

Legislative Council,

Tuesday, 9th September, 1941.

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

ADDRESS-IN-REPLY.

Presentation.

The PRESIDENT: I desire to report that, in accordance with the resolution passed by the Legislative Council, I waited on His Excellency the Lieut.-Governor and presented to him the Address-in-reply passed by the House. His Excellency has been pleased to make the following reply:—

Mr. President and hon. members of the Legislative Council—I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which I opened Parliament.

QUESTION—DEFENCE.

Midland Junction Workshops Contracts.

Hon. C. F. BAXTER asked the Chief Secretary: 1, Were the Midland Junction Railway Workshops given a contract or any instructions to supply carriages or under-carriages for guns, or other war purposes? 2, If so, has any delivery been made?

The CHIEF SECRETARY replied: 1, Yes. 2, Delivery is being made of portion of the work done here.

QUESTION—DAIRYING.

Manjimup Dairy Produce Co., Ltd.

Hon. C. F. BAXTER asked the Chief Secretary: 1, Has the Government made any

monetary advances to the Manjimup Dairy Produce Co., Ltd.? 2, Has the Government made any promise to assist that company financially? 3, If any advance, guarantee or financial assistance has been given, what is (a) the value thereof; (b) the reasons for such assistance?

The CHIEF SECRETARY replied: 1, No. 2, A guarantee was given for a portion of the overdraft of this company. 3, (a) A maximum guaranteed overdraft £3,000; (b) a guarantee was given in order to safeguard the interests of suppliers by securing for them payments for milk and cream supplied.

QUESTION—WATER SUPPLIES.

Great Southern Districts.

Hon. H. V. PIESSE asked the Chief Secretary: What is the quantity of water available per annum, after departmental tests, from the following:—(i) The Albany water scheme; (ii) Lime Burness Creek; (iii) Rocky Gully; (iv) Elleker railway water scheme; (v) Lake Sepping?

The CHIEF SECRETARY replied: (i) When relining of gravitation main is completed the approximate discharge will be 200,000 gallons per day or 73 million gallons per annum. No appreciable surplus is available for new undertakings. (ii) Gaugings taken in 1898 and 1902 indicated an average daily flow of 260,000 gallons during the minimum month. No later data is available. (iii) There is no departmental record of Rocky Gully. McBride's Creek was gauged in 1898 and 1902 and indicated an average daily flow of 55,000 gallons during the minimum month. (iv) It is estimated that on the summer flow approximately half a million gallons per day are available after locomotive requirements have been fulfilled. (v) The Department has no data as to maximum constant capacity of Lake Sepping. This source was drawn on by the defunct Water Board but has been abandoned by the Department.

QUESTION—AGRICULTURE.

Shortage of Labour.

Hon. A. THOMSON asked the Chief Secretary: In view of the serious shortage of farm labour caused by men being called up for training and enlistment, will the Gov-

ernment make representation to the Federal Government to instruct the military authorities to release from training in camps men who have worked on farms, for a period sufficient to enable the coming harvest to be taken off?

The CHIEF SECRETARY replied: The shortage of farm labour has caused the Government considerable concern. The position has already been brought under the notice of the appropriate authority with a request that farm labourers and other workers on farms should not be required for military camps during shearing, hay-cutting, or harvesting time.

QUESTION—PASTORAL INDUSTRY.

Fremantle Wool Store.

Hon. A. THOMSON asked the Chief Secretary: 1, What has been the cost of buildings erected at Fremantle by the Wool Committee for the storage of wool after it has been appraised? 2, What is the holding capacity of such sheds for double-dumped bales of wool? 3, What ground rents, if any, are being paid for the sites upon which these storage sheds have been erected?

The CHIEF SECRETARY replied: The Government has not access to the information desired, which can be made available only through the Central Wool Committee, Melbourne, which has been constituted under the National Security (Wool) Regulations. This committee acts for the Commonwealth Government in matters affecting acquisition and appraisal, after which the wool becomes the property of the British Government. The Central Wool Committee then acts as agent for the British Government in matters of storage, etc., and any costs incurred after appraisal are borne by the British Government. A request for the information desired should be made through the secretary of the State Wool Committee, Pastoral House, Perth.

BILLS (8)—FIRST READING.

1. State Transport Co-ordination Act Amendment.
2. Baptist Union of Western Australia Lands.
3. Reserves (No. 1).
4. Abattoirs Act Amendment.

5. Profiteering Prevention Act Amendment.
6. Increase of Rent (War Restrictions) Act Amendment.
7. Native Administration Act Amendment. Received from the Assembly.
8. Inspection of Machinery Act Amendment. Introduced by Hon. C. F. Baxter.

BILL—WEIGHTS AND MEASURES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.48] in moving the second reading said: This is a simple Bill, the sole object of which is to amend the principal Act so as to apply its provisions to personal weighing machines, which may be classified as follows:—

(a) Those operated by a member of the public by the placing of a penny in the slot of the machine.

(b) Those operated by the owner or person in charge upon payment of the necessary fee to him.

(c) Those used in stores, clinics or chemist shops, which may be used without payment of any fee.

