that, in addition to the certified copies that the principal Act now provides may be furnished, the public may be supplied with photographic and photostatic copies of certificates of title, caveats, powers of attorney, and registered instruments affecting land. Also, where the register book is not readily available, a searcher may be shown a photographic or photostatic copy of the part of the book concerned. I think that what I have said covers the two provisions in the Bill, and I move—

That the Bill be now read a second time.

On motion by Mr. Nulsen, debate adjourned.

## TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

### *In Committee*

Resumed from the 18th August. The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Perkins (Minister for Transport) in charge of the Bill.

Clause 6—Part V added (partly considered):

The CHAIRMAN: It is my intention, if members give notice of moving amendments, to state the numbers of the proposed new sections in view of the fact that the clause is a long one. I think that if I do this, the position will be clarified and misunderstanding avoided.

Mr. JAMIESON: This clause is the meat of the Bill; and before I indulge in any amendments, I wish to make a few comments on the position. The measure was introduced only last Thursday. I endeavoured to have copies of the Bill made available to the local authorities in the region to be covered, in order to get some comment from them. That was done on Friday; but so far I have not been able to get much indication of their outlook. I hope the Minister will indicate that there is no immediate hurry to pursue the measure to its conclusion.

Today I received a letter from the Belmont Park Road Board, which is along the lines I had intended to take in respect of this clause. To show that the letter represents a considered opinion, I intend to read it. It is addressed to me, and is dated the 19th August, 1959. It is as follows:—

Subject: Bill for Amendment of Town Planning and Development Act.

Many thanks for the copy of the above left for perusal. It was given a lot of consideration by my board at its

last meeting and whilst a close scrutiny of its provisions was not possible, members felt that the proposal should be opposed on the following broad grounds:—

- (1) Revenue to be raised by means of an increased land tax of ¼d. in the £ is considered unjust. Through very steep increases in land values over the last 10 years, revenue from land tax has rocketed and it is felt that the latest imposition would be felt most by the ordinary householder. Industry, business and the landlord generally can pass on such costs but the householder has to carry same.
- (2) The exemptions from rating proposed are considered unnecessary. The owners of the land used for such primary industries, especially in town-sites, etc., will derive very substantial benefits from increased values as subdivision becomes possible. The unearned increment, non-taxable, on the resale of the land will adequately cover any inconvenience caused by the regional scheme.

If such exemption were restricted to the "green" belt or area to be retained for "rural" and "open space" uses under the scheme some justification for exemption would exist.

The exemption from rating would assist the perpetuation of dairies, piggeries, poultry farms, etc., enjoying non-conforming use rights in zoned residential areas where their presence is already a retarding influence on the residential use planned for such land.

My board desire me to express their appreciation of the courtesy shown by you in seeking their comments on the proposed legislation.

(Sgd.) W. G. KLENK,  
Secretary.

Had we been given a little more time, no doubt some of the other authorities would have sent in their comments. I was very much against the exemptions in the latter part of the clause. I wonder whether the members for the more built-up areas—the member for West Perth; the member for Subiaco; the member for North Perth, and so on—are going to complain; because, after all, their electors will all have to pay this tax, whereas quite a number of the people in my area will not have to pay it if the exemptions

are granted. On the other hand, I feel they should pay it. For instance, Messrs. Wilson & Johns—big nurserymen—get a considerable revenue from the land they use.

Mr. Evans: And the poultry farmers.

Mr. JAMIESON: Yes; they could probably be considered. I refer also to the dairy farmers. Much of the land immediately behind Boans Emporium at Cannington will be exempt, because a few cows are running there. Within a year or two of the implementation of this legislation, that land could be subdivided and provide a handsome dividend to the people now holding it.

Some aspects of the Bill are rather ill-conceived when we realise that the people in the less built-up areas, such as Cannington, will be earning an increment, and those in areas such as West Perth will derive no increment. I do not think the member for West Perth, or the taxpayers in his area, will appreciate that.

I suggest that the Minister allow us some time in order that we may ascertain the attitude of the local authorities. After all, they are the ones primarily concerned in the zoning and developmental aspects of the legislation. I wish to indicate my opposition to the taxing exemption; as a matter of fact, I am opposed to the whole of the taxing measure at this juncture.

Mr. PERKINS: When the Bill was last before the Committee, I was anxious to have a general discussion so that I could be informed of the opinions of members; and so that, in turn, I could discuss those opinions with the technical officers of the department. I think the member for Middle Swan misunderstood what I was doing on that occasion, because on another matter he made some criticism of me.

Mr. J. Hegney: It was the member for Hawthorn; not the member for Middle Swan.

Mr. PERKINS: I apologise to the member for Middle Swan. The Bill is a technical one, and I am not the Minister for Town Planning, so I am not as conversant with the details of the measure as is the Minister who is in charge of the department. In these circumstances, it is important that if matters of principle are involved, I should discuss them with the Minister and with the department.

We have previously had an extensive discussion on clause 6, which is the meat of the Bill. I suggest that where purely drafting difficulties are concerned, and no matters of principle are involved, we could well—after members have raised such points—leave the questions to be investigated by the Minister in another place; and if he finds any difficulties, the appropriate amendments can then be made. Of

course, it is to the interests of members on both sides of the Chamber to see the drafting does exactly what it is aimed to do.

The member for Melville raised the question of the suspension or dismissal of a member of the board. The officers of the department are not absolutely sure whether the subclause is appropriate, as it stands. I do not think there is any question of a principle involved here; it is just a matter of having the drafting in proper form. We can well leave that to the Minister.

There could, however, be some difference of opinion on the question of rating. I am informed by the officers of the department that the Bill, as presented to us, is exactly the same—with only minor differences—as the one which passed this Chamber in 1957. Presumably the local authorities had the opportunity of seeing the Bill on that occasion; and a period of two years has since passed. If there are differences of opinion regarding the principles of rating to implement the town planning legislation, surely we should have heard something about them in the meantime.

I cannot help feeling that some of the points raised by the member for Beeloo indicate that the members of the local authority he referred to have not quite grasped the purposes of the Bill. As the previous Minister for Town Planning indicated when he introduced the measure to Parliament in 1957, this Bill only aims to implement the Stephenson Plan. We have all given lip service to that plan; and surely if we say it is a desirable one for Perth, we must pass the necessary legislation in order to implement it!

The tax will not bear heavily on any individual landowner; this is very small. But some revenue is necessary in order to implement the plan. When the Stephenson Plan is eventually implemented, some land in the metropolitan area will become more valuable while other land will decrease in value, and this tax is the means of maintaining equity between those who will be affected detrimentally and those who will receive some benefit.

The Bill is exactly the same as the one which was introduced in this Chamber in 1957 by a Government composed of members opposite; and which, as far as I can remember, was accepted by all members without much opposition. Since 1957 there has been no material alteration in the position of one landholder as compared with another, and I consider I am justified in assuming that the Bill should still be the appropriate legislation for the purpose for which it was introduced.

MR. MOIR: I cannot let the Minister's remarks pass without some comment. He stated that the Bill was on all fours with one brought down in 1957, and that the

local authorities would be perfectly conversant with it. But there is a vital difference so far as the local authorities are concerned. The present Government, which was in opposition in 1957, was strongly opposed to the taxation principle of the Bill introduced at that time. Members opposite opposed it in the Committee stage, and strongly opposed the clause under which the tax was to be imposed. The present Minister for Works moved an amendment which was supported by the present Premier and the present Minister for Railways. So the local authorities had every right to believe that the Bill to be brought down by this Government would follow on the lines those members expounded in 1957.

