

Legislative Council,

Thursday, 9th November, 1933.

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

BILL—METROPOLITAN WHOLE MILK ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

BILL — GERALDTON SAILORS AND SOLDIERS' MEMORIAL INSTITUTE LANDS VESTING.

In Committee.

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

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

As to Postponement.

Order of the day read for the resumption from the previous day of the debate on the second reading.

The CHIEF SECRETARY: I move—

That the consideration of this Order be postponed until the next sitting of the House.

Hon. J. J. HOLMES: When the discussion was adjourned yesterday you, Mr. President, agreed to give a ruling to-day on the points then raised. I desire to place on record my point of order so that there may be no misunderstanding. Briefly it is that paragraph (j) of Clause 2 of the Bill to amend the Lotteries (Control) Act is foreign to the title of the Bill and conflicts with Standing Order 174 which reads—

The title of a Bill when presented shall coincide with the order of leave, and no clause shall appear in any such Bill foreign to its title.

I mention that for the purpose of record.

The PRESIDENT: I thank the hon. member for having directed my attention to the matter. I obtained a proof of his speech. If the two members concerned have no objection, it will suit me much better if the matter be postponed until Tuesday next.

Hon. J. J. HOLMES: It is not for me or for hon. members to decide that.

The PRESIDENT: It is quite competent for any member to object to the motion before the Chair. If they would like the points of order dealt with now, I have no objection to dealing with them.

Hon. J. J. HOLMES: I have no objection to the postponement.

The PRESIDENT: It would facilitate myself and others if the matter were allowed to stand over until Tuesday.

Hon. E. H. HARRIS: As one who raised a point of order, I have no objection to the postponement.

Hon. J. CORNELL: The only point I desire to stress is that yesterday you, Mr. President, asked for a day in which to consider the matter, which was unusual because rulings are generally given at the time they are asked for. If your ruling has been prepared and you are ready to give it, why should the debate be postponed? If the ruling be that the two points of order raised are invalid, the debate must continue, but if the ruling be that one point is or both points are valid and that the Bill is lost, there can be no further discussion.

Hon. E. H. HARRIS: We have postponed the debate till Tuesday next.

Hon. J. CORNELL: No.

The PRESIDENT: The motion is that consideration of the order be postponed until Tuesday next.

Hon. J. CORNELL: If you, Mr. President, are ready to give your ruling, what good purpose can be served by holding it over until Tuesday next? Either the Bill is in order or out of order. In view of the fact that the debate was, by courtesy of the two members who took the points of order, allowed to proceed, I submit that if your ruling is ready, it should be given. If you rule that the Bill is in order, the debate can be further adjourned, but if you rule that the Bill is out of order, that will be the end of it.

Hon. C. F. BAXTER: Why not let other members have the privilege that has already been extended to some of speaking to the Bill?

The CHIEF SECRETARY: It is my wish that the order be postponed. I consulted with the President and he agreed with the view I had taken.

Hon. J. J. HOLMES: While I do not offer any objection, I am bound to point out that I consider I was entitled to have a ruling yesterday, but you, Mr. President, asked for a postponement until to-day.

The PRESIDENT: The matter on which I am asked to give a ruling is very important and I think it is only reasonable that I should be given full time to consider it.

Members: Hear, hear!

The PRESIDENT: I ask the indulgence of the House to allow the matter to be postponed until Tuesday next.

Hon. J. CORNELL: By way of explanation, permit me to withdraw all I said. I interpreted your remarks, Mr. President, as conveying that the ruling was ready and that you were prepared to give it to-day.

Motion (postponement) put and passed.

BILL—LAND.

Second Reading.

Debate resumed from the 31st October.

HON. H. V. PIESSE (South-East) [4.44]: I wish to congratulate the Government on having introduced the Bill, and I should like also to congratulate the Mitchell Government on the good work they did towards the preparation of the Bill. Many complimentary remarks have been passed to the gentleman who prepared the Bill, but I should like to add a word of thanks to the recently-retired Under Secretary for Lands (Mr. Morris), and to the Acting Secretary of the department, Mr. Odell, for the valuable assistance given by them in the preparation of the measure. The Bill includes many new and important provisions. I notice there has been an alteration with respect to the homestead farms. The Government propose to allow a larger area of second and first-class land to be comprised in a homestead farm, instead of fixing the area arbitrarily at 160 acres. That is certainly a move in the right direction; because hitherto, as I have said, only 160 acres of even second and third-class land could be taken up as homestead farms. I am sorry to note that the limit which any one man can select is 1,000 acres. I would remind hon.

members of the remarks made by the Chief Secretary when we were discussing the Yuna-Dartmoor railway. He referred to men from New South Wales who might be coming to this State to take up land, but he said the Government could not find capital to improve it. I am of opinion that if we can attract large amounts of capital to this State by granting greater areas, it would be inadvisable to fix an arbitrary limit of 1,000 acres.

