

Clause 1: Short title and citation—

Mr. CASH: I move—

Page 1, lines 8 and 14—Delete the figures "1968" and substitute the figures "1969."

Amendments put and passed.

Clause, as amended, put and passed.

The CHAIRMAN: I would like to point out to members that under the new Standing Orders it is possible for any member to move for any number of clauses to be passed provided there is no dissentient voice. From the second reading debate it would appear there is no objection to any of the clauses of the Bill and accordingly it is open to members to move that clauses 2 to 47 be put and passed.

Mr. COURT: I move—

That clauses 2 to 47 be put and passed.

Motion put and passed.

Clauses 2 to 47 put and passed.

Title put and passed.

Bill reported with amendments.

### ADJOURNMENT OF THE HOUSE

MR. BRAND (Greenough—Premier) [9.45 p.m.]: May I have your permission, Sir, to advise the House as to the hours of sitting. In reply to some of the queries that have been raised I would point out that we propose to sit the hours that we normally do in the early part of the session.

I hope we will be able to sit at 11 a.m. on the Thursday before Good Friday and adjourn early in the afternoon. We do not propose to sit the week following Easter. I move—

That the House do now adjourn.

Question put and passed.

*House adjourned at 9.55 p.m.*

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## Legislative Council

Wednesday, the 26th March, 1969

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

### STANDING ORDERS COMMITTEE

#### *Report Presented*

The Hon. N. E. Baxter submitted the report of the Standing Orders Committee. Ordered: That the report be printed and its consideration made an Order of the Day for the next sitting.

### QUESTIONS (11): ON NOTICE

#### OFFSHORE OIL WELLS

##### *Blowouts: Precautionary Measures*

1. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

Having in mind the recent experiences of the Marlin gas well blowout, and also of an oil well off the Californian coast, what precautions has the Government taken to deal with such a situation should it occur off our own coast?

The Hon. A. F. GRIFFITH replied:

Section 126 (b) of the Petroleum (Submerged Lands) Act, 1967, provides that an inspector appointed under that Act may inspect and test any equipment that, in his opinion, has been, is being, or is to be used in the adjacent area (the Continental Shelf) in connection with petroleum exploration operations, operations for the recovery of petroleum, or operations connected with the construction or operation of a pipeline in the area. All operators are required to carry out their functions according to recognised good oil field practices.

#### FACTORY WELFARE BOARD

##### *Members, Meetings, and Remuneration*

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

Under the Factories and Shops Act—

- (a) who are each of the members of the Factory Welfare Board;
- (b) how many meetings have been held each year for the past five years; and
- (c) what is the remuneration of each member for each meeting attended?

The Hon. A. F. GRIFFITH replied:

(a) Mr. H. A. Jones, Assistant Secretary for Labour, Chairman.

Mr. F. J. Malone, representing occupiers of factories.

Mr. J. W. Coleman, representing employees in factories.

- (b) 1964—9.  
1965—17.  
1966—20.  
1967—10.  
1968—12.

(c) Chairman nil. Other members \$10.50 per meeting.

3. *This question was postponed for one week.*

**COMO SUBDIVISIONS***Appeals against Disallowance*

4. The Hon. C. E. GRIFFITHS asked the Minister for Town Planning:

- (1) Has the Minister received and dealt with appeals against decisions reached by the South Perth City Council and the Town Planning Board to disallow the subdivision of Lot 174 Lockhart Street, Como, owned by Mr. W. A. Stronach, and Lot 166 Lockhart Street, Como, owned by Mr. E. A. Page?
- (2) If the answer to (1) is "Yes"—
  - (a) what was the Minister's decision in each case;
  - (b) what was the date each appeal was submitted;
  - (c) what was the date that each appellant was notified of the Minister's decision;
  - (d) what, if any, were the differing circumstances in each case; and
  - (e) will the Minister discuss these matters with me as requested in my letter to him on the 12th February, 1969?