Now that the then Opposition is the Government it has an opportunity of bringing its own ideas forward. It is not here to bring forward the ideas of the previous Government. Otherwise, why did it ask the electors to change the Government? I think it pertinent to read some of the remarks made at that time by the present Minister for Works when he opposed the taxing provisions of the 1957 measure. In Vol. 3 of *Hansard* for that year, at page 3577, the present Minister for Works is reported as having said—

I intend to oppose this clause and, at a later stage, move to insert a new clause because I consider that already we have land tax being collected from people all over the metropolitan area and also in the outer regions, and the Government is getting its fair share of taxation now. We have already established the principle that £100,000 should be set aside from the land tax collections for the eradication of vermin. So we would not be departing from that principle if, instead of taxing these people 1d. in the £ on unimproved land, we were to take from this fund £100,000 or some such sum as is approved by the Treasurer, to establish this fund.

I know that 1d. in the £ does not sound very much when one says it quickly, but I have had discussion with people in Como, South Perth and other suburbs where the land carries reasonably low values. The owners of that land are going to pay only 30s. or 35s., but, nevertheless, all these imposts add up. In view of the fact that these people are already being taxed on their land—especially when the Commonwealth Government withdrew from this taxation field—I do not think they should be asked to carry this extra impost.

The other gentlemen whom I have mentioned spoke in a like vein. To some extent the present Minister for Transport could be exonerated, because when the vote was taken he was paired, but with

the "Noes". So probably he did not know what was going on. On that occasion those who voted against the clause were—

Mr. Ackland	Sir Ross McLarty
Mr. Bovell	Mr. Naider
Mr. Brand	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Mann	Mr. I. W. Manning
Mr. W. A. Manning	(Teller.)

All those members were totally opposed to any taxation being imposed on the people in the metropolitan region for the purpose of carrying on this authority. Yet the Minister now says that there should be no objection to it! He is also mystified as to why there should be any opposition from the local governing authorities. Naturally they believed that unless something of importance occurred in the meantime the Government would not change its mind, and that those who opposed the provision in 1957, having now become the Government, would exclude that proposal in the legislation they introduced. The views of the Opposition at that time were that the money should be paid from the Treasury, and that there should be no taxation.

I have already mentioned that there is no inconsistency so far as we are concerned, because we have heard something in the meantime which has caused us to change our minds. I refer to the public statements made, both during the election campaign and at other times, by no less a person than the Premier. He said that he would reduce land tax, and not increase it.

Who are the fortunate people in Western Australia who will benefit by the decrease in land tax which the Premier talks about? The people in the metropolitan region will have to bear a fairly severe impost by way of land tax under this proposal. I thought I should point those facts out to the Minister.

Mr. PERKINS: I do not know that the member for Boulder has proved more than that some members on this side have seen the light. It seems fairly obvious from what he says that members on the other side have not changed their minds as to the desirability of this legislation, or of the necessity to accumulate the money from land tax; but the honourable member takes exception to the Premier making some statement about not increasing land tax.

It is fairly obvious that this must be a self-contained measure. It aims to do a specific thing, and the fund accumulated by the tax will be used to carry out the various objectives of the legislation. The Premier did not make the statements on an official occasion; and when it comes to a point of stating what the Government

will do, particularly in regard to financial matters, such a statement can be made only in this Chamber.

Mr. Moir: What about the election promises?

Mr. PERKINS: I know of some election promises made by Governments composed of members opposite, and those promises were never carried out.

Mr. W. Hegney: Name one.

Mr. PERKINS: As regards the legal position, the only thing that counts is what is said in this Chamber.

Mr. Moir: The Premier repeated it the other night.

Mr. PERKINS: It will be necessary to get the Estimates passed; and when the debate takes place on the necessary financial measures, members will know exactly what the Government has finally decided.

Mr. Moir: You can't wriggle out of it that way.

Mr. PERKINS: Until that happens, the Government's financial proposals will not be known. It is not appropriate to try to link up some statements which the Premier made outside of this Chamber with what is now proposed in this measure. I can only repeat that this must be self-contained legislation.

It is illogical to try to pass legislation like this and then leave it to the whim of Governments to provide the finance to implement it. That would not be appreciated by the technical authority concerned with town planning. It is important that we take proper steps to implement the Stephenson Plan. As the member for Boulder indicated, members on that side of the House supported, to a man, proposals that were brought before this Chamber on another occasion. It would be illogical for them to adopt a different attitude now. If some of us on this side have changed our minds, it is for members opposite to criticise us. Apart from that, we have seen the light! I hope political differences will not jeopardise the passing of effective legislation to implement the Stephenson Plan.

Mr. TONKIN: It is remarkable that something which the Minister and the members of the Government could not see a short time ago is now, according to the Minister, perfectly obvious. The explanation is that they have seen the light. Never before in my experience have so many men seen the light at once. Members of the Government attempted to prevent the previous Government from obtaining finance for a measure which the Minister now says must be a self-contained measure. He says it is obvious that it must be self-contained. How has it suddenly become obvious to members of the Government that money is needed for

this purpose? There is a complete *volte face* on the part of members of the Government.

We agree that money should be made available. But we say it does not make sense to impose a further tax which the members of the Government previously thought was unnecessary, when the Government has already announced its intention to give relief from taxation under three headings. It makes no difference whether the Premier made that announcement in this Chamber on this Bill, in his policy speech, or to a meeting of the L.C.L. He does not deny that it is the Government's intention to give relief on probate duty, entertainments tax, and land tax.

To do that he must forgo revenues now received by the Treasury, because to give relief from taxation will not mean a shifting of the burden; he will actually reduce the amount of revenue received from those three sources. I have not heard one single argument in this debate to justify the imposition of a further tax before detail is supplied as to the nature of the relief to be given.

Mr. Perkins: This tax is for a specific purpose.

Mr. TONKIN: It is still to be imposed upon the people who must pay for it out of their pockets. My objection is that the Government intends to put money back into the pockets of certain people. We do not know who is to get the major portion of the benefit. It could be the large city landholders—who are already well off—who are going to get substantial relief from taxation; and we are asked to impose a tax on pensions without knowing the nature of the relief to be given. If the other measures were introduced first, and we could see who was to get the relief from taxation, our views might be different on this proposition.

But we are asked to impose a land tax on all city lands, exempting some rural lands, but not exempting blind pensioners, old-age pensioners, or invalid pensioners. The Land Act does exempt those people; and as they are exempt already, they will get no relief from the Government's proposal to reduce land tax. So there is a section of the community which will get no benefit from the Government's intention to reduce land tax, but which will have to pay this tax.

Mr. Watts: I think you are wrong.

Mr. TONKIN: The Minister will have the opportunity to point out how; and I will be delighted to hear him, because the land tax today provides for exemption for certain pensioners.

Mr. Watts: I agree with that; but I say, "So does the Bill."

Mr. TONKIN: No it does not. But I will be glad to learn it does.

Mr. Perkins: I think you are wrong.

Mr. TONKIN: The Minister only thinks I am wrong because the Attorney-General has said so.

Mr. Perkins: There has been a lot of discussion about it.

Mr. TONKIN: The Minister has not made a single utterance until now on this point.

Mr. Perkins: There is an amendment with which we will have to deal.

Mr. TONKIN: But it is not in the Bill.

Mr. Perkins: It is the amendment of the member for Boulder.

Mr. TONKIN: But it is not in the Bill.

Mr. Watts: It is not going to be, either.

