

more than the real value of the machine. There is no doubt in my mind that some of these forms of abuse of a customer have crept into no-deposit trading. I think there is a great deal to be said against the idea of no-deposit trading.

Mr. Marshall: Do they charge more for no-deposit than for cash?

Mr. JOHNSON: They try not to sell for cash, so far as I can see. I have not tested it myself, but I imagine that if one went in with cash to purchase one of the articles on no-deposit, one would not have to screw the salesman's hand very hard to get a cut, but if one failed to screw, they would take an extra £20.

Mr. Marshall: That would be unfair trading.

Mr. W. A. Manning: I do not think that is right.

Mr. JOHNSON: I realise that the member for Narrogin would not think that any salesman would do anything wrong, but they are not all angels. I admit that the Bill is involved, but I will not admit that it is a material change from our current legislation. It is an extension of it. It applies to the condition of minimum rates and makes provision for deposits and, if people feel it does not, they should examine it carefully. They will find that of the eight clauses in our current legislation, four of them are in the Bill and three of them are there in rewritten form with extension, and the general effect is in no way lost.

The only provision which I feel is in our current legislation and not in this is that dealing with interest payments related to overdue payments. I would point out that in hire-purchase agreements it would be unusual if there were no clause relating to overdue payments. Furthermore, there is a control over this, in that interest will still be subject to the minimum rates in the Bill. I feel that that provision is no loss.

Question put and passed.

Bill read a second time.

*To Refer to Select Committee.*

Mr. W. A. MANNING: I move—

That the Bill be referred to a select committee.

I have already intimated my intention of moving in this direction. Under Standing Orders, this is the appropriate stage to do so. I propose proceeding along the lines indicated if it is ultimately decided that amendments to be prepared cannot satisfactorily adjust the present Bill.

On motion by Mr. Johnson, debate adjourned.

*House adjourned at 10.11 p.m.*

## Legislative Council

Thursday, 5th September, 1957.

### CONTENTS.

	Page
Questions : Uniform taxation, financial returns .....	1289
Northern Highway, white centre lines .....	1289
Motion : School bus contracts and routes, to inquire by select committee .....	1291
Bills : Associations Incorporation Act Amendment, 1r. ....	1290
Country Areas Water Supply Act Amendment, 3r., passed .....	1290
Health Act Amendment, reports .....	1290
Trustees Act Amendment, 2r., Com., report .....	1290
Audit Act Amendment, 2r., Com., report .....	1290
Bread Act Amendment, 2r. ....	1290
Local Government, Com. ....	1293

The President took the Chair at 2.30 p.m., and read prayers.

### QUESTIONS.

#### UNIFORM TAXATION.

##### *Financial Returns.*

Hon. Sir CHARLES LATHAM asked the Minister for Railways:

Will he lay on the Table of the House the files containing the figures compiled by the Economics Research Officer of the Treasury between 1947 and 1952 showing the respective financial returns from uniform tax reimbursements and those that would have been available if State prewar income tax had been imposed in those years?

The MINISTER replied:

There are no official files on this matter. An economic research officer, who was at one time employed by the Treasury, made some calculations on this subject. This officer has now left the service and the State; and so far as the Treasury Department is aware, the calculations are not available.

#### NORTHERN HIGHWAY.

##### *White Centre Lines.*

Hon. C. H. SIMPSON asked the Minister for Railways:

In view of the incidence of serious traffic accidents on the Northern Highway, would the Government make provision for white centre lines at Bindoon Hill and other selected road points between Perth and Moora?

The MINISTER replied:

The roadway at Bindoon Hill is only 16 ft. wide. The conference of Australian road authorities considered it undesirable to white-line road pavements of this width.

Where the Northern Highway has been widened to 20ft. or more, white lining has been placed as far as the 22-mile peg. Other substantial lengths of this road are being widened now, and a length of 14 miles between the 31-mile peg and the 45-mile peg is about to be prepared for lining.

**BILL—ASSOCIATIONS INCORPORATION ACT AMENDMENT.**

Introduced by Hon. G. C. MacKinnon and read a first time.

**BILL—COUNTRY AREAS WATER SUPPLY ACT AMENDMENT.**

Read a third time and *passed*.

**BILL—HEALTH ACT AMENDMENT.**

Reports of Committee adopted.

**BILL—TRUSTEES ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**HON. G. C. MacKINNON** (South-West) [2.35]: This is a small measure, which, as Mr. Bennetts pointed out, meets with the approval of all interested parties. It might be remembered that last year the Trustees Act was amended to allow deposits to be made in savings banks which were authorised to carry on savings bank business under the Act, and also in the savings bank section of the Rural and Industries Bank.

Under the Act, the trustees were permitted to specify how many signatories had to sign transfers from cheque and other types of account; but this particular benefit was not extended to the operation of accounts in savings banks. The Bill will make it possible for trustees to designate the number of signatories they wish to specify in respect of savings bank accounts, and will make the operation of those accounts much easier. I commend the measure to the House.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—AUDIT ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**HON. H. K. WATSON** (Metropolitan) [2.40]: This Bill proposes to permit the Auditor General, in respect of one of his duties which requires daily attention, to discharge it at such times as he considers necessary. The reason given is that on account of the huge volume of work which has arisen since the Audit Act was passed

in 1904, when it required the Auditor General to make a daily inspection of the cash book, that is now impracticable. In passing, this point occurs to me: That if a daily examination of the cash book was necessary in 1904, one would think that almost an hourly examination would be necessary today, if the work had increased proportionately.

