be interpreted that a man who has been with the department for a great number of years is reliable, sober, steady and satisfactory. That cannot be denied; but he could also be in that job for such a long period because he would be lacking in ambition, not very adventurous and satisfied to free-wheel in the job in the hope that if he stayed there long enough he would get some promotion irrespective of his ability.

If a position falls vacant in the department such a man would, by this interpretation, have first call on the job, despite the fact that a younger man who was energetic, keen in every way and far more able, was available; he would be passed over. I do not doubt that there is a good deal to be said for both approaches; but from the point of view of those most concerned—the students—I would be much happier to have my children in the hands of the energetic man, who was capable and keen, than in the hands of the older staid person, because I would know that under this provision that man would be one who would know that through length of service he would eventually get a better position. That would eventually lead to the department being staffed by officers who had reached senior rank not on ability but because Father Time was sitting on their shoulders.

Apart from that, there appears to be very little in the Bill that is contentious; and I hope I am not leading the House astray when I say that. The other clause in the Bill merely sets out passages relating to employees in various categories, such as headmasters in Class I, primary schools and so on, which is purely a departmental alteration. I recommend the Bill to the House.

Question put and passed.

Bill read a second time.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

> That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. R. C. Mattiske, Hon. L. A. Logan and the mover, and that the conference be held in the Chief Secretary's room at 10 a.m. on Thursday, the 20th December.

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

BILLS (2)—RETURNED.

1, Municipal Corporations Act Amendment.

2, Road Districts Act Amendment.

Without amendment.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Report, etc.

Report of Committee adopted.

Bill read a third time and returned to the Assembly with amendments.

Sitting suspended from 1 a.m. (Thursday) to 3.53 p.m.

THURSDAY, 20th DECEMBER, 1956.

(Continuation of Wednesday's Sitting.)

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The PRESIDENT resumed the Chair at 3.55 p.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Conference of Managers Adjourned.

The CHIEF SECRETARY: I wish to report that the conference of managers on the Workers' Compensation Act Amendment Bill has been adjourned till a later stage of the sitting.

QUESTIONS.

RAILWAYS.

New Building, Cunderdin Station Yard.

Hon. L. C. DIVER asked the Minister for Railways:

(1) What are the dimensions of the new building being erected in the Cunderdin station yard?

(2) What type of materials are being used?

(3) How many man hours have been utilised on its erection to date?

(4) What is the estimated total man hours for completion of the erection of this building?

(5) What is the estimated total cost of erection?

(6) Does he know the price which a contractor would have quoted for a similar job?

The MINISTER replied:

(1) 42ft. 6in. by 28ft., exclusive of cantilever roof over rail siding.

(2) Old rails for uprights, second-hand reconditioned timber principals, second-hand galvanised iron, new galvanised iron for roof.

(3) 2,500.

(4) 100.

(5) £1,360.

(6) No. Local inquiries suggest about £1,600.

EDUCATION.

New School Buildings, Wanneroo.

Hon. N. E. BAXTER asked the Chief Secretary:

(1) Is the statement in today's "Daily News"—confirming that a start will be made on new school buildings at Wanneroo within 12 months—correct, in view of recent advice that £850 is to be spent on repairs and renovations to the old school?

(2) If the statement is correct, why was the information not given in answers to my questions re Wanneroo school during the past two months?

The CHIEF SECRETARY replied:

Although Wanneroo is still on the school building list, the financial position at present is such that no specific undertaking can be given as to when construction will be commenced. Meanwhile, substantial repairs and renovations will be effected.

BILL—CITY OF PERTH PARKING FACILITIES.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [3.58] in moving the second reading said: The object of this legislation is to provide an authority to regulate and control the parking and standing of vehicles in the City of Perth. The Bill proposes to vest this authority, subject to certain ministerial direction, in the Perth City Council. Although a great deal has been said concerning the powers which this measure will give to the City Council, I wish to emphasise that the authority contained in the Bill applies only to stationary traffic within certain defined areas. The Government changed the disposition of portfolios so as to have a Minister controlling all traffic matters—both metropolitan and country—and this minister will be in charge of the legislation proposed by this Bill.

If there is a conflict—and I do not anticipate any—there should be no difficulty in synchronising the powers which it is proposed giving the City Council and the general control of "moving" traffic as covered by the Traffic Act. Parking regions within the city area will be constituted and defined by regulations duly approved by the Governor. The City Council will be required to establish a separate fund under which all revenue and expenditure will be brought to account and loans raised.

Recently, in an effort to permit a better flow of traffic through the city, the Government amended certain of the traffic regulations in respect of kerbside parking within the city block and the Bill represents a further step toward achieving a more orderly system of parking and a greater turnover of vehicles, the owners of which are desirous of making a visit of short duration to the centre of the city.

The Bill envisages the introduction of kerbside parking meters in city streets. The primary object of a city parking programme is an equitable rationing of parking time. This, it is considered, should be combined with a steadily increasing amount of city parking space off the street. Rationing of kerbside parking requires a large inspectional staff and the cost of enforcement can best be met by each motorist making a contribution per medium of the parking meter.

Parking meters were first introduced into Australia in April, 1955. Hobart installed 187 meters in April of that year, and Melbourne followed with 347 meters three weeks later. Whether or not the meters have proved successful, can be gauged by the fact that Melbourne has placed an order for a further 3,500; and Hobart has ordered an additional 330. Launceston has also placed an order for 300 meters; and Brisbane, for 1,500.

The Bill vests in Perth City Council power to install and operate parking meters; but no decision is made by Parliament that there shall be parking meters. The Perth City Council itself will decide whether it will install meters, when it will do so, in what places they will be installed, the period of parking time allowed, and the charge to be made.

It will be seen that the Bill refers to parking. All other matters pertaining to the administration and enforcement of the provisions of the Traffic Act and regulations will continue to be operated by the police. To a very great extent this Bill resolves itself into a question of whether the Government should conduct all of the organisation necessary in connection with parking, or whether it should be vested in the Perth City Council.

There is, perhaps, room for a difference of opinion in connection with that matter. The Government—which, incidentally, made a decision in respect of this matter last year—felt that that was a responsibility which could well be undertaken by the Perth City Council, and that body itself was most anxious to assume the responsibility. One objection that might be raised is that there may be the opportunity for the Perth City Council to improve its finances at the expense of the motorist. I can assure members that nothing of the kind will be possible. There is a provision in the Bill for the formation of a parking fund. Into that fund will be paid moneys that are borrowed for parking purposes. Any of the fees or charges that are collected, and any fines or other penalties that are paid and collected will be paid into that fund, which is separate and distinct altogether from the normal funds of the Perth City Council.

From that fund will be paid the expenses of administration; the purchase price of land or properties that are acquired; the costs of improvement and development of areas of land for parking purposes; the erection of necessary structures where these are required; the purchase and installation of equipment; the maintenance of any of the parking facilities provided; the meeting of interest and other charges pertaining to moneys raised by way of loan; and the meeting of general expenses in connection with the conduct of the scheme.

Therefore, members will appreciate that there is no possibility of a leakage of money from the motorist for use for the ordinary purposes of the Perth City Council. It will also be seen, from the Bill, that the council is authorised to borrow, with the approval of the Governor, up to a total of £447,000. That figure was submitted by the Perth City Council itself. The borrowing will be undertaken under the powers set out in the Bill, but separate altogether from the borrowing powers of the Perth City Council as outlined in the Municipal Corporations Act.

It is proposed that in the first seven years after the coming into operation of this measure, the Government shall guarantee the payment of interest and repayment of the loan to the extent that funds are not available to the council to meet those obligations. It should be appreciated that in the initial years there will be a very large expenditure of money in the development of car-parking areas, but comparatively little return; and, naturally, if the Perth City Council is to be the operating authority, it desires some sort of assurance that it will not be caused embarrassment because of the operation of the proposals in the Bill.

What are usually referred to as car parks are called parking stations in the Bill. These will be landscaped, and will be in the charge of attendants. The parks may have service stations to provide petrol, oil, cleaning service and the supplying of accessories. But in the terms of the Bill, a workshop shall not be allowed. In other words, there will be the elementary services which can be given to the motorist during the period the car is parked on the premises without any necessity for the owner of the vehicle to drive through the city streets. The Bill provides that the council itself shall not operate the service stations.

Initially, the parking stations will be on open land; but it is envisaged that in due course it will be necessary in the heart of the city to erect multi-storeyed buildings or tunnel under the ground for the purpose of providing these facilities. As land becomes more and more valuable, it stands to reason that greater economic use must be made of it, and when that stage is reached the mere ground level storage of cars would be absurd and so the measure contains power for the construction of buildings to meet the requirements of the public in this regard. Owing to the urgency of the need for these car-parking areas, certain steps have already been taken in anticipation of the passage of this Bill.

Members are aware of the moves that have been made in several directions. There is an area in Wellington-st., at present railway property, upon which are situated a number of business premises; and the occupiers of all those premises have been told that, as from certain dates, they will be required to vacate the premises for several reasons: Firstly to allow the widening of Wellington-st.; secondly, to enable the provision of car-parking space to be made; and, thirdly, to allow for certain access roads or ramps to the switch road which is planned to go over Wellington-st. and the railway line.

It is estimated that within 12 months at least part of that area will be made available for use by motorists, and that eventually the area will be capable of accommodating something in excess of 1,000 motor-vehicles. At the foot of Mill-st.—this might take two years—there will be provision for the parking of approximately 1,600 motorcars at any one time; and in a third area, between the Supreme Court Gardens and Victoria Avenue, there will be provision for parking about 500 motorcars, and it should be possible to have that car park in commission in about six months' time.

At this stage I would mention that only about half of that area will be used as a car park, the balance being used for gardens and garden treatment generally. It will be seen, therefore, that the car stations selected to date are strategically placed close to the heart of the city—one to the north-west, one to the south-west, and one to the south-east. We now require another on the north-east perimeter, close to the city, to provide for cars coming into the city from a northerly direction and situated, if possible, on the northern side of the railway line so as to obviate some of the stress and strain that occurs at certain hours on Beaufort-st. Bridge.

There is no doubt that from the car parks situated a little further out of town shuttle services will be provided to take passengers with their luggage to the centre of the city, and the Bill contains authority for the Perth City Council to make the necessary arrangements in connection with that movement of the people.

One of the clauses of the Bill states that it is necessary to obtain the permission of the Perth City Council before anyone can open or operate a car park for which a charge is to be made. An appeal to the Minister is provided in this regard. On the surface this provision appears to be running directly counter to what is sought in the Bill—that, is the provision of additional off-street parking facilities.

The purpose, however, is to ensure that there is not likely to be a car park of some dimensions—perhaps a mult-storey building—sited on a main or arterial road, with the result that at peak periods vehicles would be cutting across the flow of traffic and thereby causing a hazard or a blockage which might extend for miles back along the road concerned.

That is the reason for this provision which might appear on the surface to suggest that the Perth City Council, having its own parking areas, would do everything possible to discourage private people from embarking upon the establishment of their own parking schemes.

That, however, is not the intention with regard to these car-parking areas, which are an absolute necessity, because I think it is patent that there is insufficient kerb space available for every vehicle which seeks to approach the city during the business hours of the day—even if parking is desired only for limited periods. Some people seem to have the misconception that a car park must be an area of some acres of bitumen, uninteresting and, indeed, an eyesore. Far from that, a car park, such as is envisaged after discussion with senior departmental officers and with the Perth City Council will, if anything, be a thing of beauty. It will be an open space with avenues of trees and proper concrete kerbing.

The Perth City Council was insistent, in respect of the area to the east of the Supreme Court Gardens, that no more than 50 per cent. of the ground should be devoted to car parking. In other words, the wish of the Perth City Council was that half of the area should be developed as parks and gardens, and that even on the other half there should be lines of trees. Accordingly, there will be no question of these parking spaces being eyesores or in any way offending against the aesthetic tastes of even the most scrupulous person.

With regard to kerbside parking, it does not necessarily follow that even if parking meters are decided upon, they will be installed in every street. It is laid down by those who are qualified to speak in this regard, that parking meters should be installed only in those places where there is a far greater demand for parking space than can be met. In other words, the parking meter is there for the purpose of rationing space, not making more space available, although in effect it does do that.

Hon. H. K. Watson: It is amazing if you can find an empty stall.

The CHIEF SECRETARY: It is amazing to see just what amount of free parking space there is available in the City of Perth since parking stalls have been provided. The reason for that is that there are far more members of the police force moving about the city at present on traffic duty. Where previously quite a large percentage of the public were prepared to leave their vehicles for one or two, or even four or five hours in places where only 30 minutes' parking was permitted, those motorists have now, owing to the presence of extra traffic officers, become more meticulous than usual about moving their vehicles to other places or making their calls of shorter duration.

Where there are parking meters installed and motorists know they can park for only a 30 or 60-minute period—whichever the authorities may decide—the effect will be to make them more careful than usual; and so, instead of a limited number only using the precious kerb space in the heart of the city, the parking meters should be responsible for a more rapid

turnover, with the result that a greater number of people will be able to take advantage of that parking space.

Where people have calls of longer duration, the car parking stations will be available to them, and I have no doubt that for the use of those parking stations a charge will be made by the Perth City Council. If a parking station is to cost tens of thousands of pounds, to say nothing of the remuneration of the attendants responsible for ensuring orderly parking and so on, someone will have to meet those charges, and naturally the people using the facility will be those called upon to make some payment.

Matters of detail in connection with the operation of the parking meters do not appear in the Bill, but I am told the procedure elsewhere is that it is an offence to place a second coin in the parking meter and that the motorist must move his vehicle to another place.

The arguments generally adduced against angle parking were: firstly, that it unduly narrowed the streets; and, secondly, that when backing out from an angle-parked position, the rear of the vehicle protruded, in many instances, almost to the centre line of the roadway; and that for a great deal of the time while backing the motorist was reversing in a blind position, for until the driver's seat of the vehicle reached a position beyond the rear of the car parked alongside, on the side from which the traffic was approaching, it would be impossible for the driver to see what was coming from that direction.

We had angle parking in St. George's Terrace for a while but that procedure was abandoned by general consent. Angle parking is quite apart from this measure as it is not mentioned in the Bill. If there were any merit in angle parking, there would be only one or two streets in Perth where it could be undertaken with any degree of safety. St. George's Terrace might be one, and Stirling-st. might be the other. I am informed that whilst initially there might be some objection on the part of motorists to the installation of parking meters, after a comparatively short period they become accustomed to them and, in fact, favour them because of the beneficial effect they have of making possible a more rapid turnover of the existing parking space.

I think it will be appreciated that when a rapid turnover of vehicles using a restricted number of parking spaces is necessary, a timing device is essential—because practically every motorist arrives at a different time to park—and therefore there would have to be an installation fitted with some mechanical device in the nature of a clock to time each individual vehicle and into which a coin would have to be inserted. In connection with this matter, while there is nothing in the Bill relating to it, there has been a suggestion that the Perth City Council could make available to certain firms 40 discs on the payment of £1, so that certain drivers who are called upon to pay for this parking space could use these discs instead of coins.

Matters such as that would be left to the commonsense and judgment of the Perth City Council. That authority is most anxious that this whole arrangement shall work effectively, cause the least confusion and disturbance to the people, and impose the least burden on them.

Experience will dictate, no doubt, whether the charges will have to be increased or decreased after the initial moves have been taken; experience will dictate whether longer or shorter parking periods will be necessary; and experience will show that, in some cases, parking spaces or stalls should be removed from certain streets and placed in others because of the tremendous demand for kerbside parking space in those other places. However, these are all machinery provisions.

Sitting suspended from 4.15 to 4.33 p.m.