Mr. TONKIN: Where do we stand now? The Attorney-General said I was wrong in stating that old-age, invalid, and blind pensioners were not paying land tax now, but they will pay this tax. Before we take a vote on this clause it should be shown where the Bill provides that pensioners will not be subject to this tax. I have not seen such a provision up to date.

Mr. Perkins: The Attorney-General has a Crown Law opinion on it.

Mr. TONKIN: When did he get that?

Mr. Perkins: Since the Bill was before us last.

Mr. TONKIN: Apparently the Minister was not too sure when he introduced the Bill.

Mr. Perkins: The matter was raised here, and I wished to fortify myself on it.

Mr. TONKIN: It is helpful to have a Crown Law opinion, but it does not prove that the provision is there.

Mr. Watts: There is a clause in the Bill that is helpful in that direction.

Mr. TONKIN: The Government previously said it was not necessary to impose a special tax, and its members voted accordingly. Now it says it is necessary, and also contemplates giving relief in taxation to people in several categories. We feel the Government is not justified in imposing this tax until it discloses the nature of the relief it is proposed to give other taxpayers, because people not entitled to taxation relief could very well be given relief; and then, to make up sufficient funds for the functioning of this authority, the Government will impose a tax on some other people.

That would be difficult to justify, if it could be justified at all. It does not impress me when the Minister says members of the Government have seen the light, because some of them will never see the light. It then means they were playing politics, and playing it strenuously, in order to embarrass the previous Government, when they voted against the taxation provision in the Bill which the Hawke Government brought down.

Mr. HEAL: What an amazing statement the Minister made when he said that he and his Government had seen the light!

Mr. Watts: Not nearly as amazing as some of the statements you make.

Mr. HEAL: Nor as amazing as some of those made by the Attorney-General.

Mr. Brand: What is more, your words have been enlightening.

Mr. HEAL: The Premier also made some amazing statements when this matter was discussed in 1957. The Government is playing politics. I would like to refer to what the member for Murray had to say on a similar matter in 1957. We know how astute the member for Murray is on Treasury matters. At page 3579 of *Hansard* No. 3 for 1957 the member for Murray said—

The member for Dale has some justification for opposing this clause. We all know that there has been a very steep increase in land tax, particularly on land in those areas which this Bill covers. The Treasurer has told us that this year he expects to receive £1,330,000 in land tax; an increase of £322,000 over and above the amount obtained in the previous year. However, I believe he will receive much more because of the greatly increased values and, as we know, many people in this area, particularly business people, have been shocked by the amount of extra tax they are called upon to pay.

*Sitting suspended from 3.45 to 4.3 p.m.*

Mr. HEAL: I will continue reading the remarks of the member for Murray when the debate took place in 1957. They are as follows:—

The member for Dale has suggested that £120,000 should be set aside from the land tax at present collected for the purposes as outlined by the Minister when introducing this Bill and which he has further explained when speaking to this clause. The Minister has said that 1d. in the £ is a very small tax, yet it means an additional impost of £127,000 on the people. That amount is not so small when we take into consideration the very heavy tax which landowners are paying at present. Instead of adding to their burden, it is time we thought of giving them some relief from tax payments.

If the member for Murray, a former Premier and Treasurer, could make those statements, the members who sit behind him should take some notice of them.

Mr. Watts: There is no-one to take notice behind him.

Mr. HEAL: It will be interesting to see if the member for Murray has any further comments to make in relation to this debate. On page 3579 of the same *Hansard*, Mr. Court—who is now the Minister for Railways—interjected as follows:—

It is fast coming to the stage when the next straw of taxation will break the camel's back. It was £80,000 for stamp duty on cheques, and now another £127,000 is contemplated.

The present Minister for Railways voted against this clause when he was in Opposition in 1957. As the Minister stated, apparently all those members are going to see the light and support the clause now. The Deputy Leader of the Opposition has explained the position of members on this side of the House and has given the reasons why we are going to vote against this clause.

During his policy speech—and no doubt it was said by other members on that side of the House—the Premier said that he would reduce taxation if returned to power. His Government was returned with a small majority, but we are still waiting to see what taxes will be reduced. It will be interesting to see whether the new members for Leederville, Canning, and North Perth support this clause. In the main, it is the electors of members who represent the closer metropolitan seats who will have to pay this tax.

A certain member of this House is conducting a poultry business on his land, and I do not see why he should be exempt from paying 1d. in the £ land tax. He is gaining value from his land—rightly so—but he should be one of the first to pay tax instead of its being confined solely to people in the closer metropolitan area. I hope members will express their views on this matter, especially those who represent the closer metropolitan seats. If the measure passes this House I hope it will be opposed in another place.

Mr. WATTS: I am sorry the member for Melville is not here, because the matter I wish to refer to is that which I mentioned by interjection when he was addressing the Committee a few moments ago. It is in regard to the situation that exists under this Bill concerning exemptions from the payment of tax.

When the member for Boulder first made reference to this matter and subsequently placed upon the notice paper an amendment for consideration dealing with the question of exemptions for widows, pensioners, and the like, I formed the opinion that it was not necessary. I thought I would not inflict upon the Committee my own unaided views on the subject, but would discuss the matter with the responsible officer of the Crown Law Department with a view to ensuring that the point of view I was about to express was soundly based. I have received, in my discussions with that officer, confirmation of the view



which I have formed; and that is based on the provisions of part of this clause in new section 73, subsection (2) on page 27. It says there—

For the purposes of this Act the provisions of the Land Tax Assessment Act, 1907, relating to land tax and land so far as they can be made applicable with all necessary modifications or adaptations apply to the Metropolitan Region Improvement Tax and land situate within the metropolitan region.

It is quite clear, in view of the wording of that section, that it is and was intended that such provisions as exist in regard to the assessment of land tax under the Land Tax Assessment Act, 1907, should have relation to the assessment of the metropolitan improvement tax which is proposed in this Bill.

If one looks at the Land and Income Tax Assessment Act, which imposes land tax in Western Australia, one will find that by the amendment of 1945, land held by any pensioner under the Invalid and Old Age Pensions Act of the Commonwealth; any person who is in receipt of a widow's pension under the provisions of the Widows' Pensions Act of the Commonwealth; and any member of the forces within the meaning of the Australian Soldiers' Repatriation Act of the Commonwealth who is in receipt of a service pension under the provisions of Division 5 of Part III of that Act is exempt from the payment of land tax.

In 1956 an amendment was made to the principal Act by adding the following to section 10:—

Any widow or a member of the Forces within the meaning of the Repatriation Act, 1920-56 (Commonwealth Act) or of that Act as amended at any time, or by a widowed mother of an unmarried member: Provided that this subparagraph shall not apply in respect of land held by the widow or widowed mother, the total value of which exceeds £5,000, so far as concerns the amount by which such value is in excess of £5,000.

In that case, the Land and Income Tax Assessment Act in respect of a widowed mother of a member of the forces, if in the latter case that member is unmarried, provides for an exemption on the first £5,000, the tax being payable only in respect of amounts over £5,000.

I am satisfied that the provisions in regard to exemptions incorporated in the four subparagraphs which I have recently read are incorporated in and applicable to the provisions of this Bill.

Mr. MOIR: I am grateful for the Attorney-General's explanation. But it does not satisfy me, because subsection (3) is contained, practically word for word, in the Land Tax Assessment Act; yet it was

considered necessary by the Crown Law authorities to include this provision here. There should therefore be no objection to this amendment. I can recall a workers' compensation measure, on which there was disagreement between the two Chambers; and a committee of three members of each Chamber was appointed to resolve the differences. They had with them an officer of the Crown Law Department who redrafted the proviso—with which all members of the committee agreed—and assured them that it would do what he knew they wanted it to do.