There is another point on which I would like the hon. member in charge of the Bill to enlighten me. There are some sections of the Act which provide that the Auditor General, or such person as he shall appoint, may do various things. But Section 40 simply says that the Auditor General shall examine the cash book daily. I would like to know whether it is a mandatory requirement for this examination to be a personal duty of the Auditor General, or whether it may be done by his officers as well as by him.

The only other provision in the Bill is to permit the Auditor General in such cases as he considers necessary to have discretionary power to pass over the detailed examination of some vouchers and documents. I feel that that is necessary in these days in view of the huge volume of business which must be going through; and when, in accordance with the ordinary principles of audit, one must rely on test checks. I support the Bill.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—BREAD ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**HON. J. G. HISLOP** (Metropolitan) [2.45]: This is a small measure, which cannot meet with my approval because it is one of those restrictive Bills that set down what I object to very much—namely, a restriction of hours of trade. I have no objection to our deciding how long it is fair for a human being to be worked, but I have a distinct objection to anything that savours of attempting to prevent a young man from achieving some small degree of success.

I understand that under certain terms a man could start pastry-cooking in a bakehouse a little earlier and when the time of baking was finished, he would have to wait until the established hour of 5 a.m. before he could go on to bread-making. That may be what has happened. We have been told that the Arbitration Court, which has already fixed the times and penalty rates for workers, has no objection to this happening, because it is the court's considered opinion that there should be no restriction of hours.

It is strange that in such circumstances we should be asked by means of this Bill to override a decision of the court. The Bill does not appeal to me in the slightest. If the court makes a statement that so long as penalty rates are paid there should be no restriction of hours, and if I thoroughly believe that there should be no restriction of hours—as I do—I am quite justified in opposing this measure.

We are getting to a difficult position whereby attempts are being made to bring everybody down to some common level, and the individual is not given an opportunity to succeed. I would suspect that behind this measure is an effort to restrict a newcomer to this State who wants to succeed. I say good luck to him. If, by getting up earlier in the morning and making an early start, he is able to increase his small round and achieve a modicum of success, I am on his side. There are many men today who have reached high positions in this State who did so by rising earlier and working harder than others.

The Minister for Railways: The early bird catches the worm!

Hon. J. G. HISLOP: Quite. But if we pass this Bill, there will not be any worm. It means that a man's chances of success will be limited. I do not imagine that the bigger baking-firms would raise any objection to someone starting earlier on his own, because apparently the people concerned by this Bill would not be employing anybody.

It appears that this Bill is designed to provide legislation directed at one person, which is something to which this House has always objected. I appeal to the House to defeat the measure on the ground that it is one which restricts the hours of trade, and that is something to which I and others have so much objection.

On motion by Hon. G. E. Jeffery, debate adjourned.

#### MOTION—SCHOOL BUS CONTRACTS AND ROUTES.

##### *To Inquire by Select Committee.*

Debate resumed from the previous day on the following motion by Hon. J. McI. Thomson:—

That a select committee be appointed to inquire into and report upon school bus contracts and the curtailment of school bus routes and the method of the Department of Education in regard to same.

HON. C. H. SIMPSON (Midland) [2.49]: I support the motion. I admit that the reply read by the Minister last night was a very good one and, I think, covered the facts from the departmental angle very well indeed. But the department is under some disability in trying to do as much

as it would like to, and that has repercussions on the services in the country. It is because I know there are certain economies being effected in the country which are regarded as hampering the services that I think it would do no harm to appoint a select committee, the findings of which might even, in the long run, confirm to some extent the case put forward by the Minister. For that reason I support the motion.

HON. G. C. MacKINNON (South-West) [2.51]: Mr. Simpson has said that he supports the motion as it stands, but I feel that the case put forward by the Minister for Railways yesterday was a detailed answer to the terms of reference of the select committee as set out on the notice paper, as they refer to bus contracts and the curtailment of school bus routes and the methods of the department in regard to them. The facts given by the Minister were clearly stated and constituted a good answer to the motion as it stands, but I feel that a select committee could be appointed under slightly changed terms of reference. In the Hyden district, for instance, the cost of the service is 28s. per day, and the payment per child is fairly high. I do not say it is not worth while if it is the only method of securing an education for these children; but the question arises whether it is the only method.

Surely there must be some way that can be evolved to secure for the children a satisfactory education at a somewhat lower charge to the community than that involved in the present system. I believe a select committee could be appointed, with some compromise in regard to the terms of its inquiry. As the motion is worded, the tendency would be for the committee to inquire into school bus arrangements from the point of view of the contractors; but that is a secondary consideration in relation to the question of whether the children in the sparsely populated areas are receiving a satisfactory education.