Member: Of course that is 1,000 acres of first-class land.

Hon. H. V. PIESSE: Yes, and 2,500 acres of second-class land. My memory is thrown back to the time when my late father bought from the Occidental Syndicate a large area of land for which that syndicate paid 4½d. per acre, a condition being that the land had to be improved within 20 years.

Member: Was that poison land?

Hon. H. V. PIESSE: Yes. The syndicate had 20 years within which to effect the improvements to that land, and then it was to become freehold. One of the conditions was that at the end of that period cattle or sheep had to be put on the land for a period of 12 months or two years in order to prove it had been freed from the poison plants. My father purchased this estate, Rivervale, at 9d. per acre, but he was only allowed 12 months in which to carry out the improvements that the Occidental Syndicate had 20 years to carry out. The conditions were complied with, but the cost was very heavy. I remember that on one occasion 170 bullocks were placed on the property, and that 100 died within the first four days, having discovered a new poison. However, this property is now one of the finest in the Kojonup district. The capital expended on it was from £2 to £2 5s. per acre. Eighty to 100 men were employed poison grubbing. The Government would be well advised to allow a larger area of country to be selected, provided that extra improvements were effected to it. Sir Edward Wittenoom has given notice that he will move an amendment to Clause 113 to provide that in the North, an area to be held by any person shall be increased to two million acres or more. He said that he had voted against the present provision in previous years because he was of opinion that the area to be allowed to any one person in the North-West should be increased. The position in the Kimberleys is serious.

I was talking to-day to a young man who is interested in Kimberley cattle country, and he told me that he could only carry on for another two years, when if things did not alter, and a market was not found for his cattle, he would have to abandon his property. I notice that Clause 130 of the Bill makes provision for an extension of the term of any conditional purchase lease to 1948. I congratulate Mr. Troy and his officers on this provision. It will be of very great assistance, particularly to returned soldiers on repurchased estates. In the district I represent, at Palingup, there is a very successful returned soldiers' settlement. I have just received a letter from the secretary of their association saying how pleased they are with the proposed legislation, as they consider it will give them an excellent opportunity of making good. Owing to the depression and the prevailing low prices of wool and wheat, their land rents have fallen into arrear. In many instances the rents have not been paid for three or four years. Mr. Troy, personally and by letter, said it was his intention, where necessary, to recommend that the arrears of land rents shall be spread over the whole period of the lease, including the extension. That is very pleasing news to the settlers, and it will give them fresh heart to carry on. I feel sure that, with the increased price of wool, they will be able to face the situation, and meet their obligations. This provision will apply also, I sincerely hope, to Agricultural Bank clients. In any case, the matter is left to the discretion of the Minister, who will consider every case on its merits. I trust that when the interest question is investigated the Government will be able to see their way to reduce the rate from 6½ per cent. to, say, 4½ per cent., or at least 5 per cent. I understand negotiations with this end in view have been proceeding with the Federal Government in connection with repurchased soldiers settlement estates. That would be a step in the right direction and would be additional encouragement to the soldier settlers. Private mortgagees, like the A.M.P. Society and other leading life assurance companies, have reduced their rate of interest, and I understand there has been a reduction all over Australia to 4½ per cent. When Mr. Hall was speaking on the second reading, he said there was want of cohesion between the Lands Department and other

departments. I understood him to say there was a lack of courtesy and want of attention to letters sent to the department. In the many business dealings I have had with the Lands Department I have always been treated with the utmost courtesy by the officers. The Lands Department have been fortunate in securing the services of such capable officers as the late surveyor general, Mr. Johnston, and also Mr. King, Mr. Morris, and Mr. O'Dell. Our thanks are due to those gentlemen.

Hon. J. Nicholson: Everyone agrees with that.

Hon. A. Thomson: I think Mr. Hall was referring to the lack of cohesion between the Agricultural Bank and the Lands Department.

