by reason of the fact that he can become an Australian citizen only by "registration," and not by "naturalisation."

There was a similar provision of disqualification in section 39 of the Commonwealth Electoral Act, but that disqualification has been removed and a new section, similar to that contained in paragraph (b) of clause 6, inserted. Clause 7 contains an amendment to section 38 of the Act to facilitate proceedings in regard to actions for non-enrolment.

The amendment in clause 8 is to enable the acceptance of claim cards from eligible claimants who are unaware of their actual date of birth, but who know the year they were born. Section 44 now provides that the date of birth is an essential part of a claim. Clause 15 varies the provisions in section 81 to permit of a deposit on a nomination being made in money, or by a cheque drawn by a bank upon itself.

Clause 17 is to amend section 86 to provide for the returning officer to issue a receipt for each nomination and deposit received. Clause 19 is to amend section 92 to clarify the position in regard to the rejection of postal ballot papers for the reason that the accompanying declaration is not in order. The amendment in clause 23 is to insert in section 114 a provision that no person who is a member of Parliament shall act as a scrutineer at a polling place during the hours of polling.

Clauses 27 and 28 are to amend sections 139 and 140, respectively, in regard to the informality of votes. The amendment in clause 31 reduces from 42 days to 21 days the time allowed under section 156 for an elector to reply to a notice seeking the reason why he failed to vote. The period of 21 days is considered adequate.

Clauses 32 to 36 amend sections 174 to 178 of the Act in regard to electoral expenses. In this Bill the amount allowed a candidate for a Legislative Assembly election has been increased from £250 to £500, and the sections of the Act in regard to the expenses allowed have been redrafted.

Clause 37: The amendment sought in clause 37 is to section 187 to permit of committee meetings being held in a hotel room apart from the section where liquor is normally sold. In some small towns this is the only suitable location available.

Clause 38 is to amend section 189 to cover the position where it has been the normal practice for a candidate to present a certain prize over recent years.

The amendment in clause 39 is to section 190 to make it an offence for any officer or scrutineer to wear a badge or emblem of a candidate or a political party in a polling place.

I will explain the amendments sought in each clause when the Bill is in Committee. I do not think there is any need for me to say any more, except that following the consideration of the first Electoral Bill I went through the Electoral Act with the Chief Electoral Officer, and we picked out a number of things which in his opinion, and in mine, could well be brought to Parliament for consideration; and they are contained in this Bill.

As I have said, the Bill is basically one for consideration in Committee and, with the exception of the second reading, the matters contained therein could most suitably be dealt with in the Committee stage.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

House adjourned at 11.8 p.m.

Legislative Assembly

Wednesday, the 4th November, 1964

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CONTENTS—*continued*

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

BILLS (2): ASSENT

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

1. Electoral Act Amendment Bill.
2. Offenders Probation and Parole Act Amendment Bill.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Bovell (Minister for Lands), and read a first time.

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [4.35 p.m.]: I move—

That the Bill be now read a second time.

This measure is in response to requests by the mining unions at Collie to bring the Western Australian pension legislation

into line with the provisions of the pensions Act in New South Wales in regard to the effect on coal miners' pensions, of workers' compensation payments, and to adjust a situation brought about by the large number of retrenchments in the coalmining industry in this State in 1960. The opportunity has also been taken to amend references in the Act to the Court of Arbitration which has now been replaced by the Western Australian Industrial Commission.

Under present legislation, where a mineworker becomes totally incapacitated because of an injury received in the course of his employment, the lump sum payment for workers' compensation delays the payment of pension benefits until a period ascertained by dividing the workers' compensation payment by the maximum weekly compensation payable under the Workers' Compensation Act has expired.

The proposal contained in this Bill will discount the lump sum payment by any part of such compensation payment used by a worker to purchase a home, redeem any mortgage on his home, or by any amount employed by the worker in the payment of medical expenses incurred by the incapacitating injury, over and above the limit imposed by the Workers' Compensation Act.

These proposals, as previously mentioned, are included in the coal miners' pension legislation in New South Wales and in conformity with that Act it is also proposed that any period of disqualification from receipt of pension benefits because of lump sum compensation payments should not extend beyond the normal retiring age of 60 years.

References to the Court of Arbitration in the Act have been amended to apply in respect of the Industrial Commission. In a previous case which was referred by the Minister to the Arbitration Court, argument was created because no direction was given in existing legislation for that court to have jurisdiction in any dispute referred to the court. In varying the title of the industrial body in this Bill, the opportunity has been taken to clarify the matter of disputes by giving the Industrial Commission jurisdiction to hear and determine any question referred to it.

The remaining proposal in the Bill is designed to alleviate the position of certain workers who were retrenched when the Amalgamated Collieries of W.A. ceased operations in December, 1960. An estimate of the number of workers required in the industry was made at that time; and as a result, there were workers who, from that estimate, could not be reabsorbed into the coalmining industry. These men were paid a refund of contributions, as persons who were unable to be re-employed in the industry under the provisions of section 21(5a) of the parent Act.

Subsequently, it was found that more men would be needed for coal production and some of the workers who were previously regarded as surplus were re-employed. However, under the provisions of the pensions Act, if these workers were over the age of 35 when they were re-employed, they did not qualify for pension benefits on attainment of the age of 60.

It is now proposed that if any worker so affected repays to the pension fund the amount refunded to him on retrenchment in 1960 within three months of the commencement of this legislation and has paid contributions to the fund for a period aggregating not less than 25 years, he will become eligible for retirement benefits on attaining the retiring age of 60 years.

Debate adjourned, on motion by Mr. H. May.

WHEAT PRODUCTS (PRICES FIXATION) ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Wild (Minister for Labour), and read a first time.

QUESTIONS ON NOTICE

TRAFFIC ACCIDENTS

Fatalities amongst Cyclists and Scooter Riders

1. Mr. DUNN asked the Minister for Police:

   What is the number of fatal traffic accidents for the years 1962, 1963, and 1964 in which the person killed was—

   (a) a cyclist, 15 years or under;

   (b) a licensed scooter rider;

   (c) a cyclist or scooter rider?

   Mr. CRAIG replied:

	1962	1963	1964 (½ year)*
(a)	4	3	3
(b)	3	3	1
(c)	12	20	5

   * The latest figures available from the Bureau of Statistics for 1964 are to the end of the June quarter.

HOUSING FOR WOMEN PENSIONERS

Accommodation in Metropolitan Area

2. Mr. GRAHAM asked the Minister representing the Minister for Housing:

   (1) Is it intended to build additional units of accommodation in the metropolitan area for women pensioners?

   (2) If so—

   (a) where;

   (b) to accommodate what number;

(c) when is it anticipated work will commence on construction;

(d) when are they likely to be ready for occupation?

(3) How many women pensioners are currently on the waiting list?

(4) What has been the number of vacancies each year in both the existing blocks of flats since first tenanted?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) (a) Carlisle.

(b) 73.

(c) Approx. mid-January, 1965.

(d) Approx. mid-October, 1965.

(3) 505 eligible applicants.

(4) *Westlea*—2 since completion.

Southlea—4—1st year.
5—2nd year.
4—3rd year.

ROADS TO FREMANTLE

Improved Access

3. Mr. FLETCHER asked the Minister for Works:

(1) Is he aware—

(a) that there will be a progressive reluctance on the part of vehicular-borne passengers to shop in Fremantle unless improved road access is provided in the immediate future;

(b) that Fremantle Chambers of Commerce, ratepayers, councillors, and others are concerned that the multi-million pound shopping centre in course of construction in that city will not be enjoyed to capacity unless road access is improved;

(c) that such delay in better access will be to the detriment of business undertakings, employees, ratepayers, and citizens of Fremantle?

(2) To make possible easy access from contiguous and other areas, including Kwinana, Medina, and Rockingham, will he, while having defence potential in mind, give immediate priority to the installation of the proposed controlled access highway to the City of Fremantle?

(3) If the present deferment of controlled access is related to the yet to be completed Marine Terrace project, is he aware that South Terrace and Marine Terrace could jointly carry controlled access traffic to the city and port of Fremantle?

Mr. WILD replied:

(1) (a) to (c). No. No facts have been submitted to me to support these assumptions.

(2) No.

(3) Deferment is not related to the Marine Terrace project but to the whole question of highway priorities in the metropolitan region, which is dependent on the availability of funds and trained technical staff.

CAUSEWAY LIGHTING

Failures

4. Mr. DAVIES asked the Minister for Works:

(1) Is he aware of the increased incidence of roadway lighting failures on the Causeway recently?

(2) Is there any reason for this?

Improvement

(3) Has any attention been given to improving Causeway lighting?

(4) If so, with what result?

Mr. WILD replied:

(1) Reports from the State Electricity Commission do not indicate that there has been an increase in the incidence of lighting failures.

(2) Answered by (1).

(3) and (4) No. The lighting of the causeway is adequate and satisfactory.

T.A.B. LOCKUP SHOPS

Removal of Form Guides, Newspapers, etc.

5. Mr. KELLY asked the Minister for Police:

Why are T.A.B. lockup shop managers required to remove all form guides and newspapers, etc., from the betting room as from Saturday, the 31st October, 1964?

Mr. CRAIG replied:

It is considered that the provision of newspapers and other literature causes certain types of people to remain on T.A.B. premises for longer periods than is warranted.

POWER STATION FOR KWINANA AREA

Fuel to be Used

6. Mr. H. MAY asked the Minister for Electricity:

Regarding the proposal to establish another power station in the Kwinana area, will he advise if this station will use collie coal or will it be oil burning?

Mr. NALDER replied:

The final decision has not yet been made.

TIMBER MILL FOR COLLIE

Erection by Hawker Siddeley Building Supplies

7. Mr. H. MAY asked the Minister for Industrial Development:

(1) Does he recollect advising me by letter during August, 1964, that the firm of Hawker Siddeley Pty. Ltd. had met with difficulties in securing rail access to the site of the proposed timber mill at Collie and that within two or three weeks he would be able to give me some information which would clarify the timetable in regard to the building of the mill, which was to have been completed during April, 1964?

(2) Can he now give some definite information as to likely date of commencing the building of this mill?

Mr. COURT replied:

(1) Yes.

(2) Progress with the involved negotiations necessary to arrange rail access to the proposed mill site has been more difficult than anticipated.

Until Hawker Siddeley Building Supplies Pty. Ltd. can be assured of rail access, no firm date can be fixed for the commencement of the mill. The company is keeping in touch with the Government, and jointly we are exploring ways of overcoming the rail access difficulties.

FORRESTFIELD SCHOOL

Increased Accommodation

8 Mr. DUNN asked the Minister for Education:

(1) What is the intention of the Education Department regarding the schooling facilities in Forrestfield, in view of the State Housing Commission's activities in the area?

(2) Has consideration been given to building a new school in the area rather than adding to the old existing school?

Mr. LEWIS replied:

(1) A 10-acre site bounded by Edinburgh, Sussex, Harewood, and Wales Streets has been acquired in the new subdivision.

(2) As the existing site is only three acres it will be necessary, as the subdivision develops, to build on the new site and eventually replace the existing school.

KEWDALE-CARLISLE FIVE-YEAR HIGH SCHOOL

Erection

9. Mr. JAMIESON asked the Minister for Education:

(1) Has a site finally been determined for the Kewdale-Carlisle five-year high school?

(2) When is it expected a start will be made on the building of this school?

(3) When is it anticipated the school will be ready for use?

(4) Is it a fact all students leaving the Carlisle primary school this year will have to travel to Midland Junction for their secondary school education?

Mr. LEWIS replied:

(1) Yes.

(2) Mid-1965.

(3) February 1966.

(4) Yes.

LOCAL GOVERNMENT

Rates in Metropolitan Area

10. Mr. JAMIESON asked the Minister representing the Minister for Local Government:

What are the respective rates in the pound struck by each of the metropolitan local government bodies for the current financial year?

Mr. NALDER replied:

Towns and Cities	Unimproved Capital Values	Annual Values
Perth	4⅝	3s.
Fremantle	....	3s. 4d.
Subiaco	....	2s. 6d.
Cottesloe	....	2s. 6d.
Claremont	....	2s. 2d.
Midland	8d.	
East Fremantle	....	2s. 3d.
Mosman Park	....	3s. 1d. (Min. £5)
Melville	3⅜	....
South Perth	6½	....
Nedlands	....	2s. 5d.

Shires	Unimproved Capital Values	
Kwinana	9d.	Industrial and Town Ward.
	6d.	Balance.
Wanneroo	5d.	
Gosnells	4½	Canning Vale Ward. Kenwick Ward Rural.
	5½	Kenwick Ward Urban Area.
	5d.	Maddington Ward.
	4½	Gosnells Ward Rural Area.
	5d.	Gosnells Ward Urban Area.
Canning	5½	
Bayswater	6d.	
Kalamunda	9 1/10	Kalamunda Ward.
	9d.	All other Wards.
Armadale - Kelmscott	5d.	Armadale Ward.
	5d.	Byford Ward.
	4d.	Kelmscott Ward.
	4d.	Roleystone Ward.
Bassendean	7½	
Swan-Guildford	7½	Middle Swan Townsite.
	5½	Gidgegannup Ward.
	4½	Remainder of Shire (except Guildford Ward which is 2s. 11d. on Annual Values).

Shires		Unimproved Capital Values
Belmont	5d.	(Minimum £3.)
Rockingham	5 9/64	Town Ward.
	4 11/64	Safety Bay Ward.
	3¾	Prescribed Area.
	4 44/64	Singleton Ward.
	2d.	Rural Ward. Minimum Assessment £2.
Mundaring	4 9/16	Greenmount Ward Area.
	4 13/16	Swan View Hall Prescribed Area.
	5¾	Darlington Ward Area.
	4¾	Glen Forrest.
	5¾	Glen Forrest Hall Prescribed Area (Inner).
	4 13/16	Glen Forrest Hall Prescribed Area (Outer).
	6¾	Parkerville Hall Prescribed Area in Glen Forrest Ward.
	4 13/32	Mundaring Ward Area.
	5 21/32	Parkerville Hall Prescribed Area in Mundaring Ward.
	4¾	Chidlow Ward Area.
	5¾	Wooroloo Hall Prescribed Area (Inner).
	4¾	Wooroloo Hall Prescribed Area (Outer).
		Minimum Assessment — Wards and Prescribed Areas—£4.
Peppermint Grove	2 9/16	Unimproved Capital Values.
Perth	5¾	(Minimum £5.)
Cockburn....	4¾	

LOCAL GOVERNMENT

Absentee Voting: Abuses

11. Mr. JAMIESON asked the Minister representing the Minister for Local Government:

(1) Did he see a statement attributed to Local Government Secretary A. E. White, made during his address to the Municipal Administration Conference to the effect that "the only way to eliminate the prevalent abuses of absentee voting in local government would be to abolish the system"?

(2) Is he also aware of the further statement that to minimise this abuse "clerks should only give absentee voting applications to electors who would be making a vote, not to people canvassing for votes"?

(3) Does he agree that there is a prevalence of abuse of absentee voting?

(4) Is the proposed action of withholding applications for absent voting from canvassers in accord with the Act?

(5) In any case, what action does he intend to take to overcome abuses of this section of the Local Government Act?

Mr. NALDER replied:

(1) Yes, the Minister saw a Press report of remarks made by the Secretary for Local Government in giving a talk to local government officers concerning the operation of the Local Government Act, and the reference to absentee voting was noted. It must be pointed out, however, that the quotation used in submitting the question omits the very important prefatory word "probably" as reported in the Press.

(2) Yes.

(3) It is believed that there have been some abuses in absentee voting.

(4) Yes.

(5) One local authority has already requested consideration of the absent voting provisions to overcome abuses and this matter will receive consideration in the light of experience.

HOUSING FOR GOVERNMENT EMPLOYEES IN COUNTRY CENTRES

Plan and Cost

12. Mr. GRAHAM asked the Premier:

(1) Has a plan to provide additional housing for government employees in country centres yet been finalised?

(2) What are the basic features and estimated cost of such houses—

(a) up to 200 miles from Perth;

(b) more than 200 miles from Perth?

Rentals

(3) What is the proposed basis of calculating rentals of—

(a) new houses;

(b) existing houses?

(4) If a decision has not yet been made, when can it be expected?

Mr. BRAND replied:

(1) to (4) The Government intends to introduce legislation dealing with this matter during the present session of Parliament and information regarding our proposals will be placed before the House on the second reading of the Bill.

SALARIES

Parliamentarians and Under-Secretaries: Increases Since 1955

13. Mr. GRAHAM asked the Premier:

Since 1955 when members of Parliament were in receipt of a salary of £2,100 and under-secretaries were in receipt of a salary of £2,390, what have been the respective movements of those salaries up to the present time and on what dates did such occur?

Mr. BRAND replied:

MEMBERS OF PARLIAMENT.

Date of Variation	Variation £	New Salary Rate £
1st January, 1955	....	1,340
9th August, 1955	Increase 20	1,360
1st December, 1955	Increase 740	2,100
23rd April, 1956	Increase 20	2,120
29th October, 1956	Increase 20	2,140
19th July, 1957	Increase 20	2,160
7th February, 1958	Decrease 20	2,140
4th August, 1958	Increase 20	2,160
27th July, 1959	Increase 20	2,180
2nd May, 1960	Increase 20	2,200
24th October, 1960	Increase 20	2,220
1st January, 1963	Increase 280	2,500
29th July, 1963	Increase 20	2,520
26th October, 1964	Increase 20	2,540
UNDER-SECRETARIES.		
23rd December, 1954	....	2,390
1st July, 1955	Increase 460	2,850
8th November, 1955	Increase 240	3,090
1st January, 1959	Increase 220	3,310
1st February, 1960	Increase 488	3,798
1st January, 1963	Increase 552	4,350
3rd May, 1963	Increase 134	4,484
4th November, 1964	Increase 20	4,504

Judges: Salaries Prior to 1959, and Present Rates

14. Mr. GRAHAM asked the Premier:

What was the salary prior to the 1959 adjustment, and the salary now proposed respectively for—

(a) Chief Justice;

(b) Senior Puisne Judge;

(c) other Judges?

Mr. BRAND replied:

	Salary prior to the 1959 adjustment	Salary now Proposed
(a) Chief Justice	£4,150 + £60 basic wage adjustment	£7,000 p.a.
(b) Senior Puisne Judge	£3,650 + £60 basic wage adjustment	£6,350 p.a.
(c) Other Judges	£3,500 + £60 basic wage adjustment	£6,200 p.a.

NATIVE RESERVE AT GASCOYNE JUNCTION

Transfer of Site

15. Mr. NORTON asked the Minister for Native Welfare:

(1) Has any decision been reached regarding the moving of the native reserve at Gascoyne Junction to a site adjacent to the town site?

(2) How many natives, on an average, are camped on the present site?

Facilities

(3) What facilities are on the present site in respect of—

(a) water;

(b) toilet facilities;

(c) huts, etc.?

(4) Should a water supply be supplied to the town at Gascoyne Junction, would this encourage his department to supply the native reserve with the facilities which are given to practically all other reserves in the State?

Attendance of Children at School

(5) How many children from the reserve at Gascoyne Junction attend school there?

Mr. LEWIS replied:

(1) No.

(2) There were 16 on the 8th October, 1964, including three unemployed who could transfer upon obtaining jobs. In 1963 the average number was 30.

(3) Nil.

(4) Yes, if natives continue to reside there.

(5) Three on the 8th October, 1964.

RAILWAY PERMANENT WAY

Maintenance Expenditure between Midland and Walkaway

16. Mr. SEWELL asked the Minister for Railways:

(1) What amount of money was expended by the Midland Railway Company for the purpose of maintaining the permanent way between Midland Junction and Walkaway for the 12 months to the 1st July, 1963?

(2) How much money has been expended by the W.A.G.R. on the same section since the takeover of the line by the Government?

(3) What expenditure is anticipated by the Government to bring the mentioned permanent way up to the standard required by the W.A.G.R. for the purpose of main line traffic for the years ended the 30th June, 1965, and June, 1966?

Mr. COURT replied:

	£
(1) Maintenance of permanent way including sleeper renewals	193,163
Maintenance of bridges and culverts	8,499
Re-laying with new 63 lb. rails (£94,427, less credit for sale of old rails £19,957)	74,470
	£276,132
(2) Maintenance of permanent way including sleeper renewals	27,166
Maintenance of bridges and culverts	1,048
Re-laying	10,394
	£38,608

(3) Estimated expenditure for 1964-65 is:—

	£
Maintenance of permanent way including sleeper renewals	137,475
Maintenance and renewal of bridges and culverts	3,750
Relaying	150,000
Reballasting	50,000
New bridge at Upper Swan	30,000
	£371,225

No estimate has yet been prepared for 1965-66.
Figures quoted in (1) and (2) above are exclusive of administrative and inspectorial costs.
The £38,608 in (2) is up to the 3rd October, 1964 and has been included in the estimated total of £371,225 shown in (3).

RAILWAY LINES

Purchase of Rails from Closed Lines

17. Mr. SEWELL asked the Minister for Railways:
(1) Who was the purchaser of the rails ex the closed railway lines from Cue to Big Bell and from Meekatharra to Wiluna?
(2) What was the price per ton paid by the purchaser and what were the conditions of sale?

Mr. COURT replied:
(1) Midalia and Benn Pty. Ltd.
(2) (a) Cue-Big Bell line. £8 11s. per ton for rails, points and crossings and fishplates in position.
(b) Meekatharra-Wiluna line.
Section (i) Meekatharra to 414 mile post from Geraldton. £8 6s. per ton, otherwise as for (a).
Section (ii) 414 mile post to end of line at Wiluna. £6 3s. per ton, otherwise as for (a).

Conditons of Sale:—
(a) The Cue-Big Bell line and section of the Meekatharra-Wiluna line from 414 mile post to Wiluna was sold under options granted under conditions of Tender Board schedule 541A 1964, with prices determined by tender under that schedule. Copy of schedule 541A 1964 will be tabled.
(b) The section of the Meekatharra-Wiluna line from Meekatharra to the 414 mile post was sold by negotiation with similar conditions applying.
(c) An important condition of sale in each case was reservation of rails as would be required to meet local requirements.