As I have said, I believe the Minister gave a satisfactory answer as to what is being done with the amount of money available; but, if we are to appoint a select committee, why not let it consider some of the other problems relating to the education of these children? If a school bus contractor is not making sufficient money out of the contract he can leave it; but if the arrangement is not getting the children to the schools in a satisfactory manner, it is of no use to them.

There are many grave problems that impinge on the school bus system, quite apart from those mentioned by Mr. Thomson in regard to the way in which the contractors are affected, and they are problems that will become accentuated as time goes on. The cutting out of the small one-teacher schools is perhaps a good

idea, in theory, but I do not think it is necessarily a good idea in regard to certain age groups.

In many parts of the South-West there are children in the primary grades, up to first and second standard, who are being wakened early in the morning and dressed while practically half asleep and then taken to the school bus pick-up point. They arrive back at home so late in the afternoon that the mothers have practically to force them to stay awake long enough to eat their tea, and the fathers do not see those children in daylight—at all events in the winter months—except at week-ends.

The Minister for Railways: In some of the schools they let them have a sleep in the middle of the day.

Hon. G. C. MacKINNON: That is so. There are some areas in the South-West where I think we could re-establish small schools for children up to third standard; and instead of bringing the children to the schools, as is now done, we could take the teacher to the small school. If it is necessary for the teacher to live in the nearest township he could do so, and in some districts there could be small schools established on a circuit. Perhaps there might be three such schools, and the three teachers could be provided with a car to take them to those schools and back at night. That could be arranged under the control of a headmaster.

A select committee, if appointed, could inquire as to whether we are getting the maximum benefit from the money that is being expended. It is obvious, from the Minister's speech, that the money available is not sufficient to do all that is required, and so it is essential to economise in one way or another. Perhaps the Education Department is doing some things with the money which would be better left undone. Perhaps some such practices could be terminated and the money diverted to the school bus system, thus allowing more children to be brought to the schools.

It might be that the radius limit from the schools could be extended as in some areas the school buses are being filled only in the last few miles of their run. As I have said, it might be more economical to re-establish some one-teacher schools and take the teachers from the central township out to those schools than to bring the children to a central school. That proposition would involve the capital cost of a light car, perhaps, but it might be more economical than the present system.

Of course there are still some one-teacher schools; and one that comes to my mind is Clifton, on the back road from Brunswick to Bunbury. The teacher of that school lives in Brunswick and travels to and from the school. At Clifton there is a little group of houses and a very neat little school is maintained there. Perhaps,

in centralising the education system in this State, we have raced ahead too fast. I do not know the problem as it exists in the Great Southern and wheatbelt areas, where the distances are greater; but in the South-West there is constant criticism of the system, mainly from the point of view of the children themselves.

I suppose most members here have had young children at school and will remember how in their first couple of years, even though they may have lived close to the school, they still got very tired. That is usually the case; and so much so, that I know the teachers do not consider it unusual for some young children, in the first year or two of school life while they are growing rapidly, to be kept home on odd days, apart from holidays, in order to give them a chance to pick up a little, because they rush around like madmen—we think they do, anyway; but they think they are cowboys and Indians—and they get over-tired. One can realise how much more tired they get when they have to walk to the bus pick-up point; travel to school in the bus while it is picking up other kiddies on the way; and then have to go through the reverse process in the evening. In some cases the children are away from their homes from 7.30 a.m. until 5 p.m.

Hon. L. C. Diver: Many travel 25 miles each way.

Hon. G. C. MacKINNON: That is so; I was trying to be conservative. It is a very great strain on young children, and they are literally dropping off to sleep while they are having their evening meal. Therefore, I would like Mr. Thomson to give some thought to widening the terms of reference of this select committee. He has obviously given a great deal more thought to this matter than any of us.

Whilst a select committee was making an inquiry into one aspect of this problem, I consider that it would be extremely simple for it to inquire into these other angles at the same time, and thus make the inquiry all-embracing. It would then serve a very useful purpose indeed. If Mr. Thomson is prepared to make that move, I will have much pleasure in supporting a motion for the appointment of a select committee.

HON. J. G. HISLOP (Metropolitan) [3.2]: I am not aware of the actual set-up in regard to area schools in this State, although I saw a good deal of how the system worked in the early days when it was commenced in Tasmania. I have only one suggestion to make to Mr. Thomson which he might add to the realignment of his terms of reference for a select committee.

If Mr. Thomson amends those terms to include what Mr. MacKinnon has suggested, the inquiry might still fall short of what he desires; because, according to the headlines in this morning's newspaper,

and also according to the reply that has been given by the Minister, there is a shortage of finance for school transport. It is peculiar that whilst the Government is short of finance in this direction, apparently it has ample funds to spend on what I would call extra school grants; and, in my opinion, the select committee could well inquire into these.

In an odd way I made inquiries, and I believe that this free issue of school books costs about one tenth of the school bus contracts. The school bus transport system costs £1,000,000 or so, and the free issue of school books costs £100,000 or so. The select committee might well inquire whether the £100,000 spent on the issue of free school books is justified. I have been told by one teacher—whose name I would not like to mention here—that at his school an officer was put in charge of the huge supply of books and other material which had arrived at the school under this free school books grant and those at the school did not know what to do with what they already had in stock.