The CHIEF SECRETARY: Inspectors employed by the Perth City Council will, in the interests of the public be dressed in distinctive uniform and will be required to carry a certificate of authority. It will be noted from the Bill that the Perth City Council cannot make a determination upon the type of uniform to be worn by the inspectors without the permission of the Minister.

That provision has been inserted at the request of the police because it has been found—to a small extent in Western Australia, but to a greater extent in other parts of the Commonwealth—that traffic inspectors who are not police officers, and also other people, such as commissionaires and the like, have been fitted out in uniforms that closely resemble those of the Police Force. Although they should be permitted to wear distinctive dress, as determined by the Perth City Council, it is most undesirable they should be allowed to wear a uniform similar to that worn by those whose duty it is to uphold the law and who, on occasions, have to take some violent and drastic action in the course of their duties.

It will be seen that these inspectors, who will be employed by the Perth City Council may, in certain circumstances, be assisted by the police; and, in other cases, shall be assisted by the police. The Police Department, incidentally, has no objection to that provision.

Under the regulation-making part of the Bill, there is provision for what might be termed a "tow-away" service. In Sydney and in Brisbane this type of service has been found most effective. It is a fact that some motorists are prepared to take the risk of causing obstruction,

However, there are places where, if a vehicle is parked, it becomes a dangerous hazard. Apart from that, a single vehicle can be responsible for holding up a whole line of traffic—involving, in peak periods, thousands of cars—and as the volume of traffic becomes greater, so it becomes more complex.

Therefore, in our sister States, in order to remove the hazards and the impediment to the flow of traffic, some authorised persons are engaged to hitch the offending cars to towing vehicles and the cars are taken away to some repository—we can call it a motor-vehicle pound to illustrate what I mean—following which the owners can regain possession of their cars only by paying a certain fee, which, of course, does not exonerate them from prosecution for the offence they have committed.

However, it will be seen that the motorist who has defied authority and has created this hazard is put to the discomfiture and inconvenience of not finding the car where he left it; of hiring a taxi to go a couple of miles to where it is impounded; and then paying £2 or £3 to get the car out, following which, some time subsequently, he is charged with the offence he has committed.

I am told that the effect of this provision, and the effect of one or two cases involving such a procedure being followed, has been electrifying upon motorists generally; and for that reason, they are exceedingly careful to ensure that they do not offend in what I might call a major sense. At present the police have the power to tow away any vehicle concerned in an accident which may cause an obstruction to traffic.

It is proposed to provide that the postal system will be used in regard to offences instead of persons having to attend court. When a minor parking offence is committed, a sticker will be placed on the windscreen of the car, in the same way as a ticket is now left under the blade of the windscreen wiper; and, following that, a notice will be forwarded to the offending motorist a few days later; and upon the payment of the amount by the motorist, the breach is satisfied. However, it is also pointed out that the person accused of this offence may, if he wishes, contest the charge in the court.

Provision is made in the Bill for the City Council to insure itself against any liability which it might incur in carrying out the provisions of the Bill and for the council to compensate vehicle-owners for any damage done to their vehicles which is not recoverable from an insurance company or some other person.

These are the main, if not all the items covered in the Bill. Although members may not have had the Bill before them until now, I think that they have been giving a lot of thought to this question, because considerable publicity has been given to what has been intended; and I think that, after they have studied the Bill, they will realise that it only sets out to do the correct thing—namely, to give authority to the Perth City Council to make provision in the streets for parking and to allow a freer flow of traffic. I feel sure that they will welcome the Bill, though there may be one or two features to which they will raise objection. However, in the main, I believe they will agree that the measure is worth while. I move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [4.38]: In order to facilitate the passage of this Bill, I am prepared to speak on the second reading purely from odd facts I have gleaned from listening to the Chief Secretary, reading again what he said, and from a rapid perusal of the Bill. I believe something of this sort is necessary if we are to continue the present method of parking within city streets.

Unless this method is policed, a very restricted and selected few will be able to park their cars within the city block. Yesterday I drove around the city about four times, and I did the same this morning, trying to find a space in which to park. I do not think that, in that time, one vehicle in the city area moved from the parking spots. Yet one would think that if there were a limit of half an hour for parking, one or two vehicles at least would be seen moving out as one did four circles of the block.

The Bill is really a Committee measure; but there are one or two general principles and a few details that should be discussed. One of the features I like best is that the parking system and its associated cares and worries are to be taken out of the hands of the Police Force, the members of which will be left as controllers of the traffic under the Traffic Act. To a large extent, I believe that we may have given some members of the Police Force a wrong viewpoint as to their duties in relation to the control of parking and other minor offences.

It is not good that we should ask the police to be tax gatherers, but that is what we have done in the past in connection with such offences as parking; because while there is no doubt that fines have been imposed to correct offences, there is equally no doubt that the amounts collected from motorists have been regarded as a part of Consolidated Revenue.

In handing over the care of parking to the Perth City Council, we shall relieve the police of that burden and that viewpoint, and will allow the council to appoint its own inspectors, who will marshal the street traffic. As pointed out in the Bill, it is essential that the inspectors wear a uniform quite distinct from that of the police. There should be no difficulty on the part of motorists in at once recognising

a traffic inspector within the municipality. In order to ensure that, a distinctive uniform will be worn by those inspectors.

Might I make a plea for some thought to be given to the appointment of these inspectors. I have always considered that such work as marking cars and watching parking meters could quite well be reserved, as is the case with the working of lifts, for handicapped men. There are some who, even though handicapped, would be able to fill these posts very well. This could be regarded as an avenue of employment for men who have been injured in traffic accidents or in their daily work. It is a matter into which the City Council might well look and realise that this is not a task that calls for a husky, physically fit individual.

Looking at the Bill in some detail, I notice that the Perth City Council has the right to say who shall and who shall not erect a parking station. But if we look at the definition of "parking" and "parking station," there does not appear to be any wording which eliminates a private garage from being a parking station. I am quite sure the City Council has no desire to control the letting of a private garage; and I consider that in the definition of "parking station" where there is a reference to the non-inclusion of a metered zone or metered space, we should add the words "private garage." A private garage would be off the streets and those controlled should be purely around the streets.

The council will be vested with quite a lot of power in connection with parking buildings and zones, but I suggest that members have a look at Clause 11 (2) which provides—

> The Council shall not establish a parking station or provide a parking facility, or alter or abolish a parking station or parking facility, or install a parking meter without the approval in writing of the Minister or except in accordance with the directions of the Minister.

Surely we do not want to hamstring the City Council completely after giving it a lot of power.

The Minister for Railways: A lot of money, too.

Hon. J. G. HISLOP: Yes. Parking facilities include all sorts of things. Surely we do not want to have the City Council controlling all this parking and then having to send a letter to the Minister almost every day wanting to know whether it can do something. Surely the power of the Minister would be amply covered if the measure provided that the council shall not establish a parking station or abolish one without the consent of the Minister. The Minister's consent should not be required in connection with parking facilities or even altering a parking station. An office may be wanted at a parking station, but it could not be provided without the consent of the Minister. This control is excessive.

The Bill also contains a provision similar to one that we dealt with the other night, under which, if an owner does not give to the police, information relating to his evhicle, he is regarded as the person who committed the offence. Only a short time ago this House thought that worthy of deletion from a measure, and I think the same attitude should be adopted here.

There are certain anomalies that can iron themselves out as time goes on, but I think that somehow an attempt has been made to cover too much in a short time. I am referring generally to Clause 11, whereby the supply of petrol, oil and accessories shall be deemed to be included within the meaning of a parking facility. The clause goes on to say that the council shall not erect a workshop. Apparently there is a considerable business in the supply of petrol and oils to parked cars.

In the next paragraph we take away from the council the right to run such a business. It must lease the premises. However, in Clause 12 we make the council responsible for the management of all the parking facilities in a parking station. So, whilst the council can provide parking, and the facilities for the motorist to obtain oil and petrol, it cannot run that side of the business, but must lease it to someone; but the council is still in complete control of the management of the station.

The clause provides that the council shall keep in good order and condition all parking stations and facilities. So once more we have the attitude of the oil companies adopted by the City Council. It will spend money on the parking station and the facilities, and it will then say to the person who leases the property, "You shall paint or repair it as we think fit." This may be wise, and the City Council may think it is all right, but it is foreign to ordinary business, except that it is the practice which the oil companies have adopted in the establishment of petrol stations today.

Hon. L. C. Diver: We have a Lord Mayor who says we cannot have too many petrol stations.

Hon. J. G. HISLOP: There is room for discussion on the right to tow away cars. It may be said, as was mentioned in the Chief Secretary's speech, that a single car may hold up a long line of traffic. But in the last words of the Chief Secretary's introductory remarks we were told, as we all know, that the police have the right in the case of an accident or an emergency to tow away a vehicle, so that if a car breaks down on the Causeway, the police have the right to tow it away to let the traffic go through. This provision will apply only where a car is parked in an area which is regarded as a hazard.

I believe the distance which is allowed at present as a no-parking space between intersections and the permitted parking areas, is too great. There is ample room for spreading some of these parking spaces. If we take the intersection of Hay and William-sts., we find, if we turn west, that extending to a lane on the other side of Worth's shop there is almost half a block which is marked as "No Parking". West of the lane there are two stands marked for parking, so there is practically little or no parking space now outside these busy emporiums. Yet these large areas are left free. It is reasonable that an area should be left at intersections, but one can become too enthusiastic and make the area too extensive.

Hon. F. R. H. Lavery: A distance of 40ft. should be ample, not 120ft. as that is.

Hon. J. G. HISLOP: It is too long. There is room for at least two more parking areas while still retaining complete safety for the rest of the traffic.

This is a Bill which will have to be hammered about in Committee. Again I think that the House will regret that a Bill to which so much thought must be given, should be brought to us at this time when most of us have developed a legislation consciousness.

HON. N. E. BAXTER (Central) [4.55]: I wish to deal with the provision which states that where there is any inconsistency between this measure and the provisions of the Traffic Act or the regulations made under it, or the Municipal Corporations Act or any by-law made by the council under that Act, this measure shall prevail.

Hon. Sir Charles Latham: That is the common law practice.

Hon. N. E. BAXTER: It may be. But why not have some form of consolidation? We have a Traffic Act and 400-odd regulations under it. In addition, we have regulations and by-laws under the Municipal Corporations Act. The public will not know where they are; in fact, they do not know where they are now.

I wish to comment particularly on the management and operation of parking stations and the giving of the right to permit the leasing of parking stations for the supply of petrol, oils and accessories, and also cleaning facilities, for the people who park in those stations. I do not believe it is the right of parking areas or parking stations to enter into the business of selling petrols and oils. I am not standing up for the petrol companies, but I believe that the service stations run by private enterprise in the City of Perth should not be penalised by the introduction of such legislation as this.

I can point to the Class "A" reserve next to the Christian Brothers' College. The Government has agreed to lease that area for parking facilities, and has permitted a petrol bowser to be established there; and it has also permitted the selling of oil. Right opposite this area is a service station which is privately owned, and which has been established for many years. We can quite understand those people objecting when we find that Government land is used for parking, and is let out in competition with private enterprise.

The Minister for Railways: It would be privately owned.

Hon. N. E. BAXTER: No; the land belongs to the State, but it is being used for business purposes. Another clause provides that after the coming into operation of the measure the council shall be subject in practically every manner to the Minister. No one can open a parking station, whether he owns the land or not, without first making an application to the council which, in turn, has to get the approval of the Minister; and if any person wants to appeal, he can do so to the Minister. That is entirely wrong.

If a person owns a piece of land in the proclaimed area, it is not right that he should not be able to use it, if necessary, for the parking of vehicles, whether they are paid for or not. Who pays the rates and taxes on the land? It is the right of a person who owns property to say, to a large extent, what sort of business he shall use it for, subject, of course, to town planning. But where there is vacant land it could be used for parking facilities without someone having to go to all this trouble of applying to the council and the council, in turn, having to go to the Minister.

Those are some of the comments I wish to make on the Bill; and in the Committee stage, I am prepared to move a few amendments to make the Bill really sensible to the extent that it will be fair for everybody. I support the second reading.

On motion by Hon. L. A. Logan, debate adjourned till a later stage of the sitting.

(Continued on page 3574.)

BILL—FACTORIES AND SHOPS ACT AMENDMENT (No. 3).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.2] in moving the second reading said: This Bill seeks to legislate for the hours of trading of garages and includes provision for emergency supplies. It repeals the present Section 100 of the Factories and Shops Act dealing with hours of closing of shops for the sale of motor

spirits, oil or accessories, plus the emergency provisions inserted by way of amendment in 1939.

Members have had presented to them the report of the Honorary Royal Commission into "matters relating to the retailing of motor spirits and accessories." Part VI, Section II, of the report deals with trading hours, and the Royal Commission's recommendation as to what the hours should be is on page 36 of the report. These recommended hours have been adopted in the Bill. They are: 7 a.m. to 7 p.m. on Mondays to Fridays, 7 a.m. to 1 p.m. on Saturdays; and 9 a.m. to 12 noon on Sundays. As recommended by the commission, the same trading hours are proposed for all public holidays, with the exception of Christmas Day, Good Friday, and Anzac Day.

The object of the Bill is to give garage proprietors reasonable leisure whilst at the same time guaranteeing that the motoring public are adequately protected so far as emergency supplies are concerned. The Bill provides that, in any prescribed zone, garage proprietors having any requisite for sale—by requisite is meant fuel in any form, lubricant in any form, tyres, tubes, batteries, parts and accessories—shall only open the garage and not allow the sale of any requisite during the trading hours stated in the Bill, unless authorised to do so.

Any garage proprietor outside a prescribed zone would be able to keep his premises open at any hour. The zones to be prescribed would be in the metropolitan area and the larger country towns. For trading outside the normal hours provision is made for the representative body of the garage proprietors, which is known as the Automobile Chamber of Commerce—or, if that body is dissolved or becomes defunct, such body as the Governor appoints in its place—to make a recommendation to the Minister, who shall recommend to the Governor for the establishment of zones, in each of which one or perhaps two garages, depending on the size of the zone and the distance of the garages apart, shall remain open when all other garages are shut. If no recommendation is made by the representative body, the Minister himself may make a recommendation.

The regulation will also prescribe that where a zone is established provision shall be made for the times when the garage shall be opened and what necessary or emergency requisites or class of requisite can be sold by the garage proprietor or proprietors during these extraordinary trading hours.

As a safeguard, the Bill provides that where an agreement is made prior to the coming into operation of the conditions contained in this Bill, the agreement shall be deemed to include provision that, if any party to the agreement claims that because of the provisions of this Bill any of the provisions should be reviewed and adjusted, and if the parties cannot agree in respect of the adjustment, their difference may be settled by arbitration under the Arbitration Act, 1895.

The Bill also provides that persons who, in the normal course of their business, operate bowsers for their own convenience or that of their customers, can be relieved from being called to open up outside ordinary hours if they stipulate their objections in writing. I move—

That the Bill be now read a second time.

On motion by Hon. L. C. Diver, debate adjourned till a later stage of the sitting.

(Continued on page 3590.)

BILL—CHILD WELFARE ACT AMENDMENT (No. 2).

Received from the Assembly and, on motion by Hon. E. M. Heenan, read a first time.

BILL—PUBLIC SERVICE ACT AMENDMENT.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.7] in moving the second reading said: The need for this Bill arises from the fate last night of the Public Service Bill in this Chamber. As the proposal in that Bill for the formation of a public service board cannot now be implemented, it becomes necessary to extend the term of office of the Public Service Commissioner for a further 12 months as from the 31st December, 1956. Unless this is done, the Public Service will be without a statutory head, and, as can be imagined, this would result in very considerable difficulties. The proopsal to extend the term of office for another 12 months will give time for the ill-fated Public Service Bill to be brought down early next session.