With your permission, Mr. Speaker, I would like to table Tender Board schedule 541A of 1964.

The schedule was tabled.

WATER FOR NARNGULU

Laying of Mains: Commencement

18. Mr. SEWELL asked the Minister for Water Supplies:
(1) When is it expected that work will commence on the laying of water mains to supply Narngulu townsite and the proposed abattoirs at Narngulu?
(2) From what source will the water be supplied and what is the proposed route for the main?

Mr. WILD replied:
(1) A decision as to when construction will commence and what route will be taken has not yet been made as the water is not required at the proposed abattoirs before September, 1965.
(2) The source of water initially will be Wicherina.

MOTOR VEHICLE INSURANCE TRUST

Premiums on Private and Business Cars: Differentiation

19. Mr. GRAHAM asked the Minister representing the Minister for Local Government:
(1) Has the Motor Vehicle Insurance Trust given consideration to premiums charged on motorcars used for private purposes being at a figure separate from the charge in respect of motorcars used for business purposes?
(2) If action were taken accordingly, what would be the likely charges?
(3) If the proposals have been examined and rejected, what are the principal grounds?

Mr. NALDER replied:
(1) In 1949 the trust was, in fact, differentiating to a small degree in the premiums charged on cars used for private purposes as against those used for business purposes. The practice was abandoned in 1950 because experience at that time indicated there was no justification for any differentiation.
(2) It is not known what difference in charges could be made if the system were to be introduced.
(3) Answered by (1).

POTATOES

Regulations Prescribing Movement, and Exempted Areas

20. Mr. ROWBERRY asked the Minister for Agriculture:

(1) Do any regulations exist to prescribe the movement of potatoes within the State?

(2) What are these regulations?

(3) Are any areas in the State exempted from the above regulations?

(4) If so, what are these areas?

(5) Do circumstances still exist to justify any such exemption?

(6) If so, what are the circumstances?

(7) Will he undertake to review such circumstances with the object of removing such exemptions if such be necessary?

Mr. NALDER replied:

(1) Yes.

(2) Potato regulations under the Plant Diseases Act, 1914, *Government Gazette* (No. 54), the 16th July, 1958, and (No. 58) of the 1st August, 1962, which prohibits the movement of potatoes from the areas roughly north of a line from Mandurah to Cape Riche into the area south of that line. There is no restriction on the movement of potatoes from the areas south of this line to other parts of the State.

This regulation is designed to prevent the spread of any potato disease from the metropolitan area and other centres which in periods of short supply obtain potatoes from the Eastern States.

(3) No.

(4) to (7) Answered by (3).

STRAWBERRIES

Research into Cultivation in South-West

21. Mr. ROWBERRY asked the Minister for Agriculture:

(1) What research, if any, has the Department of Agriculture made into the growing of strawberries in the south-west of the State?

(2) Does the result of this research indicate that the growing of strawberries could be developed as an economic proposition?

(3) Do climatic and soil conditions in the south-west favour the growing of strawberries?

Mr. NALDER replied:

(1) A number of strawberry varieties have been introduced and after preliminary assessment at the Horticultural Research Station, Stoneville, the more promising ones have been planted for trial at the Manjimup Research Station. Fertiliser requirements and cultural methods have also been investigated at Manjimup Research Station.

(2) Experimental yields obtained from small plots using the best techniques have been promising. However, the practicability of expanded commercial strawberry production would depend on suitable market outlets being available.

(3) Yes, in selected areas.

MASON ROAD IN COCKBURN SHIRE COUNCIL DISTRICT

Grant for Construction

22. Mr. TONKIN asked the Minister for Works:

(1) What is the amount of the Government grant in connection with the construction of Mason Road in the district of the Cockburn Shire Council?

(2) Is the grant from Main Roads Department funds?

(3) If "No", from what funds has it been made?

(4) On whose application was the money made available?

(5) What special circumstances caused the road to qualify for special assistance from the Government?

(6) Is the road being constructed wholly from a special grant made by the Government?

(7) Does the road service a private golf course?

(8) Will any of the money provided be from loan funds which have been allocated to the Main Roads Department?

(9) Is there any precedent for the Government's action in this case?

(10) If "Yes," will he specify?

Mr. WILD replied:

(1) to (3) £4,000. These funds were allocated by the Cockburn Shire Council from a grant made by the Main Roads Department under the heading of "General Allocation". This is a grant made annually to all local authorities (except certain inner metropolitan local authorities) which may be expended at their discretion on their local road system subject to a schedule of works being submitted to the department for approval.

(4) In accordance with the policy outlined in the answer to questions (1), (2), and (3), the Cockburn

Shire Council submitted a schedule of works allocating the whole of the general allocation to the improvement of Mason Road.

(5) The road did not qualify for any special assistance.

(6) No.

(7) Mason Road extends from its junction with Forrest Road (just south of Bibra Lake) to Hale Road, a distance of about seven miles. The present work is the first stage in the development of a road which will ultimately serve to provide access to a large area of land being developed in the Banjip district. The fact that it will also serve a golf course is incidental.

(8) No.

(9) and (10) No precedent has been created. The Cockburn Shire Council exercised its discretion in allocating a grant made available to it by the Main Roads Department for the development of its road system.

ACCIDENTS WITH ELECTRIC WIRES

Number Reported to State Electricity Commission

23. Mr. HALL asked the Minister for Electricity:

(1) How many persons in this State reported accidents to the S.E.C. either on behalf of themselves or other persons as a result of coming in contact with electricity wires adjoining premises, for the years 1962-63 and 1963-64?

Causes

(2) Of the accidents reported for their respective years, how many resulted from uncovered wires, partly covered and fully covered to reasonable safety?

Claims Made

(3) How many claims were made for the years 1962-63, 1963-64, how many successful, how many not successful and the amounts paid on respective claims, either directly by S.E.C. or through compensation channels?

Responsibility for Protection and Coverage of Wires

(4) Who is responsible to ensure that adequate protection and coverage of electricity wires adjoining—

(a) industrial premises;

(b) commercial premises;

(c) household premises,

is carried out?

Mr. NALDER replied:

(1) Reported accidents coming into contact with electricity wires adjoining premises:—

1962-63—Six.

1963-64—Five.

(2) As far as can be ascertained, all accidents resulted from coming into contact with bare aerial conductors, mainly in normally inaccessible positions.

(3) No claims on State Electricity Commission.

No knowledge of any other claims.

(4) The Electricity Act requires that all consumers' electrical installations be in accordance with the S.A.A. wire rules.

It is the responsibility of the electrical contractor and electrical worker to carry out the work in accordance with these rules, and then the responsibility of the consumer to see that the installation is maintained at that level.

24 and 25. *These questions were postponed.*

RESEARCH STATION IN WEST KIMBERLEY

Location

26. Mr. RHATIGAN asked the Minister for Agriculture:

(1) With regard to the proposed research station to be established in the West Kimberley, has a decision been made where this station is to be located?

(2) If so, will he give all details?

(3) If not, when will a decision be made?

Mr. NALDER replied:

(1) to (3) No final decision has yet been taken. When details have been completed an announcement will be made.

COLLIER PINE PLANTATION: FUTURE PROJECTS

Recommendations of Investigating Committee

27. Mr. D. G. MAY asked the Minister for Lands:

(1) Has the committee appointed to investigate the development of the Collier Pine Plantation made any firm recommendations concerning this area?

(2) Apart from the established institutions, what future projects are envisaged for the plantation?

(3) In connection with that area originally set aside for State Housing Commission development known as East Manning, have any

inroads into this area for other purposes been recommended by the committee?

Mr. BOVELL replied:

(1) to (3) The committee is at present examining the whole area but to date no recommendations have been made.

STANDARD GAUGE RAILWAY

East Guildford Resumptions

28. Mr. BRADY asked the Minister for Railways:

(1) Is it intended to resume properties in the East Guildford area for the standard gauge railway?

(2) If so, when will property owners be advised?

(3) How many owners will be affected by resumptions?

Mr. COURT replied:

(1) to (3) A few properties will be affected by the standard gauge railway in this area but the actual properties to be resumed will not be known until details of track alignment have been finalised.

It is anticipated that details will be completed and property owners advised early in 1965.

Operation through West Midland and Survey of Damage

29. Mr. BRADY asked the Minister for Railways:

(1) When will the standard gauge railway operate through West Midland?

(2) Will a survey be taken of residences in West Midland prior to the operation of the standard gauge railway to determine any damage caused by vibration, etc., arising from railway activities?

Mr. COURT replied:

(1) Approximately October 1966.

(2) The method of construction to be used and the type of rolling stock will render such a survey unnecessary.

30. *This question was postponed.*

HOUSING FOR GOVERNMENT EMPLOYEES

Committee's Report: Availability to Members

31. Mr. DAVIES asked the Premier:

(1) Is it intended to make available for the information of members the report of the committee set up to inquire into the position of housing for government employees?

(2) If so, when will this be done?

(3) If not, why not?

Mr. BRAND replied:

(1) to (3) A departmental committee was set up to report to the Government. The Government has given consideration to the report and intends to introduce legislation dealing with this matter during the present session of Parliament. Information regarding our proposals will be placed before the House on the second reading of the Bill.

LAND ADJACENT TO CAUSEWAY

Vesting for Development

32. Mr. DAVIES asked the Minister for Lands:

(1) Relative to my question of the 11th August, 1964, what progress has been made in regard to the vesting of land at the eastern end of the Causeway in the Perth City Council?

(2) What is the cause of the continued delay?

Mr. BOVELL replied:

(1) The examination of the survey of Swan Location 7766 has been completed, but action to reserve and vest the land in the City of Perth awaits the surrender by the council of portion of the area.

(2) The necessary procedures to clarify the various titles of the land, which require surrender of portion by the City of Perth and revestment of the whole of the titles in Her Majesty as of her former estate, has delayed the finality of this matter.

TAXI LICENSE PLATES: TRANSFER

Long-term Leases and Conditions for Approval

33. Mr. GRAHAM asked the Minister for Transport:

(1) Is he aware that in order to overcome the difficulty of transferring taxi license plates, numbers of operators have entered into long-term leases of cars with taxi plates for periods up to 99 years?

(2) Under such conditions, have lessees been permitted to have the plates transferred to their own names?

(3) What circumstances are accepted as being sufficient for approval of transfer to be granted?

Number of Cases and Refusals

(4) How many such cases have there been?

(5) How many have been refused?

Mr. CRAIG replied:

(1) Yes.

(2) No.

(3) The transferee must be of good repute and a fit and proper person to operate a taxi car, and the transferor must have held the taxi-car license for five years. However, if extenuating circumstances can be proved, this period may be shortened.

(4) Eight.

(5) None. One application has been deferred.

QUESTIONS WITHOUT NOTICE

T.A.B. LOCKUP SHOPS

Removal of Form Guides, Newspapers, etc.

1. Mr. KELLY asked the Minister for Police:

This question arises out of an answer given by him this afternoon to question 5. Why are only lockup shops brought under the regulation to which I referred in that question?

Mr. CRAIG replied:

To be quite frank I would not know. However, I will undertake to find out for the honourable member.

TRAFFIC OFFENCES

Publication of Names of Juvenile Offenders

2. Mr. HALL asked the Minister representing the Minister for Child Welfare:

(1) Is he aware of the article published in *The West Australian* today, the 4th November, headed "W.A. Acts on Road Louts"?

(2) If the answer to (1) is "Yes", can he advise, as the Minister representing the Minister for Child Welfare in this Chamber, whether the Minister for Child Welfare has adopted the same attitude and outlook by allowing the names of juveniles tried for traffic offences in the Children's Court to be publicised as recently revealed?

(3) If the answer to (2) is "Yes", will he, as the Minister acting on behalf of the Minister for Child Welfare, undertake to get the Minister concerned to make a statement so that the general public will be acquainted of the reasons for such releases of the names for publication?

Mr. CRAIG replied:

(1) Yes.

(2) No. The publication of the names was authorised by the magistrate acting under the authority given to him in section 23 of the Child Welfare Act.

(3) Answered by (2).

3. Mr. HALL asked the Minister representing the Minister for Child Welfare:

Who are the public to approach for enlightenment as to the reason for the publication of the names if the Minister is not prepared to accept the responsibility?

Mr. CRAIG replied:

I will direct the question to the Minister for Child Welfare.

MARRIED PERSONS (SUMMARY RELIEF) ACT

Proclamation of Part V

4. Mr. EVANS asked the Minister representing the Minister for Justice:

Could he please advise the reason why part V of the Married Women's Summary Relief Act of 1960 has not yet been proclaimed? Could he tell me the intention of the Government as to the future operations of part V of the Act?

Mr. COURT replied:

I thank the honourable member for giving notice of this question so that a considered reply could be given to this rather technical matter. The answer is as follows:—

Assuming that the honourable member is referring to part V of the Married Persons (Summary Relief) Act, 1960, provision was made for the proclamation of this part to be delayed, until an opportunity might be afforded of seeing how similar provisions in the Matrimonial Causes Act, 1959, of the Commonwealth, were operating.

Despite the fact that, under the Commonwealth Act mentioned, an attachment of earnings order may be obtained without the consent of the defaulting party, this mode of enforcement appears to have been invoked in this State, in four instances only, since that Act came into operation, in February, 1960. The last of these was in January, 1963.

As, under the provisions of the Married Persons (Summary Relief) Act, 1960, an attachment of earnings order could, if the part were proclaimed, be obtained with the consent of the defaulting party, only, it does not appear, in the light of our experience under the Commonwealth provisions, that its proclamation would serve any useful purpose.

DARRYL BEAMISH CASE

Confessions of Eric Edgar Cooke: Availability of Departmental File

5. Mr. HAWKE asked the Premier:

Has he yet been able to give the further consideration he mentioned yesterday to the question of the laying on the Table of the House certain papers in connection with the Darryl Beamish case; and in particular Crown Law Department part file No. 4641/61/1?

Mr. BRAND replied:

I have discussed with the Minister for Justice the specific file mentioned, but have not come to a final decision.

In connection with the matter which I said I would have a further look at, and which I think dealt with Eric Cooke's alleged confession, and papers being made public, I am told that the confessions were verbal. There are no written confessions. The first confession was made to the prison superintendent (Mr. Cant) who, in turn, advised the Comptroller of Prisons (Mr. Waterer). This information was passed through the Chief Secretary to Cabinet, and Cabinet decided that the only information was that there was a further confession which should be passed on to the solicitors for Beamish. This was exactly the same procedure as in the case of the alleged confession to the Rev. George Jenkins. Mr. Jenkins is alleged to have made some statement in the Press today. The information that I have is that there are no written confessions at all; they are all verbal.

6. Mr. HAWKE asked the Premier:

A copy of the statement made by the person concerned in this Crown Law Department part file was made available to Darryl Beamish's solicitors, and I would ask whether this was made available to his solicitors on a strict basis of its remaining confidential with the solicitors?

Mr. BRAND replied:

I cannot say. I would like to report to the House that it is not the desire of the Government to hide any information in this regard; but I do not consider that this Chamber is a proper place for such questions and cross questions to take place on this subject. I am sure it has been the practice over many years that files containing information which is the result of investigations by the C.I.B. should not be made public; and by laying such files on the table of the House we would make them public.

Mr. Tonkin: What is wrong with making this public?

Mr. BRAND: However, to show the confidence we have in the matter, we have made certain papers available on a confidential basis. I do not know whether the information referred to by the Leader of the Opposition was conveyed to Beamish's solicitors on a confidential basis. This was done through the Minister for Justice and the Crown Law Department. I am willing to find out, however, and pass the information on. We can then take it from there.

7. Mr. HAWKE asked the Premier:

I would point out that the Crown Law Department part file in question was made available to me on a completely confidential basis.

Mr. Brand: That's right .

Mr. HAWKE: Therefore I am anxious to know whether the same condition was placed upon the solicitors of Darryl Beamish to whom some of the information on the file was made available.

Mr. BRAND replied:

I am not in a position to know. When I find out I will pass the information on to the Leader of the Opposition.

HOUSING FOR WOMEN PENSIONERS

Minister's Press Announcement of Plans

8. Mr. GRAHAM asked the Premier:

I would draw the Premier's attention to question 2 on today's notice paper. I would also refer him to page 2 of this afternoon's *Daily News*, and ask him whether he would speak to the Minister for Housing in view of his paltry attitude in making an announcement in respect of pensioners' flats, and for deliberately racing to the afternoon paper for the purpose of publishing in the paper a notification to the public prior to a member of the Opposition asking questions and receiving the answers to such questions in relation to this matter. Would he suggest to such Minister that he has at least a moral obligation to have some respect for Parliament and private members?

Mr. BRAND replied:

I am sure it is recognised that the Minister in his authority is free to make such announcements as he considers fit and proper at any time.

Mr. Graham: Yes, of course.

Mr. BRAND: If the honourable member for Balcatta considers that the Minister for Justice has beaten the gun, I would respectfully suggest that if the honourable member were in a similar position and had an announcement to make, he would make it.

9. Mr. GRAHAM asked the Premier:

Would the Premier refresh his memory by turning back the pages of *Hansard* wherein Dame Florence Cardell-Oliver, as Minister for Health, took the same action as the Minister for Housing has taken today, and as a consequence of which the then Premier (The late Honourable Sir Ross McLarty) undertook to speak with that Minister and with other Ministers so that there would not be a repetition of such action?

Mr. BRAND replied:

I will have a look at *Hansard*, if I have time.

Mr. Hawke: If you are addressing the Speaker, why not stand up?

NATIVE RESERVE AT GASCOYNE JUNCTION

Facilities on Existing Site

10. Mr. NORTON asked the Minister for Native Welfare:

When answering question 15 relative to the native reserve at Gascoyne Junction the Minister said that there was no water or toilet facilities on the reserve. He also said that in 1963 there was an average of 30 people resident there. This year, on the 8th October, he said there were 16 people there—three were unemployed and three were school children. Does the Minister consider it right for an average of 30 people residing in one area with no water or toilet facilities? Is that right from a health point of view? Does he also consider it right that children attending school should not have water or toilet facilities provided in the place in which they live; and would he take immediate steps to remedy the position?

Mr. LEWIS replied:

I can only say that this state of affairs is not desirable, though in some places it is unavoidable with the best will in the world. With reference to the remainder of the honourable member's question I will make inquiries and advise him accordingly.

POISONS BILL

Returned

Bill returned from the Council without amendment.

MUSEUM ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Lewis (Minister for Education), and read a first time.

STATE FORESTS

Revocation of Dedication: Motion

MR. BOVELL (Vasse—Minister for Forests) [5.13 p.m.]: I move—

That the proposal for the partial revocation of State Forests Nos. 18, 21, 22, 27, 30, 37, 38, 39, 48, 51, 52, 53, 56 and 59, laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 3rd November, 1964, be carried out.

This is the usual motion for revocation of State forests. All the information is contained in the lithos, diagrams, and papers that have been tabled, but for the further information of honourable members I will enumerate the areas concerned. They are as follows:—

Area No. 1:

About 5 miles south-east of Nannup. Approximately 12 acres carrying little marketable timber proposed for exchange with the adjoining landholder for an area more suitable for pine planting. Release of this area will also consolidate the farming property and improve the boundary of State forest from a fire-protection viewpoint.

Area No. 2:

About 6 miles south of Donnybrook. Approximately 156 acres of isolated State forest from which all marketable timber has been removed, proposed for exchange with an adjoining landholder for 168 acres of freehold land about 2 miles east of Kirup. This exchange will provide good pinus radiata land adjoining three other areas already purchased for planting and also improve the farming property.

Area No. 3:

About 1 mile south-east of Carilla. Approximately 8 acres of good agricultural soil carrying mainly "die-back" jarrah proposed for exchange with the adjoining landholder for an equal area of non-cultivable stony land carrying a healthy stand of jarrah.

Area No. 4:

About 3 miles west of Argyle siding. Approximately 630 acres of open swamp and banksia country interspersed with low-grade forest of scattered marri and jarrah. All marketable timber is being removed.

Area No. 5:

About five miles north-west of Bridgetown. Approximately 57 acres, comprising a salient into private property, from which all marketable timber has been removed. It is proposed for exchange with the adjoining landholder for a larger, isolated freehold block, remote from the main farm and carrying jarrah forest including regrowth.

Area No. 6:

About 15 miles north-east of Manjimup. Approximately 135 acres of very low grade forest with little potential, proposed for exchange for private property containing first class soil for pinus radiata in common with the adjoining State forest. The exchange would benefit the farmer and the Forests Department mutually and improve the State forest boundaries.

Area No. 7:

About 10 miles south-east of Manjimup. Approximately 6 acres comprising portion of a disused tramway strip no longer required for access to State forest and applied for by the adjoining landholder from whom it was resumed in 1942.

Area No. 8:

About 8 miles east-south-east of Manjimup. Approximately 10 acres of non-forest country applied for by an adjoining landholder. Release of this area would shorten the State forest boundary and simplify fire control.

Area No. 9:

About 9 miles south-west of Pemberton. Approximately 252 acres of moderate forest required for exchange with an adjoining landholder for an equal area of prime karri forest. The exchange will consolidate the private property and improve land utilisation. At the same time it will shorten the State forest boundaries and secure a valuable asset for forestry purposes.

Area No. 10:

In two parts about 4 and 2 miles west of Walpole and of approximately 53 and 85 acres respectively. Portions of the South Coast Highway which forms the boundary between State Forest No. 48 and National Park Reserve No. 18724 will be deviated in the proposed new survey, and in order to exchange areas between National Park and State forest these two excisions are necessary.

Timber on the areas is comparable with that on the area which will be added to State forest as a result of the road deviation.