That provision was adopted by both Chambers and became law; but I was astounded, later, to find that a judicial body placed an entirely different interpretation on that provision. In view of what I have said, I think the Government should agree to the amendment.

Mr. W. HEGNEY: In answer to a question which I asked, as to the estimated unimproved value of the land which will be exempt from the provisions of the measure in question, the Minister replied that the estimated unimproved value was £10,000,000. Can he tell me whether that £10,000,000 exemption included the unimproved value of the land held by all pensioners who are exempt under the Land Tax Act?

Mr. Perkins: I would not have any idea.

Mr. W. HEGNEY: There is an appreciable number of pensioners in the area concerned, and I think the impression of most members was that they were not exempt from the provisions of the measure; because, as the member for Boulder pointed out, while there is specific reference in the statute to improved pastoral land, and so on, that reference is also in this Bill. I would like to see the whole provision relating to the imposition of the tax deleted. The member for Boulder has indicated that if his attempt to defeat this provision is unsuccessful he will move an amendment to provide for the exemption of a certain section of the community. I do not know whether the Minister seriously thought his argument would influence members on the other side of the House.

Mr. Perkins: The member for Boulder drew that conclusion, but I just said—

Mr. W. HEGNEY: The Minister cannot pass the buck to the member for Boulder. The Minister said, in answer to the charge of having turned a somersault, that most members on the Government side, including the Minister for Works, had seen the light. This can be regarded as a sectional tax; and I recall what happened when the previous Government introduced the land tax legislation. It passed through this Chamber, after strong opposition, and was defeated in another place. I repeat that this is a sectional tax; and I know that in

a large portion of the Mt. Hawthorn electorate, values, as determined by the local authority, have increased considerably in recent years, a large number of those affected being young married couples with small families. The Minister says that a tax of 4d. in the £. on the unimproved value of land is a light one.

Mr. Perkins: How much do you think it will amount to on the average?

Mr. W. HEGNEY: Even 30s. is an extra burden on a young married man earning the basic wage or a little over. It would mean more to him than £30 would to the Minister. There are a lot of young married people in the Canning electorate, and I think they would find an extra 30s. tax quite an imposition.

Mr. Perkins: Why did you support the tax?

Mr. W. HEGNEY: When hit on the raw they interject.

Mr. Bovell: You are the one who has been hit on the raw.

Mr. Brand: Why did you support it last time?

Mr. W. HEGNEY: The Premier made a definite promise, as Leader of the Liberal Party, that land tax would be reduced if he were returned to office.

Mr. Brand: It will be.

Mr. W. HEGNEY: But this is a land tax; and it is being imposed on a section of the community in the metropolitan area. The Premier should postpone this measure until we know what the Government intends in regard to a reduction of land tax.

Mr. Brand: We have stated our policy and are implementing it.

Mr. W. HEGNEY: The Premier has said he will reduce land tax, yet here he is imposing a land tax on a section of the people of the metropolitan area. But there will be certain land exempted. In view of the steep increases in land values, there will be a large section of the community upon whom this tax will fall, and they can ill afford to pay such an extra charge.

The CHAIRMAN: The honourable member's time has expired.

Mr. W. HEGNEY: There will be other opportunities later on.

Mr. TONKIN: This is too good an opportunity to miss to remind the Premier of what his past views were on this very subject; and I quote from page 3580 of Vol. 3 of the 1957 *Parliamentary Debates* as follows:—

I imagine that any tax applying to land will be the means of increasing the total amount accruing to the Treasury.

I accept that statement. That is precisely what will happen with this tax. It is a tax on land, and will increase the amount available to the Treasury. The Premier, who was then the Leader of the Opposition, went on to say—

For that reason, I cannot agree with the Minister for Works that the Government cannot afford to pay the amount required for this scheme out of the funds already received by the Treasurer. It might be as well for the Government, as the Treasurer of this State suggested to the Commonwealth Government, to cut down on some of its extravagances, on costs here and there, and not to meet its obligation by increasing taxation. It should attack this financial difficulty from other angles such as cutting down the cost of Government and doing everything to avoid the increase of the cost spiral.

The vote was then taken. Here are the two positions: On behalf of the Hawke Government I said that if the money was not obtained in this way it would have to come from the Treasury, and it had insufficient money. That is why the Hawke Government said that the tax sought at that time was necessary.

The Premier admits that the Treasury is not short of money now, because it is going to give some away by granting relief on probate duty, entertainments tax, and land tax. In 1957 the Premier and his colleagues were either playing politics very badly, regardless of the interests of the State, and were trying to make it difficult for the Government to govern; or they believed in the line they were taking.

Mr. Bovell: What are you doing?

Mr. TONKIN: I am stating the position exactly as it was and as it is now.

Mr. Brand: He is pouring his heart out for us.

Mr. TONKIN: I have no concern for the Premier or his Ministers, but I have plenty of concern for the State.

Mr. Brand: I take that for granted.

Mr. TONKIN: The Premier must, because it is obvious.

Mr. Bovell: And with a pinch of salt.

Mr. Brand: Would you pay me the same compliment?

Mr. TONKIN: If the Premier would be more explicit in regard to the compliment.

Mr. Watts: That he has regard for the State.

Mr. TONKIN: I wonder, in view of the way men are being sacked, and what happened in regard to the KA wagons, whether there is on the part of the present Government that regard for the State.

The CHAIRMAN: That has nothing to do with this measure.

Mr. TONKIN: But it has plenty to do with the Premier's interjection which you permitted, Mr. Chairman. The position is crystal clear. The attitude of the Hawke Government was that this authority required money if it was to be financial, but the Treasury did not have the money. The then Leader of the Opposition acknowledged that, but suggested that it might be found by cutting down on what he called extravagances; and he and his colleagues voted against the proposal for a land tax.

The situation is not now comparable; because the Treasurer cannot say that he is short of money, as he proposes to grant a relief from probate duty, entertainments tax, and land tax, and those sums of money will be large. I think the Premier will give away far more money from the Treasury than he will obtain from this tax. We have had no indication about that, because the Premier is silent on the point; but I venture the opinion that when the necessary Bills are introduced to grant this tax relief, it will be disclosed that the relief to be given to certain sections of the community will exceed the amount that will be collected by this proposed tax. If that be so, there is no justification for this tax.

I cannot recall any previous instance where a Treasurer proposed a tax on land whilst contemplating at the same time a reduction in land tax. The Opposition proposes to amend this part of the Bill; and if it is not successful, it will attempt to defeat the whole clause.

Mr. HALL: I rise in defence of the blind people who are not able to defend themselves. On the 23rd July, 1959, I asked the Treasurer some questions regarding the exemption for blind persons in the payment of land tax. My questions and the Premier's answers are as follows:—

Mr. HALL asked the Treasurer:

- (1) Are blind persons in receipt of pensions exempt from paying land tax?
- (2) If not, will he endeavour to have provision made under the State Land Tax Assessment Act for blind persons in receipt of pensions to be exempt from land tax?

Mr. BRAND replied:

- (1) No.
- (2) When a review is made of this Act consideration will be given to the sections dealing with exemptions.

In the exemptions provided in the legislation, no provision is made for blind people.

Mr. Watts: Do they not receive invalid pensions?

Mr. HALL: Yes; but there is no mention of blind people in the Act.

Mr. Watts: I have already told you that it covers them.