The Hon. L. A. LOGAN replied:

- (1) Yes.
- (2) (a) Lot 174: appeal allowed. Lot 166: appeal dismissed.
- (b) Lot 174: the 6th February, 1968. Lot 166: the 31st July, 1968.
- (c) Lot 174: the 5th April, 1968. Lot 166: the 10th December, 1968.
- (d) In the case of Lot 166 the subdivision would have resulted in the existing dwelling house on the land conflicting with the requirements of the Uniform Building By-laws.
- (e) The honourable member has had ample opportunity to discuss this matter in the same manner he has discussed his other problems with me. This opportunity is still available.

**MOTOR VEHICLE LICENSES***Payments and Refunds*

5. The Hon. J. DOLAN asked the Minister for Mines:

- (1) Is the Minister aware that motorists have sometimes inadvertently paid their vehicle licenses twice for one period of registration?

- (2) Is he also aware that these motorists have to wait long periods of time to obtain a refund of the excess payment made?
- (3) Can something be done to expedite refunds in these instances?

The Hon. A. F. GRIFFITH replied:

- (1) Yes, a relatively small number.
- (2) Yes, there have been staffing problems. There is some delay if the person is unable to produce his receipts.
- (3) Yes, overtime is being worked.

**FACTORY WELFARE BOARD***Investigations and Recommendations*

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

- (1) What investigations have been made by the members of the Factory Welfare Board constituted under the Factories and Shops Act, concerning—
  - (a) the prevention or diminution of noise;
  - (b) lighting and ventilation of factories; and
  - (c) the welfare of employees?
- (2) What were their findings and recommendations?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) Since its establishment on the 6th May, 1964, the Factory Welfare Board has met on 68 occasions. It has examined legislation and regulations applying in other States, carried out inspections and investigations within the State, and considered the advice of technical experts. As a result of these studies new regulations were promulgated in the *Government Gazette* of the 11th October, 1967. Subsequently the Chief Inspector of Factories, who acts as adviser to the board, attended a symposium on noise in industry at the Adelaide University in 1968.

**TEACHERS' COLLEGES***Granting of Autonomy*

7. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) Is it the intention of the Government to implement the recommendation of the Tertiary Education Commission that teachers' colleges be given autonomy from the Education Department?
- (2) If the answer to (1) is "Yes," when is this event likely to occur?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) It is assumed that the reference is to the Committee on Tertiary Education. The question of autonomy for teachers' colleges is one of the matters to be considered by the recently constituted Tertiary Education Commission which will, in due course, make a recommendation to the Government.

### LAND RESUMPTION

#### *Right of Appeal against Price*

8. The Hon. J. DOLAN asked the Minister for Mines:

With reference to the case in which the State Electricity Commission has offered \$2,240 to the owner for a duplex block on which a reputable valuator has placed a value of \$3,800, will the Minister advise—

- (a) has the owner any right of appeal if the commission resumes his land at its price; and  
(b) if so, to whom may he appeal?

The Hon. A. F. GRIFFITH replied:

- (a) Yes.  
(b) Under the provisions of the Public Works Act, No. 47 of 1902, the Minister for Public Works, who may refer any unsatisfied claim to a compensation court.

### FACTORIES

#### *Health Regulations*

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

Under the provision relating to health, sanitation, and safety in factories, what regulations have been made by the Governor—

- (a) prescribing maximum and minimum temperatures for factories;  
(b) regulating humidity in factories;  
(c) prescribing standards of ventilation in factories; and  
(d) regulating lighting in factories?

The Hon. A. F. GRIFFITH replied:

The Factories (Health and Safety) Regulations published in the *Government Gazette* on the 11th October, 1967 (No. 85), explain the provisions referred to in particular.

- (a) Regulation 6—Temperature.  
(b) Regulations 9 and 10—Humidity.

(c) Regulations 7 and 8—Ventilation.