Area No. 11:

About 10 miles west-south-west of Highbury. Approximately 295 acres carrying no mallet. This area is outside the perimeter of firelines constructed around the mallet country. Its release will remove a fire hazard and also enable the adjoining landholder to eradicate poison on the area.

Area No. 12:

About 8 miles south-west of Highbury. Approximately 196 acres of non-forest country applied for by an adjoining landholder. It is outside the mallet area protected by firelines and its release would remove a fire hazard.

Area No. 13:

In four parts about 5 to 7 miles west of Yornaning, two of which are 7 acres, one is 5 acres and one is 48 acres (all approximately). No mallet exists on any of the areas and they have all been excluded from the mallet areas by firelines. The three smaller areas are proposed for exchange with an adjoining landholder, for portion of a freehold block containing good mallet country. The largest is intended for release to the adjoining landholder.

Area No. 14:

About 2 miles north-east of Margaret River townsite. Approximately 92 acres carrying very little marketable timber. Most of the timber was ringbarked years ago when the area was alienated. Its release would enable the adjoining landholders to qualify for assistance under the Dairy Farm Improvement Scheme.

Area No. 15:

About 16 miles north-west of Walpole. Approxmately 900 acres. This is a similar case to area No. 10. Several bends in the Manjimup-Nornalup Road were eliminated when it was bituminised, and the new alignment is about to be surveyed. As the road forms the boundary between State forest on the east and Timber Reserve 14145 on the west, it is desirable that the new survey be adopted rather than retain the existing irregular boundary. This will involve the transfer of an area

of plain country, containing a few isolated pockets of timber, from State Forest No. 59 to Timber Reserve 14145.

All these proposals have been considered very carefully, and have been put forward as a result of the co-operation between the Forests Department and the adjoining landholders in many of the areas.

Debate adjourned, on motion by Mr. Rowberry.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Message: Appropriation

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

NATIVES (CITIZENSHIP RIGHTS) ACT AMENDMENT BILL (No. 2)

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd November, on the following motion by Mr. Wild (Minister for Labour):—

That the Bill be now read a second time.

MR. FLETCHER (Fremantle) [5.22 p.m.]: This Bill, as stated by the Minister during the second reading, seeks to amend the Act relating to appeals by State Government employees before the Promotions Appeal Board. For some years departmental heads, the Trades and Labour Council, the State Civil Service Association, and other unions have sought the amendments which are contained in the Bill; but they have also sought many other amendments which are not found in the Bill. From my discussions with some of the unions concerned, many of the other desirable amendments could well have been included.

However, one important amendment in the measure provides for the appointment of an assistant chairman. As the chairman and the assistant chairman will be able to sit simultaneously on the hearing of separate cases, it appears there is some prospect of more appeals being heard as a consequence of this appointment. More important still, earlier decisions can be arrived at. This in itself will create satisfaction to those who have appealed, or attempted to appeal, and who have had to wait a long time for a hearing and a decision.

The same clause in the Bill seeks to create the appointment of a deputy employers' representative. So again, from now on, there should be no excuse for delay in the hearing of appeal cases because of the absence of the employers' representative. As a consequence of having associated with members of the Public Service, particularly those of the State Electricity Commission, I am aware that many employees on many occasions felt aggrieved in thinking that the employers' representative was conveniently absent, from the department's point of view, and so delayed the hearing of the cases. The appointment of a deputy employers' representative should assist the staff and management alike.

Satisfaction will be felt by appellants in the future when witnesses subpoenaed on their behalf will be paid expenses—I assume for loss of time. The Promotions Appeal Board cannot at present award fees or costs to witnesses, but this Bill will take care of that aspect.

Another contentious issue with government employees existed in the determining, assessing, or interpreting of seniority of employees under the Public Service Act, and those under the Public Service regulations. This Bill seeks to alter the seniority provision to bring the employees mentioned into conformity, one with the other, from the point of view of consideration regarding seniority. Not only does the Bill make provision for the payment of subpoenaed witnesses, but, in another part, one provision takes from Executive Council, and grants to the Promotions Appeal Board, the authority for granting the expenses of appellants. It will hasten the payment of those expenses.

As the metropolitan water supply authority is now controlled by a board, as distinct from previous departmental supervision, this Bill contains amendments to bring the employees of that board under the Promotions Appeal Board. By amendment, employees coming under the Government School Teachers' Tribunal are excluded. I could read the appropriate section of the Act for the edification of the House, but that is not necessary at this point of time. Railway employees working under both State and Federal awards will in future be taken care of in relation to promotion appeals. This Bill provides equal opportunity for the employees in either award mentioned.

Clause 4 of the Bill, which seeks to amend section 4 of the Act—it would appear with advantage—will provide the opportunity of advancement to a wider range of applicants within a department or utility. Previously wages men were written off in respect of appeals against appointed salaried officers; but this Bill provides that the Minister can be requested to grant the right of appeal, and I think that is a very satisfactory provision.

Under another clause of the Bill copies of notes of evidence, taken during the hearing of a case for circulation to the magistrate and others, will not in future be kept by the department for use in subsequent cases. This is made possible by the deletion of one section of the parent Act. The unions and the Civil Service Association were concerned that the departmental compilation of such notes did give the department or departments an unfair advantage over a subsequent appellant, in that the appellant did not know the nature of a precedent which might be quoted against him.

Section 9 of the principal Act provides for notes of meetings, and I do not see any amendment in the Bill which specifically deletes it. However, I am advised by the honourable member for Victoria Park that this is taken care of. I am pleased to hear that, because otherwise it would only have been a Ministerial verbal assurance, and assurances are not satisfactory unless they are in print and can be quoted.

Under the amending legislation of 1960 —No. 58 of that year—employees of the Education Department were exempted. The measure before us now is designed to override that exemption and bring those employees back into entitlement under the Government Employees Promotions Appeal Board.

The Minister, in his second reading speech, said the amendments were agreed to. The following is the last paragraph of his speech, subject, of course, to correction in *Hansard*:—

> The Bill should not be controversial as it contains the intention that has already been agreed to between the employee and employer interests, and I commend the Bill to the House.

These amendments were agreed to, but many more were urged, as will be known to the Minister. However, half a loaf is better than no bread at all, and the Bill is worthy of support in that respect alone.

I could read the portions of the parent Act which this Bill is designed to amend. However, that would weary the House. I have indulged in the necessary research and related the proposed amendments to the parent Act. I have also discussed the matter with some members of the Civil Service Association and other unionists in government employ; and I have found that the proposals are, as I suggested, only a pale shadow of the many substantial recommendations made by the C.S.A. to the Government which would improve their conditions and the work of the board. I realise how amendments could be moved to the satisfaction of the C.S.A. and other trade union representatives. However, they would have little prospect of being carried.

On the basis, as I have said, that half a loaf is better than no bread at all, I support the Bill, and give the assurance that if this side of the House is elected to office next year, I will do everything I can to have the desired amendments made to the Act.

MR. DAVIES (Victoria Park) [5.34 p.m.]: I would also like to briefly support the Bill, and I say at the outset that the Act has worked very well since it was introduced in 1945. It was improved by the amendments introduced in 1956, and the amendments now proposed will further improve it. As the honourable member for Fremantle has pointed out, the Act will continue to need amendment in the future.

In respect of the provisions in the Bill now before us, I do not think we can charge the Government with having acted with undue haste, because all the amendments have been under consideration for at least three years to my knowledge. I believe they were first discussed at a meeting called by the Secretary for Labour of interested parties including representatives of the Civil Service Association, the Trades and Labour Council, and the magistrate who was the chairman of the board at the time; the secretary of the board; the Public Service Commissioner; and others. At that time most of the amendments which the Bill now contains were agreed to. That meeting was held on the 5th September, 1961; and possibly if this were not the last session before the next State general elections the Bill would not have been introduced.

Mr. W. Hegney: That is quite true.

Mr. DAVIES: I would have liked quite a number of very important amendments, matters mentioned by the honourable member for Fremantle, included in the Bill. However, that will be a matter for another day. Why the Government took so long to introduce these amendments, I will never know, because no trouble has been raised over any single one of them.

The Minister gave the impression, when he made his second reading speech, that all parties knew what this Bill contained, and that they were all in agreement with it. Whilst I must agree that the parties have no very great opposition to the amendments, I will tell the House that the Trades and Labour Council, the railway unions, and the Teachers' Union—some of the interested bodies with whom I took the trouble to check today—have not had any correspondence from the Minister in regard to the proposed Bill for at least 12 months. They are all very interested to know just what is proposed. So while the impression may have been given that all the interested parties had been kept advised, I want to inform the House otherwise.

I would possibly be the only member in this House who has ever appeared before the board to act on behalf of the appellants. My experience, although I have appeared as advocate on a great many occasions, has been limited to one section of the community to which the Act applies, and that is the Railway Officers' Union, which consists, as is known, of salaried members of the Railways Department.

I will make one or two comments later in regard to particular amendments; but in general I would say that one of the provisions which pleases me is that regarding the establishment of a second board, because at present there is usually a considerable waiting time before appeals are heard. A second board will reduce the waiting time and result in a much easier working for at least the Railways Department, because very often further appointments cannot be made until the existing appeals have been determined before the board.

I am also pleased that the Bill gives the board authority to approve the expenses of the appellant rather than have them approved by Executive Council. Payment of these expenses often took up to three months, and sometimes longer. I know of one instance when it took almost six months for the appellant to get his expenses back. I am sure the new procedure proposed will provide a much quicker return of expenses to the appellants. The fact that a person concerned may have been without his salary for some three months or longer in the past proved a hardship in one or two isolated cases.

A further matter which I am glad the Bill contains, and which is worthy of mention, is that the board can now recommend payment of expenses to the appellant's witnesses. Very often it is necessary to bring a witness before the board on behalf of an appellant, and many appellants have been deterred from taking such action, although the evidence of the witness could be very material, because of the cost involved. I do not think it is unreasonable in any shape or form for the expenses of the appellant's witnesses to be made a charge under the Act.

I would like the Minister to explain one or two points in the Bill when he replies. They mostly concern the salaried officers because that is the section of the Railways Department of which I have had the most intimate knowledge.

Just one comment: One amendment is proposed under clause 9, and I believe that the provision is already contained in the Act. It was inserted by the amending Act No. 76 of 1956 and adds the word "but" to the end of the section 14 subsection 3 (d). It seems superfluous to put it there again if it is already in the Act.

The other point is the new definition that has been applied to the rate of salary. It appears that under the Bill the rate of salary would mean the total remuneration less the amount of any allowances. I take it then that allowances such as district allowances, overtime, penalty rates, etc. would be deducted. Therefore the man's total remuneration is the amount he receives less those amounts mentioned, and then from what is left is taken away the basic wage or rate—be it Federal or State—under which the employee is working. This would then leave, as the rate of salary, only the margin of the employee concerned.

I do not think that this is the method of determining salary now adopted. I am sure it is not the method adopted in regard to salaried railway officers in the past, and I would like the Minister's confirmation of my explanation if he has been able to follow it. If he has not been able to follow it, perhaps we could deal with it in Committee.

He has defined in that clause what the rate of salary shall mean, but also under the clause dealing with seniority, wages are mentioned as well as salary. In several places in section 14 of the original Act the words "wages" and "salary" are used. For instance, subsection (3) (c) reads in part—

> . . . Seniority by longer period of service at the same rate of salary or wages.

This Bill specifically refers to the rate of salary, but it completely ignores wages. I should imagine that if there were a definition to apply to salary, a definition must also apply to wages. If the Minister could explain why a definition for wages is not considered unnecessary I would be very happy indeed.

Mr. Wild: To which clause are you referring?

Mr. DAVIES: When I mentioned a clause number the other day, the Speaker said I should not do so; but I will take the risk on this occasion. I am talking about clause 9 on page 5, which amends section 14 of the principal Act, and referring particularly to proposed new paragraph under (c) on page 6. If the Minister can tell me what this actually means and why it applies to "salary" and not to "wage" I would very much appreciate his explanation, because it is not clear to me.

There is also a proposal to amend section 17 of the Act by deleting from subsection (5) the words "under the Industrial Act, 1912-1941." Apparently the Government wishes to delete those words so that the section will cover employees working under any award. The position in the railways is that there are two sets of employees: those working under awards of the Industrial Arbitration Act, and those working under

awards of the Commonwealth Conciliation and Arbitration Act. I feel that this clause could be suitably amended by including the words "the Commonwealth Conciliation and Arbitration Act, 1904-1950" as well as the words "the Industrial Arbitration Act, 1912-1941". The provision would then effectively cover all sections of employees working in the railways and, in addition, would meet, I think, the position which the Government requires to meet.

To summarise what I have said, I ask in the first place, whether there is a need to amend section 14 by adding the word "but" to paragraph (d); because, in my opinion this has already been done by the amending Act No. 76 of 1956. Then I would like an explanation of what is meant by the definition of "salary" in the same clause. I also feel that we could suitably amend section 17 by adding the words "and the Commonwealth Conciliation and Arbitration Act, 1904-1950" after the words "under the Industrial Arbitration Act, 1912-1941", instead of deleting them as is proposed.

Like the honourable member for Fremantle, I regret that the Bill does not contain a number of other amendments such as an amendment dealing with justiciable salary. This matter has long been a bone of contention. With the constant reclassifying of positions and the granting of new awards, it has been found that many positions which originally came within the scope of the appeal board can no longer be appealed against. In most cases the duties are precisely the same as they were, but because the salary has been advanced out of the range allowed under the justiciable salary provided in the Act, there is no right of appeal.

It is a pity the Government did not amend the Act by prescribing the positions which may not be appealed against and leave open the other positions against which an appeal may be made irrespective of what the salary is or maybe in the future.

With those few words I support the Bill as it stands at present, subject to the explanations I hope the Minister will give me.

MR. WILD (Dale—Minister for Labour) [5.50 p.m.]: I thank the two honourable members who have spoken to the measure, and I say very briefly that I am sure the Secretary for Labour will not be very pleased when he finds out that it is his integrity which is in question, because he says these people have been consulted. I say this to the honourable member: that the officer concerned came to my office on no less than six occasions; and I am prepared to accept his words as being those of a most reliable officer. The unions and all these other people have been consulted, and I am not prepared to believe the honourable member when he says they have not been consulted. The Civil Service Association told me exactly the same thing. The association rang up and asked that I be sure to bring this matter before the House this session.

The honourable member for Victoria Park has posed three questions. I will get the answers for him tomorrow. I will take the Bill into Committee tonight and report progress.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr. Crommelin) in the Chair; Mr. Wild (Minister for Labour) in charge of the Bill.

Clause 1: Short title and citation—

Progress

Progress reported and leave given to sit again, on motion by Mr. Wild (Minister for Labour).

IRON ORE (HAMERSLEY RANGE) AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd November, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. BICKERTON (Pilbara) [5.53 p.m.]: The Bill simply introduces a few amendments to the Hamersley iron ore agreement which was ratified in this House last year. The measure before us will, in effect, bring the Hamersley iron ore agreement into line with the Mount Newman and the Mount Goldsworthy agreements which we passed last night.

I cannot find anything in the Bill which gives this company any unfair advantage over the other companies that are operating, so I support the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and transmitted to the Council.

MUSEUM ACT AMENDMENT BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [5.58 p.m.]: I move—

That the Bill be now read a second time.

This legislation is being brought down with a view to protecting the historically valuable 17th and 18th century Dutch and English wrecks lying just off the shores of our coast.

Within the short history of the State there has been very little opportunity of developing monuments and displays of any historical significance. However, during the 17th and 18th centuries some of the old Dutch and English navigators, quite by accident, left with us a valuable legacy which, for some hundreds of years, has lain undisturbed beneath many fathoms of water.

Until recently the exact locations of these early wrecks were unkown; but with the advent of skin diving, most of them have been found and their exact positions charted. As more people have learned where to find the wrecks the problem has arisen as to how to preserve for posterity the vessels and their contents.

Unfortunately, one of the more readily accessible of these wrecks is already being exploited for personal gain and with no regard for its historical value. I understand that explosives have been used to gain access to parts of the ship in a search for bullion and coins, and that an opposing faction has, in turn, used more explosives to obstruct this search.

A fund of valuable historical information is available from a close study of these vessels; but, as will be readily appreciated, when they are subjected to this kind of treatment the information is destroyed, as are many valuable relics which could otherwise have been salvaged for display purposes.

Another matter for concern is the hostility which has developed between rival claimants to one of the wrecks. The Commissioner of Police found it necessary at one stage to send two of his officers to the site to keep the peace. Unless some protection is given to the other accessible wrecks, there is little doubt that in time they, too, will be subjected to similar depredations.

One of the more responsible skin divers —and I understand that these are well in the majority—has written to the Museum Board urging that legislation be introduced to protect historical wrecks from intrusion by persons interested only in their own personal gain. The legal position pertaining to ancient wrecks is at present obscure. The State claims that they are already vested in it under the Wreck Act of 1887. However, there are some aspects involved in this claim which could only be settled by expensive and extended litigation. Meanwhile the exploitation of the wrecks would continue. Furthermore, the Wreck Act requires that wrecks be handed to the Receiver of Wrecks, who is defined as the "State Customs Officer." With the advent of federation this office was abolished, and with it the machinery designed to enable the State to take possession of wrecks.

Consideration has also been given to requesting the Federal Government to take possession under its Navigation Act. However, this legislation is enacted under the trade and commerce powers of the Commonwealth, and there does not appear to be a sufficient nexus between those powers and ships wrecked several centuries ago. This legislation will solve the present legal difficulties by vesting historical wrecks in the Museum Board. At the same time it will set up machinery to take possession and salvage them and also provide for rewards to persons who first report the location of a previously undiscovered historical wreck.

In the Bill the definition of "historic wreck" includes any ship wrecked in territorial waters prior to 1900, its contents, and any equipment or articles lying near the vessel which have obviously come from it. Wrecks of historical importance, whose locations are already known, are listed in a schedule to the Bill and will automatically become vested in the board with the proclamation of this legislation.

I should point out here that the first ship in the schedule, the *Trial*, is an exception in that her exact location is not yet known. However, she is of English origin and her known historical value is such that it was decided to list her in the expectation that she will ultimately be located.

Records have been kept of the names of the ships which have been wrecked along the coast of Western Australia, and it is believed that there are only another three to be found: the *Trial*—which I mentioned earlier—the *AAgtekerke*, and the *Fortwyn*.

A person who discovers an historic wreck will be required to notify the Museum Board of its exact location and will be subject to a penalty if he fails to do so. Where, after investigation, the wreck is deemed to be of historical significance the board may, with the approval of the responsible Minister, request the Governor-in-Executive-Council to proclaim the wreck as being vested in the board and take such steps as are necessary to preserve, recover, and display it. It will be an offence to interfere with an historic wreck whether or not it has been so declared.

The first person to notify the board of the location of a previously undiscovered wreck of historical importance may be paid a reward of up to £1,000 at the discretion of the board. In addition, he is entitled to receive the current market value of the metal content of any gold or silver bullion or coins afterwards recovered by the board, or at its discretion the property itself may be transferred to

him. The latter is subject to the provisions of the Commonwealth Banking Act, 1959. The finder is not entitled to receive any compensation other than this.

The State will not claim relics removed from wrecks prior to the coming into force of this legislation. However, to enable a record to be made of these articles persons who have any in their possession will be required to declare them to the board, which will have the authority to take possession for a maximum period of 30 days—or longer if agreed upon—to enable them to be recorded, photographed and/or copied. They will then be returned to the owner, who may dispose of them at will.

The purpose of this is twofold. In the first place it will give the Museum authorities photographs and facsimiles for study and display purposes. In the second place the record will be invaluable in policing the provisions of the legislation as unrecorded articles can then be assumed to have been removed from a wreck subsequent to the Bill becoming operative. Provision has also been made for making regulations for the recovery, preservation, and display of historic wrecks and their contents.

The power of the State to legislate on the custody and control of historic wrecks has been thoroughly examined and it is believed that none of the provisions of this Bill conflict with Commonwealth law. However, to ensure further that no conflict arises, the Parliamentary Draftsman has inserted a severability clause so that should any provision be *ultra vires* the legislative powers of the State the whole Bill would not be invalidated but only those clauses which were in conflict with Commonwealth law.

Debate adjourned, on motion by Mr. Hall.

MUSEUM ACT AMENDMENT BILL

Message: Appropriation

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

CHEVRON-HILTON HOTEL AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 29th October, on the following motion by Mr. Brand (Premier):—

> That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [6.7 p.m.]: This Bill proposes to amend the Chevron-Hilton Hotel Agreement Act of 1960, and to empower the City of Perth to sell certain land to the Commonwealth Government. I think we all remember very clearly the circumstances surrounding the introduction of the original legislation; and we are, of course, well aware of the unfortunate developments which occurred thereafter involving, as they did, the financial inability of the Chevron-Hilton Company to get very far ahead with the establishment of the proposed large-scale hotel on similar lines to other hotels of international repute which have been established by this company. That is past history ,and there is not anything to be gained by raking over the reasons for the company's failure.

There is in this Bill a proposal to extinguish all rights which were conferred upon the company under the original agreement as ratified by Parliament when the parent Act was approved by Parliament. Apparently there is some legal doubt still existing, and the purpose of this part of the Bill is to make certain that the company will retain no legal rights whatsoever, and also to make certain the company will not be entitled to make any claim for compensation or damages. I should not think the company would be likely to try anything of that kind, even if this amendment to the law were not to be made. However, there is merit, I suppose, in being abundantly cautious and certain, and this part of the Bill has no opposition from me.

The other part of the measure proposes to give power to the City of Perth to sell legally to the Commonwealth, upon such terms and conditions as the two bodies may mutually agree upon, most of the land known as the Christian Brothers' College site. I am not in favour of this part of the Bill at all. This land should not be sold to the Commonwealth. I know the Commonwealth Government would have the legal power to resume the land even if Parliament were not to approve of this part of the Bill; but if the Commonwealth Government is desperately anxious to obtain the land it should be made to resume it and not have the way made easy for it by approval being given by this part of the Bill.