Hon. C. H. Simpson: Thank you.

The CHIEF SECRETARY: The opportunity is also taken in this Bill to include some provisions regarding long service leave which the Government had promised would be included as amendments, with Parliament's consent, to the Public Service Act. In this connection I would explain that up to 1947 the maximum period of long service leave which could be accumulated under the provisions of the principal Act was six months. As members are aware, three months' leave is available every seven years.

In 1947 the Act was amended to allow officers who had accumulated six months' long service leave by the 5th March, 1948,

or who would accumulate six months before the 5th March, 1953, to accumulate leave up to a maximum of 12 months. This amendment was made to overcome the difficulties which arose out of the suspension of the taking of long service leave during the war period. This ban was imposed on the 31st January, 1942, and lifted on the 1st February, 1946.

The provisions of the 1947 amendment became inoperative on the 5th March, 1953. Since that date officers, other than those who benefited under the 1947 amendment, had again only been allowed to accumulate up to a maximum of six months' long service leave. Once having acquired the maximum accumulation, an officer loses all subsequent service for long service leave purposes until he reduces his accumulation to three months.

In recent years shortage of trained technical and administrative staff, rapid expansion and developmental projects in respect of housing, water supply services, schools, migration, Kwinana and the like, have prevented many senior officers from taking their long service leave as it has fallen due. In the interests of the State and at the direction of the department they have delayed taking their leave and, under existing legislation, are losing service for further entitlements.

In the Railways Commission and the teaching service of the Education Department there is no statutory limit on the accumulation of long service leave. However, by ministerial direction, accumulation is restricted to 12 months in the case of teachers.

This measure proposes that on and from the 5th March, 1953, officers in the Public Service shall, with the approval of the Governor, be able to accumulate long service leave up to a maximum period of nine months where the taking of accrued leave has been delayed to suit the convenience of the Government, and where, but for approval to accumulate to nine months, further service will be lost for long service leave purposes. Otherwise accumulation is still limited to a maximum of six months.

Despite what has been said about the slowness of the working of Government departments at various times, I think the House will have to agree that this is the smartest bit of work that has been done for many a long day, because it was only last night that the other Bill went out, and yet we have this measure now before us.

Hon. Sir Charles Latham: Leave the Public Service alone; they will look after themselves.

The CHIEF SECRETARY: When the occasion demands, the Government and the Public Service can work pretty quickly. I move—

> That the Bill be now read a second time.

HON. J. MURRAY (South-West) [5.11]: Without pointing the bone, the Chief Secretary said that, in effect, I am responsible for this Bill being brought forward.

The Chief Secretary: The other one has not been lost yet; we will be coming back on Christmas Day to discuss it.

Hon. J. MURRAY: I want to say at the outset that I support this measure; but while the Chief Secretary pats the members of the Public Service on the back for their expedition in this matter, I would say that this Bill was on the stocks in anticipation of the action that was taken last night, or in anticipation of similar action being taken. However, I congratulate the Government on being prepared, at this very late stage, for any eventuality that might arise. I agree that the Public Service cannot carry on without some head being appointed, and I am glad to know that it will be one head instead of a three-headed dragon, as it might have been.

As regards long service leave—and there are many difficulties attached to that question—I am pleased to know that high-ranking officers who were not permitted to take their leave on account of circumstances—mainly because there was nobody to take over from them because of their experience, and they were therefore asked to keep their hands on the plough and guide their departments through difficult periods—are not to be denied their rights. It is not fair for Parliament or anybody else to say, when the heads of Government request those officers to stay at their posts, that they should be deprived of privileges which have been granted to other people. I support the Bill.

HON. G. BENNETTS (South-East) [5.14]: There is just one comment I wish to make on this Bill. Mr. Murray has said that many heads of departments were kept on the job without being able to take their long service leave. That is true; and in such cases they are entitled to take their leave at such time as they think necessary. I know of one departmental officer who is in charge of a department and who is permitted to say when he shall go on holidays. He has accumulated 18 months' holidays and long service leave and he does not intend to take that leave until he retires. He has 18 months' due now; and as he will be retiring in two or three years, he will be accumulating further leave. In such cases the Government should take some action and the whole question of their leave should be looked into.

HON. SIR CHARLES LATHAM (Central) [5.15]: The remarks of Mr. Bennetts indicate to me that long service leave is not necessary in some cases; otherwise these officers would take it immediately it became due. I know there are odd cases in the service where an officer who is

entitled to long service leave may not be able to take it because of work he has on hand which would take him some little time to carry out. Accumulated leave should not be permitted. Today there is plenty of staff available to do the work.

The only case where an exception might be made is that of highly scientific men who may start some work which might take them a little time to complete. Those men are entitled to three weeks' leave after one year's service, and in some cases they get three months' long service leave after seven years' service. The Civil Service employees should be compelled to take their long service leave when it becomes due. The service would be quite able to carry on without them, particularly with the number employed in it at the moment. We should go into this matter of the Civil Service and see that the men are fully employed.

HON. C. H. SIMPSON (Midland) [5.17]: The previous speakers have covered the subject pretty thoroughly. I did wish to comment, however, on the amendment to Section 56. I know that has been a matter of concern to the Public Service over many years. I refer to the desire to prevent the undue building up of lengthy periods of leave to be taken at the convenience of the civil servants entitled to it. There were good reasons for that.

Usually it meant a dislocation of the work on which the particular officer was engaged, and there was a lot to be said for the officer concerned taking leave in the prescribed amounts when his entitlement became due. But I did want to point out that this invariably referred to high-ranking officers who, from a high sense of public duty or because the Government wished them to complete some tasks on which they were engaged, were unable to take the leave due to them.

Hon. J. Murray: There is no high sense of duty in the cases to which Mr. Bennetts referred.

Hon. C. H. SIMPSON: I am not talking about that. The men to whom I am referring have had to forfeit holidays due to them because they were carrying out their duties in the best interests of the State. This measure will give them that entitlement and it is quite fair. I support the second reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply [5.20]: I would like to point out that there are times when it is not possible for an officer to take his long service leave; and because of that, a number of public servants have lost their entitlement to that leave.

Hon. Sir Charles Latham: If that is the case, why should there be some who are privileged?

The CHIEF SECRETARY: This measure will enable us to do something for those who have been detained under those headings. I have a fellow-feeling towards people who have had to forfeit leave, because never at any time have I been able to avail myself of this privilege. However, it got so close to it at one stage, that my thoughts were quite unparliamentary when I was not able to take advantage of the leave that would have been due to me. At that time it was necessary to serve 20 years before one was entitled to six months' leave. I served 19½ years, which meant that I lost my six months' leave by six months. Accordingly I have a great deal of sympathy for anybody who is in a similar position.

Hon. Sir Charles Latham: Did your health break down because you could not take it?

The CHIEF SECRETARY: I came here because I thought it was a house of rest.

Hon. J. G. Hislop: Don't you think you should have served another six months in order to qualify?

The CHIEF SECRETARY: No, because then the public would have lost a valuable statesman. I want to congratulate Mr. Murray on being the reformed character he is today; it is a refreshing change from the attitude he adopted yesterday. I am pleased with the reception that the Bill has been given. A great deal of investigation has been made in the last year or two into this matter of long service leave; and we are not at all happy about the accumulation of that type of leave. Some men have lost as much as six months' leave. This measure will enable us to see that the right thing is done by the person who has genuinely been prevented from taking long service leave.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—FIREARMS AND GUNS ACT AMENDMENT.

First Reading.

Received from the Assembly, and on motion by Hon. G. C. MacKinnon, read a first time.

Second Reading.

HON. G. C. MacKINNON (South-West) [5.25] in moving the second reading said: This is a very small Bill. There are certain people and organisations in this State who, under the Firearms and Guns Act, have an exemption from obtaining a licence. The people concerned are members of rifle clubs, members of the Police

Force, nightwatchmen, the Governor, certain consular representatives and people of that type. Those people may use guns in certain circumstances without the necessity of obtaining a licence. For instance, on the rifle range they could use their own rifle or somebody else's rifle provided he was a member of the club. In recent years the sport of clay pigeon shooting has been introduced into this State. Those who attend the pictures may remember it in "Annie Get Your Gun."

Hon. G. Bennetts: I remember it on the Goldfields many years ago.

Hon. G. C. MacKINNON: It is an old sport that is recognised internationally, and it is very interesting. As the Firearms and Guns Act stands at present, these men must have a licence for their own particular gun. If there are two clubs and one is acting as host to another, and a member of one club uses the gun belonging to a member of the other club—suppose he wanted to try it out for some reason or another—both of them would be committing an offence. The small amendment contained in this measure would help to overcome that difficulty and would enable them to use the guns on the ground set aside for the shooting on that particular occasion. While that particular shoot was going on, this exemption would apply.

Hon. Sir Charles Latham: It has to be licensed.

Hon. G. C. MacKINNON: Yes; the gun club must be licensed.

Hon. Sir Charles Latham: I mean the weapon.

Hon. G. C. MacKINNON: Yes; as I understand it. The point is that the amendment will enable the people concerned to try out another gun if they wish to do so for some reason or another. These guns are fairly expensive items; their prices range from 40 guineas to 150 guineas. It is usual for members of gun clubs to wish to try out each other's guns to see how they work, or for some other reason. I am sure the House will support the Bill and give it sympathetic consideration. I move—

> That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Second Reading.

Debate resumed from the 13th December.

HON. J. G. HISLOP (Metropolitan) [5.34]: I suppose I will be regarded as blasphemous and barbarous when I state, "This 'piece' passeth all understanding" because how anybody can comprehend the Bill is beyond me. I have never allowed myself to live upside down, or regarded myself as living in a negative atmosphere, but one has to completely invert oneself to understand what is in this measure. I cannot swallow myself in my own skin and understand what it means. If this is the way measures are to be presented, I shudder for the Town Planning Act. Mr. Watson and I discussed a clause of this Bill, and I came to one conclusion and he to another. On further discussion, we were of a different opinion still. When I discussed it with the Town Planner, he told me that originally I was right; but I am still not certain of it.

Hon. L. A. Logan: You don't know where you are yet!

Hon. J. G. HISLOP: No. It really becomes laughable when we have to consider this. For instance, just take one clause alone. Instead of saying an erection of a building would have been lawful, we have to turn it around and say, "but for that prohibition, would not have been an unlawful erection." If we are to do those sorts of gymnastics, it is all very humorous, but this should never have come to the House to be put in as a law governing town planning. I think this House should send the measure back to legal officers and tell them to use the King's English in a bill for town planning. The words used by the Chief Secretary in the introduction of the Bill told me more about what could happen, in plain English, than this Bill could ever lead me to believe what it really means.

So far as I can gather, there will be no compensation unless a property is taken for public purposes. Non-conforming use is either totally or partially prohibited. Then if it is partially prohibited by any Town Planning, it would appear to me that one would only get compensation for that portion of the land or the building which was serving a non-conformity use.

There is one clause in the Bill of which I do not very much approve and I do not think the House will approve of it either, because it reproduces what this House disallowed when discussing the regional zoning plan which was placed before this Chamber by the Perth City Council and talked so heartily upon by the late Mr. Harry Hearn.

If a building were burned down and it was a non-conforming building, it could not be re-erected; but this time, after an interval of 12 months, one can re-erect the non-conforming building. That is the only difference between this Bill and the Perth City Council's zoning system under which it was provided that if a building

were burned down, it could not be re-erected; it had to conform to those zones. Even now, my reading of the clause may not be correct.

Hon. L. A. Logan: My interpretation was—

Hon. J. G. HISLOP: The hon. member's guess is as good as mine, but mine is that one has the right to go for 12 months because the Bill says the right to continue ceases on the expiration of 12 months after the commencement or the discontinuance or destruction, whichever the case may be. Whether it is absolute or whether it goes for 12 months, I do not know.

The Chief Secretary: Generally 75 ft. goes, but beyond that it is out altogether.

Hon. J. G. HISLOP: It may be that on burning down or destruction, it is finished. That is exactly the regulation this House disallowed. We have to take our minds back to what the late Mr. Harry Hearn said when he instanced a shop in Hay-st. near Colin-st., where it was desired to erect flats. If a shop were burned down it could not be rebuilt as a shop, and it could not be built as flats because the frontage would be under 50ft. and most shops are only 19 to 20ft. If that shop were burned down it could not be re-used as a business until the building next door was burned down or somebdy took the lot down and conformed and re-erected flats. There are small shops of this nature dotted all around the city and this might happen to anyone. We should take out this clause relating to destruction by fire and provide that if it is non-conformed it receives compensation.

So far as I can see, that is all the Bill does, with the exception of making certain of the interim development plan. But it is quite clear that compensation will be paid only if land is taken over for public use or one is prevented partly or totally from continuing or non-conforming. One will be allowed only for that portion which is acting in a non-conforming sense.

There is to be another provision which some of my friends doubt is permissive, but I regard as permissive. If one avoided an area which was non-conforming, it could be extended, provided the buildings conformed to the conforming laws or by-laws. If there is a factory, and it is in an area where factories are permitted, and there is no non-conforming use, one can continue to expand that factory provided it meets all existing by-laws of health and building.

HON. L. C. DIVER (Central) [5.43]: This Bill is to amend the Town Planning Act. I am very sorry that is necessary, for I was hopeful that by this time, or before this time, Parliament would have been confronted with all-embracing legislation to deal with town planning as envisaged in the Stephenson-Hepburn plan. It is very obvious, however, when we look at this Bill, that people are going to be injuriously affected.

It was known from the inception of town planning that some people must always be injuriously affected in order that their fellow citizens might ultimately enjoy a better-planned town. It is therefore only fit and proper that society should compensate, in a reasonable manner, those who are affected. At present the provision for compensation is left to the local authority in whose district the persons injuriously affected are—or to the Main Roads Department.

Consequently in most instances there is no existing fund upon which to draw to pay compensation. Had we had an Act, as was envisaged 12 months ago, there would have been accompanying it another taxing measure under which the whole of the metropolitan region would have had to contribute towards a common fund to be used for compensation.

Hon. H. K. Watson: On top of the land tax!

Hon. L. C. DIVER: That is so. It should be patent to everyone that if we are to do anything with town planning that must ultimately come about. Not that I imagine that sufficient money will be collected by way of a reasonable land tax to pay the whole of the principal sums as they accrue owing to resumptions or to satisfy the claims for injurious effect as they materialise. But it would at least go some way towards that end, which not only the present generation but also posterity must pay for.

I propose to deal with only one other provision of the measure, because I think the Committee stage would be a more appropriate time to deal with the rest of it. The last provision seeks to cover the position where a person with a large estate wishes to subdivide it and makes application to the town-planning authority and is refused, as occurred in one instance.

The person concerned then immediately sold pieces of the land, as the Chief Secretary said when introducing the Bill—pieces of land which had no common survey and were not distinguishable from one another. Up till now, that person has been immune from the Town Planning Act and she cannot be proceeded against. But the Bill will prevent any individual in future from carrying on in that manner. I have been assured by the Town Planning Commissioner that in this instance the person concerned has been notified that if she submits a plan for subdivision to meet the requirements of the people who bought the land, favourable consideration will be given to it. Members can understand that if in future

something of that sort were done, a considerable amount of trouble and litigation could arise from it. I support the second reading.