The cost of handling this extra school grant—that is what I call it—might well be excessive. If we feel that some re-organisation of the area school system is necessary, the select committee could look into the finance that is made available for area schools at the same time. I do not know what heading these free extra school grants come under, but I think that they would be grants made outside those for actual school teaching. I feel that this £100,000 might be questioned.

The Minister for Railways: Transport is one of those grants.

Hon. J. G. HISLOP: Yes; and if they are called extra school grants, the whole system might be reviewed. I make that suggestion to Mr. Thomson so that an inquiry can be made not only into the finance that is made available at the moment, but also into the finance that is made available for these extra school grants.

From many points of view the area school system is a good one, particularly in a small State such as Tasmania; but with large areas such as we have in Western Australia there may be a second string to it, as Mr. MacKinnon has outlined. Some districts might well benefit from an area school, whilst others would benefit only from a restricted area school.

One of the difficulties that existed prior to the introduction of area schools was the accommodation that was available for teachers. Young women, particularly, were under a nervous strain because of the living conditions they were subjected to in the homes in which they resided whilst teaching in a particular district, and whilst living under the same roof as parents who had children attending their school.

In other words, there were school teachers who had come from good families, but who were living in totally different conditions from what they had been used to; and in many cases the nervous reaction was considerable. Since the area schools have come into being, I have not seen any cases of that nature.

The Minister for Railways: But the conditions are the same, are they not?

Hon. J. G. HISLOP: No; because the teachers live together more, and have a greater opportunity to discuss with their fellow teachers the various subjects they are teaching. For instance, I know one teacher who is completely isolated, and he is at a loss for discussion on subjects he is interested in; and he lives under conditions which he is not used to.

As I have said, since the area schools have come into being I have not seen anything like the proportion of cases of nervous tension that I saw among teachers in the early days. So if the select committee is appointed and inquires into school grants, it should inquire not into one aspect, but into all the ramifications of school grants.

On motion by Hon. R. C. Mattiske, debate adjourned.

## BILL—LOCAL GOVERNMENT.

### *In Committee.*

Resumed from the previous day. Hon. W. R. Hall in the Chair; Hon. J. D. Teahan in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 349 had been agreed to.

Clause 350—Streets to be defined and width of footpaths determined:

The CHAIRMAN: I would point out that the addendum to the notice paper containing amendments to the Bill has been reprinted. Some members already have advance copies, but the remainder of the copies are expected any minute.

The MINISTER FOR RAILWAYS: I would suggest that you leave the Chair, Sir, until other copies are received.

The CHAIRMAN: Very well. I will leave the Chair until the ringing of the Bells.

*Sitting suspended from 3.10 to 3.27 p.m.*

Clause put and passed.

Clauses 351 and 352—agreed to.

Clause 353—Owner of property requiring communication with street:

Hon. R. C. MATTISKE: I move an amendment—

That after the word "recover" in line 1, page 261, the words "one-half of" be inserted.

I am fully aware that under the Municipal Corporations Act the wording is similar to that in this Bill, but in the Road Districts Act the wording is in accordance with the amendment. Seeing that the land concerned with this particular clause is in a public right-of-way and seeing that the opening of the particular crossing place does not give sole right to the owner of the adjoining property to use that right-of-way, I feel it is only reasonable that the municipal authority, whose land it is, should bear at least half the cost of the construction of the crossing place.

There is another comparatively minor point. If the individual had to pay the full cost of constructing a crossing, he would feel entitled to have the full right to it and would resent other persons using it. I know of one or two crossing places that have been constructed; and the owners, who have paid for those crossing places, have got hot under the collar when other people have driven trucks over them.

Hon. J. D. TEAHAN: The provision in the Bill is that the whole cost be claimed from the owner. This has been inserted to ensure that ratepayers who are provided with a crossing bear the whole cost instead of being subsidised by other ratepayers who either have no constructed crossing or have had their crossings constructed in the past. The benefit would, to a minor degree, alleviate the rating; whereas if only half of the cost is collected, the rates must be slightly increased. I suggest the clause be left unaltered.

Hon. F. R. H. LAVERY: I agree with Mr. Mattiske on this point. I think it is fair that people who pay normal rates should pay half the cost, but no one will convince me that they should pay the full amount.

Hon. E. M. DAVIES: Mr. Teahan might give some consideration to this aspect. For a long period of years it has been the policy of a number of local authorities to construct these crossings on a 50-50 basis. I cannot see why, all of a sudden, this arrangement should be denied to other people who desire to construct crossings in close proximity to others that have already been constructed on a half-cost basis. I support the amendment.

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

Clause 353A—agreed to.

Clause 354—Council may require owners and occupiers to make and repair crossings. In default, council may act and recover cost:

Hon. R. C. MATTISKE: Following the amendment just made it would be consistent to give consideration to not passing this clause. The present practice, regardless of whether the owner pays the whole or part of the cost of constructing a crossing place is for its maintenance to be done by the local authority. It would be a new departure for the municipal

authority to expect the owner to be responsible for the crossing place. Once it is installed it is on and is part of a public street; and as such it is, I think, the responsibility of the local authority to maintain it.