There is plenty of land within the City of Perth in close proximity to this Christian Brothers' College site which the Commonwealth Government could buy: land which is privately owned, and some of which, I have no doubt, would be available for sale in the event of the Commonwealth Government offering a reasonable price for it. Why should we, as a Parliament, authorise legislation to enable the Perth City Council to sell this Christian Brothers' College site to the Commonwealth Government to enable it to put taxation and other Commonwealth departmental buildings on that land? It might be claimed that the Perth City Council needs the money which it will obtain from the sale of this land. If it does, the State Government should buy the land

from the Perth City Council so as to enable the council to obtain such money as it might need at this particular period.

When introducing the Bill, the Premier told us that the land between the western side of the Christian Brothers' College site and the eastern boundary of the Government House site would probably be developed by the State Government in later years mainly for the purpose of constructing on that land new Supreme Court buildings. He further mentioned that the land could also be developed as a beauty spot and as a rest place, by planting lawns and gardens and making the area attractive in every other possible way.

When I opposed the Chevron-Hilton Hotel Agreement Bill I think I advocated that this land between the Christian Brothers' College site and the eastern end of the Government House site should be developed as an open space with lawns and gardens and rest rooms to enable people who come into the city each day and who wish to find a place to have some rest and comfort and enjoyment from nature, as it were, to have this place available to them in that form.

If it be a good thing to develop the land between Government House and the Christian Brothers' College site along the lines I suggested at the time the original Bill was brought forward, and which the Premier himself suggested when he introduced the second reading stage of this Bill, it is also a good thing to take into the scheme the Christian Brothers' College site. In that situation the State Government would control all the land from Victoria Avenue on the eastern end to Barrack Street on the western end, and all the land, of course, between St. George's Terrace and the avenue which runs at the back of Government House, the Supreme Court Gardens, and the Christian Brothers' College site.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HAWKE: I see no reason at all why this Parliament should make it easy for the Commonwealth Government to obtain the land in question. No doubt it would be very convenient, very satisfactory, and very suitable for the Commonwealth Government to obtain this land by way of purchase from the Perth City Council. However, the Commonwealth Government is a very prosperous Government, commanding hundreds of millions of pounds, and therefore it is in the very happy position, if it chooses to use that position, of being able to purchase land for building purposes within 100 yards of the site, within 200 yards of the site, within 500 yards of the site, a thousand yards of the site, or whatever other position that Government might select in the event of Parliament refusing to give legislative approval to the City Council to sell this Christian Brothers' College site to the Commonwealth Government.

I quite agree there should be reasonable co-operation between the Commonwealth and State Governments, and between both Governments and established local authorities. However, the situation in which the Commonwealth Government finds itself in this matter is not a difficult situation at all. I could appreciate the position better if this were the only piece of land which was available within reasonable distance from the heart of the city. The Commonwealth authorities might then have some justification for seeking the approval of this Parliament to purchase that land from the Perth City Council.

One has only to go down the eastern end of St. George's Terrace and walk along there and continue walking along the western end of Adelaide Terrace, and move up one or two of the streets which go down the opposite way, to see plenty of land much of which has only the smallest and oldest buildings on it. I am convinced the Commonwealth authorities could easily purchase some of this land for the purpose of erecting thereon taxation and other Commonwealth Buildings.

I think it would be regrettable and most unfortunate for the Christian Brothers' College site to be sold to the Commonwealth Government when it could be purchased by the State Government and become a part, as it is now in point of geography, with all the land running from Victoria Avenue through to Barrack Street. The State Government already owns all the land west of the Christian Brothers' College site to Barrack Street. The State Government owns every square inch of that land; and, therefore, in point of logic, as well as in point of geography, the State Government should seek to acquire the Christian Brothers' College site, as the Perth City Council seems anxious to sell it.

The State authority would then have the whole length of the land and would be able to plan for the future accordingly. I stress the fact tonight, as I did when the Chevron-Hilton legislation was before Parliament originally, that land situated where this land is has tremendous future value; and properly developed by a State authority in future it could confer tremendous advantages upon the people who come into the city day after day, and who would wish to take advantage of a period when they were not doing actual business within the city while still not wanting to leave immediately to go out of the city, to use this land for rest purposes, and for the purpose of enjoying, within the city area, an area of land which would have great beauty if properly developed, and

which would, in addition, as I have suggested, give them the opportunity to rest off for whatever period of free time they might have available to them.

The Commonwealth Government would not have the slightest difficulty in obtaining other land apart from this Christian Brother's College site. It could purchase such other land by free or open negotiation or, if necessary, by the use of its compulsory powers of resumption. So the Commonwealth authority is in no difficulty in this matter. It has the authority and the money to purchase such land as it requires from private landowners within the city of Perth.

I am strongly of the opinion that when public authorities own land they should stick to it; they should reserve it for the future, for governmental purposes and for public purposes. Therefore I feel very strongly in my opposition to the part of this Bill which proposes to give to the City Council and the Commonwealth Government the green light to go ahead together and negotiate for the sale of this land.

If it so happens that the City Council needs the money—and I cannot imagine it really does—which it would obtain from the sale of this land, then let the State Government buy the land. I would prefer to see that done in any event, because I think the State should take advantage of the opportunity which obviously is available to purchase this land and to make it, as it is in geography, part and parcel of the large area of land which is so well situated west of this site right through to Barrack Street.

This is a marvellous area of land. Some people might think it is too much for State Government requirements. But anybody who thinks that, and would say as much, is shortsighted in the extreme. Such a person would not be looking ahead; he would have no vision. Western Australia will not end in the year 1980 or the year 2000. Western Australia will go on into the years of the future; the population of the State will increase; the number of people coming into the Perth city area will increase; and the valuable purposes to which all this land could be put under total State Government ownership is something which we could romance about; but romance about on a basis of reality.

Let us consider the heart of the City of Perth now. There is hardly a worth-while spot in it, apart from this area of land about which we are talking and, of course, the Esplanade area beyond. When we move north of St. George's Terrace into the city there is hardly a vacant spot; hardly any breathing space; and that situation will, of course, worsen as time goes on; as buildings within the city go higher; as the number of vehicles within the city increases; and as the fumes from motor vehicles are absorbed more and more into the air.

Only recently legislation was introduced to try to ensure a greater purity in the air. Clearly, if we are to pursue that objective we will not give away this particular area of land for the purpose of having a great block of buildings put upon it by the Commonwealth Government, or by any other government. We will try to reserve it as much as possible for open space, for gardens, for lawns, for rest opportunities for the people who come into the city.

I know the Premier, in his second reading speech, told us the Commonwealth Government building would be designed in such a way as to allow it to conform with the whole of the area, together with buildings which the State Government would plan later on to construct there in the form of a set of new State Supreme Court buildings. However much the Commonwealth authorities in their planning and designing may shape their buildings to conform with the total, potential situation, I think the people would be losing considerably if this Christian Brothers' College site were to be built upon.

It is certain the Commonwealth Government would build very extensively upon the site, and consequently not much of the area would remain not built upon. In the event of the State Government obtaining ownership and possession of the land, it could plan ahead over the whole area from Barrack Street to Victoria Avenue, and from St. George's Terrace to the street on the south end in such a way as to develop a marvellous situation down there.

I think we have a duty in this matter to the people who will live in the city and in the metropolitan area in the future; and I would hope very strongly that this part of the Bill would not find support in this House.

MR. MITCHELL (Stirling) [7.46 p.m.]: I wish to make one or two comments on this matter before the House. It is with some reluctance I support the Bill; and I can assure the House that had I been a member at the time when it was proposed to sell this land for the purpose of building the Chevron-Hilton Hotel, I would have opposed the measure.

There is one point to which I would like to draw the attention of honourable members. I understand that when making provision for the widening of Victoria Avenue and the widening of the street in which the government offices are to be built the Perth City Council has undertaken to preserve the very fine avenue of trees in Victoria Avenue. I hope that when these offices are built and the widening has taken place, some provision will have been made for the preservation of that avenue of trees.

I think it is one of the outstanding landmarks of the city and it would be a great pity indeed to see those trees destroyed just for the purpose of building anything at all.

Mr. W. Hegney: They will put the bulldozer in, don't you worry!

Mr. MITCHELL: I hope the Perth City Council will accept its responsibility in this matter. As I said before, it is with some regret I support this measure, but as we already have buildings in the area such as the Town Hall and others, I expect it was too much to hope that the whole of this area would be left for gardens, which has been suggested.

With the reservation and the hope that the Perth City Council will honour its obligation which it is said has been given, I support the measure.

MR. BRAND (Greenough—Premier) [7.48 p.m.]: I appreciate the point of view of the Leader of the Opposition and also that of the honourable member for Stirling. It must be remembered that this House agreed to a proposal embodying an agreement between the Government, the Perth City Council, and the Chevron-Hilton Hotel—

Mr. Graham: Your side of this House.

Mr. BRAND: —for the building of a huge hotel, because it was felt this State was in need of a hotel of international standard. Honourable members will recall that at that time this company was on top of the wave and huge developments were taking place. However, as the Leader of the Opposition said, the history of the company is such that it is now behind us, and it was not able to go on with the construction of the hotel.

The Leader of the Opposition did move in this House—I think it was a motion—urging that the area which was planned for use by the hotel company be set aside for the purposes of rest places, gardens, and the like. At that time I opposed the motion because I believed the State needed an hotel of international standard. I was of the opinion that the use of this site for this purpose would be quite an attraction to an overseas hotel company. However, as time has gone on we have had the development of motels, the establishment of other hotels, and the upgrading of existing buildings; and this has given to the State quite a high standard of accommodation, although there is still a need for an international standard hotel in the city.

I believe the need for a hotel of this kind will grow as a requirement in the city. Nevertheless, we can now boast of quite reasonable accommodation. In fact, it is very good accommodation; and in many cases, people comment favourably upon their treatment and experience in our hotels.

The agreement made at the time was with the Perth City Council, which purchased the Christian Brothers' College, having made some alternative arrangements for the Christian Brothers to build a new college further down near the Causeway on the river banks. The City Council is, in fact, still the owner of this land; and had it not been for the agreement in which it took part and which said that the Perth City Council shall sell to the Chevron-Hilton Hotel, there would not have been any need for this legislation and we would have had no say at all.

Having the title, the council could have sold the land to whoever was the purchaser. I do not know what the Commonwealth Government is paying the Perth City Council for this land—that is something that has never been revealed —but I presume £200,000 would be about the price. That is only a guess on my part, as I do not know what is being paid for the land.

Mr. H. May: Nearer £500,000.

Mr. BRAND: If it is £500,000, it only makes the point I am coming to, because the State owns quite a large area of land alongside this site which I have indicated we are prepared to set aside for the purposes of gardens and parks and is not in a position to purchase at such a price. Of course, it will only be that land that will not ultimately be required for the Supreme Court buildings. I imagine the construction of new Supreme Court buildings is well ahead of us, and it will be many years before this land is required. In any case, after the construction of the Supreme Court buildings there will be quite a sizeable area of land which we can treat in such a manner as to go quite a long way towards the suggestion of the Leader of the Opposition. Therefore I urge the House to support the Bill.

The point raised by the honourable member for Stirling is quite a legitimate one. I do not know anything of the undertaking given by the Perth City Council regarding the avenue of trees, but I too would hope that in some way this very fine avenue—one which has often been commented on by our visitors—will be preserved. But this is a matter for the Perth City Council; and if it did give this undertaking I hope it will be honoured. I quite understand the point raised by the honourable member for Stirling.

To me this seems to be a case of had it not been for the agreement regarding the Chevron-Hilton Hotel and the co-operation of the Perth City Council coming in and making this purchase and the necessary adjustments to bring it about, the council would have been free to sell the land, which at the present time it owns, but about which there is some slight doubt as to a free title.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Brand (Premier) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 14 added—

Mr. HAWKE: I am still very strongly of the same view as I was. I think we would not be doing any more than our duty to the City of Perth, the State generally, and the people who will live here in the future if we were to delete from this clause subsection (1) of the proposed new section 14. I move an amendment—

Page 2, lines 6 to 14—Delete subsection (1) of new section 14.

Mr. BRAND: As I said, in replying to the second reading, I am opposed to the suggestion by the Leader of the Opposition. After all said and done, this is the heart of the Bill, as it contains the purpose for which it is before the Committee. As far as the State Government is concerned it may be desirable that some £200,000 or more be spent on the purchase of this land, but I believe we have gone as far as we can go, and the situation is quite a change from that when we had the agreement before us in order to build a hotel on the site.

We now have plans that this area will remain for gardens and the like; and I believe the Commonwealth Government has the right to buy land anywhere, and it can also resume land if it so desires. I can see nothing wrong with the construction of these buildings. It was said over the air tonight in the news that the building would be erected having regard for the situation and also for Goverment House. I think the Director of Works of the Commonwealth gave this undertaking when discussing the plans for this proposed building with some of our State officers. Therefore I oppose the amendment.

Mr. HAWKE: The Premier, in part at least, has supported my argument. He has told us the Commonwealth Government can obtain land elsewhere for its purposes. He also said the State Government would have to pay £200,000 or maybe more for this land if it purchased it.

I say it would be very cheap land indeed. In 20 or 25 years' time this land will have a tremendous value and I think it should be kept in the ownership of the State and not be allowed to be sold to the Commonwealth Government for the purpose of having erected upon it Commonwealth Government offices. From a logical point of view, from the geographical point of view, and from the point of view of the welfare of the people who come into the State in future years, this land should be purchased by the State Government and made part and parcel of the whole area in question from Victoria Avenue through to Barrack Street. I am sure it would be a tremendous asset to the State if it were purchased by the State Government and used for public purposes in future years.

Mr. JAMIESON: I support the amendment. If I recall correctly, the city council bought into this agreement without being requested to do so. It did so because it wanted the aesthetic approach to the city from the eastern side to be better than it would have been had the Chevron-Hilton Hotel been built. The agreement tied it up to do certain things. It is true it paid something like £225,000-plus to the Christian Brothers to move their college, but it was strictly because it wanted the approach to the city from the east to be better than it would have been.

It now appears that it wants to quit its responsibility to some degree, although it will want to retain some of this land for purposes of road widening. The construction of the hotel embraced shopping accommodation and a mall to include, among other things, airline offices. The aesthetic outlook would be quite different if ordinary government offices were constructed.

The Perth City Council should not be encouraged, in its own interests, to sell this land to the Commonwealth. It should retain it; and later on the State Government might have to come to some arrangement to repurchase the land. In view of the generosity of the Government in recent years in making available sites in this area to the Perth City Council, the council might be justified in placing a high bargaining price in connection with the sale of the land back to the Government.

We should not give the council the right to go ahead and cement this sale agreement with the Commonwealth. It will be quite wrong, in view of the fact that the rest of the area within this particular rectangle of land is being used for civic purposes in some form or other. Any block of Commonwealth offices would have to be of considerable height to justify its existence from a financial point of view, and it would present an ugly, blank wall appearance to the city. It would be much better to have gardens in the area.

Amendment put and negatived.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Brand (Premier), and transmitted to the Council.

PUBLIC TRUSTEE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 15th October, on the following motion by Mr. Brand (Premier):—

That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [8.6 p.m.]: This Bill, which proposes to amend the Public Trustee Act, aims to repeal subsection (4) of section 40 of the Act and to re-enact the subsection with certain amendments. Before dealing with the amendments, I would like to say this particular item has had a remarkable experience upon our notice paper. Its experience has reminded me very much of a yo-yo in full operation. The item has been on the notice paper for many days. It has been up the notice paper and down the notice paper. It has been jumped around and bypassed. I have made my speech upon it about 12 times without standing up and addressing the Speaker, because each time we have come upon this notice of business and been about to deal with it, someone on the Government side has moved that orders of the day below it be taken ahead of it, or someone on the Government side has moved the adjournment of the House.

Mr. Brand: I assure the Leader of the Opposition it was for no other purpose than convenience. It is not a controversial Bill. There is not much to it, and it has been through the Upper House.

Mr. HAWKE: I make these comments in the best of good nature, and I am surprised to find the Premier becoming a little off-balance.

Mr. Brand: The inference was that there is something about the Bill which is a bit suspicious.

Mr. HAWKE: I have merely described the experience which this Order of the Day has had, and the same applies to the Order of the Day a little bit further down the notice paper; namely, the Administration Act Amendment Bill. That order of the day has had the same experience.

Mr. Jamieson: And the same applies to Order of the Day No. 10.

Mr. Brand: You will have your go!

Mr. HAWKE: It is a bit unfair to those honourable members who have taken the adjournment of Orders of the Day to suddenly find, without any intimation, that the speech which they are about to deliver has to be dropped. Goodness knows what gems of wisdom might have been put into this House had I been allowed to make my speech to this Bill on the 10 occasions when I was at the barrier or at the gates, as it were, and waiting for the starter to press the electric button!

Mr. Brand: Let's have the eleventh gem.

Mr. Cornell: I think it has taken a pill.

Mr. HAWKE: I think it has not taken a pill; otherwise it would have moved sooner.

Mr. Cornell: I am thinking of a different pill.

Mr. HAWKE: I do not think I had better follow that line of discussion any further, because I do not wish to see the Premier in anything but a reasonable state of mind and a reasonable mood.

Mr. Bovell: We are anticipating some pearls of wisdom now.

Mr. HAWKE: This Bill aims to legalise a number of activities which have been carried out in the office of the Public Trustee and for which, up until now, there has been no full legal authority. These practices are such as to be very necessary in the operations of the Public Trustee's Office and they have arisen presumably because of their convenience and necessity. It is very proper in this situation that the Public Trustee should prevail upon his Minister to have an amending Bill introduced in order that full legal authority shall be given in future to the practices.

There is also a provision in the Bill to make this legal authority, which the Bill is seeking from Parliament, retrospective so that these practices which have been carried on for a long time shall be clothed with legality, the reason for that being the Public Trustee would wish to be safeguarded against the possibility of action being taken in the courts against him by some dissatisfied person in relation to practices operated by the Public Trustee which were not, at the time of their operation, covered by the law.

The first proposal which requires legal cover is in relation to the rates of interest which are payable to the estate from moneys which have been paid into what is known as the common fund. In the past, moneys have been paid from these estates into the common fund, and legally a common rate of interest—a uniform or identical rate of interest—should have been paid in respect of the moneys from each estate.

However, that has not been practicable; nor would it have been fair and reasonable for that course to be followed, the reason being that moneys invested from one estate might have to be invested for only a very short-term period, and consequently would earn only a very small rate of interest; whereas money from other estates could be invested over a long-term period and consequently earn a much higher rate of interest.

So the practice which has been followed, even though not legal in every sense of the term—or perhaps in any sense of the term—has been for the Public Trustee,

with the full approval of his Minister, to invest the moneys from these estates at the best rates of interest which could be obtained, and then to credit to each estate the rate of interest earned; which, of course, has meant that each estate has received a fair deal, although the legal situation would have been such, had the Act been fully applied, as to have made it impossible for the Public Trustee to apply differential rates of interest to the credit of the estates which were being dealt with and the moneys from which had been paid into this common fund.

The Bill makes provision that interest payable to the respective estates which have moneys in the common fund shall be paid to the credit of the estates each half-year; that is, on the first day of April and the first day of October in each year.

In the past—and at the present time, too—the Public Trustee, with the approval of his Minister, has been paying surpluses from these transactions into the Consolidated Revenue Fund. This has not had legal cover either, and so the Bill now before us seeks the approval of Parliament to give legal cover to this procedure.

I have mentioned the four amendments, including the retrospective provision, and I think there cannot be reasonable objection to any of them. They aim to continue in full legal process practices which have been operated successfully for a number of years by the Public Trustee; and I see no reason why those practices should not be continued. In the circumstances it is essential legal cover be given to the Public Trustee by Parliament in his operations. Therefore I support the Bill.

MR. COURT (Nedlands—Minister for Industrial Development) [8.17 p.m.]: I thank the Leader of the Opposition for his support of the Bill. If he has been kept in a state of anxiety awaiting the second reading of this measure, what position have I been in? Because when one is handling a Bill for another Minister one is always a little concerned that some honourable member might bring up something into which one has not conducted any research; and as the measure does not come within the scope of one's own departments one is placed at a disadvantage.

The comments the honourable member made about the common fund are most appropriate, and he has summarised the position the Bill was introduced to cover. The operation of the common fund by a trustee, whether it be the Public Trustee or any other approved trustee, is something inseparable from the conduct of a trust office; and the practice that this Bill proposes to regularise is in my opinion the only desirable one for the practical use of common funds.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. OLDFIELD (Maylands) [8.20 p.m.]: After a close examination of this Bill only one thought goes through one's mind, and that is how, if the performances in the future are to be the same as they have been in the past regarding the trust, it will get sufficient profits to make £12,000 available per annum for a disaster fund. However, the Bill is mainly a machinery one and its intent is meritorious. There is nothing in the measure with which the Opposition can find fault.

MR. HART (Roe) [8.21 p.m.]: I wish to say a few words on the second reading of this Bill. As has been said, the principles contained in the measure are generally accepted and, indeed, are very worthy. On the measure itself, little can be said except that one supports the proposals it contains. However, I feel I must say I am sorry it does not go a little further, and I would like that fact recorded.

The principal Act is approximately 20 years old and in my view a good deal of it needs rewriting. In fact, it might have been better to rewrite the whole of the Act at this stage; but I understand, as the Government has brought this amendment forward, it does not wish to go too deeply into the subject at this point of time.

There are two provisions which I think need to be looked at, and before very long. I refer firstly to that part of the Act which provides for no fault no claim; or where there is no negligence attributable to either driver, or fault cannot be found with either party, no compensation is payable. The other provision concerns spouse suing spouse. If a person is unfortunate enough to be involved in an accident and his wife is badly injured, irrespective of whether any blame can be attributable to the husband, the wife receives no compensation. I understand this is because of a very old law under which a wife cannot sue her husband and a husband cannot sue his wife. However,

I do not think that provision was meant to be applied in the way the insurance trust is applying it today, and I would like my opposition recorded.