HON. F. R. H. LAVERY (West) [5.50]: While supporting the Bill, I wish to draw attention to the disabilities caused to the people concerned by the continuance of this measure for a further 12 months. To illustrate what is happening I will read a letter dated the 26th October, 1956, and addressed to me by the Canning Road Board. It is as follows:—

> This authority has received a petition from its ratepayers owning property within the area being declared under the recent interim development order for future public open spaces and situated south of the existing High-rd. and between the proposed Spearwood-Midland Junction controlled access road.
>
> The landowners concerned are perturbed that the interim development order will have a detrimental effect on the value of their land and deprive them of future security and will to develop their properties. It would appear that they are requiring some definite indication from the Government in respect to their land as to whether they can plan for the future or should cease development work pending its being taken over for open space purposes.
>
> This state of affairs, as can be imagined, is upsetting these ratepayers and my board feel that they are entitled to receive some clear answer as to what the position will be with their land.

The petition reads—

> We, the undersigned ratepayers, desire the support and protection of your board. We consider that our rights as owners of land have been violated. A State Government regional plan has embraced our land within an area designated as public open spaces. But there is no clear-cut definition of what rights we have under this scheme. After many personal inquiries at the office of the Town Planning Board, the best information we can get is that any development plans we have must be submitted to the board to be passed or rejected. This means that we cannot plan ahead or decide whether it is worth while remaining on the land because the nature of the limits which will be placed on us has never been explained despite many requests. Any other owner of land has the rights to which his freehold entitles him. He knows where he stands. If he needs to sell, he knows that potential buyers will not be scared off by uncertainty about restrictive conditions the extent of which he can only guess at. Under any concept of justice, we are entitled to a clear statement of how the Government intends to limit us on our land—a clear statement of our rights, now and in the future. And we are entitled to it in writing, as a substitute for the freehold rights that have quite plainly been taken away from us. We would appreciate it if your board would take up our case and find out where we stand.

About nine or 10 people signed that petition and they are on the south side of High-rd. in the Riverton area. Their non-conforming at the moment amounts to this: that one is a market gardener; three are poultry farmers; one has a high hills area, which he proposes to develop for housing—I have been on the land and it has a beautiful view of the city; and one man has already spent £2,000 on irrigating his land and is about to build two homes for his sons. Two other blocks are in the course of development. The blocks number 15 or 16 in all and are 5-acre or 6-acre blocks in what is more or less a suburban-agricultural area within 10 miles of the city. Almost without exception they are perfect building land.

My point is that these people have done everything possible to get from the Town Planning Board a statement as to their position in future, and they feel that if the land is to be declared for open spaces, they should be told so now in order that they might set about planning for the future and obtaining the compensation they are entitled to. Although I do not criticise the Town Planning Board, it is a fact that, despite all the applications these people have made, only one of them has now been told that there is a possibility that he will be relieved from the plan. That is as far as they have got.

I agree with members who criticise the extension of this interim order and wish to see that these people are given information that will put them on the same basis as a person with his just entitlement to freehold. It seems to me illogical to make this area a great open space when it is right on the edge of a fast-expanding housing area. I think the Minister and Mr. Hepburn should visit the district, make a decision on the spot, and give these people an idea of what their future holds. I support the Bill.

HON. H. K. WATSON (Metropolitan) [5.58]: I rise because I support in principle the remarks of Mr. Lavery. Twelve months ago we provided for the interim development order to run until the end of this year, and that order was not gazetted until about the end of September last. We are now asked to extend the period to the 31st December, 1957. Mr. Lavery has instanced a few cases of the inconvenience to which ordinary citizens are put by the

existence of these development orders, which are virtually stop orders against dealing with or improving one's land.

These illustrations could be magnified many times throughout the metropolitan area, and it is the principle that I am dealing with, because it is unfair that businessmen or private citizens owning land should have their legitimate activities held up or frustrated by being prohibited from dealing with their land and thus be left in a state of complete indecision while the town-planning authorities leisurely proceed to town-plan a district.

I trust that the House will indicate that by agreeing to the extension of this development order for another 12 months it does not intend that to be regarded as a precedent for a still further extension of the order.

HON. L. A. LOGAN (Midland) [6.0]: There is one aspect of town planning which I would like to bring to the notice of this House but which does not come within the provisions of this Bill. It is in regard to a building that is at present in course of construction on the south side of Adelaide Terrace. I understood that we were endeavouring, by town planning to improve the look of the city itself. Yet we find an extraordinary state of affairs developing in Adelaide Terrace in the last 12 months.

From Victoria Avenue, I would say, to Bennett-st. there would have been available on the south side of that roadway, at least 20ft. to 30ft. which could have been used for widening and improving that road. In spite of that, there is, at present, a fairly large and substantial building being erected on that side of the road for the Farmers' Union. I admit that this has nothing much to do with the Bill; but it does concern town planning, and it is time that it was brought to the notice of the House. Along that particular terrace we have a glorious opportunity—

The Chief Secretary: That is lack of town planning.

Hon. L. A. LOGAN: The Government has had the opportunity, for the last couple of years, to do some town planning. If that is an example of how the Government is going to go about town planning, I do not know what the future will hold. I cannot understand why the Farmers' Union was permitted to build its new structure up to that building line.

The Chief Secretary: The local authority is responsible for that.

Hon. L. A. LOGAN: Whoever is responsible should be severely reprimanded. Instead of playing around with a Bill such as this year after year, why does not the Government bring down an all-embracing Bill on town planning? I spoke only to utter a protest against the erection of that building in Adelaide Terrace. It juts right out and it spoils the whole feature of the street. Moreover, it is built of brick and will be a permanent structure. Something should have been done about it.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [6.3]: I know that there are many things linked to town planning for which town planning is not responsible. The instance mentioned by Mr. Logan is one. That is entirely the prerogative of the local authority. Long before town planning was thought of, the local authority had power to control the building of such structures by a by-law which defines the building line.

Hon. A. R. Jones: It has done that on the north side of Adelaide Terrace.

The CHIEF SECRETARY: I agree with Mr. Logan. I shuddered when I saw what was happening there.

Hon. G. C. MacKinnon: It is hard to understand the Farmers' Union doing that.

The CHIEF SECRETARY: The same thing is happening in King-st.

Hon. L. C. Diver: Many farmers do not agree with it.

Hon. J. G. Hislop: It is worse in Milligan-st.

The CHIEF SECRETARY: There are examples all over the city, but this problem could be overcome by the Perth City Council defining a building line that is well back from the street. Although it can be said that people will suffer as a result of town planning, I do not think it should be held responsible for those things that occur which have nothing to do with the implementation of town planning. The same applies to those people Mr. Watson referred to—those people who own land, but who are not permitted to do what they would like to do with it.

Hon. H. K. Watson: I was talking about the interim development order No. 1, which is hindering development.

The CHIEF SECRETARY: The order will do that, of course; but there is a good reason for it. I know that such delays are very irksome; but members have to keep in mind that the regional plan is a very big job, and if it is to be carried out to the full, it is necessary that there should be some holding force so that when the details are determined they will not be upset by unauthorised work which has proceeded in the meantime.

Many people have complained that this interim order is responsible for many things; but actually it is not. The reason is that the local authority has had a town-planning scheme in train, as a result of which certain areas have been zoned. I understand, however, that some zones have been defined for 20 years. The trouble is that the local authorities have not grown up with their zoning schemes. Consequently, many people consider that any

town-planning scheme is irksome, because they are not able to do what they want to do.

Hon. H. K. Watson: In that instance people know where they are, but they do not know where they are with the interim order.

The CHIEF SECRETARY: That is so. I will admit that with an interim order the people do not know what the future will hold except that they are forced to delay development they have in mind. A period of two years for the preparing of a regional plan is not unreasonable; and it is hoped that, within 12 months, it will be advanced sufficiently to have the details prepared; and it is also hoped, at the same time, to bring forward that new legislation which Mr. Diver would like to see on the statute book.

The main point at issue is injurious affection; and I think I mentioned, during the second reading stage, that unless something along the lines suggested in this Bill was done, it would be possible to find that no local authority would be game to go on with town planning if this injurious affection provision remained in the Act. Some members might say, "Why has not some action been taken before now?" The answer is that I do not think anyone thought much about town planning in recent years, but people's attention has been drawn to it considerably in the last three or four years, and they are now beginning to understand something about it.

Apart from injurious affection, I think I referred to betterment. That is mentioned in the Town Planning and Development Act, but it is now a dead letter. I do not know of any people who have had to pay something in return for receiving the benefits of betterment in town planning.

Because of certain action taken as a result of town planning, some individuals get considerable gain over and above the ordinary beneficial effect enjoyed by the community as a whole. If betterment is a dead letter, it is necessary that injurious affection should become a dead letter also because, in the main, injurious affection would be imaginary affection. I think this point was exemplified fairly well in the instance referred to by Dr. Hislop when he was speaking on zoning by the Perth City Council.

Whilst I admit freely that all zoning schemes will affect some people, the number of people who thought they were injuriously affected by that zoning plan was so great that claims for injurious affection received by the Perth City Council amounted to over £3,000,000 in regard to that one proposal. I mention that fact to inform the House that when people are assessing by how much they will be injuriously affected they often let their imagination run riot.

Hon. H. K. Watson: Not necessarily. This is pretty rigid.

The CHIEF SECRETARY: Most plans must be fairly rigid. The regional plan would not affect the whole of the municipality of Perth, but only a portion, although it is admitted it is the valuable portion. The Perth City Council has drawn up a zoning plan for the whole of the City of Perth. It has obtained approval to proceed with it, but it has not yet taken any action because of the claims it has received for compensation, and therefore it intends to proceed along other lines to effect the zoning. Although the Perth City Council has had preliminary approval for some months, it has not advertised the fact, because it is seeking something definite from Parliament in regard to injurious affection.

If the Bill were defeated, the Perth City Council would not go on with its regional plan for the City of Perth because it would not know the amount of compensation it would be liable for under the heading of injurious affection. No one wants to deny any person the payment of just compensation for real loss; but this injurious affection provision could be enlarged to such an extent, from an imaginary point of view, that no local authority could possibly proceed with its town-planning scheme.

Hon. F. R. H. Lavery: Are you suggesting that the Perth City Council is holding up this plan for 12 months and that the people out at Riverton will not be able for sometime yet to get an answer as to what is proposed?

The CHIEF SECRETARY: That is an entirely different story. Riverton is not affected by the provisions of this Bill.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: Before tea, I was dealing with the question of injurious affection. That is one of the main features of the Bill. No more need be said on that until the Committee stage, because there is important business coming forward in a short while and I do not want to hold it up.

There is the other provision in the Bill to prevent the type of transaction that went on at Yanchep where land was sold but no proper title could be issued. We do not want a repetition of such transactions and the Bill will prevent that.

Another point is the interim order and the holding off of subdivisions for 12 months. I have given all the information in connection with that matter. I repeat again there are three main points in the Bill—injurious affection, prevention of transactions for which no title can be issued, and the interim order.

Some members are confused with the question of injurious affection as it affects the town-planning scheme, and regional

planning. They are quite distinct. Injurious affection will apply particularly to the town-planning scheme, although it does apply to a smaller degree to interim development. It was stressed that injurious affection does become involved with interim development, and Mr. Lavery mentioned some land in Riverton which was thus affected. Some of the land in that district comes under the regional plan in which mention is made of open spaces. The owners of such land recently decided to subdivide, but the interim provision would prevent the subdivision.

An understanding has been reached with the Town Planning Board that when applications for subdivision of land classified as open spaces under the regional plan are made, they will be examined very closely; if it is considered that the land can be released and subdivided, approval will be given. All the land referred to as open spaces will not necessarily be held up.

In regard to land that is held up by the interim order because it is classified as an open space, if after the details have been examined the land is to be retained as an open space, the present lessees will have to purchase that land. People cannot be expected to hold land and pay rates, yet not be permitted to do anything with it. If members look at the regional plan they will see that there is so much land classified as open space that the controlling authority will have to release a tremendous amount of it, because nobody will have the finance to settle the amount of compensation required.

I have had a discussion with the Town Planning Board about these open spaces and about the land mentioned by Mr Lavery. That land will be approved for subdivision. I am hoping that the board will not take this attitude: "We have the interim order. This is an open space. We will sit on that." I have given instructions that, wherever possible, open spaces which are not required to be retained as such shall be released. Only land definitely required will be held up until the completion of all the details in the regional plan.

There are many other features I could touch on, but I shall leave them until the Committee stage. Any further information that is required will be given at that time.

Question put and passed.

Bill read a second time.

Sitting suspended from 7.39 to 10.3 p.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Conference Managers' Report.

The CHIEF SECRETARY: I have to report that the managers met in conference on the Workers' Compensation Act Amendment Bill and came to the following agreement on the amendments in dispute:—

Amendment No. 2.

No amendment made.

Amendment No. 3.

Amend as follows:— Insert—

Clause 5, page 4: After paragraph (a) add a paragraph to stand as paragraph (b) as follows:—

(b) by adding after the passage "Workers' Compensation Act Amendment Act, 1954" in paragraph (d) of Subsection (14) the passage: "; or

(e) of this sum of two thousand four hundred pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1956."

Amendment No. 4.

Clause 6. Insert the following:—

Section eleven of the principal Act is amended by substituting for the words "liability for permanent total incapacity" in line nine of Subsection (1) this passage "the sum of two thousand four hundred pounds."

Amendment No. 7.

No amendment made.

Amendment No. 8.

No amendment made.

Amendment No. 9.

No amendment made.

Amendment No. 10.

No amendment made.

Amendment No. 11.

No amendment made.

Amendment No. 13.

No amendment made.

Amendment No. 14.

No amendment made.

Amendment No. 15.

No amendment made.

Further amendments made:—

Clause 2, paragraph (b) of Bill—delete.

Clause 14 paragraph (e) of Bill:—Insert the following after the figure (1) in brackets, line 23—

Where following a clinical examination and/or an examination of x-ray films, a specialist is of the opinion that specialist treatment is desirable.

New clause.

Page 3: After Clause 2 add a clause to stand as Clause 3 as follows:—

3. Section four of the principal Act is amended by adding after Subsection (5) a subsection as follows:—

(6) the amounts—

(a) of total liability of an employer limited by Section 10A of this Act;

(b) (i) of three thousand pounds referred to in sub-paragraph (i) of paragraph (a),

(ii) of twenty shillings referred to in the paragraph following subparagraph (iii) of paragraph (c), and

(iii) of two pounds ten shillings referred to in the paragraph following subparagraph (iii) of paragraph (c)

of Clause one of the First Schedule to this Act

shall, notwithstanding the provisions of Subsection (5), of this section, be subject only to any increase or decrease in proportion to any alteration in the basic wage as declared by the Court of Arbitration after, but not before, the coming into operation of the Workers' Compensation Act Amendment Act, 1956.

New Clause.

Page 4: After Clause 5 add a clause to stand as Clause 6 as follows:—

6. The principal Act is amended by adding after Section 10 a section as follows:—

10A. Notwithstanding any other provisions of this Act which limit the total liability of an employer for compensation for injury to a worker where, after the coming into operation of the Workers' Compensation Act Amendment Act, 1956, a worker suffers personal injury by accident which arises out of or in the course of his employment and which results in permanent total incapacity, the employer shall be liable to pay as compensation to the worker for that injury a sum inclusive of weekly payments not exceeding two thousand seven hundred and fifty pounds.

New clause.

Page 12: After Clause 14 add a clause to stand as Clause 15 as follows:—

15. Clause eleven of the First Schedule of the principal Act is amended by substituting for the words "four hundred" in line five of subclause (1) the words "seven hundred and fifty."

I am sure that after hearing that report, members will know exactly what the managers did!