Hon. H. V. PIESSE: As I have said, I have had a tremendous amount of business with the Department, and my correspondence has always been attended to promptly. Members can attack people while in Parliament, and those people have not a right to reply. I congratulate the Government on having brought down this measure. I know it is the desire of the Government to get it through as soon as possible, and I have much pleasure in supporting the second reading.

HON. W. J. MANN (South-West) [4.55]: I am very pleased that at last the Government have the inclination and have found time to introduce a Bill of this nature. For very many years past people in the country have been complaining about the anomalies in the parent Act and its amendments. It is gratifying to know that the measure, which is a very comprehensive one, has now reached the stage when it is before Parliament. I do not intend to traverse the Bill, as it is essentially one to be dealt with in Committee. Beyond saying that I heartily support the Bill, and that I reserve the right to move one or two amendments in Committee, I shall content myself with giving it my benediction.

THE HONORARY MINISTER (Hon. W. H. Kitson—West—in reply) [4.56]: I am pleased at the reception accorded the Bill. As has been pointed out, it is a very comprehensive measure. Several questions have, however, been raised by members in respect to which I have quite a lot

of information to give them, but I think it would be preferable, and it would certainly save a great deal of repetition if I supplied that information when the Bill reaches the Committee stage. It is not my desire to rush the Bill through Committee. I am only too anxious to satisfy members that this consolidating measure is in the best interests of all concerned. Therefore, I am not replying at this stage to the statements made by members on the second reading. I shall content myself with saying that any information in my possession and any information that members may desire upon any particular clause, I shall be only too pleased to supply.

Question put and passed.

Bill read a second time.

BILL—FORESTS ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—FIRE BRIGADES ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th November.

HON. W. J. MANN (South-West) [5.3]: This is a Bill in which I take particular interest for the reason that I have been closely connected with fire brigades for a considerable time. There are three principles involved. The first is to simplify the procedure in connection with the creating of fire districts, the second is to make provision to increase the number of members of the board, so as to give representation to the Coastal Districts Fire Brigades Union, and the third is the disqualification of a member representing a local governing body if he ceases to be a member of that local body. With the first principle I am in thorough accord. I should like to know, however, whether it is proposed to create fire districts without the approval of the local authority being obtained because, in the Act, I see no provision for any reference to local authorities although there is some reference at the end of the clause in the Bill to cancellation by giving one month's notice to the authorities concerned. There are places in the State, particularly in the town in which I reside, where it

would be wise to create fire districts. The position there is that if a fire district covers the municipality, perhaps 50 per cent. of the population have to decide the boundary, and a greater portion of the district is in the position that it can effectively be served by the brigade, while those who are being served are escaping any contribution towards the upkeep of the brigade. At the risk of becoming unpopular, I do not hesitate to say that it is essential that that part of the town being served should bear its proper share, and the Minister should step in and create a fire district.

Hon. J. J. Holmes: I am advised that that can be done without the Bill we are now considering.

Hon. W. J. MANN: I am not an authority on the Act, but if that is the position, what is the reason for the introduction of the Bill? It is proposed to give the Fire Brigades Union a seat on the board. I cannot see the need for that. The Fire Brigades Board as it exists to-day is quite big enough. It consists of nine members and that should be the limit. There can be no practical advantage in appointing another person to represent the union. The interests of the fire fighters can well be watched by the chief officer, and it is to him that the members of the board look for information that they may require. Moreover, the member of the union may not necessarily be a fireman.

Hon. J. J. Holmes: He need not be a member of the union; he could be anyone.

Hon. W. J. MANN: That would not improve the position. Up to date everything has moved along satisfactorily. There may have been bickerings now and again, but I am not aware of anything serious having arisen to cause a cleavage between the board, the chief officer, and the executive. The principal it is desired to introduce is, in my opinion, dangerous, and I cannot support it. The only other portion of the Bill that calls for comment is the disqualifying clause. I was under the impression that it was not necessary for the representative of local governing bodies to be a member of a particular local body.

The Honorary Minister: It always has been.

Hon. W. J. MANN: The Minister may be right, but I do not think it is altogether essential, because there are many men in the State who have given long service to fire brigade work and who are skilled in

the art of fire fighting, and who possess a thorough knowledge of the executive work. They are the people who, I contend, would make admirable members of a board. Merely being a member of a local governing body should not be a recommendation of fitness for membership of a fire brigades board.