As regards the provision of no fault no claim, let us take the case of a person driving along a country road. If a tree were to fall in front of the car, or on top of the car, and no fault could be attributed to the owner or driver, no compensation would be payable. However, in my view the injured person is just as entitled to compensation as one who is involved in an accident under other circumstances.

Similarly if one is out driving with one's wife and mother-in-law, and maybe other members of one's family, and one has an accident and the wife is badly injured she cannot claim compensation. But that does not apply to the other occupants of the car. Therefore I think those two points need to be given further consideration by the trust. I have reason to believe that the legal profession has very strong feelings, particularly in regard to the husband versus wife provision, and is of the opinion that the section concerned in the parent Act needs to be amended.

I know that the amendments we are talking about are designed to keep down the ever-rising cost of premiums. That is most desirable and the amendments in the Bill will do that. However, I think the two points I mentioned—the no fault no compensation provision and the one which states that spouse cannot sue spouse—should be given urgent consideration. They are outdated sections; and I hope this Government, or—for that matter—whatever government is in office, will have a look at them before very long. I support the measure.

MR. NALDER (Katanning—Minister for Agriculture) [8.25 p.m.]: First of all I would like to thank the honourable member for Maylands for his support, on behalf of the Opposition, of this amending legislation. The comments made by the honourable member for Roe will be conveyed to the Minister concerned, and further information can be given to the honourable member with reference to the suggestions he has made. It is not the intention of the Government to do anything more than is envisaged by the amendments in the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and passed.

ADMINISTRATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 15th October, on the following motion by Mr. Brand (Premier):—

That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [8.29 p.m.]: This Bill proposes to amend the Administration Act. When discussing the Bill to amend the Public Trustee Act I made reference to the unfortunate experience which that Order of the Day had upon the notice paper. The Premier was good enough to send me a note a few moments ago saying that he would postpone certain items, and I thought for a moment the item dealing with the Administration Act was again to be postponed. That was not so, and I am grateful that at long last the speech which I have to make upon this Bill is about to be made.

Under the present law the rights of administration are granted normally to a husband or a widow, and the necessity to supply sureties in relation to the administration of such estates is not enforced, provided the property does not exceed £1,000 in value. The Bill proposes to lift the figure from £1,000 to £2,500, and this amendment in the Bill should receive the approval of all honourable members.

During the introduction of the measure the Minister was careful to emphasise that the raising of the figure from £1,000 to an amount not exceeding £2,500 would have effect only in relation to the non-enforcement of sureties. It should be emphasised again this proposed amendment in the Bill would achieve that, and nothing more, because it might be easy for some people to believe the raising of the figure from £1,000 to £2,500 would raise the exemption from the liability to pay duty from £1,000 to £2,500. It would be unfortunate for husbands or widows who are left small estates to gain the impression they are free from the payment of duty on estates not exceeding in value £2,500, when that is not aimed at by the amendment in the Bill.

The second amendment in the Bill deals with the placing of the seal of the commissioner on foreign probate or administration papers. At present the seal of the commissioner cannot legally be placed on those papers until all specified duties and fees have been paid in full. Evidently some difficulties and injustices have arisen out of this part of the law.

The proposal in the Bill will allow the seal of the commissioner to be placed on such papers where the duty owing to the commissioner has been secured to him, or has been part paid and part secured; in other words, where the commissioner has

been given security in one form or another for the full amount which has been assessed he may have his seal placed on foreign probate or administration papers, without waiting for the time to be reached when all duties and fees have been paid in full.

The third amendment proposes to give power to the court to order the filing of statements in any case where the commissioner is dissatisfied. He would then be empowered to assess the duty payable on the particular estate. At present there is no legal power to enforce answers to questions which are submitted by the commissioner, and the Bill proposes to give to him the power to enforce answers to any queries he may put forward in relation to any estate.

There is one amendment in the Bill which at this stage I cannot possibly support. It proposes to raise the maximum rate of interest which may be imposed upon unpaid duty from the present figure of 4 per cent. to a new figure of 10 per cent. I agree there would be justification for raising the existing maximum of 4 per cent. to a slightly higher figure, but I cannot appreciate at all the proposal in the Bill to raise the maximum to 10 per cent.

It is understandable that people concerned with some estates might delay the payment of duty if the maximum rate of interest which could be imposed on the unpaid amount was retained at 4 per cent. in the law; however, I can see no justification in increasing the maximum to 10 per cent. That increase appears to me to be outrageous. The commissioner would be given every protection in respect of duties owing, if the present maximum of 4 per cent. was raised to around 6 per cent.

Surely honourable members of this House should not be agreeable to including in the law a proposal to raise the maximum rate of interest which might be imposed upon duty owing to 10 per cent.! In my view it would be a very severe penalty, and one which could not be justified. The Minister would have to put forward some exceptionally good arguments to convince me there is any justification at all for increasing the maximum rate from 4 per cent. to a figure higher than, say, 6 per cent. I have no idea who suggested the maximum of 10 per cent. Maybe it was the commissioner's suggestion; but if so, he is going beyond the bounds of reason.

I realise the commissioner is responsible for collecting duty which is owing, and I can understand his position would be made tons easier if he were empowered legally to impose a maximum rate of interest of 10 per cent. on unpaid duty. I do not think that we, as a House of Parliament, would be justified in putting into the law some provision which would give the commissioner the power to impose a rate of interest as high as 10, 9, 8, or even 7 per cent.

The next amendment in the Bill I wish to deal with relates to the duty-free value of shares which are in the name of a deceased person, and also with stock, debentures, life assurance policies, life assurance bonuses, and money on fixed deposit. The law provides that the amount of duty-free value in respect of these items shall not exceed £200, and the Bill proposes to increase the amount to £1,000. I give this proposal my support, because the change in the value of money in recent years fully justifies the increase in the maximum amount from £200 to £1,000.

The last amendment in the Bill deals with the amount payable from bank deposits to the widow or next of kin, without probate or administration. The present figure is an amount not exceeding £50, and this sum cannot be paid until after three months have elapsed, following the death of the person concerned. In these days £50 for the purpose of meeting funeral expenses and other urgent expenses amounts to next to nothing. Obviously there is justification for altering this amount and raising it. The proposal in the Bill is to increase the £50 to an amount not exceeding £200, and in each instance the Public Trustee has to be notified of the amount which is to be paid to the widow or next of kin, before probate or administration is granted. This money is to be used for funeral expenses or other urgent expenses which have to be met before probate or administration can be obtained. With the one exception I have mentioned I support the Bill.

MR. SEWELL (Geraldton) [8.43 p.m.]: Like the Leader of the Opposition I agree with most of the provisions in the Bill, but there are certain clauses with which I cannot agree. I refer firstly to clause 2, which seeks to increase the maximum from £1,000 to £2,500. Because of the increased value of properties and houses in these days the maximum value to be exempt from the enforcement of sureties should be £4,000. The provision in the Bill does not go far enough.

The provision in clause 6, which was also referred to by the Leader of the Opposition, seems to be quite reasonable. We know that in some instances—particularly in cases of subdivisions which are sold on terms—the buyers sometimes neglect to obtain transfers and to perform the other requirements appertaining to the purchase of land. In my electorate, some of these cases go back as far as 40 to 60 years. One particular block has been sold perhaps two or three times. A deposit was paid, and it ended up with nobody knowing who owned the block.

The amendment in clause 8 is unreasonable in that it is proposed to increase the maximum penalty for duty owing to 10 per cent. The Leader of the Opposition has intimated that he is agreeable to an increase from the existing 4 per cent. to around 6 per cent.; similarly I am agreeable to increasing it to 6 per cent., but I am definitely opposed to an increase to 10 per cent.

I disagree with my leader on clause 9. I think he said he would be agreeable to the £1,000 mentioned in the Bill, but I think it should be at least £1,500. I support the Bill in principle; although in some instances it does not go far enough, and in clause 8 it goes too far.

MR. COURT (Nedlands—Minister for Industrial Development) [8.45 p.m.]: I thank the two honourable members for their comments. The matters to which they specifically referred were contained in clauses 2 and 8, so far as any objections were concerned.

Dealing with the comments of the honourable member for Geraldton, I feel we should leave the figure as it is in the Bill because the sum of £2,500 is the statutory amount to which the surviving spouse is entitled under section 14. In these matters we have to observe a certain degree of caution, and it is desirable to make haste, not exactly slowly, but with some caution so that we know the full effect of the amendments. The Act can be amended from time to time to give effect to changing money values.

The Leader of the Opposition referred to the true implication of this clause and summarised it correctly and effectively. Clause 8, to which the Leader of the Opposition is objecting, deals with the change in the rate of interest, and this has more merit than the Leader of the Opposition is prepared to admit. At this stage it must be appreciated that the interest being charged is subject to some very important conditions.

For instance, the parent Act provides—

> Interest at the rate of four pounds per centum per annum shall be charged on all duty payable under this Act from and after the expiration of three months from the time when the duty first becomes chargeable until the duty is paid, and shall be deemed part of the duty imposed by this Act but where the payment of duty is, under section sixty-nine A of this Act, deferred for a period, interest shall not be charged on the duty during the period:

There is also a provision that the commissioner may postpone for such period as he thinks fit, the date from which interest shall be charged. The Under-Treasurer, in considering this particular matter, has pointed out that the present rate is quite unrealistic.

Mr. Tonkin: It is a lot more than Hawker Siddeley was charged.

Mr. Hawke: That's a good'n!

Mr. COURT: I suppose if we keep going for a little longer, the Deputy Leader of the Opposition will have something to say about the T.A.B., too.

Mr. Tonkin: And anything else in the same line of business.

Mr. COURT: Let us deal with the Administration Act at this time. It was submitted that the proposed new rate is unrealistic compared with the earning rate of the trust funds at present where it is not unusual to earn 6 per cent. and more. However, we do not want to lose sight of the fact that payment of this duty is an obligation imposed by law, and the interest that is charged becomes, in fact, something of a penalty, something that encourages people to pay their just dues promptly and in accordance with the law. If the provision for deferment or discretionary power were not in the hands of the commissioner it would be different. It is not mandatory. It is a rate of interest which can be charged with some discretion and it would only be in most extreme cases that it would be imposed.

I tried to check on the *Hansard* report of speeches in another place to see if this matter was discussed by either side; but apparently it was not. I did notice that the honourable Mr. Wise raised a question, but not on this particular clause. I imagine that certain gentlemen up there, who have very considerable experience of this law, would have been very quick to act if they felt it was an unjust provision to incorporate in the Bill.

I think we have to assume, and not only assume but regard, this type of interest charged as being a penalty that should be in the hands of the commissioner, if people want to use this type of money for their own gain. Certain people will prolong the payment of their dues, payment to creditors, and payment of anything, if they can make more money out of using it in any investment.

Mr. Hawke: I know one I think would do that if he could.

Mr. COURT: For this reason it is not unfair or improper that the collector of revenue should have the opportunity to impose some sort of restriction or penalty on the individual concerned to get him to meet his dues promptly. In view of the fact that discretionary power to defer is provided, I do not think it is unreasonable it should be lifted from 4 per cent., and give the commissioner power to nudge people along to pay more promptly.

I feel I should refer to the amendment I have on the notice paper. As the Bill is at present drafted, it covers only £1,000, including any bonuses due under the particular policy. It is desired to amend that provision so that £1,000 would be the

amount excluding the bonuses accruing under the policy. I think that to a large extent this will help to meet the wishes of the honourable member for Geraldton.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Clauses 1 to 7 put and passed.

Clause 8: Section 108 amended—

Mr. HAWKE: I was hoping the Minister would agree to reduce this maximum of 10 per cent. He certainly did not say anything to justify raising it to 10 per cent. He told us how some smart alecks under the existing law avoid the payment of duty because even with the maximum rate of interest imposed upon them they can still continue to refuse to pay the duty. They can pay the 4 per cent. interest which is in the form of the fine, and use the unpaid duty money for other investments and obtain perhaps 5 per cent., 6 per cent., or 7 per cent. for it, or, in isolated cases, maybe higher than 7 per cent.

Obviously that type of person is a smart aleck. Other provisions exist in the law which could be used against that type of person because he is deliberately avoiding the payment of the duty in order that he may use the money which should be paid, for the purpose of investing it at fancy rates of interest in some other enterprise or undertaking.

In my view, that would not in any degree justify the raising of the maximum rate to 10 per cent. The other provisions in the law could be used against this smart aleck person who deliberately avoided the payment of duty. This type of person does not fail to pay because he is not in a position to pay. He refuses to pay because he can get more than 4 per cent. for the money by investing it somewhere else. Surely the law provides strong action which can be taken against that type of person! Such a person treats the commissioner and the law with contempt and the strongest possible provisions of the law should be used against him to the extent of taking him to court and making him face up to the possibility, even if not the probability, of imprisonment.

Other people are treated that way, for inability to pay under other laws; and yet, according to the Minister, the type of individual in this particular field refuses to pay because he can make a profit out of not paying his dues to the commissioner and to the State. Such a person should be treated very severely under the law. Only one or two of them would have to be treated that way before the smart aleck tactics were dropped.

So those persons can effectively be dealt with without providing the discretionary power to declare a maximum rate of interest of 10 per cent. to be imposed on all and sundry, including those who are unable to pay. It is true, as the Minister has told us, that the commissioner has a certain amount of discretion. For instance, the rate of interest by way of fine does not come into operation until three months of non-payment have expired. In addition, the commissioner may postpone the imposition of the fine.

Those discretions are quite satisfactory and effective, and I have no doubt they are fairly applied from time to time by the commissioner. However, the issue with which we are concerned is whether the 4 per cent. maximum shall be increased to 10 per cent. I think the 10 per cent. proposed is too severe and is almost unconscionable.

I was hoping the Minister would suggest 7 per cent. at the highest, but he has not suggested any lower percentage than 10 per cent., so he leaves me no option but to move for what I consider to be a reasonable maximum. I therefore move an amendment—

> Page 4, line 5—Delete the word "ten" with a view to substituting the word "six".

If the amendment is accepted the proposed maximum of 10 per cent. will be reduced to 6 per cent.

Mr. COURT: I oppose the amendment, and I am rather surprised that the Leader of the Opposition has persisted in his attitude, because he has been a Treasurer of the State and no doubt had instances brought to his notice of the difficulty of collecting some of these dues from certain people—admittedly a minority. The Leader of the Opposition would, therefore, realise just what could happen if we allowed the figure to remain at 4 per cent. or even to become 6 per cent.

Section 108 contains ample provisions to protect the people concerned. Firstly, this duty does not start to run until the assessment has been made; and it takes quite a while, on occasions, before the assessment can be made. That occurs sometimes because it is difficult for the administrators of the estate to assemble the information, and sometimes officialdom itself has to undertake certain valuations to arrive at a correct assessment. There can be a host of legitimate reasons on both sides for delay.

Assuming the assessment is arrived at with reasonable despatch, the fact remains that there is no suggestion of interest being charged at any rate until after the expiration of three months from the time the duty first becomes chargeable. In other words, the duty has to be assessed; it has to be payable; and then three months must elapse before there is any interest chargeable at all.

The Leader of the Opposition has said: Why not use all the processes of the law against this person? No doubt the processes would be that the commissioner would make his assessment and decide that the person should be pressurised to pay his dues as quickly as possible, and would not grant any relief to him. But if the person was taken to court, there would be all the time when the processes of law were operating, and the maximum of 6 per cent. suggested by the Leader of the Opposition would apply; and this person could invest his money at a higher rate of interest, say 10 per cent., and it would be well worth his while to allow the processes of law to operate, pay the maximum of 6 per cent., and then at the eleventh hour to pay the assessment. That is the type of person that the maximum rate would be used against, if at all. The inclusion of this provision would make it easier for the commissioner to nudge some of these people to get their returns in and pay the probate within a reasonable period.

After all, the duty has to be assessed, and after it becomes payable there is still a period of three months before the maximum rate could apply. On top of all this, there are certain people who automatically get deferment, and they could be regarded as necessitous cases. On top of all this again, the commissioner has some power to grant deferment and relief. It is not as though this matter is going to be left arbitrarily in the hands of the commissioner, because the rate to be used has to be declared not by the commissioner but by the Treasurer from time to time; and the Treasurer, being in a responsible position, would not be inclined to agree to declaring a particular rate unless he was satisfied that the circumstances justified the higher figure.

I submit that in most cases, if not all, it would be in the form of a penalty because of someone trying to avoid his just dues. I oppose the amendment.

Mr. SEWELL: I support the amendment. The Minister has told us, and no doubt correctly, that the three months' period would be allowed. I remind the Minister, however, that frequently there are estates which, because of their nature —estates made up of shares—take far more than three months for the completion of assessment, and it would be a definite hardship on the family of the testator to pay 10 per cent. Other estates would be made up mostly of mortgages and such assets. I wonder how many honourable members have seen the spectacle of executors of an estate going to a bank or some other financial institution to borrow money to pay the duty after the estate has been assessed at the old 4 per cent. In some cases the executor's request has been turned down.

Mr. HAWKE: The Minister told us he was surprised that I, as an ex-Treasurer of the State would oppose the 10 per cent. proposal. I point out to him that during the six years I was Treasurer we had no difficulty in managing with the 4 per cent. maximum. Therefore if I, when Treasurer, could manage with a 4 per cent. maximum, how much easier should it be for the present Treasurer, supported by the assistant Treasurer, to manage with a 4 per cent. maximum; because they both claim to be almost geniuses in the field of finance, public and otherwise.

However, even though I think they should be able to manage with a 4 per cent. maximum, just as I was able to, I am, as I have said, prepared to agree to an increase to 6 per cent., which is a 50 per cent. increase, and I think it is a reasonable one.

The Minister went on to tell us that any legal processes commenced by the commissioner to bring these smart alecks to heel would not be effective, because at the eleventh hour, after all legal processes had been operated, they would capitulate by paying the duty in full and thus escape the imposition of whatever penalty might otherwise have been imposed by the magistrate. I do not accept the Minister's explanation in that regard.

Mr. Court: He would not escape the interest under this provision.

Mr. HAWKE: I believe that, once the legal processes were commenced, an individual of this type would quickly come to heel. He would be one of the last persons in the community who would wish to face an action of this kind in this court; and he would have to involve himself in some legal costs once legal processes were started by the commisioner. This type of smart aleck would be a hungry type in regard to money, and the last thing he would wish to do would be to involve himself in legal costs.

I do not think there is any shred of justification for increasing the present maximum from 4 per cent. to 10 per cent.

As far as I understand the law, we could not impose differential rates. We could not impose 10 per cent. to catch a smart aleck, and impose only 5 per cent. on a person who was unable to pay. Once a maximum rate was declared it would have to be applicable to everybody. So, in going after the smart aleck with 10 per cent. interest, we would have to apply the same 10 per cent. interest charge on those who had not paid because of sheer financial inability to pay.

I hope, even against hope, that there will be some private members on the Government side who will see the injustice of the Government's proposal to raise the maximum rate from 4 per cent. to 10 per cent. We are prepared to meet

the Government reasonably in this matter; and I think the Treasurer, and the Minister for Industrial Development, who is handling the Bill on behalf of the Minister for Justice, should meet us in this matter. I have already indicted our willingness to go to a 6 per cent. maximum, and it might be possible that the Treasurer and the Minister could persuade us to go 1 per cent. higher; but I am not committing myself on that point, nor am I committing any other honourable member on this side of the Chamber.

However, I think the Minister, on reconsideration of the issue, would undoubtedly come to the conclusion that an increase in the maximum rate from 4 per cent. to 10 per cent. is unconscionable. It represents an increase of well over 100 per cent—an increase of 150 per cent. if my arithmetic is as good as it used to be.

I want the Minister to have a quiet word with the Treasurer, and I want them to be reasonable in this situation. If they are reasonable then I, for my part, will be reasonable in trying to come to some mutual arrangement and agreement with them.

Mr. TONKIN: The proposed amendment introduces an entirely new principle. Under the Act as it stands a penalty is declared by Parliament if there is an undue delay in paying the amount of duty which is payable. The only discretion which is permitted is that allowed to the commissioner; namely, that even though the Act says 4 per cent. interest may be levied after three months, the commissioner may use his discretion and allow a longer time before he imposes the interest rate.

The proposal in the amendment is that the Treasurer shall decide in individual cases the rate of interest, up to 10 per cent., which shall be levied. Unfortunately this leaves it open to representation from the strong as against the week; because if a man is influential and is able to have strong arguments brought to the Treasurer, he might have no penalty imposed above the 4 per cent. But if he is not influential and has nobody in high places to speak for him, then his arguments would not get to the Treasurer, and he might be up for 10 per cent. Parliament ought to declare the amount of interest which it feels should be charged in the circumstances; and I do not think Parliament would approve of a punitive rate of 10 per cent.

I would point out that if the commissioner makes an error and assesses the duty at a much higher figure than it ought to be, and his assessment is challenged, although it may be 12 months or two years before the case is finally determined, the commissioner will pay only 4 per cent. upon the money before it is finally returned. In my opinion he ought to pay a punitive interest, too, because what is sauce for the goose is sauce for the gander.

It is inevitable that we will have anomalies arising under this provision. There will be some cases where the rate of interest is 6 per cent.; and there will be other cases, not nearly as bad, where the rate of interest will be 7 or 8 per cent., because a Treasurer is not a machine, and it would depend on his mood whether he would impose 6, 8, or 10 per cent. Parliament should not put any Treasurer in that position, but should declare the rate; and if it is to be a punitive rate, we should state what the punitive rate shall be and leave it to the discretion of the commissioner as to whether he shall impose that punitive rate at the expiration of three months—which the law allows him to do—or extend the time so that he can then say to a recalcitrant person who is disinclined to pay, "You are given one further month in which to pay, and if you do not pay then you will be subject to the rate of interest applicable."