Mr. HALL: The Act states that unless a person is permanently incapacitated or permanently blind—

Mr. Watts: That means an invalid pensioner.

Mr. HALL: But a person may be blind to the extent of only 75 per cent., and the Premier indicated that such persons are not exempt from land tax. However, the amendment proposed by the member for Boulder, if agreed to, will grant exemption to blind people.

Mr. J. HEGNEY: I propose to vote against this clause because I think it is an unjust imposition on people in the metropolitan area. When the metropolitan area has been referred to in previous Bills, the region has been considerably restricted. In this instance, however, I find that Serpentine and Jarrahdale are to be included in the metropolitan region, together with the road board areas of Darling Range and Mundaring. This points to the ramifications of the Bill.

When one compares the attitude of members on the other side of the Chamber in dealing with different Bills, there is no doubt they are most inconsistent. I well remember the criticism that was levelled by members of the Government, when they were on this side of the Chamber, against the Hawke Government for imposing a land tax, especially on agricultural land. Although that measure passed through this Chamber it was thrown out in another place, and the Treasury was denied approximately £200,000.

We are now told by the Treasurer that there will not be a large impost placed on the owners of land in the metropolitan area. He expects to raise about £120,000 from this tax. However, when it is realised that in recent years tax on land, especially in the metropolitan area, has increased considerably, it will be appreciated that this tax will be a further burden, especially on hundreds of young married men who are endeavouring to meet the mortgage payments on their homes, and other family commitments. The imposition of this tax will not be fair on them.

This town planning scheme will benefit not only the people in the metropolitan area, but the residents of the State as a whole. I agree with the Leader of the Opposition that the money should come from general revenue so that all taxpayers will bear a share of the burden. It is unjust to impose this tax on owners of property in the metropolitan area. It is proposed to grant substantial exemption in respect of agricultural land in the metropolitan area. Some such land is used for grazing race horses. There is some in my electorate. In the metropolitan area there are also tracts of land used for grazing a small number of cows.

If the proposed exemption is to apply to that land, the owners will receive an unfair advantage; because when development progresses, the land will increase greatly in value. When it eventually is subdivided, the owners will receive considerable benefit.

These remarks also apply to land in the metropolitan area which is used for piggeries and nurseries. Everyone knows that today the nurseries do a good business. With development of the metropolitan area, the land now used as nurseries will become much more valuable. Furthermore, as new houses are built, the demand for plants and shrubs grows; consequently, all nurserymen here will have a ready sale and an increasing demand for their products. Yet they are to be exempt from the tax.

No doubt the owner of small tracts of land of one or two acres, on which are planted vines, fruit trees, and so on, will claim to be an orchardist, and so become exempt from the tax. If there is to be a tax, it should be borne by all owners of land in the region. I am not opposing the scheme which is referred to in the Bill, if it is vital to the development of the metropolitan area. I am only opposing the sectional tax.

Mr. BRADY: I move—

That progress be reported and leave asked to sit again.

**Motion put and negatived.**

Mr. BRADY: I hope the Minister will agree to the proposal that this tax be not imposed. It is an unjust tax, particularly as it is to apply to all metropolitan districts. Most of the residents within the Midland Junction Municipal Council district are working men who already are paying taxes on their houses.

Two-third of the land in that municipality is owned either by the State Government or by the Commonwealth. Under the tax proposed in the Bill, is the State Government to pay in respect of land it holds within the Midland Junction Municipal Council district? That municipality is already finding it difficult to meet increasing costs, as only one-third of the land is rated.

Some people, well able to pay the proposed tax, are to be exempt: whilst many of those on the basic wage will be called on to contribute. I protest strongly against this most unjust method of raising revenue. The road board adjacent to the Midland Junction Municipal Council will not have to bear the burden of this tax, because it is not named in the schedule to the Bill. I fail to see how the Midland Junction and Guildford municipalities are to gain anything from this measure. I shall make an attempt to amend the schedule, so that municipalities which stand to gain nothing will be deleted from it.

The Metropolitan Regional Plan is one to benefit big business. Under it big businesses and traders in the heart of the city will have better access to country people, and thereby increase their business. If this tax is to be imposed, it should be on a graduated scale. I cannot understand why land in Midland Junction is to contribute 1d. in the £, the same as land in St. George's Terrace and Wellington Street. What value will the worker living in Midland Junction receive, when compared with the benefits to be derived by owners of land in Perth? If the Minister is to persist with this tax, I suggest that municipalities in the suburbs should be rated at 1d. in the £, whilst those in the city should be rated at 1d. in the £.

Mr. Graham: What about the workers of East Perth?

Mr. BRADY: They can be well looked after by the honourable member. Today I asked a question of the Minister for Works relating to the proposed highway running from Bellevue to Forrestfield and Maida Vale. He stated this will not be built within the next 10 years. If that is the position, why should the residents in the Midland Junction municipal area be compelled to pay into a fund for 10 years when the highway and the by-pass roads will not be built within that time? They should not have to pay any taxation until the improvements in the outer metropolitan area are under way.

People in the metropolitan area have now to pay a tax in connection with the conservation of the Swan River. That is unfair to people living in outlying districts in that area, because they have no representation on the board. I understand that no local authority north of the Causeway is represented on the board, yet the residents in those road districts are called upon to pay the tax. Now they have to pay tax in connection with the regional plan on an unfair scale.

In addition, I heard today that the Water Supply Department was making inquiries in the Midland Junction area with a view to increasing water rates. I protest loud and long against this tax. I am going to vote against proposed new section 73; and when we are dealing with the schedule, I intend to move for the deletion of the Midland Junction and Bassendean Road Boards, because it will be 10 years before they derive any benefits from this unfair tax.

Mr. W. A. MANNING: After listening to the previous speaker, one would think the ideal would be to raise a tax within each road district to pay for the roads built within its area. To my mind, that is a piecemeal method which this Bill is trying to avoid. As I see it, the whole purpose of this Bill is to co-ordinate the interests of the metropolitan local governing bodies by an organisation which the former would control.

The tax is not to be levied for State funds. I draw attention to the fact that the proceeds of this tax will go to the authority which is being set up for the purpose of implementing the scheme. The fund will be known as the Metropolitan Regional Improvement Fund, and it will be controlled by the authority set up under the Bill. Many country districts would like to co-ordinate town planning and regional planning.

Mr. Jamieson: What about paying the tax?

Mr. W. A. MANNING: Local governing bodies, apart from the metropolitan region, pay for their own town planning schemes. Surely if we are to have this co-ordinated effort, a tax must be assessed in some way to pay the expenses of the organisation to be set up, and it should be contributed by the people concerned!

Mr. W. Hegney: Did you oppose this tax a couple of years ago?

Mr. W. A. MANNING: This tax is for a specific purpose and is to be controlled by a specific body. The member for Guildford-Midland suggested that the tax should be graduated. Surely a tax on land is graduated according to the value of the land! I see no point in his argument.

Mr. W. HEGNEY: I am open to correction, but I understand the previous speaker opposed a similar Bill to that which is now being considered by the Committee.

Mr. Crommelin: You supported it.

Mr. W. HEGNEY: I did not say I did not. As explained by the Deputy Leader of the Opposition, the circumstances are somewhat different. I wish to refer to proposed new subsection 73 (1). It will be noted in that particular subsection that the tax imposed by this measure is not for one year. This measure is to have permanency in regard to the sectional tax.

I know that members of the Government, on more than one occasion when in Opposition, opposed taxation measures which were before the Chamber; and they were very anxious to impose a time limit on them. They did so in regard to a measure which had an indirect control over the valuation of land. That was in connection with price control, which had to be brought before Parliament year after year as it expired on the 31st December each year.