Hon. A. Thomson: It certainly does not say that he must be a member of a local body.

Hon. W. J. MANN: If the Bill passes, he must be a member of a local body. Under the Act, I understood that was not necessary. I cannot recall any instance of a local body being asked to vote for the appointment of a representative on the board if that representative was not associated with a local authority. Mayors and members of municipal councils have been circularised by other local bodies for support; but the point I wish to make is that it is not wise to limit the representation to rural districts or to members of local bodies. If local authorities care to select a man who, in their opinion, is competent and fully qualified, it should be for them to appoint him. Speaking generally, I cannot give support to the Bill except to the clause which has for its object the creating of fire districts.

HON. A. THOMSON (South-East) [5.13]: I agree with the hon. member who has just spoken that the clause giving authority to create fire districts is about the only useful one in the Bill. Even then it is debatable whether it is not possible to do what the Government desire under the existing Act. I cannot agree to the clause which proposes to allow a member of the union to have a seat on the board. On perusing the latest report of the Fire Brigades Board I find that the contributions work out in this way: The insurance companies pay three-eighths, the municipalities and road boards pay three-eighths, and the Government one-fourth. Turning next to the latest figures available we find that there is justification for the volunteer fire brigades being represented by virtue of the fact that there are 518 men working in a voluntary capacity. On the figures submitted to the House there are 101 permanent men. It seems to me therefore to be a little too much to give representation to the employees of what might be termed an industry. They certainly do

excellent work, but of course they are paid in accordance with an industrial agreement that has been entered into. In 1932 the Government contributed £11,955, which entitled them to two members, one of whom had to be the chairman. The interests of the Government are therefore safeguarded. The insurance companies provided £17,933, which gives them two representatives on the board, and the local authorities provided the same amount, which gave them, including the City Council's representative, three representatives on the board. The volunteer firemen have no representation. I can foresee that great difficulties will arise in the general administration of the board if a representative of the union is appointed to it. Let us assume that a claim was received for better conditions for the men. It would be very embarrassing for other members of the board to have present a man who would consider it his duty to report to his union the full text of the debate that had occurred at the meeting of the board.

Hon. J. J. Holmes: The union would not subscribe anything to the funds.

Hon. A. THOMSON: The union would not subscribe one penny to the administrative costs.

Hon. J. J. Holmes: What is the total revenue of the board?

Hon. A. THOMSON: It is £47,821 per annum. No doubt the Government feel it is their duty to endeavour to give effect to their policy by putting a representative of the union upon the board. Those who have to pay should manage their own affairs. I am sorry the Government have brought forward this proposal. If I were a member of the board, I would not feel comfortable if there was forced upon it a representative of the employees who was able to discuss the debates at meetings with members of his union. The Honorary Minister will say that is not likely to occur, but those of us who have had the experience feel otherwise. If this were a step to safeguard the interests of the permanent employees, and they had no appeal to the Arbitration Court for an improvement in their conditions or wages, we might be justified in agreeing to this proposal. I cannot see that we shall gain anything by giving the employees representation on the board. The Bill does not even say he shall be a member of the union. It

would be an anomaly to have the chief officer attending Fire Brigades Board meetings and advising members but having no vote, and alongside him one of his subordinates who might be able to veto something he was advising. It would not be in the interests of discipline to allow that sort of thing. I am not opposed to unions having representation where they are entitled to it, but I think it is a dangerous principle to embody in this Bill. The board have been able to carry on quite well under the Act as it is. It seems to me the main reason for bringing down this Bill is to give the men representation. There is also a clause which sets out that if the representative of a local authority loses his seat on the council or road board, he shall not continue to act as a representative on the Fire Brigades Board. Some country districts may want representation on the Fire Brigades Board, but may not be able to induce a sitting member to accept the position. There may be someone else who has lived in the district, but is now residing in the metropolitan area, who could be appointed to the board. If this clause is passed, it will mean that only a member of a municipal council or road board can serve on the Fire Brigades Board as the representative of a local authority. I hope the Honorary Minister will reconsider that clause. Whether or not a man is a member of a local authority, he should be allowed to continue on the board so long as it is deemed necessary. I will support the second reading only with a view to having some amendments made in Committee.

HON. G. FRASER (West) [5.22]: The main provision of the Bill is that which gives to the Fire Brigades Union the right to be represented on the board. It is rather peculiar that, of all the members of the board, not one has had practical experience of fire fighting in the metropolitan area.