My experience of the situation is that the majority of people pay their bills when they are due, and the majority of those who do not pay their bills when they are due are people who cannot pay because, for some reason or other, they do not have the money. I can well recall my period in the Water Supply Department when the policy was that if a consumer was not able to pay his rates on the due date his water supply was disconnected. Obviously that person could not carry on without water, especially if he were residing in a sewered area, and so the department had to reconnect the water supply and the consumer was then charged the cost of reconnecting the supply, which made it still harder for that person to pay his bill. It was a stupid policy, and we stopped it.

On the basis that the majority of people who did not pay their water supply rates were unable to pay them, the department did not gain anything by disconnecting the water service. Therefore I suggest that there are other aspects of this matter which have not been advanced. It is not easy, when winding up some estates, to realise on the assets without sacrificing them. It could be that a person who dies and leaves a sizeable estate leaves very little cash. The deceased might have been an enterprising businessman who had raised substantial sums of money on mortgage to reinvest, and when the widow is faced with the prospect of finding a substantial sum of money with which to pay probate duty she is unable to do so within the time allotted, because one cannot sell assets at the moment one makes up one's mind to do so. It would depend on the nature of the assets. That is why there is provision in the law that it is not inevitable that, if the duty is not paid

within three months, a rate of interest shall be charged. The commissioner is allowed to let the period run on, having regard to the circumstances.

I do not think there is any justification for imposing the rate which the Leader of the Opposition called an unconscionable rate—and I agree with him—in order to meet this situation, which is not a new one, by any means. Further, I would not be one to leave it to the discretion of the Treasurer, however bright a person he might be, to decide who shall pay a punitive rate and who shall not. It is unfair to put any Treasurer in that position, and under this proposed amendment he will be placed in that position. We should keep to the principle already in the Act and declare the rate which shall be the one imposed at the discretion of the commissioner if he feels that an unfair advantage is being taken by somebody who believes that he can make more money by using the money he should pay to the commissioner.

The commissioner would be aware of that and he could impose the extra rate within the time allowed under the Act. I hope the Government will have a further look at the provision, because I cannot see any argument in favour of it.

Mr. COURT: I think the Deputy Leader of the Opposition has completely destroyed his own argument. He is prepared to trust the commissioner, but he is not prepared to trust the Treasurer.

Mr. Tonkin: Only with the time; not the rate.

Mr. COURT: His proposition was that this punitive rate—and he is obviously prepared to concede that there should be a punitive rate—should be left to the commissioner to impose at his discretion. The commissioner already has this discretion, be the rate punitive or otherwise, and no-one is suggesting that that should be interfered with. The proposition of the Government is more equitable and designed to deal more properly with the bad lad than the proposition put forward by the Deputy Leader of the Opposition, because he says, "Let us declare a punitive rate and that will be the rate." Neither the commissioner nor the Treasurer will have any say in it, and the only say the commissioner will have is the say he already has in the Statute; namely, to defer it.

Mr. Tonkin: Or not impose it.

Mr. COURT: By deferring it, it is the same.

Mr. Tonkin: No it isn't!

Mr. COURT: By deferring it, it would be the same as not imposing it because there would be no interest payable. The Opposition is arguing from a very insecure premise. I assume the Leader of the Opposition, in talking about this provision being unconscionable, is referring to the type of interest a person charges against another person who borrows money. This is not a question of somebody borrowing money and fixing a rate of interest. This is a question of fixing something by law where a person fails to pay money to revenue. Having been given a clear exemption of three months after the money has fallen due, and after having been shown normal indulgence when acting in these matters, if the person who owes the money is reasonable. Those in authority are reasonable in their approach—bearing in mind that they are entitled to collect the revenue—by letting the money go until the rate of interest starts to apply. The Leader of the Opposition then made light of the argument that the bad lad would continue to let the money go until the eleventh hour, taking advantage of the money being invested at a higher rate. Then, when he saw the game was up, he would pay the money that was due and make a profit out of the deal. This is the man who has big money. The little fellow does not do that sort of thing.

Mr. Hawke: Put the man with the big money in gaol!

Mr. COURT: How are we going to put him in gaol? He has not done anything wrong under the law for him to be put in gaol. The Leader of the Opposition does not suggest imprisonment for a man who does not pay the interest rate?

Mr. Hawke: We have no time for that type of individual.

Mr. COURT: The Leader of the Opposition is putting up a proposition which is completely impracticable. He wants to place in the hands of the commissioner the power to say that a man shall go to gaol who does not pay his dues. The proposition of the Government is designed to let the Treasurer of the day have some discretion. The Deputy Leader of the Opposition is not prepared to let the Treasurer have any discretion.

Mr. Tonkin: What has it to do with the Treasurer?

Mr. COURT: He is a person in a responsible position and is better able to sit in judgment on this question than the commissioner.

Mr. Tonkin: What nonsense! He would be advised by the commissioner!

Mr. COURT: The Treasurer also has political responsibilities as well as administrative responsibilities which are held by the commissioner. Therefore I think the Government's proposal is fair and reasonable. However, I have conferred with the Minister concerned and have studied the papers to find out the background of this proposition. Obviously, it has been brought forward because of changed circumstances which exist under the present Act and because of the practice which is being resorted to by some people; and the other States apparently feel that they need this maximum rate. They do

not have to charge it, but they have the provision there in order that they might deal with a person who seeks to avoid his responsibility to the community.

It is suggested that after I sit down we might report progress and then I can get further information for the benefit of the Committee, and also advise the Committee the experience of other States and the reason why they have this provision in their Statutes. In other words, the Treasurer and the Minister for Justice will consider the matter further to ascertain whether the arguments put forward by the Opposition have merit and some compromise figure should be agreed upon. However, before I sit down I want to make it clear that at some point there is need for a particular provision in this clause and then in the section of the Act when it becomes an Act, which will make it unprofitable for people who want to be shrewd to avoid their responsibility to the community.

Mr. HAWKE: I am somewhat gratified to find we have softened the attitude of the Minister.

Mr. Court: You always soften it.

Mr. HAWKE: It is not easy. All I want to say is that it must have something to do with the absurd proposition he tried to fit on to me. He suggested I was advocating giving power to the commissioner to put the smart aleck into gaol.

Mr. Court: You wanted to give it to the commissioner.

Mr. HAWKE: I never made such a suggestion, nor would I ever dream of making such a suggestion. I suggested that this smart aleck type of non-payer should suffer the penalty of imprisonment if he persisted in non-payment. In that regard I point out that many people in the State are imprisoned for non-payment of debts—people who cannot afford to pay their debts. They have not any option; they cannot afford to pay their debts, and they go to gaol. They have not anybody to make special provisions for them. So I make no apology for suggesting that provision should be made in this law, if it does not already exist, for this smart aleck type of dodger to be imprisoned if he persists in non-payment for any length of time.

Mr. Court: There are legal processes provided to give the commissioner the right to be paid. He has the estate to fall back on.

Mr. HAWKE: If it is necessary to tighten up the law to give more radical powers to deal with this particular type of smart aleck dodger then I am 100 per cent. with the Minister and the Government in tightening up the law.

However, that is not the issue. The issue is whether the present maximum rate of interest imposable as a fine for non-payment shall be increased to 10 per cent. I am totally opposed to the proposed new maximum. I am prepared to be reasonable in the matter; to agree that there is some justification in view of the change in money values from the time the 4 per cent. rate was first put into the law, to increase it to a figure of, say, 6 per cent.; and possibly, but only possibly, a maximum figure of 7 per cent.

I accept with some satisfaction the fact that the Minister has undertaken to discuss the matter with the Treasurer, the Under-Treasurer; and the Minister for Justice; and to report back to us at some future date. I now join with him 100 per cent. in hoping that when I sit down somebody will report progress.

Mr. Court: It is refreshing to see you on the side of the wealthy for a change.

Progress

Progress reported and leave given to sit again, on motion by Mr. O'Neil.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No.2)

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [9.34 p.m.]: I move—

That the Bill be now read a second time.

In moving the second reading of this Bill I wish to make it clear that the Local Government Act is one which will require amendment from time to time as circumstances alter and as experience indicates the need for variations. The Act has now been in operation for just over three years and some anomalies have been discovered, while some changing conditions have also made it necessary for alterations to be made.

The Bill is not one which should cause any great contention and in general the amendments are already known to the Local Government Association and Country Shire Councils Association and have been approved by those bodies. Some of the less important amendments have been incorporated without conferring with those bodies but all major ones have been the subject of discussions.

The first amendment proposed by the Bill is simply to vary the provisions dividing the Act into parts and divisions, by altering the name of the division of part 12, which at present deals with building lines so that this will read street alignments. The purposes of this is to avoid confusion, and the later provisions are based on that same idea.

In the past there has been confusion between the building line and a set back line at which buildings are to be erected. The normal conception is that the building line is the place where buildings may be erected. However, because of the power to declare building lines, coupled

with the idea that residences, for instance, should be set back behind the building line, there has arisen a confused idea of what the term indicates.

The amendments now proposed therefore substitute for the term "building line" the term "street alignment". This allows for the existing street alignment and for a proposed new street alignment.

Mr. Graham: Your supporters have deserted you.

Mr. Brand: You should talk about empty benches!

Mr. Graham: We have more than you.

Mr. Brand: When the Workers' Compensation Bill was on there were about two people on your side all night.

Mr. NALDER: The building line may then be fixed and that will apply to either the street alignment or the new street alignment if one is declared. The next amendment is to include an interpretation clause defining what is a street alignment. The next amendment is to enable a piece of outlying land—e.g., an area reclaimed from the river—to be included in an adjoining district on the certificate of the Minister that it is desirable that this action should be taken. This is to cover cases where the council is prepared to accept the piece of outlying land but there may be some person occupying land in it which would be ratable if it were to be included in the district and is not prepared to join in a petition for inclusion of the land within the adjoining district. It is considered that no person should be able to evade local government control and therefore, in cases where the council cannot obtain the acquiescence of any ratepayer in the area, the Minister is still able to direct that the outlying land be included in a local government district.

The next amendment is to clarify a disqualification clause in relation to the non-payment of rates. The case occurred some little time ago where there was a doubt as to whether a person concerned was debarred under the present provisions of the Act because there was some doubt as to whether the provisions relating to trustees applied to all trustees or only to the trustees or liquidators of the companies.

Under the new provisions a person who owes rates as a trustee will be debarred if his sole right to membership is that of being a trustee. If however, he owns land of his own, and is not in arrears in respect of that land, the fact that he is in arrears in respect of land of which he is only a trustee will not debar him.

The opportunity has also been taken in the same clause to deal with the question of pensions, there having been some doubt there as to whether in fact a pensioner who had had his rates deferred was debarred from membership. Some solicitors have held that there was no doubt that a pensioner whose rates were deferred was debarred but others have held that as pensioners' rates were deferred they were not owing in the full sense of the term and he was eligible.

As the whole purpose of the Act is to ensure that the persons administering the council do not owe money to the council and therefore cannot be charged with imposing burdens on people while failing to meet their own commitments, the provisions have now been amended to provide that a pensioner who has taken advantage of the right of deferment of his rates is debarred from membership.

Mr. Graham: That is a shocking state of affairs.

Mr. NALDER: This provision has the support of the Local Government Association.

Mr. Graham: They ought to be ashamed of themselves, together with you!

Mr. NALDER: There is apparently some misunderstanding as to the intention of this amendment if comments in another place can be used as a guide. There is no suggestion whatever that the amendment is to make pensioners what might be called second-class citizens. Far from that being the intention, the intention is to see that all persons, irrespective of their social class and financial standing, are treated in the same way.

Mr. Toms: They are not.

Mr. W. Hegney: You want adult franchise for that.

Mr. NALDER: A wealthy man who is a member of a municipal council but who finds himself for the time being unable to pay his rates is disqualified from membership. A person who although not a pensioner is in receipt of an income very little more than the total amount which the pensioner can earn likewise is debarred if he fails to pay his rates. It has been thought by most people that pensioners were already treated on exactly the same footing as everybody else in this way, but as I have already said, solicitors have differed on the question of whether they are in fact clearly debarred under the Act, this disagreement between solicitors having been uttered at the Conference of the Institutes of Municipal Administration as recently as Wednesday, the 28th October.

Mr. Graham: You take advantage of it to knock the pensioners.

Mr. NALDER: I repeat that there is no intention to make pensioners a separate class and to regard them as inferior to other people. On the other hand it is not intended to make pensioners an absolutely privileged class and to relegate the rest of the community to the position of second-class citizens who alone are called upon to pay their rates if they wish to participate in local government activities.

Mr. Graham: Parliament has already provided for them.

Mr. NALDER: The Government would be very pleased indeed if pensioners were able to obtain sufficient income from their pensions and in other ways to meet their commitments to local authorities, in which case there would be no problem at all involved in this question of ineligibility for membership because of failure to pay rates. Many pensioners do pay their rates, and it appears to be quite definite that of the number of pensioners who are members of councils at the present time, none has had his rates deferred, but all have met their obligations.

Mr. Graham: In that case what are you getting excited about?

Mr. NALDER: It seems that the honourable member is getting excited.

Mr. Graham: I am protesting against the pensioners being excluded.

Mr. NALDER: This should not be treated as a political matter at all as all parties agree that pensioners deserve consideration in every way possible—

Mr. Graham: Hear, hear!

Mr. NALDER: —and the record of the Government in this connection speaks for itself.

Mr. Graham: Fooling, of course.

Mr. NALDER: But if we once accept the principle, as has been done in the principal Act, that only the financial members who provide the money to keep the municipality going, are entitled to take part in the government of the municipality, then we must in all fairness and consistency to those who do provide the money, debar any pensioner who finds himself unable to meet his commitments to the council.

Mr. Graham: Real old Tories!

Mr. NALDER: The next amendment is one which simply corrects a typographical error. The next amendment enables a council to amend the electoral roll by including in it the name of any person who has been omitted in error but whose name appeared in the electoral list and in the finalising of the roll that name was omitted.

A glaring example of this possibility occurred this year in one country district where a complete page of the electoral list was missed in compiling the actual roll, there being no less than 32 persons thereby disfranchised. The provision will enable a council to correct such an error.

The next amendment deals with the election of a deputy president and makes this follow the same routine as the election of a president in that it is to be done by secret ballot. In the past the president has been elected by secret ballot but the deputy by open vote. It is felt that it would be preferable that each of these should be elected in the same way and the amendment is to ensure this.

The next amendment deals with the nomination of candidates. There have been a few cases where candidates have nominated and have at the time owed rates. Although the returning officer was fully aware of that fact he had no power to reject the nomination because the Act prevents him from doing so. This new provision therefore requires the returning officer to inspect the rate book, and if he finds that the person so nominated does in fact owe rates which are overdue more than six months he is bound to reject the nomination.

Because of the amendment to which I have just referred, one council has raised the objection that its officers will find it impossible to deal with nominations and complete the reading of nominations in a quarter of an hour after nominations close on nomination day. Although it is considered that this contention is not correct and it appears quite definite that in every other council there is no problem anticipated by the town or shire clerk, nevertheless to make it quite certain that there will be no complications, a further amendment is to be made in section 97 of the principal Act so that the reading of nominations may be completed by half past four instead of a quarter past four as at present provided. This extra quarter of an hour will allow even the most overworked to determine whether the rates of the candidates have been paid.

It must be remembered that in the majority of cases the nominations are received well before the hour of closing and therefore there is ample time in all but a very small minority of cases to check on the rate position well before nominations have closed.

The next amendment is to make provision for what is known as "claim" voting, and will authorise a person entitled to be on a roll and whose name appeared in the electoral list of the year or on the previous roll but does not appear on the roll being used for the election, to cast a vote upon making a declaration that he is entitled to vote and that his name has been omitted from the roll without proper cause.

The provision is somewhat similar to that in use in the Electoral Act although it has been borrowed from the Victorian Local Government Act for the purpose.

The next amendment is to provide a consequential amendment arising out of the amendments made to the same section last year.

The next amendment is also consequential on the amendments made last year in regard to the change in the method of counting votes where there are two or more vacancies to be filled at the one election. This makes it quite clear that the deposit of the candidate is forfeited if he does not obtain at least one-fifth of the votes counted as first preference votes

in favour of the elected candidate who obtains the least number of first preference votes.

It is admitted that under this method of counting it is somewhat difficult to decide whether a person has been sufficiently discredited as to justify forfeiting his deposit, but it is felt that the provision now set forth is a proper test to apply.

The next amendment authorises the scale of fees payable to returning officers, deputy returning officers, and poll clerks. This is based on increasing costs and the desire of the Local Government and Country Shire Councils Associations to see that returning officers are paid a reasonable figure. The increases are made quite obvious by the way the amendments are set out.

The next amendment deals with the duty of councillors to vote. The intention of the Act has been that councillors must vote except when they are disqualified from doing so. However, it has been found that there is a doubt as to whether in fact the provisions of the Act are clear on this point and therefore the amendment is to ensure that they must vote unless disqualified from doing so.

The next amendment deals with committees of the council and makes it definite that the deputy mayor or deputy president will act as a deputy in place of the mayor or president at any committee meetings where the mayor or president respectively is absent.

The next amendment is based on the same idea that the deputy mayor or deputy president shall act at committee meetings in the absence of the mayor or president, as the case may be.

The next amendment deals with by-law-making powers in respect of removing rubbish, etc., from land where it is considered that the presence of that rubbish or other material is likely to affect adversely the value of adjoining property or the health, comfort, or convenience of the inhabitants.

A court decision made it doubtful that, for instance, old motor bodies could be regarded as coming within the provisions of the section; and the amendment therefore is to make it quite clear that any material of whatever kind could be ordered for removal under a by-law made by virtue of the section.

The next amendment is to incorporate power to make by-laws to control one of the things which is becoming quite an eyesore in our metropolitan area, as well as in other metropolitan areas throughout Australia and I think throughout the world; that is, the dumping of disused motor vehicle bodies in large quantities on land. The new section which it is proposed to insert will give power to make by-laws to deal with this problem.

The next provision deals with a by-law-making power under which model by-laws have been made and have been adopted throughout the north-west and in other parts of the State, which enable roads to be closed after rain. The present provisions are not entirely satisfactory in that the road must be closed entirely to all types of traffic and this means that there are times when light vehicles such as motor-cars are forbidden to travel although they could do so without any trouble at all and it is only larger vehicles which could cause damage.

The new provision, therefore, is to allow the road to be closed completely, or to traffic of any particular class; and also enables the opening of the road to light traffic before it is completely opened after the closure. This will be welcomed in the districts which suffer heavily from cyclonic storms.

The next amendment is quite an important one in providing power to close private streets and to distribute the land concerned among adjoining owners. This is aimed principally at what are commonly called rights-of-way, but are really access lanes. These lanes have been a problem for many years and councils would be very glad to dispose of them, but in most cases they are still owned by the original subdivider of the land. They could at present be revested in the Crown for non-payment of rates, but that still means that the laneway exists and can become a repository for rubbish as well as a menace in the bushfire season.

The proposal set forth in the Bill is that where a council wishes to close one of these it must prepare a proposal for the closure of the right-of-way and its distribution among the adjoining owners. Having done that it must give notice of its intention to the owner of the lane itself, and to the adjoining owners; and must also notify departments such as that of the Minister for Water Supply, the Water Supply Board, the State Electricity Commission, and the P.M.G. Department, etc., so that these may inspect their plans to ascertain whether the right-of-way is actually needed.

The council having given notice must accept any objections, and may modify the proposal or abandon it altogether. If it proceeds with the proposal either as originally conceived, or as modified, it then submits it to the Minister together with details of all the objections, and of course the council will be expected to comment on these objections. If the Minister is satisfied that the proposal is right and proper after he has caused any further inquiries to be made which he considers desirable, he will either reject the proposal as not warranted or will submit it for the approval of the Governor-in-Council. This having been done, the right-of-way is closed and the land is distributed in accordance with the approved proposal.

The Land Titles Office is then required to adjust all the titles without payment of any fee. The titles having been altered, the landowners are then in a position to shift their fences and complete the closure of the lane. If any particular landowner acquiring the piece of land does not choose to shift his fence, well, that is his concern; but as soon as one person fences, the lane is for practical purposes closed. It has been suggested in another place that the council should bear half of the cost of shifting the fences. This is not considered necessary or reasonable.

The council will be involved in considerable expense in preparing the scheme and handling the administration work to achieve the closure under this provision; and if the council is then to be called upon to bear any part of the fencing costs, this would probably make the scheme unworkable for the council which, after all, is not expected to get any real benefit from the closure itself, but will be conferring the benefit on the landowners concerned.

Mr. Norton: That is very doubtful.

Mr. NALDER: In some cases an additional piece of land will be very valuable to the landowner in enabling him, with a better frontage, to get a better price for his land, and in many cases even a narrow strip at the back will add to the value. The addition to the value will, in most cases, be insufficient to make any difference to the ratable value of the land excepting where the addition means an increase in the frontage. If landowners are opposed to the scheme on the ground that it will confer no benefit upon them but merely involve them in expense, then naturally they will object to the council and the council may decide to abandon the scheme.

In another place it has been suggested that the council should bear the cost of altering the fences because, when a road is cut through private land, the council is responsible for the fencing on each side. There is no analogy here at all, because the council is merely closing this lane for the purpose of conferring a benefit on one or more landowners and the council's only benefit is that an unwanted eyesore which is a nuisance is passed into hands of responsible people, who in almost every case will be anxious to obtain the additional piece of land.

It has also been suggested in another place that if there is any objection by any of the departments to which notices are sent under the section, the whole scheme must be automatically prohibited. This is a foolish and futile contention because once an objection has been made it is considered; and ways may be found of overcoming the objection. This is the sort of preliminary consideration which it is expected will be entered into in every such case.