This Bill imposes a permanent tax on a section of the people in the metropolitan area as set out in the schedule of the Bill. I wonder whether the Minister could give some explanation in regard to a Bill before another place which has been given a certain amount of publicity. I refer to page 11 of this Bill and the proposed new section 54 which deals with "office of member not office of profit." I have no doubt that the Crown Law Department or the Minister would be able to give strong

reasons as to why the categories referred to in that section should be exempt. However, in fairness to the Committee, I think the Minister should make some explanation.

Mr. Perkins: You people created an uproar yesterday when I suggested you were being obstructive in regard to Government legislation, and yet you have the effrontery to come along and talk like this!

Mr. W. HEGNEY: What does the Minister mean by that?

Mr. Perkins: I will let you be the judge.

Mr. W. HEGNEY: Somebody on the other side of the House said that some members on this side of the House were thin-skinned. I am not thin-skinned even though I might be a bit pig-headed.

Mr. Perkins: You said it!

The CHAIRMAN: The honourable member should keep to the Bill.

Mr. W. HEGNEY: I do not think the Minister for Transport was warranted in insinuating that I was trying to obstruct the passage of this measure. Last Thursday the Minister read verbatim the provisions of the Bill. He did not take his eyes off the transcript. He was not game to, because he was not *au fait* with the provisions of the Bill. I am not criticising him for that; but, as one member mentioned on Tuesday afternoon, the provisions had not been finalised by the Minister until Tuesday. I think that all members are entitled to closely study the provisions of the Bill and the Minister's speech. I might add that I have had an opportunity of perusing the provisions. The parent Act, in section 35, states "except where otherwise provided this Act shall bind the Crown." What I would like to know is: To what extent, if any, would the provisions of this Bill, if passed, be binding on the Crown? I think we are entitled to have that information.

Mr. Watts: Have you looked at section 77 in the Bill?

Mr. W. HEGNEY: Having read the clause, I can say it contains what I wanted to know. Will the Minister now tell me whether the figure of £77,000,000 he quoted today as the value of the unimproved land, includes all land held by local governing bodies?

Mr. Watts: That is exempted under the Land and Income Tax Assessment Act.

Mr. W. HEGNEY: I want to know what land will be liable for taxation, and what will be exempt. The amounts of the local authorities and Crown lands must be included in the £10,000,000.

Mr. Perkins: The estimated revenue was £140,000 a year.

Mr. W. HEGNEY: Yes; I worked that out from the £77,000,000.

Mr. Perkins: I gave that to you. It was one of the ones I mentioned.

Mr. W. HEGNEY: What I want the Minister to tell me is whether the unimproved value of Government lands in the exempt category are included in the £10,000,000. I am not expecting the Minister to explain it fully at this stage, but I think we are entitled to know definitely whether it is or not.

I mentioned something about penalties under section 8 of the principal Act. That section provides that the Minister may, by regulation, prescribe a set of general provisions. It also states that special provision shall, in addition, be inserted in every town planning scheme defining certain conditions.

The CHAIRMAN: The honourable member's time has expired.

Mr. W. HEGNEY: There will be another chance, I hope.

Mr. BRADY: The Attorney-General, when answering the member for Mt. Hawthorn in regard to the Crown being bound, referred to section 77 in the Bill which, in turn, refers to section 65 of the principal Act. What I am concerned about is whether the Crown will have to pay the tax. I can understand the Crown being bound by the scheme, but will the Crown be bound by the taxation? That is the important point so far as I am concerned, and I hope the Attorney-General will think it over and let us know before the debate closes.

Mr. Watts: I thought it over long ago, and the answer is "No."

Mr. BRADY: That is what I am concerned about. In my electorate, two-thirds of the land is held by either the State or the Commonwealth Government, and it is most unreasonable to expect a small municipality to pay this taxation. If that is the situation, I intend to move to insert at the end of the clause the following:—

Provided that taxation referred herein shall not apply to local government bodies in Part B, Group D, for 10 years from date of assent to this Act.

The reason for this is to give the outlying local governing bodies and the hills road boards—such as the Darling Range, Swan, and Mundaring boards—some respite in regard to this clause, because the Minister told me that certain sections of this work will not be proceeded with for 10 years. Why should the people in outlying local governing bodies have to pay the taxation for 10 years without any benefit?

Mr. WATTS: There are just a few remarks I would like to make. One is in regard to a question asked by the member for Mt. Hawthorn to which he has referred on more than one occasion since he asked it earlier today. If the member for Melville would be good enough to have a look

at this question, he will find that the honourable member asked it in a way which renders ambiguity almost a certainty, because he referred to the total unimproved value of land situated within the metropolitan region referred to in the Town Planning Act Amendment Act.

All that he asked for was the total unimproved value of the land in the region. He did not indicate that he wanted to be told the separate value. He then asked what was the estimated unimproved value of the land which will be exempt from the provisions of that Act. I am sure it will be agreed that the question was a little ambiguous.

However, that again raises the question of this matter of exemption from the tax. I have already expressed, not my own opinion so much, but that which has been given after very careful examination, which I requested should be made by the responsible officer of the Crown Law Department. That indicates that there is no question whatever that the exemption embodied in the Land Tax Assessment Act both as to land tax and land are incorporated in this Act.

Neither the draftsman in 1957 nor the draftsman in 1959 is completely without commonsense; and if it were not the fact that this measure covers the same exemptions as are in the Land and Income Tax Assessment Act—then quite obviously they would have been asking the Crown, local authorities, and religious institutions—all of whom are exempted under the Land Tax Assessment Act—to pay this tax.

But of course that was not intended, and is not so. The exemptions which occur in the Land and Income Tax Assessment Act are obviously carried into this Act, as I have endeavoured to indicate previously, under subsection (2) of proposed new section 73, which is incorporated in this Bill. Obviously the same arguments were used and the same principles adhered to when similar legislation was introduced by my friend opposite in 1957; because here is clause 23—as it would be if the Bill had not become an Act—of the Bill introduced in 1957 to make provision for and relating to the planning and development of land in the metropolitan region, the provision of a regional planning authority, and other purposes.

If members examine this, they will find that the phraseology of subclauses (2) and (3) of clause 23 of the Bill of 1957 are identical—word for word, and with nothing else added—with those incorporated in this Bill in subsections (2) and (3) of proposed section 73. So for the purposes of this Act the provisions of the Land Tax Assessment Act, 1907-56, relating to land tax and land, so far as they can be made applicable, and with all necessary modifications or adaptations, apply to the metropolitan region improvement tax and land situated within the metropolitan region.

If members compare that with the provisions in the Bill, which I have previously quoted, they will find them word for word the same—

Mr. J. Hegney: Then how did you oppose it previously?

Mr. WATTS: I am dealing with a legal proposition, and will not be side-tracked. The honourable member does not like being told that the theories he has been raising are untenable—and they are untenable—when we recall the fact that similar provisions exactly were incorporated in the 1957 Bill in regard to this question of exemptions.

The member for Boulder, who unfortunately is not present, made some comment as to why there was special reference to the exemption of improved agricultural land. In my opinion that reference was included, not only in the Bill now before us, but also in the Bill introduced in 1957, because it is slightly different from the phraseology of the exemption in the Land and Income Tax Assessment Act in regard to agricultural land and in both it reads exactly the same. It reads—

Improved land within the meaning of subsection (1) of section 9 of the Land Tax Assessment Act, 1907-56, used solely or principally for the purpose of agricultural, pastoral, horticultural, apicultural, viticultural, grazing, pig raising or poultry farming business.