The MINISTER FOR RAILWAYS: I point out that this provision is in both the Municipal Corporations Act and the Road Districts Act. As we have not had much time to consider this—there is nothing on the notice paper about it—it might be passed over for the time being so that attention may be given to it, and the clause finally dealt with on recommitment of the Bill.

Hon. R. C. MATTISKE: Very well; but I would ask that Mr. Teahan look into this to see if it is equitable.

Clause put and passed.

Clauses 355 to 405—agreed to.

Clause 406—Payment of Surplus Proceeds into Court:

Hon. R. C. MATTISKE: Why should not these surplus proceeds be retained by the local authority instead of being paid into the Supreme Court? It seems to me to be more equitable that the local authority should have the surplus funds made available for improvements to the district generally. Could Mr. Teahan give us some advice on it?

Hon. J. D. TEAHAN: I know that this has been the practice; and it appears to me that there is some legal necessity for it, and that where there is a claim for ownership it should be held in trust until the claim is satisfied.

Hon. G. BENNETTS: Would not this occur in cases where pensioners make application to the council to be exempt from the payment of rates; and then, when they die, their properties are sold as they stand or are dismantled and sold? The money would then go to the relatives concerned; but if those relatives were overseas, the money would be held in the Supreme Court awaiting a claimant. Perhaps that might be the reason for the clause.

Hon. R. C. MATTISKE: Would Mr. Teahan look into the matter to see if there is any possibility of the money being retained by the local authority?

Hon. J. D. Teahan: Very well.

Clause put and passed.

Clauses 407 to 425—agreed to.

Clause 426—Declaration of Referees:

Hon. R. C. MATTISKE: I think there is an error in line 8, and the figures 1953 should read 1957.

The CHAIRMAN: That has already been attended to.

Clause put and passed.

Clauses 427 to 462—agreed to.

*Sitting suspended from 4 to 4.15 p.m.*

Clause 463—Pound-keeper may charge for service of notice:

Hon. J. M. A. CUNNINGHAM: I would like to find out whether the Government has examined this position to see what power is possessed by local authorities in relation to the keeping of dogs. I am aware that any power vested in local authorities on this point is very weak; and on the Goldfields this has been the subject of inquiry. With the loss to stock caused by straying dogs, the Goldfields local authority feels it has not the power to cope with the problem, and it was hoped that some move would be made in this Bill to overcome the dog nuisance.

Hon. J. D. TEAHAN: I am unaware of any special provision to cover straying dogs, or dogs which constitute a nuisance. I suggest that the hon. member frame some provision so that he can move an amendment when the Bill is recommitted.

Hon. R. C. MATTISKE: I would point out that any step taken to give greater control of dogs must be by amendment of the Dog Act.

Hon. W. F. WILLESEE: I agree that the Dog Act governs the impounding of dogs and other matters relating to them. That is one of the reasons why there has been no mention of it in this Bill. If a provision is included in this Bill, then the Dog Act will have to be amended to conform.

Clause put and passed.

Clauses 464 to 472—agreed to.

Clause 473—Goats, pigs, poultry may be destroyed if found on enclosed land:

Hon. R. C. MATTISKE: I take it that the term "poultry" would exclude pigeons. If that be the case some provision should be made to enable people who are worried by stray pigeons to take action.

Hon. J. D. TEAHAN: I would say that the term "poultry" would not include pigeons. If it is desired to include pigeons that word should be added.

Hon. R. C. MATTISKE: I move an amendment—

That after the word "pigs" in line 32, page 349, the word "pigeons" be inserted.

Hon. W. F. WILLESEE: Although I see the point in the amendment, I cannot see how it is possible to serve a notice on the owner of pigeons. One might conclude that they belong to a person, but there are a variety of instances where that is not the case when pigeons are found in a person's backyard.

The MINISTER FOR RAILWAYS: If we include pigeons, I wonder whether we should not include seagulls, because sometimes they are a menace, especially along coastal districts. To include pigeons in this provision would make it very difficult

to control. Pigeons owned by some person are very different from wild pigeons, which often constitute a nuisance. Because of complaints, the Perth City Council has found it necessary to engage a man to shoot wild pigeons in its district. Careful consideration should be given to the matter before pigeons are included in this provision.

Hon. R. C. MATTISKE: In view of the remarks just made, I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 474—Stray cattle not to be taken away without notice to owner of land where they are:

Hon. L. A. LOGAN: There is an amendment on the notice paper in Mr. Baxter's name. When a person drives cattle from the land of another person, or out of a herd belonging to another person, without first giving notice; or when having given notice that he intends to take cattle away, he takes other cattle which does not belong to him, he is guilty of an offence. This clause makes it an offence without prescribing a penalty. Whether or not the penalty of £200 proposed by Mr. Baxter is too high I shall leave it to the Committee to decide. I move—

That after the word "offence" in line 35, page 350, the words "and is liable to a penalty not exceeding two hundred pounds," be inserted.