Hon. H. L. Roche: It is as clear as mud.

The CHIEF SECRETARY: What has been done is this: The amount of £2,400 payable for permanent total incapacity has been raised to £2,750. No alteration has been made in respect of partial incapacity. The other amounts for child and wife and so forth, including the £2,750, and the £3,000 that was previously agreed to for a widow are linked up with basic wage alterations, but only those that occur after the 31st January next year.

The only other alteration is that regarding the clause which caused a lot of debate, and which gave the employer the right to send a man to a specialist. The alteration suggested is that where following a clinical examination and/or an examination of X-ray films a specialist is of the opinion that specialist treatment is desirable, the employer can request the worker to go to a specialist.

That sums up the alterations made. The long delay in coming to a final agreement was occasioned not so much by the Committee discussing the alterations as by the length of time necessary to have a thorough examination made by those best fitted to make it so that the amendments could be inserted properly into the Act. I move—

That the report be adopted.

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

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 12 amended:

Hon. H. K. WATSON: I would like the Chief Secretary to give us as full an explanation as possible of subparagraph (i) at the top of page 4. This limits the concession granted in paragraph (b) on the preceding page. It refers to the provisions of a town-planning scheme which prescribes any requirement to be complied

with in respect of a class or kind of building, etc. I can generally subscribe to the formulation of a scheme so long as the town planning is of a broad general nature, providing that one section shall be confined to industrial purposes, another to residential purposes, another to commercial purposes, and so on.

There is quite a bit to be said for the explanation that there is not a great amount of injurious affection. Where, however, we have such a town-planning scheme as was produced by the Perth City Council a year or so ago, we virtually have buildings in every street town-planned and given a classification. I feel that if that is to be the criterion of town planning, we can have injurious affection.

Take the illustration that cropped up whereby McNess Building, which is a shop centre, was, under the plan, to be offices. There is the further illustration of London Court. The Hay-st. frontage and half-way back was to be shops, and the St. George's Terrace frontage and halfway towards Hay-st. was to be offices; similarly with Foys. If we have a provision in a town-planning scheme which can change the character of a particular building, the question of injurious affection becomes pretty material.

The CHIEF SECRETARY: What is actually intended is not to limit a person with non-conforming use. I could quote a number of town-planning schemes that have a non-conforming clause, and it has been argued that alterations cannot be made to an already established building. It has also been argued that because the shop is, say, a grocer shop, the non-conforming use means that it must always remain a grocer shop. I think, however, the correct interpretation is that it is all right so long as it is carried on as a shop. There are differences in various town-planning schemes, in various districts. The interpretation I would place on subparagraph (i) on page 4 of the Bill is that it should take the place of injurious affection.

Hon. J. G. HISLOP: This would e much better if it were not connected to Clause 4. If it were put in as a provision on its own, it might mean what it is intended to mean. I have had a talk with Mr. Hepburn, and he is of the opinion that this is a permissive clause which provides that if a person has a non-conforming building on his land and the town-planning scheme provides that only a certain type of building shall exist in the area, he can increase his non-conforming use provided that the building adheres to the qualification laid down for the buildings in that particular area.

The Chief Secretary: That is what I say. It would delete any injurious affection.

Hon. J. G. HISLOP: Yes. It would allow the owner of the property to continue the non-conforming use. But that is doubtful when we take this provision in conjunction with Clause 4. We would be wise to make this Clause 5 and divorce it from Clause 4. Is it of any use asking the Chamber to pass a Bill when three of us are discussing it and are not certain what it means? If we cannot understand these provisions, how can we expect the man in the street to do so?

Hon. L. C. DIVER: I have come to the conclusion that it is quite permissible for a building to be non-conforming in a particular area, and the owner could obtain permission to alter it; and while the existing building did not conform to the regulations, additions would have to conform to them. Mr. Hepburn said that is the idea behind it.

Hon. H. K. WATSON: I do not share the view just expressed by Mr. Diver. I am not at all certain that the draftsman has not misconstrued the Town Planning Commissioner's instructions. I was driving my Buick unlawfully for six months because the Parliamentary Draftsman had misconstrued the instructions from the traffic office. He may have gone back to front here.

We are not dealing with what is non-conforming use. The basic provision of paragraph (b) is that the land shall not be injuriously affected, and that therefore the owner shall have no claim for injurious affection unless the scheme prohibits wholly or partially the continuance of any non-conforming use of that land for the erection, alteration or extension on the land of any building. Paragraph (b) provides that the owner shall not be deemed to be injuriously affected unless that happens.

At page 4, the Bill provides that, notwithstanding what I have just said, if a town-planning scheme prescribes a certain requirement to be complied with in respect of a class or kind of building, it shall not be deemed to come within subparagraph (ii) on page 3 of the Bill. Therefore the owner is not entitled to any compensation for injurious affection.

Hon. J. G. Hislop: That is all right, because one is allowed to extend one's premises.

Hon. H. K. WATSON: One is not entitled to compensation for injurious affection. If there is a requirement to be complied with, what is the requirement?

The Chief Secretary: It is in respect to a class or kind of building.

Hon. H. K. WATSON: Can the Chief Secretary give an illustration?

The Chief Secretary: Whether it is brick or timber-framed.

Hon. H. K. WATSON: Is that all?

The Chief Secretary: There are a number of others.

Hon. H. K. WATSON: I think paragraph (c) (i) is a limitation on a man's rights under (b) (ii). I may be wrong, but that is my interpretation.

Hon. J. G. HISLOP: We should consider carefully this destruction paragraph, (c) (ii), on page 4. If a person leaves his premises unaltered for 12 months, there may be some justification for saying he has lost his non-conforming use; but where his building has been destroyed by fire he immediately, or it may be within 12 months, loses all rights for his building to continue as a non-conforming building. In that case, if a small shop were destroyed it would have to remain as a blank space until some of the other buildings around it were destroyed, if it were in the zoned area, in order to enable a large building scheme to be proceeded with.

It has been said that this individual will receive his compensation by way of insurance. But his business will have been destroyed because his building is his capital; and if he has no right to continue, he has lost his goodwill. We should be very careful about this. It is extremely difficult to alter the clause, but I move an amendment—

That subparagraph (ii) of paragraph (c) on page 4 be struck out.

The CHIEF SECRETARY: I hope the Committee will not agree to this amendment, because I think it is going too far. The portion dealing with places destroyed by fire is a common section in all town-planning legislation that has been in operation in this State for the last 20-odd years. Where there is a non-conforming-use building, and it is more than 75 per cent. destroyed by fire, it reverts to the zoning for the area.

I think the hon. member has some point regarding the 12 months' period. I realise that is rather hard, and it has already happened with some factories. There was one factory which was lying idle for some two or three years during which time the town-planning scheme for the area was brought into operation, and someone purchased the property to start up a business, but was prevented from doing so. It would be possible for a factory to be erected and not used for some years; and if a person decided to start up a new industry, it could be finished after 12 months. I think the hon. member has something in that point. Once a building is there, although the industry ceases to operate, the building is still the same. I agree with the hon. member on one point, but not on the other; and I think that by his amendment he is going too far.

Hon. J. G. HISLOP: The Chief Secretary has made his point about the period of 12 months. As regards the fire provision, if the amount of the building destroyed by fire allowed the area to be used in conformity with the zoning plan, I would agree with it. But if a shop is burnt down in an area that has been zoned for flats, it will have to stay as a blank space until shops or buildings on either side of it are destroyed and the area is sufficient to allow the flats to be built. We should eliminate the whole clause and let the town planners, who have promised us a Bill next year, alter it.

In Newcastle-st., there are some houses facing an industrial group; and if one of those houses is burnt down, certain difficulties will arise because the area burnt will not be sufficient for the planned zone. The same would apply if one of the shops in Hay-st., in the flat area, were burnt down. Most of the frontages for shops there are only 19 to 20ft. and it would not be possible to build flats on a frontage of less than 50ft. We should vote against the whole clause.

The CHIEF SECRETARY: I know the point raised by the hon. member is a live one, particularly in the city; and I know there are plans for flats in areas where the land is not of a sufficient size for the building of flats. I think a lot of the problems in regard to the size of blocks, etc., will be resolved when the standard building by-laws are issued, which I hope will be shortly. Should a local authority be allowed to have a plan which sets out flats in an area where the size of the lot does not permit of the flats being erected?

There is a loophole, and it could be suggested by the local authority concerned that it had drawn its plan and had advertised the fact, and if objection were not lodged by the individual who owned the land within the period stipulated the onus would be on the owner. I think a possible way out of the difficulty would be for the zoning to be widened where there is an area in which there are both large and small sized blocks.

Hon. J. G. Hislop: That was the objection we had to the other plan; it was too restricted. Where there are flats there must be shops.

The CHIEF SECRETARY: Yes. I do not know of any schemes in operation which would not conform to the zoning plan because of the size of the land.

Hon. Sir Charles Latham: What about West Perth?

The CHIEF SECRETARY: There is no registered plan for West Perth. I know there were difficulties in one case which was done by regulation; but that could be watched when this scheme comes forward, and an examination of that point could be made.

Hon. Sir Charles Latham: Is there any urgency for this legislation?

The CHIEF SECRETARY: There is for the extension of the development order and the extension for injurious affection.

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

Clause 5, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with an amendment.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—BANK HOLIDAYS ACT AMENDMENT.

First Reading.

Received from the Assembly and, on motion by Hon. G. E. Jeffery, read a first time.

Second Reading.

HON. G. E. JEFFERY (Suburban) [10.52] in moving the second reading said: I do not propose to weary the House by explaining this measure in detail, because I am sure members know as much about it as I do. The question of giving bank employees a five-day week has been before this Chamber previously. It has been the subject of an investigation by a select committee, and I take it that members have read the findings of that select committee.

I have always liked people to enjoy the privileges that I have been able to enjoy. Prior to my election to this Chamber I was employed in industry, and I remember that my employers were not very keen on a five-day week. Ultimately, however, they agreed to it; and I think it can be fairly said that they derived great benefit from it. I am sure members will appre ciate the amount of time that is wasted in getting gear, etc. on to the job on Saturday morning. It is not economical.

The main objection to this measure could be the period of adjustment during which, no doubt, there would be some inconvenience; but once we had adjusted our way of life to this innovation, I feel sure there would be no trouble. In reading the select committee's report, one finds that objections were raised to the granting of a five-day week; but I think that even those who disagree to its being granted, said that in the main it would have no great effect on the carrying out of their respective businesses.

Groups like the retailers' association said they disagreed with it while their particular avocation demanded that they should work the hours they did; that being so, they felt they would like to have the service of the banks. There is not much more I can say about the measure, and I move—

That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned till a later stage in the sitting.

(Continued on page 3607.)

BILL—LAND AND INCOME TAX ASSESSMENT ACT AMENDMENT.

Recommittal.

On motion by Hon. L. C. Diver, Bill recommitted for the further consideration of Clause 6.

In Committee.

Hon. W. R. Hall in the Chair, the Chief Secretary in charge of the Bill.

Clause 6—Section 10 amended:

Hon. L. C. DIVER: At a previous Committee, the Chief Secretary moved the following amendment, which was agreed to:—

> That all words after the word "by" in line 10, page 3, down to and including the word "Act" in line 13 be struck out and the following inserted in lieu:—
>
> > adding after the word, "business" being the last word in paragraph (g) as enacted by section four of Act No. 40 of 1948, the passage, ', but the exemption enacted by this paragraph is suspended for a period of three years commencing on the first day of July, One thousand nine hundred and fifty-six.

I move an amendment—

> That the word "three" in the amendment made by a previous Committee be struck out and the word "two" inserted in lieu.

The CHIEF SECRETARY: It is too late in the session to start anything now. I am filled with Christmas cheer at the moment and will accept the amendment.

Hon. H. K. WATSON: It is an extraordinary position. In the first place, the Government wanted to make it permanent. Yesterday it insisted on three years, and now the proposal is to reduce it to two years. Even the hon. member who moved the amendment did not know what he was amending. He moved to amend a clause not in the Bill.

I see no reason why the clause should not stand as it is. If it is going to be reduced to two years, further concessions should be given to non-profit organisations and churches. The exemption should not be confined to one section. There are many country dwellers other than farmers. There is the country house-owner, businessman, butcher and baker, etc. There are other sections of the community entitled to some consideration besides the farmer.

Hon. Sir CHARLES LATHAM: I hope the Committee will agree. If it does not, the Government will bring down another measure to continue operations. In the meantime, if the Government finds it necessary to increase railway freights, it will give consideration to people contributing to consolidated revenue by that means. I think that is the idea behind the amendment.

Hon. L. C. DIVER: Last night I made it perfectly clear that without this amendment I would not support the measure. In two years' time I want to be in a position to see where State finances are going and how the Government is standing up to its obligations. I will also want to know whether the Government is getting real value for money from the different departments.

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

Bill again reported with a further amendment, and the reports adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—FIRE BRIGADES ACT AMENDMENT.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—Short title and citation:

The CHAIRMAN: The question is that the clause stand as printed.

Hon. F. D. WILLMOTT: I move—

That the Chairman do now leave the Chair.

Motion put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	13
Noes	14
Majority against	1

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. J. M. Thomson
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. L. A. Logan
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. E. M. Davies
	(Teller.)

Pair.

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

Motion thus negatived.

Clause put and passed.

Clause 2—agreed to.

Clause 3—Section 7 amended:

Hon. J. M. A. CUNNINGHAM: This is the clause which has caused the greatest contention whenever this Bill has come forward. Although it has been said that in other organisations employee representation on a governing board is good, in this case we have a different set-up to that which exists in a straight-out industrial organisation. The Fire Brigades Board is in a most peculiar position; it is a semi-Government and semi-industrial organisation. One of the features of this body is the strict and rigid form of discipline. It is half-industrial with a military application.

In a straight-out industrial organisation employee representation has proved beneficial, but in an organisation of this kind it is dangerous. A fireman must be highly skilled, amenable to discipline, and satisfied with his job. His is a life of hazard; yet most of his time is spent in waiting, which is deadening to enthusiasm, ability and skill, and that is when discipline is necessary. With an employee representative, the board would be at a disadvantage as its activities would at times be against his interests.

Hon. F. R. H. Lavery: Why?

Hon. J. M. A. CUNNINGHAM: Because its decisions would not always be agreeable to the employee. Its views in regard to promotion might be based on skill, ability, youth and so on, while the employee representative might base his views on popularity, union activity, etc. This clause is a complete volte face compared with the position so far. It is a radical change—

Hon. F. R. H. Lavery: Some of the extreme language you are using is radical.

Hon. J. M. A. CUNNINGHAM: No. It is a radical change because the Act, since its inception, has in Section 14 specifically provided against employee representation, and there must have been reasons for that.

Hon. F. R. H. Lavery: That was a long time ago.

Hon. J. M. A. CUNNINGHAM: It has been found satisfactory over the years. No organisation partly or wholly under Governmental control has discharged its duties with more satisfaction and harmony than has this board, and that applies in all States. The clause would change that position, but the omission of employee representation would not detract from the attractiveness of the job or impose any injustice. It is doubtful whether the innovation has been successful when it has been tried. It is dangerous.

Hon. F. R. H. Lavery: How could it be?

Hon. J. M. A. CUNNINGHAM: It was said during the debate that employee representation worked satisfactorily in Sydney; but to my knowledge, that organisation is the last that should be quoted as a model. Sydney is the only place where there has been a firemen's strike of a serious kind.

Hon. F. R. H. Lavery: Have you seen the rat holes they have to work in there?