Those two provisions, as I said, are exactly the same. If it cannot be conceded that the opinion which I have expressed—and which has been supported after careful inquiry at my request by the responsible officer of the Crown Law Department—that under subsection (2) of proposed new section 73 both the land and the persons exempted by the Land and Income Tax Assessment Act are also exempted by this Bill, then my friend opposite must admit, because there is nothing else in the Bill of 1957, that the Bill introduced then did precisely the same; and that is nonsense. We know that the Minister for Works at that time, the present Deputy Leader of the Opposition, introduced that Bill. We know that he did not intend for one moment to make land that was exempt pay tax, and people who were exempt pay tax.

The then Minister was satisfied at that time, as I am satisfied now, that the provisions of subclause (2) of clause 23 of the 1957 Bill were sufficient—as I say they are sufficient now—to exempt that land and those people.

Mr. TONKIN: Usually I have no difficulty in following the Attorney-General, but he made two statements which appeared to me to be contradictory; and I have not been able to reconcile them. He stated that there was sufficient provision in this Bill with regard to certain land because the position was a little different.

Mr. Watts: A little different from the parent Act. It is the same in the two Bills.

Mr. TONKIN: That clears it up.

Mr. JAMIESON: I move—

That progress be reported, and leave asked to sit again.

**Motion put and a division taken with the following result:—**

Ayes—19.	
Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Norton
Mr. Brady	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	
Noes—21.	
Mr. Boveil	Sir Ross McLarty
Mr. Brand	Mr. Nimmo
Mr. Burt	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Lewis	Mr. I. W. Manning
Mr. W. A. Manning	
Ayes.	
Mr. Hawke	Mr. Court
Mr. Moir	Mr. Mann
Mr. Evans	Mr. Cornell
Mr. Kelly	Mr. Naider
Majority against—2.	
Motion thus negatived.	

Mr. JAMIESON: I moved that progress be reported so that we could be given a little extra time to look at these proposals. The personnel of many of the local authorities have changed over the past two years, because there have been two road board and municipal elections. I protest strongly about that part of the Bill which grants certain exemptions, and I think it is wrong that the electors of Subiaco, Canning, and North Perth, for instance—areas which are densely populated—should be obliged to pay for the development of areas in the outskirts of Beeloo and Dale, for example, in which areas many people will be exempted from the tax under this legislation. There is a Minister who lives in my territory; and because certain pursuits are carried on at his property, he will be exempt. Others derive no remuneration from their properties; but because they have a few acres, and do not fall within the categories listed, they will be obliged to pay the tax.

That part of the Bill dealing with exemptions should be withdrawn so that everybody can pay for the regional development. After all, it is a scheme to benefit everybody; and everybody should pay for it. No section of the community in the metropolitan region should be exempt. I can remember an instance at Cloverdale where a rather large poultry farm had closed down; but immediately development took place in the area, it was subdivided, and the person who owned it obtained substantial gain because of the

development that had taken place in the area. Why should somebody in Perth pay for the development in other areas?

Mr. Brand: Wasn't this exemption section in the Act which your Government introduced?

Mr. JAMIESON: It was a Bill; it never became an Act.

Mr. Brand: All right, Clever Dick! Did you support it then?

Mr. JAMIESON: I am dealing with the proposal before us now.

Mr. Brand: Did you support it then?

Mr. JAMIESON: Yes; the same as the Premier opposed it.

Mr. Brand: I didn't oppose it.

Mr. JAMIESON: Yes you did!

Mr. Brand: I did not oppose the exemptions; and that is what you are talking about.

Mr. JAMIESON: The Premier opposed the tax provision, and that is what I am talking about.

Mr. Brand: You are talking about the exemption of agricultural land.

Mr. JAMIESON: It is about time the Premier had another look at the Bill. He does not seem to know much about it.

The CHAIRMAN: The honourable member will resume his seat. There is not to be this cross-fire across the Chamber. The honourable member will address the Chair.

Mr. Brady: Who started it?

Mr. JAMIESON: There is very little else I wish to say.

Mr. Brand: Hear, hear!

Mr. JAMIESON: I do think that we should be given further time to check these matters. I do not know whether people will be happy about the grouping, and one cannot check these things in five minutes. Irrespective of what attitude I might have adopted in the past, my present attitude is that if a metropolitan regional tax is to be levied, there should be no exemptions from it. I stand by that opinion on this occasion.

Mr. OWEN: I think every member knows the provisions of the Bill; but the member for Narrogin put the position very clearly when he said that the people who are in the metropolitan region should be the ones to pay for the development in that area. When anything is done in a road board area, the ratepayers of the area concerned pay for it. Exception seems to be taken to the fact that agricultural land is to be exempted.

Mr. Bickerton: It is more than agricultural land, isn't it?

Mr. OWEN: Many people have bought land adjacent to residential areas—and, on occasions, a little further out—and have been prepared to wait so that the areas could be subdivided and thus provide them with some increment. Many such areas have been subdivided and sold for

big prices. But under the plan, such people will not be able to subdivide into areas of less than five acres.

However, many of those people are taxed not on unimproved land, but as holders of improved residential blocks. There are many places in the foothills which are used for agriculture—and not intense agriculture, either. The member for Beeloo mentioned poultry farms on which persons could make a small living. There might be some excuse for imposing a tax on those people, but only a very low income can be obtained from agricultural lands of a small area.

In some cases agricultural land is used for grazing, but the unimproved capital value of it may be £100 or £150 an acre. The owners of such land already pay up to 1s. in the £. for local government taxes, and they are paying other taxation as well. Actually, they are rated out of existence. A grazier cannot pay £2, £3, or £4 an acre as a tax and still make a living.

Mr. J. Hegney: Are you referring to holding lands?

Mr. OWEN: No; these are farmlands. The owners are not allowed to subdivide their properties to take advantage of the high values which have been placed upon them because they are in close proximity to high-valued residential blocks. It is only right that they should be granted exemption from this tax because, by keeping their land as open spaces, they are playing their part in this town planning scheme by maintaining a green belt around the residential area.

Many of those people could make a fortune if they could sell their land at prices which even workers could afford to pay, but they are denied that return because they cannot subdivide. It is only fair, therefore, that they should be granted exemption.

The member for Guildford-Midland said that the people at Midland Junction would be paying the same amount of tax as those in Perth because the tax will be levied on the unimproved capital value. I cannot agree with him, because the value of the land in the better-class residential and business areas in Perth could be two or three times higher than the land values in Midland Junction. However, although the people in Perth will be paying more tax, they will enjoy the benefit of the town planning in later years. The escarpment and the land round the foothills of the Darling Range will be maintained as a green belt for their enjoyment.

Mr. PERKINS: There are a couple of points I will reply to. The Attorney-General dealt, in considerable detail, with some of the financial aspects. Some of the points raised by various members the other day I discussed with the Attorney-General; and although an opinion was obtained from the Crown Law Department,



the Attorney-General was quite convinced that the position was already protected. The explanation given by him was very clear, and I will not cover the same ground.

The other areas which have been exempted have been referred to by the member for Darling Range. I hope that when this Bill leaves the Chamber and goes to another place, and is then returned here, it will not be subject to further large-scale debate. All the provisions in the Bill have been carefully considered by many expert officers; and unless members can prove that something is definitely wrong with them, I do not feel inclined to accept amendments to the Bill.