It must be quite clearly understood that the procedure involved in this proposal is so troublesome and costly to the council that it will be most unlikely to make use of it and to give itself trouble and invite criticism unless the case is one in which the closure is readily justifiable. It must also be remembered that the council could acquire the land if it wished to do so for street widening or to provide an additional access at the rear of premises. In another place it was suggested that some of these lanes might readily be converted into one-way streets to relieve traffic pressure. This is quite correct, and the council could be expected to take that action if it is justifiable. It could do that under the existing legislation and the provisions in the Bill to which I am now referring do not affect that right in any way.

Despite suggestions that this procedure will be used or could be used to confer hardship, I think that perhaps honourable members are satisfied that a local authority normally will act reasonably and sensibly; and, in any case, the Minister and Executive Council could be relied upon to make quite sure that there is no injustice perpetrated in this provision. The councils are given the right of resumption, and, from time to time there is criticism of land being resumed, but in the great majority of cases there is no justification for criticism. In this particular scheme the opportunity to criticise and object is preserved right from the inception, and therefore it is quite obvious that justice is being done to all persons concerned.

It is hoped that this procedure will allow this difficult problem to be dealt with as cheaply as possible but ensuring that every person affected has the right to make representations.

The next amendment deals with regional councils created under section 329 of the principal Act. Some doubts were created at Kalgoorlie where a magistrate held that a regional traffic council constituted there, which incidentally has been doing a particularly good job, was not properly constituted. The amendment now proposed clarifies this position by making it quite definite that such a council may exercise functions and powers conferred upon the constituent councils under the Traffic Act. It also provides for a specific or general delegation of powers, thus clarifying the position generally.

The next amendment is to provide councils with a power to close streets or parts of streets for the purpose of carrying out traffic control experiments. The idea is that it may be possible for councils to close, for instance, an entrance of some streets to a major highway, thereby compelling the users of those streets to enter the highway at one or two selected spots where light or other traffic control measures may be used. Until the matter has

been tested, however, it cannot be certain that there will be an improvement by such a diversion.

The proposal therefore is to insert a new section 331A giving councils power to close a portion of a street for the purpose of carrying out experiments and tests. Without the consent of the Minister the closure cannot extend beyond 14 days; and to ensure that there is no clash of interests in the matter, the whole power is made subject to the approval of the Minister for the time being administering the Traffic Act.

The next amendment is to meet the requests by local authorities for a variation in the present provisions concerning the construction of crossings over the footpath. The present provisions are that on the application of an owner of land for a crossing the council may either permit the crossing to be constructed at the cost of the person concerned, or may construct the crossing and recover half of the costs.

Cases have arisen where a landholder has asked for more than one crossing or has asked for particularly large crossings. The council, while prepared to agree to the request for the crossing considers that the ratepayers as a whole should not be called upon to meet the extra costs involved in these crossings.

The new amendment therefore differentiates between a standard crossing and special types of crossings, and provides that where a standard crossing is provided a council shall bear half of the cost. If the crossing is below standard the council bears no part of the cost; and if it is above standard all costs over and above half of the cost of a standard crossing must be borne by the landowner concerned.

The next amendment is to change the name of division 9 and is a machinery alteration.

The next amendment is, as already foreshadowed earlier in my comments, to provide a complete clarification of the provisions relating to building lines. The term "street alignment" is to be substituted for the term "building line," thus giving either a street alignment or an old and a new street alignment if a new street alignment has been fixed.

The council has the right to prescribe a new street alignment by by-law, this being exactly the same as the present power to establish a new building line by-law, but overcoming the confusion in the terms. The redrafted section contains most of the provisions of the original section 364, but makes one important change in that there is no compensation payable simply because of the declaration of the new street alignment, except in a district to which that liability has been extended by the Governor.

This means that in general when a council establishes a new street alignment the land between the old street alignment and the new remains the property of the landowner until in the majority of districts the council itself later acquires the land for the widening of the street. In the declared districts the land would become vested in the Crown immediately the buildings have been demolished and removed by the owner, and compensation would thereupon become payable.

Land which is vacant in these declared districts—and by that I mean not only land which is completely vacant but land which is vacant only between the old street alignment and the new—will become automatically vested in the Crown and compensation will be immediately payable. The declared districts to which I have referred are districts in which the whole of the street may be declared as one to which these provisions will apply or a part of the street can be declared as subject to immediate and automatic revesting.

These provisions are of importance, particularly in the metropolitan area where, because of the regional plan, new street alignments are being required to meet the requirements of the Metropolitan Region Planning Authority. Councils have been disinclined to provide by-laws fixing building lines because of the danger of compensation. The new provisions mean that compensation is not payable until the property in the land is transferred, and this may not become necessary for many years. However, the fixing of the street alignment will prevent any new building construction from taking place in front of the new street alignment, and this will make it far easier for the landowner as well as for the council.

The next amendment makes it a definite offence for a person who has obtained a building permit to make any variation in the work as compared with the plan without obtaining the approval of the building surveyor. It has been found that in quite a lot of cases a person has obtained a building permit and then has deliberately done something which is forbidden under the by-laws. Under this new provision he could be prosecuted for doing so. Some variations are quite acceptable and are permissible under the by-laws, and therefore the building contractor could obtain the approval of the building surveyor without any trouble, and in such a case he commits no offence. The new power, however, to impose a penalty for a deliberate breach is considered to be very desirable.

The next amendments are consequential upon the change in the term "building line" to "street alignment". Under section 433, paragraph 26 (a) there is already power to require a set back for buildings in relation to a building line, and this is now to be made to operate in respect of street alignments. However, as there are still building lines in operation and councils may desire to fix building

lines which are really set back lines between street alignments in the future, this by-law-making power has also been included.

The clause then proceeds with another amendment by giving power in making by-laws to require that in respect of a building erected after the coming into operation of the amendment Act, the persons must provide on that land such number of parking spaces as is prescribed in the by-law or in proportion to the number of persons residing or working in the building.

With the growth of motor traffic it is necessary that vehicles should be parked on the land rather than on the street, and this new power is to ensure that a council can validly make a by-law requiring the provision of parking spaces in relation to flats, industrial buildings, etc.

It is now accepted generally that the person who generates extraordinary traffic should be called upon to provide parking facilities for that traffic either on the land or elsewhere. Industry as represented by the Chamber of Manufactures accepts the fact that it has some responsibility in this way, and it knows quite well that in many districts where public transport is not available it must either provide parking spaces for its employees or it will have no employees.

Mr. Jamieson: In order to build a new private hall, would one have to provide accommodation for expected vehicles, and traffic generally?

Mr. NALDER: That would be a matter for the local authority.

Mr. Jamieson: Would they have the right to insist that you do?

Mr. NALDER: I would say so.

Mr. Tonkin: Will the Education Department have to provide parking facilities for its teachers?

Mr. NALDER: I should think that would be a matter for the local authority. If the parking of vehicles in the street becomes a hazard, then I think it would be a matter for the local authority to confer with the Education Department.

Mr. Tonkin: The point I am raising is: Will the Crown be subject to the same rules as anybody else?

Mr. NALDER: I would not be sure on that point, but that could be ascertained and the information given to the Deputy Leader of the Opposition while the debate is in progress. The good industrialist is prepared to make provision for parking spaces in all new factory establishments, and he likewise is prepared to make some arrangement with the council in respect of parking facilities in older established industrial areas where it is now physically impossible to provide parking on the land. Flat-owners in general also wish to provide parking spaces on the land itself and do not wish to have to make use of the streets for parking their vehicles. A by-law could ensure that not only the good industrialists or good flat-owners make provision for parking spaces, but also the go-getter type who would prefer to take every penny possible in rental or sales value and provide as little actual amenity as possible. This therefore will ensure that there is consistency and justice between various people concerned.

In another place it has been suggested that the power is altogether too wide and that it would be ridiculous for a council to be given power to insist upon the big shops in the City of Perth, for instance, providing parking spaces for all their employees, because it would be physically impossible to do so. This is the reason why this power is being incorporated as a by-law making power. Each council will have the option of making by-laws or of abstaining from making by-laws. The by-laws will apply only to buildings being erected and not existing buildings. It will be able to apply the by-laws to the whole of its district or to those parts of its district where it can be economically justified.

In most of the new shopping areas parking facilities are being provided at the present time; and, as I have already mentioned, provision is being made in flats and industry for parking. Councils can be relied upon to use common sense in submitting a by-law on this subject, and it is inconceivable that any council would endeavour to apply such a by-law to an area such as a central shopping block of the City of Perth. If any council were foolish enough to try—and frankly I cannot conceive of such a thing ever happening—then it is impossible for me to imagine that the Local Government Departments, the Town Planning Department, the Minister for Local Government, and the Executive Council, could be induced to agree to so foolish a proposal. Like all other by-law-making powers it is certain to be used with discretion and with common sense, and I commend it to honourable members with complete confidence that the power will be used in the proper way.

The next amendment is a simple machinery change to facilitate the gazettal of the application of the uniform building by-laws to various districts. In the past it has been found necessary, because of the language used, that on every occasion when there is an amendment of the building by-laws this amendment must be applied to every district to which the by-laws apply. The new power will simply mean that once the by-laws have been applied, any amendments or additions thereto will also apply.

The next amendment deals with valuations, and this has the approval of the Local Government Association, which has gone very carefully into the matter. In dealing with annual values, it has been

laid down in the Act that land is regarded as unimproved unless there are on the land improvements valued at least one-third of the land without improvements or £50 for each lineal foot of frontage, whichever is the lower. It has now been decided to lift that proportion to one half so that land will be regarded as unimproved unless it carries improvements valued at least half of the vacant land. This is important, particularly where the land itself is valuable, and is regarded as necessary.

The amendment then goes on to provide that in respect of adjoining lots these are to be valued separately, except where there is a building partly on each of the lots and the value of that building is at least one-half of the unimproved value of the lots. In this case the two lots are to be grouped and valued together.

The next amendment is to clarify the provisions of section 552 which authorises a minimum rate of up to £5.

Doubts have arisen as to whether the expression used applies a minimum to the complete holding of the person or to each individual piece of land. The intention was that the minimum would apply to each separate piece of land, and the amendment is to make that clear.

The next amendment is to clarify the provisions of 561 relating to the deferment of rates on behalf of pensioners.

Firstly, it is proposed to make it perfectly clear that the deferment of rates under this section does not enable the Limitations Act to be pleaded as justification for not paying rates after these rates become due. This is regarded as only proper.

Secondly, the fact that rates for pensioners cannot be deferred without the consent of the Director of War Service Homes, where the pensioner occupies such a home, has proved troublesome in the past, and it is therefore proposed that in order to ensure that the Director of War Service Homes will not object to a deferment, the claim of the council must rank after the charge in favour of the Director of War Service Homes.

Thirdly, in view of some doubts which have arisen in connection with cases where the property is occupied by the pensioner, and also by another person who either is a pensioner or who is not a pensioner, this has been clarified. The right to deferment is not lost when the property is occupied by the pensioner, and some other person who is also a pensioner or is a dependent of the pensioner himself. If the property has as one of its occupants some other person who is not a pensioner and not a dependant, it is presumed that that person is making a contribution and therefore deferment of rates is not granted in such a case.

The next amendment is to remedy an error in the numbering of the forms in the 22nd schedule where the forms have been inserted in the wrong order. The amendment therefore will transpose the references to correct this.

The next amendment deals with the fact that the councils are authorised under section 626 to entrust a sum to the Clerk or Treasurer to be used as a petty cash or other advance or for an account to be operated upon by that officer alone. This is to be clarified by the amendment to make it clear that the advance is to be on the imprest system; i.e. to be recouped and brought up to the original amount from time to time, and is to be applied to such uses as the council authorises. This would prevent the account being used for any other purpose.

The final amendment in the Bill is in relation to the declaration of townsites under the Local Government Act. Section 686 enables the Governor to declare land to be a townsite and to change the name, but at present it does not provide the power to vary the boundaries of the townsite or to declare that it no longer exists.

The amendment is to remedy this and to allow the boundaries to be varied or the whole townsite to be cancelled. This does not, of course, apply to townsites under the Lands Act which are not affected.

I commend the Bill for the consideration of honourable members and trust that it will be carried. Any matters which are the subject of doubt can receive further consideration during the Committee stage.

Debate adjourned, on motion by Mr. Toms.

ANNUAL ESTIMATES, 1964-65

In Committee of Supply

Resumed from the 20th October, the Chairman of Committees (Mr. I. W. Manning) in the Chair.

Vote: Legislative Council, £18,612—

MR. GAYFER (Avon) [10.15 p.m.]: In this somewhat electric atmosphere I intend to continue the debate on the Budget, and in particular that portion of it dealt with under the heading of "Primary Production." At the outset I think I should compliment the Treasurer, and those associated with him, for the presentation of the Budget and the speech with which he presented it. Being a practical farmer I noted in particular that portion of the Treasurer's speech where he said—

Mr. Brady: On what page?

Mr. GAYFER: I quote from page 1222 of *Hansard* No. 10 of this year. The Treasurer said—

> I look forward to the next year, realising it is the election year, and whoever holds this position will find that the overall financial position of the State is reasonably sound and will not call for anything but the normal increases that occur from year to year in a State such as ours.

I noted that with satisfaction because, as I have just stated, we farmers like to budget from year to year and know exactly where we stand before we start next year's business.

I do not intend particularly to criticise the Budget as such; indeed, far greater economists than I, have prepared it after hours of research. The Leader of the Opposition, with some reservations, has accepted it. Also, recently I read, in dealing with the question of budgets, this article from *The Review*, published by the Institute of Public Affairs, the July-September, edition, 1964, at page 70—

> It is the easiest thing in the world to criticise a national budget, but how many of the critics could really do any better, or perhaps as well, if they were in the shoes of the policy-makers? It is rather like the spectators at a football match. They are not slow in telling the players what to do; but could they do it themselves?

This year, fortunately, my football team won the grand final and, of course, I am still on the winning side here.

Mr. Graham: Until next March.

Mr. GAYFER: However, I shall try to be constructive and in doing so will appear perhaps to be a little critical. Great credit has been given to primary industry—and, in particular, to that part of it which forms the agricultural section—for its contribution to the State's economy by way of overseas export income. The other evening the honourable member for Narrogin quoted the value of agricultural exports to the State as being in excess of 80 per cent. of the total. That percentage has been substantiated quite often by others which have been given in this Chamber, and which have been quoted outside, and in the Press, and therefore it can be taken as an established fact. None of this, of course, is surprising.

From time immemorial the agricultural industry has been the background of the world's very survival; and in Australia the productive capacity of the land, together with the demand for its products, has been synonymous not only with the wealth of the State and the Commonwealth, but also with the noticeable prosperity of every man, woman, and child in every walk of life. The advantages, therefore, in a State that still has millions of acres waiting for the plough, millions of acres waiting for scientific aids to make them, by irrigation and bolstered means, into safe areas, are enormous. But the wealth of that State, through its land, must be treated like a jealously-guarded and pampered child, which must be coerced and nurtured and directed through all its problems, not only by its custodians but also by the co-operative interest of all concerned with its growth.

The co-ordination of all departments for the quick growth of this State agriculturally is absolutely essential. The race to bring the expansion of this State into being, and to make the Commonwealth wealthiest, will be conditional on the smooth efficiency of an organised overall departmental and advisory authority which I at this stage choose to call an agricultural co-ordinating authority. Such an authority, I envisage, would have at its head the top men in the various necessary walks of life associated with, or ultimately associated with, agricultural expansion.

That authority would need to have as its object the smooth and yet fast co-ordination of our farm lands and the re-examination of the productive capacity of the older parts of the State which seem to have been bypassed in many cases by mother invention in favour of the State's new sons that may be the whim of a localised interest and one or two sympathetic ears in the right quarter rather than by an agreed State policy.

Such a committee, or authority, should comprise not only the representatives of the Lands Department, the Department of Agriculture, the Forests Department, and the Public Works Department—which would cover road and water aspects—but also economists and officers from the Railways and Transport Departments and practical farmer representatives. They would have at their disposal the facts of full co-ordination within their own departments, and they would be able to work with others, perhaps not directly associated with them but working towards the same end.

Perhaps my idea of co-operation being a unity of persons working towards a common ideal would be most applicable in the formation of an authority of experts who could be thrown together and who would have agricultural expansion and consolidation to its maximum production, and true co-ordination in that direction, as their target. From the very roots of such expansion would follow the secondary industry development within these areas and thence decentralisation—an oft-bandied phrase—which would be operative by necessity.

Not only in expansion and consolidation would I envisage such a body working, but it would deal with major problems, such as the co-ordination obviously necessary between all departments to stop the rape of our farm lands by soil erosion, salt encroachment, and associated

flooding problems. It would be the overall authority to deal with any problem that has a bearing on the prosperity of agriculture and therefore the prosperity of the State.

I shall give a few examples, and first of all draw attention to the 1,000,000 acres of land that are being thrown open each year in this State. As a matter of fact, I recall some figures which show that last year in excess of 1,000,000 acres were thrown open—I think the figure was 1,300,000. However, the aspect that concerns me is that although 14,000,000 acres of land have been thrown open since 1946, there are still some 18,000,000 acres left; and it is surprising that in the period from January, 1963, to October, 1964, which is approximately 19 months, 877,000 acres of major land releases were made. A total of 724,000 acres were single block releases and so for that 19 months 1,600,000 acres of land were released.

In all, this represented 328 allocations for which we had 2,214 applications. The mailing list with the Lands Department at present is 12,000 strong for every block of land that is thrown open. I feel that a co-ordinating committee such as I envisaged could possibly, and I would say would possibly, make available greater tracts of land more quickly than perhaps at present. I know the critics will say that only 1,000,000 acres can be handled in a year because of the road works, the planning, and everything else; but a co-ordinating committee whose supreme job was to get the brains of the various departments working together would and could have this land released a lot more quickly. I am sure of that.

It is noticeable that in many of these cases—or in most of them—the majority of the applicants are from the Eastern States, and therefore it is only fair to say that most of those who are being turned away are also from the Eastern States. In other words we are turning away capital that could be used in the expansion of our State on a long-term policy in favour of capital that is being invested under a short-term policy until such time as they may possibly be fortunate in getting a block somewhere. I feel that this is one aspect that should be investigated.

We talk about 1,000,000 acres being opened up each year, but if it is going to take 18 more years to open up the 18,000,000 acres that are presumably left —and some people say there is more—it seems to me that we are waiting too long, and we must put wheels into action that will release this land more quickly and enable it to be brought into full production that means so much to our State.

I should now like to quote from a booklet entitled, *Industrialisation of Western Australia* by Henry P. Schapper and M. L. Parker. I do not actually agree with all that is stated in this booklet, and perhaps some honourable members do not agree with the portion to which I shall now refer.

Mr. Bovell: I would advise you not to place any credence in their philosophies on agricultural development.

Mr. GAYFER: Would the Minister mind waiting until I have read the particular portion to which I wish to make reference? The Minister for Lands has really only backed up what I have just said; and, after all, in some quarters these people are considered to be fairly bright.

Mr. Bovell: Not in agriculture, anyway.

Mr. Norton: The Minister for Lands is not a farmer.

Mr. GAYFER: Over the interruptions of the Minister for Lands I intend to quote from page 43 of this booklet—

> This analysis and the data suggest that the aims of industrialisation and population increases are likely to be achieved more rapidly by policies which widen and deepen investments in primary sector industries such as farming and mining, than by direct stimulation and inducement of secondary industries. But we do not advocate that Government's energies in their competition for foreign and Eastern States' capital be lessened. Rather it is recommended that the alienation and settlement of Crown Lands and their provisioning with social services be regarded as part of, or even as a prerequisite to, the States programme of industrialisation, and be hastened and be accorded the same vigorous treatment as the secondary sector.

That is exactly what I agree should be done. It is not a new idea. It is not something we need to look at because Schapper wrote that article some 12 months ago.

I draw attention to a book entitled *The Rural Reconstruction Commission* printed in 1944. It contains a report on land utilisation and farm settlement by a commission as presented to The Honourable J. B. Chifley, Minister for Post-war Reconstruction, and is dated the 30th June, 1944.

As I am bound to be asked later, I must point out that I canont find the members comprising the committee in this State, but I do recall that The Hon. F. J. S. Wise was one. Before quoting from that booklet I wish to refer to what the then Leader of the Country Party (Mr. Watts) had to say. His comments are recorded on page 35 of the 1944 *Hansard* as follows:—

> I have been reading with considerable interest the report of the Rural Reconstruction Commission of which

the Minister for Lands has been Chairman. I find it is a document which should commend itself to every member who prides himself on taking an interest in the future well-being of the rural affairs of this State. I do not say that if I were to go into the report line by line and paragraph by paragraph I could not find some matter for adverse criticism; it would be extraordinary indeed if we should find ourselves all in agreement with every item and every detail of the complex and diverse problems which the Commission has considered. But I do say, taken by and large, that the report gives ample evidence of careful consideration of the statements of the witnesses examined, many of them very dependable people.

The section in the land utilisation and farm settlement report to which I draw attention appears on page 96. It states—

> Recommendations
>
> The commission makes the following recommendations based on the discussion in this chapter—
> Co-ordination of Land Use.—The Commission suggests—
>
> (a) That each State Government should establish a Land Utilisation Council as a special organisation under the control of the Premier;
>
> (b) That this Council should have the task of co-ordinating the policy of the State on all phases of land use concerning the allocation of land for farming, forest development, water resources, national parks and reserves, and erosion control;
>
> (c) That this Council should consist of the heads of the Departments of Agriculture, Forests, Lands and Survey, and Water Supply;
>
> (d) That this Land Utilisation Council should have a full-time executive officer of status equal to that of the head of a department with a small expert staff capable of making investigations into any proposals submitted; and
>
> (e) That it should be incumbent on other departments to carry out investigations on behalf of this Council when so requested.