Hon. L. C. DIVER: This amendment has been drafted after a great deal of consideration. As a practical stock man I know there are many aspects to be looked into before a penalty of £200 is prescribed. In this regard I have to relate an instance where one person told another that the latter's stock were on his property. The second person did nothing about it. In due course the first served notice on the second by sending a letter through the post; but no one came to take the stock away, so he put it on the road. The first person who had given the notice and put the stock on the road might be found guilty of committing the offence referred to in this clause. For that reason the penalty should not be prescribed in the clause.

Hon. G. C. MacKINNON: I would ask North-West members what effect this clause would have on the droving of cattle in the North-West. When a person drives cattle overland, he might quite inadvertently pick up a number of stock on the way, such as when going over land belonging to a station.

The MINISTER FOR RAILWAYS: That comes under the Droving Act. There are provisions to be observed when droving through another man's property. The

property-owner must be advised well ahead so that he can get his own cattle out of the way.

Hon. L. A. LOGAN: This provision deals with straying cattle. Where cattle have strayed, the owner must not go on to the property until he has given the owner notice of his intention. If when he has given such notice he takes away someone else's cattle as well as his own, that is a serious offence.

Hon. E. M. HEENAN: Clause 659 provides for cases where no specific penalty is stipulated.

Amendment put and negatived.

Clause put and passed.

Clauses 475 to 495—agreed to.

Clause 496—Interpretation of "trading undertakings":

Hon. R. C. MATTISKE: I move an amendment—

That the words "and the supply of bricks from the council's brickworks" in lines 6 and 7, page 359, be struck out.

This is an amendment consequential on one passed last night.

The MINISTER FOR RAILWAYS: The Committee will recall that last night we did not delete the word "bricks." What we did was to insert the word "cement" before "bricks" and so define the type of bricks in which a local authority could deal. I suggest that in order that this provision may be in accord with the amendment previously carried, it will be necessary to retain the words proposed to be deleted, and to insert the word "cement" before the word "bricks."

Hon. R. C. MATTISKE: I agree with the Minister and ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

On motions by Hon. R. C. Mattiske, clause amended by—

Inserting the word "cement" after the word "of" in line 6, page 359;

striking out the words "from the council's brickworks" in line 7, page 359;

inserting the word "cement" after the word "blocks" in line 9, page 359.

Hon. R. C. MATTISKE: I move an amendment—

That paragraph (1), in lines 23 and 24, page 359, be struck out.

I think this power is far too sweeping; and the whole question of trading undertakings requires careful consideration, and higher authority than that of the Minister to permit a local authority to engage in them.

The MINISTER FOR RAILWAYS: I would point out that it would be necessary, for this amendment to be effective, for the word "and" in line 22 to be struck out.

The CHAIRMAN: That would be taken out in redrafting.

The MINISTER FOR RAILWAYS: I have not had time to look carefully into the amendment; but I am wondering whether all the undertakings mentioned in the clause require the approval of the Minister, and whether deleting paragraph (1) in lines 23 and 24 would mean that the Minister's approval would not be required. Perhaps the mover of the amendment, who has had a good look at the clause, could give us some advice.

Hon. R. C. MATTISKE: As I read it, the clause definitely gives power for any local authority to embark on these undertakings. Full power will be given by the clause. That is why I feel we should not include this paragraph, which would mean that the Minister could approve of an undertaking not covered in the clause, without any reference to Parliament. I think the paragraph is far too sweeping, and it should be struck out.

Hon. W. F. WILLESEE: If the provision were retained, I think it would be used only on rare occasions. Would Mr. Mattiske agree to substitute "approval by Parliament" for paragraph (1)?

The Minister for Railways: I think that if paragraph (1) were struck out the matter would have to come to Parliament.

Hon. R. C. MATTISKE: If the amendment is agreed to, Mr. Teahan could, on recommendal, move for the insertion of a simple proviso to cover the point raised.

The Minister for Railways: If we provide for it to be prescribed by regulation, that should cover it.

Hon. H. K. WATSON: I think we should agree to the amendment, and that the Minister should give the matter further consideration with a view to inserting words such as "and any other undertaking approved by both Houses of Parliament."

Amendment put and passed.

Hon. G. C. MacKINNON: Is it considered wise that, as provided in line 35, a local authority should engage in the hire-purchase field?

Hon. R. C. MATTISKE: I think that provision is reasonable as a local authority might have a piece of heavy equipment, costly but surplus to its requirements, and might have difficulty in finding a cash purchaser. This provision would allow for the sale of that equipment on hire purchase.



Hon. W. F. WILLESEE: Often although a road board has a unit of heavy equipment it requires a larger one, and arranges to sell the smaller existing unit to an adjoining board. Therefore I think this provision necessary.

Clause, as amended, put and passed.

Clauses 497 to 503—agreed to.

Clause 504—Hostels for school children may be provided:

Hon. G. C. MacKINNON: Yesterday Mr. Teahan said the power to control and maintain parking areas should be specifically mentioned. This might be a suitable clause for the insertion of that provision.