The member for Mt. Hawthorn referred to one of the clauses which will afford an opportunity for the appointment to the board of individuals within the widest range possible without their being subject to any bar of accepting an office of profit under the Crown. The clause merely widens the scope, and is not restrictive, so I cannot see any objection to it. It is in accordance with the recommendations made by the appropriate department. In the circumstances, I consider that this clause can be agreed to in its present form, and I hope the Committee will accept it as it is.

Mr. W. HEGNEY: I regret that the Minister has struck this note at this stage. He has implied that the Committee is wasting time; but I do not think any member consciously wastes time, because this is a measure which deserves the widest possible discussion. The Minister is more or less trying to set down another Standing Order. I think it is for you, Mr. Chairman, to determine whether any member of the Committee is acting within the Standing Orders in speaking to any clause.

Let us consider proposed new section 54 that was mentioned by the Minister. Special legislation has been introduced into this Chamber to protect a member of Parliament who accepts an office of profit under the Crown. In one case a member of Parliament was appointed to a board; and my advice was that, although there were no fees prescribed for such appointment, there were fees and travelling expenses allowed, and these constituted an office of profit under the Crown. In the case of municipal councils and road boards, there are certain restrictions about their entering into contracts if they are board members. The Minister should clear up this point. It certainly is not wasting time to raise it.

Mr. Perkins: Not too many of your members are interested.

Mr. W. HEGNEY: That is how the Minister wins friends and influences people.

Mr. Watts: What section are you referring to?

Mr. W. HEGNEY: Before I was interrupted, I was about to refer to proposed new section 58. I would now refer members to sections 8 and 34 of the parent Act. They will see that section 34 deals with regulations. In subsection (2) of proposed new section 58, we also find that regulations may be made by the authority; and in proposed new section 76 the power to make regulations is conferred on the Governor. If this Bill is passed, that will be incorporated in the parent Act. My point is that there would be some duplication. We would have the Minister making the regulations and the authority making the regulations. I presume that if the authority makes the regulations they will have to be submitted to Executive Council before they are gazetted.

Mr. Watts: There are two types of regulations.

Mr. W. HEGNEY: I would draw the Attorney-General's attention to section 8 of the principal Act, which refers to certain powers of the Minister. I have already mentioned that proposed new section 58 deals with the making of regulations.

When the Bill is before us again, I propose to move two amendments. The first deals with the amount which the regulations will prescribe as the maximum penalty. Section 68 prescribes a penalty, by regulation, of £50. We find that proposed new section 58 in the Bill deals with different matters for which regulations may be used from that contained in proposed new section 76. Yet the maximum penalty that can be prescribed under proposed new section 76 is £50. The Minister should have a look at these two aspects. He should consider the impact of the proposed new sections 58 and 76.

Mr. PERKINS: These are only drafting difficulties and do not affect the principle of the Bill. I will discuss them with Crown Law Department officers, and it will be easy to correct errors. Seeing there is no principle involved, we need not worry about making amendments in this Chamber.

Mr. W. HEGNEY: I cannot accept the dictum of the Minister for Transport that there is no necessity to make amendments in this Chamber. That is for the Committee to decide—not the Minister. He wants the motion to be put *hokus-bokus*. The reason why I did not place amendments on the notice paper was that I had only one or two words which I wanted altered.

Mr. Perkins: The only amendment on the notice paper has been put there by a member who is not in the Chamber, and who has not been there for the last half-hour.

Mr. W. HEGNEY: That is not quite fair. The member for Boulder has been absent from this Chamber because of an appointment.

The CHAIRMAN: Order! Members must keep to clause 6 and not refer to the absence of the member for Boulder or any irrelevant matters.

Mr. W. HEGNEY: I accept your view, Sir. The Minister for Transport, by interjection, said the only amendment on the notice paper relevant to the issue was made—

The CHAIRMAN: Order! If the honourable member wishes to dispute my ruling he may take the appropriate action. He will now continue with the Bill.

Mr. W. HEGNEY: If I wish to disagree with your ruling I shall make the decision myself. In view of your statement the other evening and this afternoon in regard to the procedure to be followed, and in view of the announcement by the Minister for Transport, is it proposed to accept any amendment before the one on the notice paper has been dealt with?

The CHAIRMAN: The first member who moves an amendment on this particular clause will be able to do so, and there can be no further discussion on matters appearing in the Bill prior to that amendment. I have made that perfectly clear previously.

Mr. WATTS: In order to save time, I would point out that in regard to the doubt expressed by the member for Mt. Hawthorn as to whether regulations made under proposed section 58 will have to be gazetted or approved, he need have no fear, because section 36 (4) of the Interpretation Act states—

When by any Act it is provided that regulations may or shall be made by any authority other than the Governor, the provisions of subdivisions (b), (c) and (d) of subsection (1), and the provisions of subsections (2) and (3) hereof shall apply to any regulation so made:

Subdivisions (b), (c), and (d) state that any regulation so made shall be published in the *Gazette* and shall have the force of law from the date of such publication, and shall be laid before each House of Parliament within six sitting days. Subsections (2) and (3) contain the provision governing the disallowance of regulations by Parliament. I do not think there is any duplication. As I understand it, the authorities are to prescribe separate sets of provisions within these areas within the metropolitan region of any special character for carrying out the general objects of this scheme.

It is within the power of the authority to make regulations which aim at developing the town planning scheme. Perhaps a word other than "regulation" could have been used, but because it is used here it should be retained. The regulation is made by the Governor under the parent Act and the final clause of this Bill; but the parent Act is for the general administration of the legislation, while the special

provisions in the second last clause of the Bill deal with the forms which may be prescribed. Specific items have been added to the general administrative powers of the Governor. I do not want to put the member for Mt. Hawthorn off the trail, but I do not wish him to waste time. There is no difficulty in either of the aspects I have referred to.

Mr. BRADY: I feel it is necessary for me to give notice of an amendment to prescribe that the Crown shall pay the proposed tax in respect of public utilities and State trading concerns, so as to overcome the difficulties I mentioned earlier where, in the Midland Junction Municipality, two-thirds of the land is under the control of the State and Federal Governments. It is wrong in principle that the Crown should be absolved from paying such tax. In many cases the Crown has already derived a great deal of revenue from the land it held.

I quote an instance involving myself. In 1950 the Government took over four blocks of land which I owned in Bayswater, and I was paid £45 for each block. After 10 years nothing has been done on that land. Recently I made an inquiry as to what it would cost for me to purchase one of those blocks for a member of my family. The Government wanted £250 for it. If the Government is able to make such a huge profit on a land transaction, it should at least pay some contribution to the local governing bodies. The Government will receive great benefits from any development that takes place, and the land held by it will increase greatly in value with the construction of main roads, highways, by-pass roads and bridges.

I ask the Minister to give serious consideration to the other matter I have placed before the Committee; that is, that all local authorities referred to in Group D of the schedule to the Bill be exempt from this tax for 10 years. The outer metropolitan districts are not likely to reap any benefit from this Bill for at least 10 years, and members representing the local authorities referred to in Group D should vote in favour of my suggestion.

Progress reported.

### BILLS (2)—RETURNED

1. Parliament House Site Permanent Reserve (A†1162) Act Amendment.
2. Justices Act Amendment.

Without amendment.

### BILLS (2)—FIRST READING

1. Motor Vehicle (Third Party Insurance) Act and Traffic Act Amendments.

Received from the Council; and, on motion by Mr. Perkins (Minister for Transport), read a first time.

2. Child Welfare Act Amendment.

Received from the Council; and, on motion by Mr. Watts (Attorney-General), read a first time.

House adjourned at 6.8 p.m.