For some time past the Police Department has received complaints respecting inaccuracies in the weights recorded by various machines in the metropolitan area and elsewhere. The complaints have indicated that variations of 4 to 8 lbs., and even more, have been discovered. The Perth City Council has also taken the matter up, has drawn the attention of the owners of certain machines to the inaccuracy of recorded weights, and requested in the interests of the public that the instruments be kept in order. These inaccuracies continue and, in the absence of the necessary powers under existing legislation, nothing can be done by the department to compel the owners to correct their machines. The Act in its present form is intended to cover only weights, measures, and weighing and measuring instruments used in trade, and the advice of the Crown Law Department is that personal weighing instruments cannot properly be said to be used for that purpose. The Bill seeks to remedy the position by amending Sections 28 and 46 of the Act so as to bring personal weighing machines within its scope. The Bill is highly desirable and necessary and will enable the department to exercise proper

control over the regulation of these machines. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. V. Hamersley in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 46:

Hon. A. THOMSON: Is it intended that the owner or person upon whose premises such a machine is found will be responsible?

The CHIEF SECRETARY: The provision is clear. A personal weighing machine will be assumed by this amendment to be used for carrying on trade.

Clause put and passed.

Clause 4, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.57] in moving the second reading said: The Bill sets out fully what is desired and does not require elaborate explanation. It is fair and equitable to all concerned. The purpose is to bring the Metropolitan Water Supply, Sewerage and Drainage Act into conformity with the Municipal Corporations Act by making provision for the necessary authority to amend, in the course of a year, the annual value of rateable land, and to make any consequential adjustments in the amount of rates payable. The Act provides that the net annual value or capital unimproved value set against any rateable land shall, subject to appeal, be the rateable value for the current year. Thus there is no power under the Act to re-assess the annual valuation during the currency of the year when the annual value has decreased or increased, although under Section 394 of the Municipal Corporations Act, the various local authorities have power to do so.

In municipal districts, for the purpose of rating, the department adopts the annual value of the local authority in accordance

with Section 74 of the Metropolitan Water Supply, Sewerage and Drainage Act, but in instances where the municipality amends a valuation during the currency of a year, the department is unable to do likewise. The power sought under the Bill is to increase the net annual value of any rateable land during the currency of a rating year where, by reason of improvements having been effected to existing buildings or new buildings having been erected, the amount of the annual value has become greater than that assessed at the commencement of the rating year, and to decrease the net annual value where, by reason of the destruction, damage or demolition of improvements previously made, the amount has become less than that assessed at the commencement of the rating year. The re-assessment, either by increase or decrease, as the case may be, has then to be made for the unexpired portion of the year.

To illustrate the position I point out that in the case of a property that is destroyed by fire or otherwise demolished during the currency of a year, the owner would be entitled to a reduction in valuation and a consequent reduction in his municipal rates for the unexpired portion of the year, and would naturally expect a corresponding reduction in water and sewerage rates; but under existing legislation this could not be granted.

The following example will illustrate my meaning: A large building, assessed on a high valuation, may be destroyed by fire on the 1st August. Under the present legislation, the rate levied on the 1st July would stand for the full year, but under the Bill the annual valuation assessed on the 1st July would remain in force for one month only and the annual value re-assessed for the period from the 1st August to the 30th June, the ratepayer receiving similar benefit in regard to water rates as to municipal rates. On the other hand, a property may be rated as vacant land at a low annual value on the 1st July. A dwelling may be erected and completed by the 1st November. Under the existing legislation the low valuation assessed on the 1st July would remain in force throughout the year, but under the Bill the land would be rated as vacant for the period from the 1st July to the 31st October and re-assessed for the period from the 1st November to the 30th June. The owner would, however, obtain the benefit of an

increased water allowance for the increased water rate, in addition to a supply of water for sanitary conveniences.

Then again, with the passing of the Bill many vexatious delays in approving of minor extensions of the water supply reticulation will be obviated. Often it becomes necessary to extend the reticulation main to serve a building in course of erection on land which is assessed at the minimum rate as vacant land. The annual valuation of the land cannot be amended until the following 1st July. As the revenue from rates on the vacant land is often insufficient to meet the annual charges—interest, sinking fund and maintenance—it is necessary to obtain a guarantee from the owner, or builder, to meet the deficiency, in many cases for one year only or less, as the return is sufficient when the land is rated as improved. The completion of the guarantee causes delays and much inconvenience. If the powers asked for in the Bill are granted, these guarantees in the majority of cases will not be required.

This is a full explanation of the Bill. It will, if passed, enable the Metropolitan Water Supply Department to exercise the same rating powers that are at present enjoyed by local authorities under the Municipal Corporations Act. I move—

That the Bill be now read a second time.

On motion by Hon. C. F. Baxter, debate adjourned.

House adjourned at 5.4 p.m.

Legislative Assembly.

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

QUESTION—DEATH PENALTY.

Mr. NORTH asked the Minister for Justice: 1, How many persons in Western Australia were charged with and sentenced for capital offences in the past decade? 2, Of these, how many were sentenced to death? 3, In how many cases was the sentence carried out?

The MINISTER FOR JUSTICE replied: 1, (a) 40 charged, (b) 18 sentenced. 2, 9. 3, 1.

BILL—WATER BOARDS ACT AMENDMENT (No. 1).

Introduced by Mr. Watts and read a first time.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—GOVERNMENT STOCK SALEYARDS.

Report of Committee adopted.

BILL—PUBLIC TRUSTEE.

Message.

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

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna) [4.35] in moving