Hon. A. Thomson: Make the chief officer a member.

Hon. W. J. Mann: That is the fault of the system.

Hon. G. FRASER: A board was recently created to control the whole milk industry. Were men appointed to that board who had no practical experience of the industry?

Hon. J. Cornell: Would you put an infantryman on the War Council?

Hon. G. FRASER: The authorities would appoint men who had had experience in that

line. Only one or two members, who have had some experience in volunteer brigades, know anything about fire fighting in its true sense. The practical man, the member of the union, should be of great assistance to the board.

Hon. A. Thomson: Has any serious disability arisen in the past because that provision has not been made?

Hon. G. FRASER: I do not know of any, but nothing can be lost if a member of the union is appointed to the board now. There is everything to gain from such a procedure. Members have suggested that some confidential discussion might be passed on to members of the union. I have had a lot of experience of men who have served on committees of management, etc., and I have never known of anyone to betray a trust or talk about anything that was confidential. Men serve on municipal councils but do not discuss outside those matters which should not be discussed. Men who represent the workers know what is confidential. It is a step in the right direction to appoint to the board a man whose experience would enable him to improve the efficiency of fire-fighting methods. Already there are two representatives of the underwriters on the board, and the Government, as well as the local authorities, are also represented.

Hon. A. Thomson: They find all the money.

Hon. G. FRASER: And some of the men may lose their lives, which is of far greater importance.

Hon. Sir Charles Nathan: The Bill does not insist that the representative shall be a practical man.

Hon. G. FRASER: If the union are asked to appoint a representative, they will see to it that a practical man is chosen.

Hon. J. Cornell: Good intentions often go astray.

Hon. G. W. Miles: You will want a sanitary representative on the municipal council directly.

Hon. G. FRASER: That would not be a bad idea. Great improvement could be effected in many directions by giving representation to practical men. The management of many organisations could be improved if some such provision were made regarding them. I hope the second reading will be agreed to, and that the provision for

representation on the board of members of the union will be passed.

On motion by the Honorary Minister, debate adjourned.

House adjourned at 5.29 p.m.

Legislative Assembly.

Thursday, 9th November, 1933.

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

QUESTION—UNEMPLOYED, HOUSING.

Mr. MOLONEY asked the Premier: Will the Government take steps to place approved unemployed persons and their dependants in untenanted houses in Subiaco, and West Subiaco, or wherever they may be in the State, at a rental commensurate with their income?

The PREMIER replied: No. The Government have no control over the houses referred to, and in any case cannot accept responsibility for rent payments. The Government are endeavouring to attend to this aspect by finding employment for the people.

QUESTION—RAILWAYS, PRIORITY OF CONSTRUCTION.

Mr. HAWKE asked the Minister for Railways: 1, Who decides the order of priority in which proposed railways are to be built? 2, On whose recommendations are such decisions based?

The MINISTER FOR RAILWAYS replied: 1, The decision is one of Government policy and the whole of the circumstances are taken into consideration. 2, No recommendation is made, the matter resting entirely with the Government, but all information possible is collated.

BILL—FORESTS ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—AUGUSTA ALLOTMENTS.

Further report of Committee adopted.

BILL—LAND TAX AND INCOME TAX.

Second Reading.

Debate resumed from the previous day.

MR. LATHAM (York) [4.34]: As the Treasurer told the House, this Bill is identical with that which has been brought down during the last two years. I am very pleased to know he has been able to find sufficient money without imposing additional taxation by this method. Additional taxation just now would mean a greater impost upon primary industries, which are not in a position to stand it. The House has made considerable progress with the Estimates, and in consequence we have already authorised the expenditure of a good deal of money. It becomes the responsibility of members to see that the Treasurer gets the money he asks for after they have authorised the expenditure. Nothing can be said against giving him the authority set out in this Bill. We sometimes have a wrong idea of what amount of money is received from this source. We really get a very small amount from land and income taxation. The Premier anticipates getting only half a million this year. The source of income under this heading is land tax, income tax and dividend duties. The greatest amount of money is provided from other sources, particularly from public utilities. The railways provided roughly £3,000,000—that is the estimate for this year—towards the £8,000,000 the Treasurer requires for carrying on the services of the State. After the utilities have provided the money, most of it becomes absorbed in interest payments. In his an-