Hon. R. C. MATTISKE: I move an amendment—

That the words "or brickyards" in line 10, page 366, be struck out.

This amendment is consequential.

The MINISTER FOR RAILWAYS: The amendment might prevent the manufacture of cement bricks, which we have already agreed to. I cannot visualise a local authority opening a cement brickyard to trade in cement bricks. It might be better to insert the word "cement" before the word "brickyards."

Hon. R. C. MATTISKE: The manufacture of cement bricks is usually done in a shed with very little equipment and does not require a brickyard. I do not think the amendment would prevent a local authority making cement bricks.

Hon. A. F. Griffith: Look at paragraph (f).

Hon. R. C. MATTISKE: Certain amendments will be necessary there. I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

On motions by Hon. R. C. Mattiske, clause amended by—

Striking out the word "brickyards" in line 10, page 366, and inserting in lieu the words "manufacture cement bricks";

inserting the word "cement" before the word "bricks" in line 16, page 366;

inserting the word "cement" before the word "bricks" in line 23, page 366;

inserting the word "cement" before the word "bricks" in line 25, page 366;

inserting the word "cement" before the word "bricks" in line 30, page 366.

Hon. G. C. MacKINNON: I move an amendment—

That after the word "purposes" in line 20, page 367, the following paragraph be added:—

(j) may provide, conduct, control and maintain motor-vehicle parking areas and charge fees therefor.

Amendment put and passed.

Hon. G. C. MacKINNON: There is one point arising from that amendment; and that is that the word "and" will have to be struck out. Apart from that, on recomittal in an earlier clause, we will have to empower the local authority to make use of such parking area.

Clause, as amended, put and passed.

Clauses 505 to 521—agreed to.

Clause 522—Ward Accounts not to be kept, except for specific works and services:

Hon. R. C. MATTISKE: I hope the Committee will not agree to this clause. At present many local authorities operate their accounts on the ward basis, and that system has a great deal to commend it. Although others who operate on a whole road board or municipality basis may claim that their system is preferable, I have had many requests made to me to oppose this clause. The Perth Road Board, for example, has several wards which are fairly large in extent—some of them considerably larger than wards in other local authorities in the metropolitan area—and they are so placed geographically that they are quite distinct from one another.

The members of the road board who are responsible for the principal developmental moves in those wards are very jealous of the work that is proceeding in them. If the road board were to depart from the existing practice under which each ward member budgets for his financial requirements and obtains loans that are necessary to permit development works to be carried out, it would create a great deal of jealousy among the board members and would detrimentally affect the harmonious relationships that exist among members of the board.

Hon. E. M. Davies: Does it create jealousy among members of municipalities now?

Hon. R. C. MATTISKE: I have heard instances of jealousy existing among members of municipalities.

Hon. H. K. Watson: What is the standard practice now among local authorities?

Hon. R. C. MATTISKE: Each local authority operates its account system according to its own wishes, and I think that local governing bodies should be permitted to continue to act each according to its inclination.

Hon. L. A. LOGAN: Whilst agreeing with the principle in the argument put forward by Mr. Mattiske, I would point out to the Committee that it is his desire that the clause should be struck out of the Bill completely. If that occurs, he will have to make some move to replace it with another one, because the existing clause deals not only with ward

accounts but also with the keeping of accounts relating to loans that are raised in municipalities. This clause gives a municipality an opportunity to keep those loan charges separate. If the clause is removed completely from the Bill they will not have that right.

Hon. L. C. DIVER: This is another clause that should be postponed so that we can have more time to consider it. I am much in favour of the abolition of the ward account system. I have seen instances where a local authority has operated on a whole-board accounting system, and where little work has been done in a particular ward because of the nature of the soil cultivated. The values have been low, and consequently the money made available for developmental work in that ward has been very slight indeed. It was only when the ward system of accounts was dropped that the development of the ward progressed. I would point out that if that system were adopted throughout the Commonwealth of Australia, this State would probably not be too eager to agree to it. We have to look at the clause with broad vision. This is something which should at least be made optional. I think the best thing for me to do is move that this clause be postponed.

Hon. J. D. TEAHAN: There is a tendency for local government to become parochial; and, if this amendment is passed, that will be carried a step further.

The CHAIRMAN: Order! Would the hon. member please resume his seat? I would ask the person in the gallery to please resume his seat. The hon. member may now proceed.

Hon. J. D. TEAHAN: Local authorities are able to do without ward accounts, and it is only in the case of a few boards, such as the Perth Road Board, that the rigid accounting for wards is carried on. Even where ward accounts are kept, these are so defective that they serve merely to mislead both the road board and ratepayers.

There is no authority for the keeping of ward accounts in any local authority at the present time; and the practice has grown up over the years because of the individual outlook of certain board members and is certainly not one to be commended. No municipality at present operating would keep revenues of each ward watertight for the benefit of that ward. If it is logical to keep ward revenue intact, it is logical to keep revenue and expenditure for each street on the same basis. This could be extended so that rates collected from each property should be expended in front of that property, or for the direct benefit of some kind to the property holder. It is not wise that we should have one ward bottling the

finance of another. Mr. Diver has given an illustration of where it went to such an extent that the ward system had to be eliminated.