Hon. J. M. A. CUNNINGHAM: I have. On the 31st October last, the Minister there dismissed the whole board, just as a similar board was liquidated here. The board had had 10 members representative of local government, the Government, insurance interests and so on; but he reconstituted it with four members: a permanent Government appointee as president and a representative each of the local authorities, the insurance companies and the union. It must be obvious how intolerable that board's position will be in dealing with industrial conditions, because then it must make inquiries from other organisations of a similar nature. Would they make available confidential information to a board on which there was a representative directly opposed to their interests?

Hon. F. R. H. Lavery: Why would he be opposed to their interests?

Hon. J. M. A. CUNNINGHAM: The union representative on the board would be in possession of extremely valuable and confidential information and the board could not be sure that its activities were completely confidential because the employee representative might be a member of a communist organisation. The union representative on the fire brigades board in Sydney is a known and avowed communist and one of the leading communists of that State.

The Chief Secretary: Do you think that could happen here?

Hon. J. M. A. CUNNINGHAM: There would be less chance of it here.

The Chief Secretary: It definitely could not happen here.

Hon. J. M. A. CUNNINGHAM: I accept that assurance.

Hon. C. H. Simpson: Could you guarantee that?

The Chief Secretary: Yes. Look at the Bill.

Hon. J. M. A. CUNNINGHAM: Under the Bill both organisations submit the names of four candidates from which the Minister may choose.

The Chief Secretary: Yes; but there is a saving clause.

Hon. J. M. A. CUNNINGHAM: That is so; but there might be among the names a communist not known to the Chief Secretary.

The Chief Secretary: We have them pretty well tabbed.

Hon. J. M. A. CUNNINGHAM: The present Chief Secretary might not always be in office and the danger would remain. When introducing the Bill, the Chief Secretary said the board had no objection to this provision; but was it approached? Is it just assumed that the board has no objection? Lack of expressed objection does not indicate to me that the board has no objection in its mind.

The Chief Secretary: They made their objection known some years ago, but not on this occasion.

Hon. J. M. A. CUNNINGHAM: It did them no good in the past. The presence of this measure shows that their wishes were not considered. To my knowledge the employees of this organisation are generally satisfied and happy. For some months I had in my home a young fireman who had been transferred to the Goldfields; and from him I learnt a lot about the outlook of these men, their attitude to the job, and the routine of their lives.

I cannot accept the belief that a board which has worked harmoniously in the past, and which has been successful in administering such an efficient organisation needs to add another member to its numbers to represent a specific body of men.

Hon. E. M. Davies: What is your objection to his being appointed?

Hon. J. M. A. CUNNINGHAM: My objection is that it is dangerous; that there is a lack of the need for it; and that it is undesirable.

Hon. E. M. Davies: That is only subterfuge.

Hon. J. M. A. CUNNINGHAM: That is merely another word for camouflage.

Hon. E. M. Davies: One could describe it that way, too.

Hon. J. M. A. CUNNINGHAM: There is no need for this provision. There has been no outcry for it and apparently it is being requested only by the representatives of the union. The men enjoy good wages and conditions; therefore there is no reason why any change should be made now. I oppose the clause.

Hon. F. R. H. LAVERY: I intend to support the clause. I want to repeat what I said to the House on the 8th December, 1954. The speech I made in that year appears on page 3651, Volume 3 of the Parliamentary Debates of 1954. After listening to Mr. Simpson making a statement similar to that just uttered by Mr.

Cunningham, I made some remarks which are more significant now than they were then; and this is what I said —

> I wish to give the House some facts in support of the proposal in the Bill. The board at present consists of 10 members—two representing the Government, three the insurance companies, four the local authorities and one the Volunteer Fire Brigades Association. I know Mr. Prunster one of the representatives of the local authorities. He lives in York and attends a four-hourly meeting once a month. I assume that, before attending, he has given a certain amount of study to the business on the agenda. I am speaking of him because I know him personally and am aware of his high integrity.
>
> Mr. Carlisle, who represents the volunteer fire brigades, is also a gentleman of high integrity. This leads me to the argument I wish to advance in opposition to the views expressed by Mr. Simpson. Mr. Carlisle attends the meetings as representative of a body of men who give their services entirely free. They do not receive salaries and they entail the Government in no cost or very minor cost. Having been a volunteer fireman for years, I know that that is a fact. Mr. Carlisle, therefore, is in a position at board meetings to listen to the discussion of confidential matters and then to go back to the volunteer firemen and tell them of what has taken place. Would it be suggested that he would not discuss confidential matters with them? Of course he would!
>
> In reply to Mr. Simpson's statement that the presence of a fireman on the board would not be in the best interests of the conduct of the business, let me point out that the National Joint Council of Fire Brigades, the chief negotiating body of all England and Wales—

Hon. J. Murray: Who read that?

The Chief Secretary: He spoke it.

Hon. F. R. H LAVERY: I spoke it. If the hon. member will look up the page in Hansard, he will see my name in black print. Continuing—

> —has on it 27 representatives of the workers. There are 18 firemen and three officers who are members of the union. This National Joint Council is answerable to the Home Secretary of the British Parliament. The Central Advisory Board is representative of both sides. The president of the board is Mr. J. Burns, a working fireman, stationed at East Ham. The vice-president is Mr. Coop, a working staff officer, of Preston, Lancashire; the general secretary is Mr. J. Horner, a former fireman; the assistant general secretary, Mr. J. Grahl, is a former fireman; the organising secretary for the North-West County is Mr. Bagley, who is also an ex-working fireman; the executive member is Mr. Willis, who is a working fireman, and a representative of the men is Mr. Laird, also a working fireman. With the exception of the general secretary and the assistant general secretary, who were previously working firemen, they are all active firemen members of the supreme council of fire brigades of Great Britain and Northern Ireland, and they represent 27,000 firemen covering 140 brigades in England and Wales. I have not the figures for Scotland or Northern Ireland. If the men can have representation on such a council, why should there be opposition to a representative of the workers sitting on our Fire Brigades Board?

I conclude with those remarks; and for those reasons I support this clause on this occasion.

Hon. N. E. BAXTER: I oppose this clause. Mr. Lavery has referred to volunteer firemen. They already have representation on the board. To my knowledge, none of the permanent firemen know about this provision, and they are not anxious to have a representative on the board. Apparently only the union officials are anxious to have such a representative appointed.

How could a board make decisions on promotions, for example, when there was a representative of the men present who might poke his nose into all sorts of things and disrupt the whole proceedings of the board? Also, he would run back to the workers with tales; and they, in turn, would cook up stories for him to take back to the board.

Hon. E. M. DAVIES: After hearing what Mr. Baxter has said, I must say something. He said that the employees' representative might poke his nose into things, and also he might cook up tales to take back to the employees. Those of us who are appointed to this Chamber would not need to hold the same views as Mr. Baxter. I have not heard any legitimate objection to this clause yet.

Hon. A. R. Jones: You would not be convinced if you did.

Hon. E. M. DAVIES: I am told that I am easy to convince about some things.

Hon. Sir Charles Latham: I have never heard of any.

Hon. E. M. DAVIES: I did not expect that of Sir Charles, because I knew him in other places besides here! The appointment of a representative of the permanent firemen to the board would be an improvement. A similar principle has been adopted in private enterprise, particularly in England. Sir Charles would know that. Employees are encouraged to take an interest in the management of the industry,

in which they are a very important link in the chain. An employees' representative would help to iron out many of the difficulties that confront the board from time to time. I feel sure that the knowledge and practical experience held by a representative of the permanent firemen would be an asset to the remaining members of the board.

Hon. C. H. SIMPSON: As Mr. Lavery has said, I spoke on a Bill similar to this two or three years ago, and I put forward much the same argument that Mr. Cunningham put forward tonight. It is the belief of the union and, I should say, of the Government that an employees' representative should be appointed to any Government body. However, we do not believe that is in the best interests of the organisation, and we have consistently opposed that principle. There would be just as much logic in the employers insisting on having a statutory right to attend all trade union meetings.

I know there is absolute harmony in the present set-up. That has been achieved by the two sections each recognising its own sphere of responsibility. By all means hold conferences between the board and the employees to reach understanding on any dispute! But there are times when their points of view come into conflict, and each body has to consider its own line of action. In that event it would be embarrassing for one to be present during the deliberations of the other. If that is done, no doubt the representative from the other side will report to his own side. I think the present system has worked well, and for that reason I oppose the clause.

Hon. Sir CHARLES LATHAM: I cannot understand why the Government nominee should not be able to put up any case for the permanent firemen to the board. I would refer to the constitution of the Board. The Act provides that certain representatives shall be appointed by various organisations and the Government. The interests are divided into four sections and each of those has a right to nominate representatives. It is most extraordinary that of all the organisations I am acquainted with, there is none in Australia that has co-operated more fully with the employers than the fire brigades.

I was associated with the volunteer fire brigade movement in my youth, and I know how well they carried out their duties. I would prefer the existing provision to remain. The Government has the right to nominate two representatives and I am sure the Minister would nominate one to represent the interests of the permanent firemen. I would not like to see the opportunity being given for the union to be able to nominate a representative. With the way the communist party is engineering to gain power in industry, I would not like to see an opening being made here.

The CHIEF SECRETARY: Each year as an amendment to the Act has been sought it has been refused.

Hon. Sir Charles Latham: The Act is perfect at the moment.

The CHIEF SECRETARY: There is no Act that cannot be improved. During this debate many remarks have been made which have no substance. Mr. Baxter inquired who asked for this provision, and he stated that no one really wants it. A similar measure was introduced three years ago as a result of a deputation from the permanent fire brigade employees. It is felt by the permanent firemen that with direct employee representation on the board, it would function even better than it does at present. These men work under different conditions from those of the ordinary worker. They are under discipline.

Hon. J. Murray: There is not much friction between the employer and the employees.

The CHIEF SECRETARY: Some of the friction that does occur would not have arisen if there had been employee representation on the board to iron out difficulties. With such representation the men would be in closer touch with the board, and the board would be better informed of the inner workings of the fire brigades. The board members are nominated by the local authorities, the insurance companies, the Government, etc., but the only representation from the firemen is the nominee of the voluntary fire brigades, not the permanent firemen.

Although there is representation from the voluntary fire brigades, their representative does not run back to the volunteer fire brigades and divulge information as has been suggested would be the case with a permanent firemen's representative. I was in contact with the Fire Brigades Board only two days ago. While I know that the board did approach members of this Chamber three years ago regarding the measure then introduced, it has not done so on this occasion.

Hon. A. R. Jones: The board members have approached us.

The CHIEF SECRETARY: If the hon. member has been informed to that effect, the information was incorrect; because the board told me, without any inquiry from me, that it was not interested in approaching members of this Chamber on the present occasion. The Government considers that better relationship between the board and the permanent firemen will result if there is a representative of the latter on the board. A fear has been expressed by Mr. Cunningham about a permanent fireman being present at board meetings; if it is of any value, I am prepared to accept an amendment which will provide that no employee shall be eligible to become such a representative.

Hon. Sir Charles Latham: I would rather have one of them than an outsider on the board.

The CHIEF SECRETARY: I am trying to be co-operative, but I am not getting any assistance. The only opposition put up is that it is not right for an employee to be present at board meetings. I am even offering to accept an amendment which will provide that the representative of the two unions shall not be an employee of the Fire Brigades Board.

Hon. A. R. Jones: That is even worse.

The CHIEF SECRETARY: In the interests of the fire brigade and of the people in this State, it would be much more preferable to have a representative of the employees on the board. I hope that on this occasion this Chamber will agree to some slight progress being made.

Clause put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	13
Noes	14
Majority against	1

Ayes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. G. MacKinnon
	(Teller.)

Pair.

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

Clause thus negatived.

Clause 4—agreed to.

Clause 5—Section 9 amended:

Hon. J. M. A. CUNNINGHAM: As this clause is consequential on Clause 3, I oppose it.

Clause put and negatived.

Clauses 6 to 8—disagreed to.

Clause 9—Section 17 amended:

Hon. J. M. A. CUNNINGHAM: This proposes to raise the amount payable to members of the board from £850 to £1,250 That is felt to be justified, and there is no objection to it.

Clause put and passed.

Clause 10—Section 35 amended:

Hon. J. M. A. CUNNINGHAM: I ask the Committee not to agree to this clause, which puts the onus on the owner or occupier of premises to restore and maintain fire fighting apparatus. It does so according to square footage on the floor of the building. It does not take into consideration modern safety precautions in buildings, under which everything is done to reduce the fire hazard. The possibility of fire has been reduced to an absolute minimum. To impose this requirement will mean to impose an added cost on industry, which is quite unnecessary.

The CHIEF SECRETARY: We have heard a lot about this wonderful board; but now, when it seeks powers to do its job, members do not want to grant them. The board has been pressing for this provision for three years, because it is not able to function properly without it.

Hon. J. Murray: It is a wonder it never communicated with members of Parliament.

The CHIEF SECRETARY: The members thought they could leave this to the good judgment of parliamentarians. It was thought for many years that the board had this power, and it was on account of a court case that it was decided it was necessary to have this legislation.

Hon. N. E. BAXTER: For a change, I agree with the Chief Secretary. The board has for many years been carrying out what is laid down in this clause. I was interested in a hotel business at Beverley and we were told to put in fire extinguishers in various parts of the building which were marked out by the Chief Fire Officer, and it was all arranged on a square footage basis. Practically every business house has installed fire-fighting apparatus because it has been the policy of the board that that should be done.

Hon. J. M. A. CUNNINGHAM: This having been provided for in the principal Act, why is there a necessity for it in this Bill?

Hon. N. E. Baxter. It is not fully provided for.

Hon. J. M. A. CUNNINGHAM: I understand that there have been isolated instances where certain things were not able to be done, but the board can instruct and compel owners and occupiers of buildings to install this equipment. I would point out that there are two paragraphs to this clause; and paragraph (b) is consequential on Clause 3, which has been deleted. So I consider that these two paragraphs should be dealt with separately.

The CHAIRMAN: The hon. member would have to move to delete paragraph (b).

Hon. Sir CHARLES LATHAM: Paragraph (n) of Section 35 provides that the Government may make regulations—

> For prescribing the various apparatus and appliances for saving life at fires to be kept and maintained . . .

The Bill sets out the position in more detail. I do not know that it would matter much if this provision were inserted; but it is a duplication.

Hon. C. H. SIMPSON: It is quite apparent that all that is provided for in paragraph (a) of this clause is provided for in the Act and can be done by the board, and has been done, under its power to make regulations. It is now sought to embody that in the Act.

The Chief Secretary: I have told you why. It is because the court ruled against the board, which lost its case.

Hon. C. H. SIMPSON: I understood that regulations always had the force of law and they were never challenged.

The Chief Secretary: They were in this case.

Hon. C. H. SIMPSON: Paragraphs (a) and (b) are being bracketed in this clause; but paragraph (b) is contingent on Clause 3, which has been struck out. I submit that the two paragraphs should be put separately.

Hon. N. E. BAXTER: This clause has been drafted to replace paragraph (n) in Section 35. It is more comprehensive and gives the board the full power to prescribe regulations.

Hon. Sir CHARLES LATHAM: I believe that in respect of the court case mentioned by the Chief Secretary, there was no regulation in existence. I contend that the wording of the existing paragraph (n) covers anything the board likes to introduce. It has absolute power to do anything it wants to do in the way of prescribing apparatus and appliances for saving life at fires.

The CHIEF SECRETARY: The reason why this amendment is sought is that in 1953 the board was challenged in respect of the regulations. I refer to the Adelphi Hotel case.

Hon. H. K. Watson: The regulations were challenged.

The CHIEF SECRETARY: Yes.

Hon. Sir Charles Latham: No—the materials put in.