I am submitting those comments to honourable members because it was obvious then, as it is obvious now, that full co-ordination is necessary for speeding the opening of these lands for our secondary industry. It is very important to realise how much importance is placed on co-ordinating committees in these days. I note that in this year's conference of Commonwealth and State Ministers held in Canberra on the 2nd and 3rd July, 1964, at which the Premier was present, the remarks of the Deputy Prime Minister (Mr. McEwen) appear on page 18 of the report. He said—

> I think it is perfectly clear that in dealing with the problems of decentralisation, while the Commonwealth is prepared to do something, the States have more knowledge of the problems than has the Commonwealth. Therefore, I think that we must pool the knowledge and then identify what is best to be done, who should do it and with what.

All those observations lead up to one ideal —an overall agricultural authority.

In respect of soil erosion in Western Australia, a few weeks ago I led a deputation to the Deputy Premier. This matter has been publicised, so there would be nothing wrong in quoting it. After considering all the facets of water erosion where drainage was not possible because of the legal aspect, and it was not possible to drain lakes faster to the coast because of the particular terrain which the water has to pass through, it seemed to me there was only one thing we could appeal for, and that was an overall authority to look into this matter. The deputation concluded with these words—

> We therefore feel that because this complaint is not common to our areas alone, because of the huge areas of farmlands that are being spoilt by this flooding, because of the production lost to the State, because of the lines of communication out of commission and the direct implications of this on primary industry, because of the magnitude of the problem admitted by the Main Roads Department and the Soil Conservation Branch of the Agricultural Department, because the Shires do not know where to go for immediate help, we cordially but urgently and seriously request that an overall authority be set up to advise the Hon. Minister the ways and means by which the progressively worsening position of soil erosion and its associated problems of flooding and salinity may be counteracted and reduced, with the power to advise the use of any of the direct means of relief as used in various parts of the world such as by drainage or land reclamation.
>
> Such is the nature of the deputation. We cannot do more than ask your help and the help of the Government as at present we do not know which way to turn for future and positive relief.

In dealing with soil erosion, and stressing the need for something further to be done in that direction, I note that in the Soil Conservation Service report for 1963-64 various headings appearing on page 1. These are underlined and can be seen readily if one casts one's eyes down the report. One is—

> Warning should be given—such losses are potentially increasing each year.

Another lower down is—

> At present the gap between run-off and absorption of water is increasing yearly in favour of more run-off.

Another is—

> Proper use and management of land will best promote the aims of soil conservation.
>
> The best use of soil conservation staff is to promote farmer self help . . .

It is also noticeable that in a letter from the Minister for Agriculture to me the following is stated:—

> At the present time our staff is overwhelmed. In the central wheatbelt requests for help on flooding alone would occupy present staff for about 50 years.

The Minister was referring to the soil conservation staff.

In a broadcast by Mr. L. C. Lightfoot, Commissioner of Soil Conservation, Department of Agriculture, on the 5th October two main points were made. He said—

> Strangely enough, much wheatbelt flooding in recent years has been in the lower rainfall areas. Mostly it seems to have occurred in the 12-14 inch average yearly rainfall region. This is a new soil conservation problem which has only developed in the last few years and almost certainly will prove unique to Western Australia.
>
> Now, in this situation, clearing has taken place at a very rapid rate. In 1910 there were two million acres of cleared land on farms, in 1946 nearly 14 million acres, and at the end of March, 1964, a little over 28 million acres. This represents a very rapid rate of clearing indeed since 1910. And since 1946 clearing has been extremely fast.
>
> In order to try and put this into perspective; farmers in W.A. have probably cleared as much land in the last 18 years as Englishmen did in several hundred years in their homeland.
>
> The result of this terrific rate of clearing has been an enormous jump in the rate of run-off from newly cleared land and consequent flooding.

Jumping willy-nilly into the task of opening up the remaining 18,000,000 acres, without some degree of careful organised planning, would create a problem the result of which I would be frightened to forecast. It points further to the need for an overall authority to work on soil conservation and drainage, and on clearing of rivers by the Public Works Department, such as the Avon River. The various bodies should work together in the supreme task of opening up the land as quickly as possible, while still preserving the land which is below and which has been cleared for a longer period. It is absolutely essential that we get on with this job of clearing our land to the maximum possible. Only then will we be able to preserve the full dignity and wealth of Western Australia among the great States comprising this continent.

On the soil conservation aspect alone I notice that in the annual Estimates the expenditure for this year—after we have heard so much about soil erosion—is to be increased by some £2,048. That appears in the Agriculture Vote. We have enough work piled up for the soil conservation staff for the next 50 years; yet in the Estimates only £2,000-odd more is to be expended on this work in the 1964-65 period. I admit that trained staff is the problem.

Mr. Norton: The increase is not sufficient for the salary of one officer.

Mr. GAYFER: I would not think so. If trained staff are available, then the amount that is provided in the Budget will not permit the employment of too many of them. I repeat my insistence that an overall authority should be appointed. I feel that I should conclude my contribution in this debate—I could go on in this vein for some time—by referring to what is stated in *Life from the Soil* by Col. White and Sir Stanton Hicks. I think the words they used are most appropriate in this instance:

> There is a grave danger in taking food production and soil management for granted.
>
> There is no simple solution of this problem of man's relation to the soil; and it is neither fair nor reasonable for any department of science to produce a solution "out of the hat."

I appeal to honourable members to urge the co-ordination of the activities of the various departments, by way of forming an overall authority, which could advise the Premier and the Ministers quickly as to what is the best practical solution for opening up the enormous tracts of land in this State which other countries would give their right arm to own; which we have at our disposal; and which we must bring into being. This is worth far more to us than all the secondary industries we are trying to introduce. The money spent on them will be well and truly repaid quickly by honest people prepared to put their savings into long-term investments

in the State. I urge once again that this point be considered and an authority such as I have suggested, introduced.

MR. NORTON (Gascoyne) [10.46 p.m.]: I was very interested to hear the previous speaker deal with soil erosion because that is one of the subjects with which I am going to deal this evening, and it is a subject which is very much to the fore in the pastoral areas.

No doubt honourable members will recall that earlier this session I asked questions of the Minister for Agriculture regarding a news item which appeared in the *Northern Times* on the 23rd April, and also, I understand, in *The West Australian*. It is actually a very frightening report and one which has been made by a very responsible person. The report in the *Northern Times* reads as follows:—

> North-West Becoming a Desert
>
> Much of the North-West could become desert unless Western Australia was very careful, said Mr. David Wilcox, a West Australian agriculture scientist.

Mr. Wilcox is in the Department of Agriculture, stationed at Wiluna, and he has done a tremendous amount of study of pastoral rejuvenation, soil erosion, and so on. Not only that, but he has just completed—as the article reveals—a trip practically around the world. The article continues—

> Mr. Wilcox, an officer of the North-West division of the W.A. Department of Agriculture, has been studying arid land conditions in Arizona, Jordan and Egypt.
>
> He said that most of the Jordan had apparently once been reasonable grazing land but was now little better than a desert.
>
> The beginnings of a deterioration to desert could already be seen in areas of the North-West of Western Australia.
>
> One of the first signs was when trees began to die off and perennial plants began to give way to annuals.

That is what is happening in a large number of places. The scrub and trees have died off. The perennials have gone, and the annuals have taken over. As is known, the annuals disappear in the summer and leave the ground bare. The article continues—

> A lot of trees had died in the North-West.
>
> Unless care was exercised, the North-West could eventually go the same way as Jordan.
>
> Correct grazing was the answer to the problems of the North-West.
>
> Once soil erosion was recognised as a problem half the fight was over.
>
> Mr. Wilcox was stationed at Wiluna for eight years before he left on his overseas study tour.
>
> He spent 10 months in Arizona and other American States, and in visits to research stations in Egypt, Jordan and Europe.
>
> Mr. Wilcox found some parts of Arizona similar to much of our North-West.
>
> But, he said, Arizona had a far more advanced knowledge of its range-type country than Western Australia had of the North-West sheep and cattle country.

That, I think, is a very true report, and during this session I have asked the Minister questions in respect of soil conservation and what is being done in the Gascoyne. I have asked the questions, not only during this session, but over the last three or four years. In 1961 I asked the Minister—

> Should a decision be made to construct a dam on the Gascoyne River, will it be necessary to carry out any reclamation work on pastoral leases in the catchment area, similar to that which is being done on the Ord River?

He replied—

> Necessity for reclamation work will not be known until investigations have been made.

That was in August 1961. I will come back to that date a little later on. In August, 1963, I asked the Minister—

> (1) Are any steps being taken by the Agricultural Department to rehabilitate the eroded areas in the catchment of the Gascoyne River and its tributaries?
>
> (2) If so, will he give full details of such work?
>
> (3) If no work is being carried out, when is it intended to start on this important work?

He replied—

> (1) to (3) A suitable rehabilitation programme for the eroded areas of the Gascoyne River and its tributaries cannot be worked out until a full survey of existing conditions is completed and assessed. These involve a review of pastoral leasehold conditions, possible dam sites, soil survey of the extent of irrigable soils in the Gascoyne area, and an appraisal of the economics of a suitable rehabilitation programme. These and other related investigations are in progress.

That was in August, 1963. In August this year, I asked the Minister—

> On the 28th August last year, in reply to a question by me, the Minister stated that a survey of the irrigable soils of the Gascoyne delta was

being made by the C.S.I.R.O. Soils Division. Has this survey been completed and, if so, is a report available?

He replied—

The survey was undertaken by the C.S.I.R.O. at the request of the Public Works Department. Part of the survey has been completed and an interim report has been prepared. The C.S.I.R.O. has been asked to complete the survey.

So it goes on. It is being put off and put off.

I want to refer back to the 23rd August, 1963, because in that year Cabinet had ordered a survey of the Gascoyne and its tributaries, and I have the report in my hand. It is a very comprehensive and good one, and it followed on the very severe flooding Carnarvon experienced in the first two months of that year. Mr. Wilcox had a hand in this report. He was probably the person who wrote it because his signature is at the back of it. A committee was given the job of investigation and I have taken from the report some extracts which I want included in *Hansard*. This Chamber should know what is contained in the report in the light of the questions and answers I have quoted. On page 3 of the report is the following:—

Inaugurate a vegetation regeneration programme of the Gascoyne-Lyons catchment. This would be carried out in two parts—

(1) Salt Blue Bush Plains.

On about one million acres comprising parts of five stations: Bidgemia, Jimba Jimba, Mt. Sandiman, Lyons River, and Mt. Agustus, furrowing, seeding and long term protection from grazing were required.

(2) Grass Plain.

About three million acres of five stations: Mt. Agustus, Woodlands, Mt. Clere, Landor, and Milgum.

Small scale assistance and advice by Department of Agriculture advisory officers would probably be sufficient to reverse the trend towards deterioration of the plant cover and soil erosion in these areas. This also applies to the remainder of the catchment.

I was over in that area not so long ago discussing the erosion problems with a pastoralist. He said two agricultural advisers had passed through but had informed him they were unable to give any assistance. That is probably true, to a certain extent, because they had too much territory to cover and too much work to do. However, I believe that at least soil conservation officers could have been sent out to assist this person and others in that area to overcome the erosion problem, which at this time is only minor.

I know that the Department of Agriculture is very co-operative, and I must commend its officers on the organisation of field days when requested. They take along a good team of experts on the particular subjects the various pastoralists want to discuss; but that is not sufficient. Those people require some first-hand information on the rehabilitation of their own area and on contour plowing and soil erosion, which is a technical job, particularly where the land is hilly and cut up by various creeks.

Mr. Nalder: If requests are made to the department, arrangements will be made for officers to go into the area and give demonstrations as to how this work is to be done.

Mr. NORTON: Requests have been made to the officers. I know of two stations which have made requests and they were assisted. However, they were on the main road and the properties were easily accessible. The areas to which I am referring are the more remote ones, out of the general run of the officers. There are so few of these officers now that they have a job to keep up with their work. On page 9 of the report is the following:—

Salt Bush Blue Bush Plains.

Area approximately one million acres on five stations, Bidgemia, Jimba Jimba, Mount Sandiman, Lyons River and Mount Augustus. Erosion here is advanced and covers the full extent of the plains as demarcated.

That is in the plan accompanying the report. To continue—

For the reason set out earlier in this report, recovery of this country would be costly and a return to grazing value so slow that station lessees could not be expected to undertake regenerative measures. Contour furrowing, seeding and long term protection from grazing would be involved. Unless early action is taken it is apparent that these eroding plains will not only be permanently lost to grazing but will be replaced by a series of gullies carrying water direct from the high level run-off regions to the main river channels. This in turn will mean more frequent peak floods.

The financial requirements for such a programme is estimated to be in the order of £200,000 over a ten year period (providing existing fences can be retained).

Full controls of grazing would be required over grazing in all future years.

In answer to a question I asked—I think this week—the Minister told me that the lessee would have to be responsible for this rejuvenation work and revegetation. Yet his own experts say that it has gone

beyond his capabilities and financial resources and that the Government should assist in this immediately. I repeat, that was in 1961. But no action has been taken.

Not only is this area to which I have just referred going to be lost to pastoralists, but it will also cause constant flooding in Carnarvon and will cost a lot in flood control measures down towards the lower reaches of the river. Salt, salt streams, and salt pools will be left in its wake. The report continues—

> B. Grass Plains.
>
> Area approximately three million acres on five stations: Mount Augustus, Woodlands, Mount Clere, Landor and Milgum.
>
> These plains are generally degraded throughout their extent—growing poorer pasture species than in their virgin state. Active erosion is however confined to relatively small sections and lessees are already taking an active interest in control measures.
>
> Small scale assistance within the structure of the extension services of the Department of Agriculture could probably reverse the trend in these areas and the committee feels that these could be organised without special provisions in the event of recommended action being taken in relation to areas one and two.

On page 7 of the report is the following:—

> Aerial photographs were available for about 50 per cent. of the area and were of some assistance, particularly in the more severely eroded sections near Gascoyne Junction; these photographs served to illustrate the progressive nature of the degeneration which has taken place since the photographs were taken some years ago.

I understand it was not a great time before the photographs were taken, but it does indicate very clearly that erosion is developing there and plant life is disappearing. Unless some action is taken very soon the land will be lost, as it has been lost in other parts of the world.

I often wonder why it is so hard to get anybody from the Agricultural Department to go to those areas. I think this point is illustrated by the answers I received to some questions I asked both last year and this year. They were similar questions and I think the replies indicate the reason. On the 8th August, 1963, I asked how many agricultural advisers were employed in the north-west by the Agricultural Department. The answer I received was "eleven." That seems to be quite a reasonable number of agricultural advisers; but unfortunately they were further north than the Gascoyne, and we did not see anything of them.

I asked a similar question this year and found that the number of agricultural advisers had dropped from 11 to four. Those four agricultural advisers were stationed at Port Hedland, Carnarvon, Wiluna, and Geraldton. Geraldton is not in the north-west. The agricultural adviser at Carnarvon is a tropical agricultural adviser and not a pastoral adviser. Another one is at Wiluna, so we really have one adviser and not 11, as was the case in the previous year.

One wonders why the number has dropped. I cannot understand it unless it is because the remunerative conditions are not good enough to keep the advisers in the north-west. The replies to the questions were supplied by the Minister, and so far as I am concerned they represent the true facts. I know that in the Gascoyne there is one tropical adviser and he has his work cut out.

So the honourable member for Avon can see why it is so hard to get someone to help with the soil erosion problem when we find that the number of advisers in the Agricultural Department is falling off.

Mr. Nalder: Have applications been made for demonstrations in the area with reference to soil erosion?

Mr. NORTON: Yes.

Mr. Nalder: Applications have been made and refused?

Mr. NORTON: The department has not had the time. Applications were made for demonstrations at field days, two of which I personally organised on behalf of the Gascoyne Pastoralists' Association.

Another point I wish to bring to the notice of the Minister for Lands, or the Minister for Agriculture, is the matter of mineral leases in the pastoral areas. I especially refer to the extracting of gypsum. We find that the Mines Department is granting extensive leases on pastoral holdings without consulting the lessees. The permits are granted for the extraction of gypsum, and no provision whatsoever is made for the reclamation of the land by the person removing the gypsum. It simply means that those persons can come in and bulldoze their way through the area and desolate the land. Whether this land will be deducted from the pastoral lease as far as rents go or whether the pastoralist will be expected to rejuvenate it, I do not know.

The particular area I am referring to has not long been brought into pasture land. Prior to the present owner taking over there were no fences and there was no water and it was generally of no use. Since his occupation, artesian water has been found by the oil drillers, and the owner has been able to fence the property right through. It has cost him several thousands of pounds to get to this stage.

only to find that a mining company has a lease over the area and is likely to destroy it completely.

The next matter I wish to deal with concerns housing at Carnarvon. Like a lot of other towns, Carnarvon is feeling the pinch with regard to housing. I would like to go back over the past 12 years and tell honourable members just how we have been served with respect to the building of State homes in Carnarvon.

During the four years prior to the Hawke Government taking office in 1953, 21 houses were built at a cost of £26,889, the average being 5.52 houses per year. During the six years of the Hawke Government 60 houses were built at a cost of £192,041, an average of 10 houses per year. For the five years of the Brand-Court Government, 39 houses have been built at a cost of £134,435, an average of 7.8 houses per year, a considerable falling off.

However, when we look at the costs we find some startling facts. The cost of a house in 1952, on the average, was £3,169, and the rental then was £3 13s. In 1963 the cost of a house had risen to £3,732; and the rental had risen to £4 18s. 6d. What I want to draw attention to is the percentage increase in each case. Whilst the percentage increase in building costs has only risen 17.76 per cent., rents have risen by 35 per cent. It is hard to see why, when building has gone up 17 per cent., rents should have risen by 35 per cent. It is very hard to find the reason for this increase.

I appeal to the Government to build more houses at Carnarvon. Now that the tracking station is there a number of new services have opened and far more people are coming to the town. The town council has done a sterling job in supplying all the major requirements for the personnel of the tracking station, and it still has to build another 10 houses. More services are going to Carnarvon and more people are requiring homes. At present, people who go to the town and decide to stay are faced with the proposition of either renting a caravan or purchasing a caravan and having to live in the caravan park. They then have to wait 18 months or two years before they can get a house. That is not a very bright prospect for a husband with a wife and young family; and it is not a very encouraging way to get a district developed quickly with the type of labour that is required.

As regards the maintenance of the houses at Carnarvon I think it is disgraceful to say the least. A certain percentage is included in the rental of every house to cover maintenance and repairs, that being 1 per cent. of the capital cost of the house. At present there is £377,378 worth of State Housing Commission houses in Carnarvon, which means that each year the commission gets £3,774 towards the maintenance of those houses. But as far as I can see not £1,000 a year would be spent in the town for this work

If we take the figures which were supplied to me in answer to questions I asked regarding the cost of minor repairs and painting houses throughout the State we find that the State average for minor repairs and renovations is £8.2 per annum, and the average cost for renovations is £99 per annum per house. If the State were to earmark the money which is taken through the rent for repairs and renovations, and it spent the £8.2 plus 25 per cent. extra for labour costs it would involve £1,230 a year on 120 houses, leaving £2,544 for painting and general renovations. With this money the commission would be able to paint and renovate 20 houses each year, which means that each house would be painted and renovated at least once every seven years.

I do not think that is anything out of the way. Houses should be painted and renovated at least once in every seven years. If a house is not painted and renovated the tenant is not likely to look after it himself, and there are many good tenants in Carnarvon. Some of them have occupied their houses from the time they were built and they have established nice gardens and lawns. Yet when one looks at the outside of the houses one finds that the paint is peeling off, completely spoiling their appearance.

I think the least the department can do in this respect is to have the houses painted and renovated so that they will keep their value. As a matter of fact, many tenants have told me that if their houses were looked after they would seriously consider buying them. So it is obvious that if the department renovated these houses it would sell a number of them because the people living in them are up there to stay. They want to get homes of their own and the only way they can do it is to buy a house through the State Housing Commission. In that way they can get advantageous terms, and after they have lived in the houses for a number of years they have a certain amount in credit towards their deposit. Also, I think these houses should be looked after. They are a State asset, and if they are allowed to deteriorate the asset deteriorates.

MR. HART (Roe) [11.16 p.m.]: I move—

> That the Chairman do now report progress and ask leave to sit again.

The CHAIRMAN (Mr. I. W. Manning): Before I put the question, there are one or two comments I want to make for the guidance of honourable members. On pages 1851 and 1852 of *Hansard* of this session, the 22nd October, the Deputy Leader of the Opposition raised a query

regarding the debate on division No. 59, Metropolitan Water Supply, Sewerage, and Drainage Department. He suggested I should have a look into the position. This department is mentioned on page 110 of the Estimates but no vote is provided from Consolidated Revenue for the department for this financial year. This is a Committee to consider the Estimates of Expenditure from Consolidated Revenue for this financial year; so it is obvious that if no expenditure is provided for it there can be no debate.

Mr. Tonkin: Another assurance that is worth nothing.

The CHAIRMAN (Mr. I. W. Manning): The only opportunity any honourable member will have to discuss this department's activities will be during the general debate.

Motion put and passed.

Progress

Progress reported and leave given to sit again.

LICENSING ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

House adjourned at 11.18 p.m.

Legislative Council

Thursday, the 5th November, 1964

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS ON NOTICE

LAND BETWEEN YELLOWDINE AND BULLABULLING

Availability for Selection

1. The Hon. J. J. GARRIGAN asked the Minister for Mines:

   In view of inquiries from local and interstate people seeking land south of the Kalgoorlie-Perth railway line, between Yellowdine and Bullabulling—

   (a) Is it the intention of the Government to throw the land open for selection either for farming or pastoral purposes?

   (b) If the answer to (a) is "Yes", when will this be done?

   The Hon. A. F. GRIFFITH replied:

   (a) and (b) It is proposed during 1965 to commence investigations into the pastoral potential of the land southward of Bullabulling.

CLAY DEPOSITS

Testing at Dalyup

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

   With reference to my question on Thursday, the 27th August, 1964, and owing to the large usage of bricks, and the necessity of transporting them long distances to Esperance, will the Minister have the clay deposit at Dalyup tested as to its suitability for making bricks, having in mind an