Hon. R. C. MATTISKE: The local government officer has on many occasions expressed his personal opinion regarding ward accounts. He has been trying to force this on to various local authorities over a period of years. He makes it ridiculous by stating the position on a street basis and stating that money will be spent in front of ratepayers' properties. In the Perth Road Board there are certain areas which are growing very rapidly, and it is beyond the power of the local authority to keep up with the development.

The Scarborough ward of the Perth Road Board is 6½ square miles in area. The value of building permits over the four years ended the 30th June, 1956, averaged about £1,800,000 per year, and the average type of structure was not elaborate. Therefore, from the figures we can get some knowledge of the development. At the same time, the total value of building permits for the whole of the City of Perth area was just in excess of £5,000,000, and we know that there are a lot of large buildings included in that figure. The total work in the Scarborough ward was over one-third of that of the City of Perth.

Development is going on in the Osborne Park ward at a similar rate. In other wards, such as Inglewood, a lot of new development is taking place; and to a lesser degree, in Maylands. Mt. Lawley has been developed for a number of years, and new work is comparatively small. A lot of development is taking place in the Hamersley ward. Members of these wards have a full-time job trying to arrange finance in such a way that development can proceed at a reasonable pace, but within the power of the people in the wards to cope with the finance.

Every £50,000 borrowed by loan for the Scarborough ward represents almost one penny on the rates levied to cover the cost of repayment of principal over 30 years together with the interest. Because of the interest, they keep a very close check on finances and on the development necessary in the wards; and I venture to say that if, in the past few years, the accounts had been on a board basis, there would have been considerable bickering between board members so that a greater amount of money would be spent in their particular wards. If the ward system of accounts is abolished, I am certain a lot of incentive will be taken away from members who are trying to do their best.

The suggestion of Mr. Diver that this be left optional is a good one, and it is the

idea I had in mind. If it is not specifically stated here that municipalities shall not keep ward accounts, then it will be open for them to keep them if they so desire. Therefore, I hope the Committee will not pass over this lightly; and that it will postpone the clause for further consideration, if it considers that preferable.

Hon. H. K. WATSON: I think Mr. Teahan touched upon an important point when he mentioned that in the existing Act or Acts—in the opinion of his advisers—there is no expressed power to keep ward accounts, and that this system has just developed without statutory authority. The remedy is not merely to delete this clause but to replace it by another along the lines suggested by Mr. Logan. Then, at its option, a local authority could keep accounts on a board basis or on a ward basis.

Hon. L. A. LOGAN: This state of affairs has existed because there is no specific mention in the Municipal Corporations Act or the Road Districts Act. Ten or 11 years ago auditors in country districts tried to tell road boards they had to do away with the ward system. For a long time road boards defied them, but pressure was applied by the auditors. That is why eventually we are at the stage where the Perth Road Board is the only one left. Had the Act made it lawful, many boards would have that system today. We must put something in the Bill to give them that opportunity. Therefore we must postpone the clause.

Hon. W. F. WILLESEE: Vigorous boards such as the Perth Road Board would do quite well under the ward system, but the position is the reverse in the country. Some areas are stagnant; and, if anything, deteriorate over the years. Then we get an inexplicable growth in an area which 10 years previously seemed to have no prospects. I think the only way we can meet the situation is to have written into the legislation provision for alternative systems.

Hon. R. C. MATTISKE: My intention was exactly along the lines outlined by Mr. Willesee. I did not intend that it should be obligatory for a local authority to keep ward accounts, but optional.

Hon. L. C. DIVER: It appears that a little bit of bad advice has been given to the Minister by the Under Secretary for Local Government as to how the ward system operated—and, as has been pointed out, illegally operated—for many years. At one time there was nothing but the ward system, but its shortcomings became so apparent that today the Perth Road Board is the only one that sticks to it. I suggest that the clause be postponed.

Hon. R. C. MATTISKE: Perhaps the Minister could report progress and this could be fixed up over the week-end.

Hon. H. K. WATSON: I move an amendment—

That the words "shall not" in line 35, page 385, be struck out and the word "may" inserted in lieu.

This might achieve the desire that has been expressed.

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

Clause 523—Land is ratable property:

Hon. L. A. LOGAN: An amendment appears on the notice paper against the name of Sir Charles Latham. As a result of the clause, land that has been exempt up to the present will no longer be exempt. The land that has been exempt up to now is land declared by the Governor, etc. Just what the land is, I do not know; but if it has been exempted by the Governor, I see no reason why we should now make it ratable property. The present provision is the same in both the Road Districts Act and the Municipal Corporations Act.

The MINISTER FOR RAILWAYS: Unless provision is made in some other part of the Bill to cover the land referred to in the existing Acts, there certainly will be a lot of land which was at one time exempt but which will now be ratable. However, in order that the full information may be obtained so that we may explain the implications to the Committee later, I shall ask that progress be reported.

Progress reported.

*House adjourned at 5.40 p.m.*