The CHIEF SECRETARY: I forget the circumstances. However, it was discovered that the regulations were—

Hon. H. K. Watson: Ultra vires the Act.

The CHIEF SECRETARY: Yes. So the Crown Law Department had to redraft the provision on the lines suggested in the clause.

Hon. J. M. A. CUNNINGHAM: A very important point has been overlooked and that is that in this provision the onus is put on the owner or occupier of premises to provide the fire-fighting apparatus. A person could become the occupier of premises and would not know the circumstances or be aware of the fire hazards in the building. Yet he would be responsible for the fire-fighting apparatus and fire-fighting methods adopted. Paragraph (n) appears to be all-embracing, except that it does not appear to mention "occupier". This seems to be an imposition, particularly when we realise that with new buildings the fire hazard has been reduced by half, which materially affects the fire policies.

Hon. G. C. MacKINNON: The point raised by Mr. Cunningham is one which has, notwithstanding the court case in 1953, been enforced for a great number of years. The fire brigade officers do an inspection, and the owner pays for it. They not only inspect the extinguisher, but recharge it, and for that a charge is made. I think there is an insurance rebate for all this.

Hon. J. M. A. CUNNINGHAM: I am prepared to accept the Chief Secretary's assurance that this is a direct application from the board. I move an amendment—

> That paragraph (b) on pages 6 and 7 be struck out.

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

Clause 11—Section 46 amended:

Hon. Sir CHARLES LATHAM: The amount of 6½ per cent. is a pretty high rate of interest. The ruling rate now is 5¼ to 5½ per cent. I do not consider it is wise to encourage the rate of interest to go up. Why is the board offering 6½ per cent.?

The CHIEF SECRETARY: It is not offering 6½ per cent. It wants this provision included in case interest rates appreciate. This matter has been submitted to the Treasury, which approves of it. The board is classed with the local authorities for Loan Council purposes. All borrowings are subject to Treasury approval. This is only to provide a margin in case the time should come when it is necessary to pay this rate.

Clause put and passed.

Clause 12—Section 65 amended:

Hon. J. M. A. CUNNINGHAM: It seems to me it is an imposition for the brigade to charge a person, whether he is insured or not, when it has to attend a grass fire, rubbish fire, etc. Whether a person is insured or not, he already pays a fire brigade toll in his local government rates, and is entitled to protection by the board. This is a double tax. I feel it is an unjust charge, and I oppose the clause.

Hon. E. M. DAVIES: The last Bill we had dealing with fire brigade matters contained a clause dealing with this matter. I opposed that clause; and to be consistent, I must oppose this. I oppose it also for the reasons given by Mr. Cunningham. I cannot see why it is necessary for the fire brigade to make a charge, because it is not put to expense to attend a fire. The equipment is there, and the firemen are on duty.

Hon. F. R. H. LAVERY: I oppose the clause. I have here an account dated the 14th November, 1956, a week after the brigade attended a fire. I submit this as an exhibit of what is being done. I shall vote against the clause.

The CHIEF SECRETARY: What Mr. Lavery has said is correct. Section 65 of the Act sets out that charges are made when fires are attended.

Hon. G. C. MacKinnon: What business is it of the brigade whether a place is insured or not?

The CHIEF SECRETARY: Section 65 deals with charges in connection with uninsured premises.

Hon. G. C. MacKinnon: It is no business of the fire brigade.

The CHIEF SECRETARY: It is, because the brigade cannot get paid. Section 65 (1) renders the owner of an uninsured property liable to pay if a fire occurs. A defendant successfully contended that as the property on which a fire occurred was not an insurable interest, the provisions of the subsection did not affect him. It is to remedy this defect that the amendment is included.

Hon. A. R. JONES: Is it a fact that where rates are struck in a district to cover the fire brigades expenses, the brigade would be recouped from those rates for any work done; but if it had to fight a fire outside the prescribed district it would have no chance of recovering anything? Is that the position?

The Chief Secretary: It can recover them from anywhere.

Hon. A. R. JONES: I would not be in favour of that if a person paid rates in the prescribed district.

Hon. E. M. Davies: He would be charged just the same as anybody else.

Hon. A. R. JONES: That is not right.

The CHIEF SECRETARY: The charges are already prescribed and it does not matter whether this clause is struck out or not. All it will do is to clear up a point regarding uninsured property. Vacant land has no insurable interest and that was the defence in one case. This clause is to cover that point.

Clause put and passed.

Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 and 10 made by the Council, and had disagreed to amendments Nos. 2 to 9 and 11 to 14.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

The CHIEF SECRETARY: Mr. Chairman, may I short-circuit proceedings by moving that we insist on all our amendments that have not been agreed to by the Legislative Assembly?

The CHAIRMAN: Yes; that would be in order.

The CHIEF SECRETARY: I move—

That amendments Nos. 2 to 9 and 11 to 14 be insisted on.

Question put and passed; the Council's amendments insisted on.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILLS (2)—RETURNED.

1, Marriage Act Amendment.
2, Lotteries (Control) Act Amendment.
Without amendment.

BILL—LAND TAX ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had made the amendments requested by the Council.

BILL—MARKETING OF ONIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th December.

HON. F. R. H. LAVERY (West) [12.44 a.m.]: It ill behoves me as a private member to speak in opposition to a private member's Bill, but those who come from Spearwood are given credit for at least knowing their onions. With that feeling in mind, what I have to say will be short and to the point.

This Bill proposes to take away from the control of the board any onions grown from the 31st July to the 15th November each year; and it is stated that the provision of this section shall not apply to onions harvested and marketed by the

grower during that period. In his very able speech Mr. Willesee quoted facts as they applied to the onion industry in the Carnarvon area. It seems to me that one of the reasons for his bringing the Bill before the House is that when Carnarvon onions are brought down to the Perth markets a charge of 8½ per cent. is made by the auctioneer and a further 5 per cent. by the board.

The complaint made by Mr. Willesee was that the 5 per cent. charged by the board was not justified, because the board did not render a service. That is not quite a statement of fact, because the board does render a service to growers of onions in that period when onions are in short supply. While Mr. Willesee was speaking on behalf of the Carnarvon growers, I am speaking for the Spearwood growers—the people who grow 82 per cent. of the onions produced in this State. The figures given in the report of the Onion Board for 1953-54 show that the total crop of onions produced was 4,393 tons, of which the Spearwood area produced 3,626 tons. Therefore, the Spearwood growers are a body which—through experience and by application to this industry—should at least have some representation made on their behalf in relation to this Bill.

On that point I would make it clear to the mover of the Bill, and to the people of Carnarvon, that the Spearwood growers have no fear of possible competition from the Carnarvon growers affecting the Spearwood area. They do feel, however, that they are entitled to ask the Carnarvon grower, or any other growers outside this area, to accept orderly marketing. That is why I am on my feet.

It was thought by Mr. Diver that this Bill could be a means of placing pressure on boards of various kinds with a view to seeing that they pulled their socks up and looked after their own affairs. I have no brief for the board at all; but in regard to the 5 per cent. mentioned by Mr. Willesee, I would point out that that is not quite a statement of fact. I have a note here of what really happens, and it is to the effect that actually there should be no discrimination between growers. Under its Act the board can charge up to 12½ per cent. for contribution to its administration account, but it has never done so. It has kept the charge at 5 per cent.

In another place, Mr. Norton stated that a grower marketing his onions at auction in the metropolitan markets pays the auctioneer 8½ per cent. and the board 5 per cent. This is true; but it must be remembered that 8½ per cent. is the profit to the auctioneer for selling the grower's onions to a retailer and that, in effect, it is the merchant's profit. The retailer expects to pay more than the merchant. When the board sells to merchants it is a fixed board price. The merchant then adds his profit of 8½ per cent. and sells to the retailer.

So it can be seen that the grower does not pay the auctioneer 8½ per cent.—the retailer does—and if the onions were sold at a fixed price by the board to the merchants, the grower would still contribute 5 per cent. to the board's administration account, which is to the benefit of the industry and covers the work done, in many ways indefinable, and not measured by cheques, invoices, etc.

During the period July to November stated in the Bill over the past years the influx of flat white onions is more than considerable. The board permits these, because of their varying quality, to be sold at auction on the basis of supply and demand; and the grower is paid the net proceeds after his contribution of 5 per cent. to the board's administration account. These flat white onions can become a greater problem in disposal than early season and late season brown globes.

At present, the board is exporting onions so that the flat whites can bring a return to the present growers. Mr. Willesee spoke on what the board does not do. I have a statement here which I would like to read and it has not been prepared by the board. The statement is as follows:—

> An amending Act is not necessary to bring about Mr. Willesee's intention. The exemption of onions between the dates specified can be done by proclamation. At present the Governor's proclamation extends from October to October each year but there is no legal reason why this could not be altered to specify the period November 15th to July 31st.

In other words, those dates that are required by the Bill before us. The statement continues—

> This procedure would be much more desirable as fixed dates will not necessarily coincide with the period of availability of onions. Large supplies of onions in some years are available some weeks before November 15th.
>
> As the board arranges for onions to be sold at auction during the off season it is considered that exemption of onions between the dates specified would not appreciably affect the incentive to grow out of season onions. The price of onions during the winter and early spring has been very high for many years and offers ample incentive. For instance a sample of onions sold early in October this year brought a price of 245s. per cwt. These onions were grown at the Manjimup Research Station.
>
> The amending Bill is specifically designed for Carnarvon and a few early metropolitan growers. It does not take into account onions grown and harvested in the South-West in the normal season and stored for sale during winter, or onions which the board has stored in years of low export prices

for sale when the local market is short. Furthermore there is reason to believe that in years to come the South-West of this State will provide sufficient onions for the State's needs. It has been adequately demonstrated by departmental experiments that good quality onions can be grown at Manjimup and along the south coast and stored until the following October.

The amending Bill ignores the fact that the winter market for onions though high priced is a small one, being in the vicinity of 60 to 70 tons per week. It would be possible for a relatively few producers to glut the market if the board did not organise marketing.

So that there will be no mistake as to where this report came from, I would point out that it was prepared by the Assistant Superintendent of Horticulture concerning the amending Bill to exempt out-of-season onions. It has nothing to do with the board whatever. Mr. Willesee mentioned the Market Gardeners' Association, whose secretary, Mr. Cruickshank, wrote me a letter in which he said that 300 members represented the major portion of the growers at the metropolitan market. That is not a statement of fact either, because the Spearwood Fruit Growers and Market Gardeners' Association is a body of over 200 members many of whom are also members of Mr. Cruickshank's association.

One of the things in this measure that can cause quite an amount of worry is the query raised by Mr. Roche. He asked whether the Act would leave scope for blackmarketing. He wanted to know whether people who grew onions before the 1st July and stored them away till they were outside the board's control would be able to work on the blackmarket if this Bill became law.

The Bill leaves the matter very open; because in line 2 of Subclause (4), which relates to onions harvested and marketed, it says that the section shall not apply to onions harvested and marketed. The Market Gardeners' Association of Spearwood says that there would be no control whatever, because anyone could go along to a grower—be he a merchant or be it a board—and there would be a quantity of onions that had been pulled, topped and tailed, and nobody would be able to testify when they were harvested. They could have been harvested some months before the 31st July.

At present the Spearwood growers have evolved a seed which is giving them a later growth of onions each year. It was not a long time ago that May was the finish of the growing season. I think Sir Charles Latham did a great deal to help the Spearwood growers and to provide them with storage facilities for their onions in Kalamunda. I mention the Market Gardeners' Association to prove that Mr. Cruickshank is not the sole representative of the growers in this area and that his organisation does not have the control in regard to onions, indicated in the letter written to me.

There are two further points that I would like to make. The first concerns orderly marketing, which could be very adversely affected if this Bill becomes an Act. The Spearwood growers feel that so far as the Carnarvon growers are concerned they want to help them and co-operate with them so that they may establish their industry efficiently. At the same time they feel that the Carnarvon growers have not been well advised to even consider this Bill, because the time is not very far distant when they will require the assistance of the board, or some orderly marketing system, to handle the onions they grow in that area.

In regard to the freight charge, that applies to all outside areas. Albany has to pay somewhere in the vicinity of £4 10s. per ton to get the onions to market. I will quote from the 1953-54 report of the Onion Marketing Board because Mr. Willesee said that the board had been of no assistance. The report reads as follows:—

> To quit onions in excess of local consumption requirements, sales were made to Eastern States and Singapore for which prices much below local prices had to be accepted.
>
> Growers are urged to bear in mind when considering future brown onion plantings, that out of each 6 tons sold, 4 this season were sold out of this State at considerably reduced prices.

I do not want to delay the House longer than necessary; but in reply to Mr. Willesee, I would like to quote some import figures. In 1951-52, imports were 1,304 tons; in 1952-53, 2,084 tons; in 1953-54, 1,350 tons; in 1954-55, 1,851 tons; and in 1955-56, 1,603 tons. Exports for 1951-52 were 1,932 tons, roughly 600 tons more than those imported. In 1952-53, there were 3,093 tons exported, which is about 1,000 tons more than those imported. For 1953-54, exports were 2,182 tons, approximately 700 tons more than those imported. In 1954-55, 1,857 tons were exported, which almost equalled the 1,851 tons imported. This year exports were 1,034 tons as against 1,603 tons imported.

What I am trying to point out is that the board has difficulty in handling onions both for the growers and local consumption. I would make it quite clear that the board has no say in the area to be sown and it does not issue a licence as does the Potato Board. Its function is purely and simply to market onions when they are grown. I point these facts out because the people at Spearwood feel that if orderly marketing goes, the people at Carnarvon will be the first hit, and the State will not be in a position to handle onions

which grow very much in excess of requirements. The weekly requirement is only about 60 or 70 tons. The only time onions would be easy to handle would be during the period when they were in short supply. It ill behoves me as a back bencher to oppose a private member's Bill, but I fear I have no alternative.

HON. E. M. DAVIES (West) [1.5 a.m.]: I rise to press my opposition to this measure. I do so because the growers in the Spearwood area, who represent the majority of onion growers in this State, are very much concerned as to what will happen to orderly marketing if this Bill becomes an Act.

Hon. G. C. MacKinnon: How many tons of out-of-season onions do they grow at Spearwood?

Hon. E. M. DAVIES: I have not the figures with me now, but I will probably be able to tell the hon. member in Committee. The Onion Marketing Board has a very peculiar set-up. At any time 50 growers or more can petition to the Governor for a ballot to be held to decide whether the board will continue to function; and when the ballot is held, if three-fifths of the growers who vote are against the board, the board is immediately dissolved. I do not know what the growers in the Carnarvon area have to complain about. If they desire that the board be abolished they can petition and have a ballot taken, when it would be dissolved.

I venture to say that if we are going to have orderly marketing, it will be no use having the board operate during part of the year and leave the growers to dispose of their crops during the other part of the year when perhaps the price is a little higher than at another time. It is necessary that the board should be able to carry out the functions for which it has been appointed.

Annually the board has applied to the Governor-in-Council for a proclamation under the terms of the Act vesting, for a period, all onions grown for sale. So far growers have never petitioned, nor has a proclamation been refused since the inception of the board in 1939, so the growers must be satisfied with its activities. Representatives of the growers are elected by the growers and therefore they have direct representation on the board to look after their interests.

The sponsor of this measure did not discuss it with the board, and it is rather difficult to understand the reason why the Carnarvon growers asked their member to introduce the Bill. If it is felt there should not be a board, the growers can decide the matter by ballot, as provided under the Act.

The Minister for Railways: Are they licensed or registered growers?

Hon. E. M. DAVIES: The board does not license growers, nor does it restrict acreage. In times of short supply, the board has arranged with the Victorian Onion Marketing Board to get onions, and there has been complete co-operation between the two boards for the protection and benefit of growers generally.

In the past the board has shown sympathy to the Carnarvon growers by granting them a concession. They are completely free from administration charges, provided they sell their onions in the Carnarvon district or north thereof. Of course, there could be severe competition from Victoria, as has happened in former years. The Carnarvon growers would have obtained very little more than the freight they would have had to pay. If onions were brought from Victoria during that period, by the time the Carnarvon growers transported their produce from Carnarvon to the city markets, they would not get a great deal more than sufficient to pay the freight. Under the Act the board can charge up to 12½ per cent. for a contribution to the administration account, but it has never done so.

The board was established to attend to marketing, and it does not license growers or restrict acreage. Also, the board has exempted the Carnarvon onion growers —in regard to onions grown and sold up to the 31st May, 1957—of the payment of 5 per cent., and this can be extended further. When they compete in the city, it is then they should contribute.

I have received a letter from the onion growers in Spearwood who have approached me in regard to this measure. They feel it would be one of the first steps towards the disintegration of this particular board, which they value very much indeed. The letter is addressed to me from 161 Rockingham-rd., Spearwood, and reads as follows:—

> Members of my association are concerned at the Bill now before the Legislative Council to amend the Onion Marketing Act so that the board will not have power to function between the 31st July and the 16th November.
>
> The member for Gascoyne—Mr. Norton—is concerned with the payment of 5 per cent. commission to the Onion Marketing Board. This, he claims, is an imposition on top of the 8½ per cent. payable to the auction floors.
>
> This we maintain would not be so if a quantity of No. 1 grade onions were forthcoming from the Carnarvon growers. The board operating in the off-season as it does in the flush season could fix the price according to the supply, and vary it from week to week. The auction floors could then procure their supplies from the board the same as they are doing at the present time, and add the 8½ to the fixed

price which would be paid by the consumer. The Carnarvon growers would then enjoy the same benefits as the local growers are enjoying at the present time by paying only the 5 per cent. to the board.

We maintain that if sufficient supplies are coming forward, it is essential to the onion industry to have the board in operation so that it can regulate a steady supply of onions through the various channels for distribution to the general public, minimise gluts, and maintain a reasonable return to the grower.

The board in the past has shown sympathy to the Carnarvon growers by granting them a concession whereby they are free from all administration charges if they sell their onions in Carnarvon or north of the Carnarvon area.

We would like to point out that although the position for this year for sales of off-season's onions appears very lucrative, the fact remains that this position may not arise again for some considerable time, and perhaps next season there may be a heavy crop in the Eastern States and the position will then be in reverse.

It is on occasions such as this that it is necessary for the board to be operating so that the crop can be marketed to the best advantage. Eighty-two per cent. of the onions grown in this State come from the Spearwood district and are produced by some 200 growers. Nearly all of these growers are members of our association, and realise the value of the board operating right throughout the year, watching the interests of the growers, and controlling the market as soon as a glut appears imminent.

Local brown onions are ready for the market by the 1st of November and if the Board could not commence operations before the 16th of this month it would embarrass the Carnarvon growers and bring about chaos on the market. Quite a lot of useful experimental work has been carried out by the board in conjunction with the Agricultural Department in connection with the cool storage of onions. On two occasions onions have been stored and the results have been favourable.

In the event of an opportunity arising whereby the board could cool store a quantity of onions in February and March and place them on the market in August and September, this amendment to the Act would nullify the venture, as at the time of marketing these onions the board would cease to be functioning.

We maintain there is nothing this amendment can do that cannot be already done in the existing Act.

We would also like to point out that of the 300 growers who are members of the W.A. Market Gardeners' Association, over 100 of these are onion growers in the Spearwood area, and nearly all are members of our association, and are behind the Onion Marketing Board and its operations.

(Sgd.) A. W. DOWSE,
Secretary.

So it will be seen that the Spearwood growers, who grow 82 per cent. of the onions marketed in this State, are concerned about the measure and desire us to oppose it, as they think it would be to their detriment if the board could not exercise its functions in accordance with its charter from the Government. For those reasons I oppose the Bill.

HON. SIR CHARLES LATHAM (Central) [1.19 a.m.]: I have had something to do with the Onion Board, and I think the Spearwood growers are unnecessarily disturbed as the measure would apply only to imported onions. Over the years we have imported quantities of onions from Japan, Egypt and elsewhere, as well as from the Eastern States, and we have had to pay up to 1s. per lb.—

Hon. R. F. Hutchison: Up to 1s. 9d. per lb.

Hon. Sir CHARLES LATHAM: —and often the housewife cannot get them. When onions have been scarce, I have heard some of the Spearwood people saying that the board draws off a certain amount of money even though it does not handle the onions. White onions are sold by the bunch and not by the bushel, and they bring a terrific price.

Hon. F. R. H. Lavery: They have not been sold by the bunch this year.

Hon. Sir CHARLES LATHAM: They have been sold this year at 1s. 6d. per bunch.

Hon. F. R. H. Lavery: That is in the shops.

Hon. Sir CHARLES LATHAM: The gardeners were tying them in bunches and selling them at the market.

Hon. F. R. H. Lavery: Not the Spearwood growers.

Hon. Sir CHARLES LATHAM: I have endeavoured to encourage the growing of onions which would keep. We tried to persuade people at Albany to grow them and sent seed there. This State also imports onions from New South Wales and Victoria at high prices, in addition to high freight. While Minister for Agriculture I persuaded departmental officers to store five tons of onions under refrigeration at Kalamunda, and there was not a great deal of wastage; but the cost was so high that the onions were no cheaper.

I have been asked about the growing of onions at Geraldton and I was thankful to hear they were being grown at Carnarvon, because even at 1s. 6d. per lb. they would be cheaper than onions from the Eastern States, Japan or Egypt. I hope the Carnarvon growers will continue to grow a large quantity of brown onions that will keep, as the flat white ones do not keep.

Hon. F. R. H. Lavery: They are grown only to bridge the gap.

Hon. Sir CHARLES LATHAM: I do not think it unfair to say that during the short period in which the Act would be suspended—

Hon. F. R. H. Lavery: The Bill will not grow more onions.

Hon. Sir CHARLES LATHAM: It will encourage onion growing. The freight from Carnarvon must be high and the board does not touch the onions in return for what it takes.

Hon. G. C. MacKinnon: The Bill will encourage the growing of onions.

Hon. F. R. H. Lavery: The Spearwood growers are the backbone of the industry.

Hon. Sir CHARLES LATHAM: They should not fear competition from Carnarvon.

Hon. F. R. H. Lavery: They do not.

The PRESIDENT: Order, please!

Hon. Sir CHARLES LATHAM: The people are entitled to onions at a reasonable price, but for certain periods of the year they cannot get them.

Hon. F. R. H. Lavery: They are exporting onions now.

Hon. Sir CHARLES LATHAM: Carnarvon cannot supply onions in competition with the local growers but they could compete with the imported article. Unless brought by road, Victorian onions must be handled three times en route. Onions are grown at York but they are not a type that will keep. We supplied people there with brown onion seed. I hope the House will not agree—

The Minister for Railways: You hope the House will not agree to what?

Hon. Sir CHARLES LATHAM: To preventing the Carnarvon growers from sending their onions down here. I will support the Bill in order to encourage the Carnarvon growers.

HON. W. F. WILLESEE (North—in reply) [1.25 a.m.]: I am completely in favour of orderly marketing but believe there should also be orderly planting. The board has no control over planting and allows indiscriminate planting during the months when onions grow prolifically, and sells whatever quantity of the crop it seems fit.

Hon. F. R. H. Lavery: They sell what they can and export the rest.

Hon. W. F. WILLESEE: Mr. Lavery questioned my figure of 300 market gardener membership, but I took the figure from the journal, which gives a total of 310.

Hon. F. R. H. Lavery: I did not question your remarks, but said that Mr. Cruikshank's letter did not prove that all the market gardeners were members.

Hon. W. F. WILLESEE: I did not confine my remarks entirely to the Carnarvon growers as I had in mind the great success that is developing in the Kalgoorlie area. I referred to Carnarvon in regard to freight costs because I know those figures are correct. I think the Spearwood growers are unnecessarily frightened of what Carnarvon might do, but I stress again strongly that the purpose of the Bill is to encourage the growth of onions for the period when they are in short supply.

Mr. Roche questioned whether the general average return to growers would be affected by the Bill. At present the board takes no action whatever regarding the sale of the local product at the time when onions are imported. The local onions are sold on the market by auction and the auctioneers deduct an additional 5 per cent. from the proceeds, which is paid direct to the board. I do not see that the board gives any service for this imposition, and I do not think it even sees the onions that are sold, although it claims the 5 per cent. as an administration charge. I do not see that the measure can have any effect on the seasonal grower, because over the years so few out-of-season onions have been grown in this State.

Even in the season, when the board is operating, there is no established pool which can affect growers in any way. It seems that once having grown onions, it is necessary to await the board's instructions as to where they are to be delivered, and the price is arranged between the merchant and the board and the grower finally receives the proceeds, less 5 per cent. for administration. It is that method which has caused such dissatisfaction in past years.

From an observer's viewpoint, one must admit the possibility that under this system some growers would receive better treatment than others. It is also strange that the board seeks to sell onions in the glut period but does nothing to limit plantings. It is obvious that such dissatisfaction opens an avenue for blackmarketing and that was not denied in the evidence before the Royal Commission.

The argument has been advanced that the board can declare an exemption period by proclamation under the Act; but although the board has had that power for

several years, it has failed to take action. Furthermore, how could one be sure that even if it proclaimed an exemption one year it would do so the next year? And would it be as consistent with exemption dates as to be consistent with the demands of this Bill?

Every encouragement must be given the out-of-season grower; because once a stabilising factor could be introduced which would allow onions to be stored and kept for lengthy periods, this market would cease to be commercially possible in the outer areas, such as Kalgoorlie. It must be accepted that at any time the experiments now being carried out in regard to the keeping and storage qualities of onions may prove successful. I suggest that here is an avenue along which the board might well give its help and advice, rather than wait and see what happens each year.

There are three determining factors in this Bill. In the first instance, encouragement of the growing of out-of-season onions would create competition against imported onions. Such competition would force the price down to a figure more within the scope of the household consumer. Onions at an imported wholesale price of £80 per ton must surely retail at prohibitive prices. There is, therefore, the most important point—namely, a supply of a cheaper article to the consumer.

In the second instance, any arresting of finance leaving this State must be of some consequence in the economy of our commercial interests. I view seriously the increasing sums of money that are being spent each year on the importation of onions into this State. In seven years there has been a rise on the money spent on imported onions from £33,000 odd to some £133,000 odd. If that same rate of increase is maintained for a further seven years, this State will be spendng some £533,000 annually on imported onions. Surely, therefore, it is worth every effort to endeavour to promote the growing of onions locally.

In the third instance, I feel that the onion board, as such, is negative in its attitude in promoting the growing of onions when they are needed most. It might be truly said that this is not its function. Should that be the case, this Bill can in no way interfere with existing rights and powers of the board except for the release of the iniquitous charge of 5 per cent. on onions sold in the open market.

If I may, I will refer once more to an extract taken from the report of the Royal Commissioner who inquired into matters relating to the marketing and distribution of onions. On page 4 of that report, he says—

> It will thus be seen that the board's real activities are limited to about half the year.

Also, on page 16, he had this to say—

> The answer to the price problem of imported onions is to foster production of local off-season onions. The freight advantage is well in our favour and we should be able to offer very keen price competition to the imported onions.

I feel that those statements clearly support the principle involved in this Bill, and I therefore commend it to the House.

Question put and passed.

Bill read a second time.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

> That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. J. G. Hislop, Hon. L. C. Diver and the mover and that the conference be held in the Chief Secretary's room at 10 a.m. today.

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

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILL—LAND TAX ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had made the amendments requested by the Council now considered.

In Committee.

Resumed from an earlier stage of the sitting. Hon. W. R. Hall in the Chair the Chief Secretary in charge of the Bill

Title—agreed to.

Bill reported as amended by the Assembly, and the report adopted.

Third Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [1.42 a.m.]: I move—

> That the Bill be now read a third time.

HON. H. K. WATSON (Metropolitan) [1.43 a.m.]: I make a final appeal to the House to reconsider this Bill and to deal with it objectively, free from all side issues. If it is read a third time and passed, we will have in Western Australia the most vicious land tax laws in the Commonwealth. Most of the city and country representatives, by their speeches on the second reading and their remarks during Committee, appear to subscribe to the view I have just expressed. Sir Charles Latham and Mr. Diver had, till now, supported the measure either from misunderstanding on their part or inability on my part to express myself; because a number of amendments which I moved, and which I thought would have improved the measure, were consistently rejected. With all the goodwill in the world, I suggest that if the third reading of this Bill is now taken, Sir Charles Latham and Mr. Diver could well find themselves in a position which they could not defend with honour and from which they could not retreat without loss of dignity, reputation and self-respect.

I want to emphasise this point. We will not advance the best interests of the country by crucifying the city. That is obvious, yet in one or two instances that thought seemed to have obtruded itself. I submit that it is a false and dangerous philosophy. I want to stress the point that if this Bill is defeated, it will not mean that there will be no increase in land tax. The amendment which has already been made under the assessment Act will remove the 50 per cent. rebate which has hitherto existed on improved land. That means that, at the existing rate of tax, the amount to be paid in future will be doubled in respect of improved properties, which represent by far the greater portion of the taxable land. Even if this Bill were defeated, the Treasury would still receive the best part of £500,000 more than it is receiving today.

The amendment just made to the assessment Act—which passed the third reading—has, in effect, doubled the rate of the existing tax. Even if this Bill is defeated, every country house-owner and every country businessman will be paying double the amount of land tax that he is paying today. It will mean that every suburban householder and every owner of city property will pay double the amount of tax that he is paying today. It will mean that churches and non-profit organisations will be paying double the amount of tax they are paying today.

So far as the city is concerned, the person who today pays £100 would, even with the defeat of this Bill, in future pay £200; the person paying £500 would pay £1,000; the person paying £1,000 would pay £2,000; the person paying £2,000 would pay £4,000; and the person paying £4,000 would pay £8,000. That position has been brought about by the amendment to the assessment Act. Surely that is enough damage for one session!

As I have just indicated, the amount of tax has been doubled; and in my view that is sufficient for one session, particularly when we bear in mind—as was mentioned earlier in the afternoon when we were discussing another Bill—that so far as the metropolitan area is concerned, owners of land can expect a further land tax to cover the charges in respect of town planning. I submit the House should take time for second thoughts before going completely tax-mad and placing a further intolerable burden on the community. The tax has been doubled and if this Bill is defeated the Treasurer will not be deprived of revenue. We have, in fact, doubled the revenue he is receiving today. For those reasons I move an amendment—

> That the word "now" be struck out and the words "this day six months" inserted in lieu.

The CHIEF SECRETARY: In reply to the point raised—

Hon. H. K. WATSON: On a point of order, I understand that the Chief Secretary has not the right of reply until the amendment has been disposed of.

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

Ayes	....	....	....	....	12
Noes	....	....	....	....	13
Majority against				....	1

Ayes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. J. Murray
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. H. L. Roche
	(Teller.)

Noes.

Hon. G. Bennetts	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. E. M. Davies
Hon. G. E. Jeffery	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. C. H. Simpson	Hon. F. J. S. Wise

Amendment thus negatived.

Question put and passed.

Bill read a third time and *passed.*

Sitting suspended from 1.58 a.m. to 2.19 p.m. (Friday).