(d) Regulations 17 and 18—Lighting.

### WOOD CHIP INDUSTRY

#### *Development*

10. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

Would the Minister inform the House of what further progress has been made towards the development of a wood chip industry in this State since the statement of the Minister for Industrial Development reported in *The West Australian* dated the 7th February, 1969?

The Hon. A. F. GRIFFITH replied:

A formal agreement with Bunning Timber Holdings Ltd. is in the course of preparation.

The agreement will be conditional on—

- (a) the company entering into contracts satisfactory to the State for the sale of wood chips; and  
(b) the company obtaining an export license from the Commonwealth.

The agreement will state a date by which the company has to satisfy these conditions.

The commercial scale tests being undertaken in Japan, referred to in the 7th February, 1969, Press statement, are not yet complete.

The results of these tests are required before there can be finality with the sales negotiations.

### HOME UNITS

#### *Strata Titles*

11. The Hon. W. F. WILLESEE asked the Minister for Mines:

- (1) Is it a fact that many home unit owners living in the metropolitan area are without strata titles to their homes?  
(2) Is the position brought about because of the passing of uniform general by-laws in March, 1966?  
(3) If the answers to (1) and (2) are "Yes," does the Minister intend to bring in amending legislation to the Strata Titles Act during the current session of Parliament?

The Hon. A. F. GRIFFITH replied:

- (1) Yes. However, not all home unit owners desire a strata title to their homes.  
(2) Yes, in some cases.  
(3) Yes.

**COMMONWEALTH AID ROADS FUNDS***Protest against Change in Formula:  
Motion*

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the Opposition) [4.53 p.m.]: I move—

That in the opinion of this House a most emphatic protest should be recorded and forwarded to the Prime Minister against the decision of the Commonwealth to change the formula for the allocation of Commonwealth Aid Roads Funds to the States from one which was deliberately intended by successive governments to favour those States with heavy developmental responsibilities and the country areas in those States, to a new formula which deprives unclassified rural roads of their hitherto privileged position, places emphasis on centralism and accords priority of aid to the most populous and wealthy States of Australia.

I desire to begin by giving an account of the historic background and importance of the Commonwealth Aid Roads Act with regard to the State of Western Australia; because to this State it is a most important piece of legislation, particularly having regard to the formula that has existed up to this time.

The Commonwealth Aid Roads Act had as its basis, and the reason for its introduction, a series of disagreements between the States and the Commonwealth with regard to the retaining by the States of petrol tax moneys. Eventually, when the Commonwealth took over the petrol tax from the States, all collections from within the States of customs duties and excise—amounting in those days to only a few cents per gallon—had to be paid into a trust account known as the Commonwealth Aid Roads Trust Account.

From that trust account, in respect of each year's collections, the Commonwealth disbursed a specified sum between the States under a formula which was laid down as between all States. However, from the very beginning of that legislation, Commonwealth Treasurers have, over the years, regularly withheld what by now would amount to thousands of millions of dollars in revenue—that is, since the first disbursement was made. That might be thought to be an exaggeration, but to give an idea of how greatly the sum has multiplied over the years, I would state that in 1950 a total of \$1,200,000 was distributed by the Commonwealth to the States. In 1968, \$330,000,000 was distributed between the States, and that sum was specified in the Commonwealth Aid Roads Act, No. 32 of 1964.

The principle of area-population—which was the basis of distribution that gave Western Australia its greatest emolument,

and its greatest claim to an advantage under this situation—was one which could be attributed particularly to the ideas of a Western Australian Minister for Works of many years ago. I refer to the late Hon. Alex McCallum, many of whose thoughts were expressed in the Act, and were subsequently written into the Commonwealth agreement.

In the Commonwealth Acts of 1950 we find the Commonwealth Aid Roads Act, No. 47 of 1950, and section 8 of that Act refers to the basis of apportionment of funds to the States at that time. It reads as follows:—

Sums payable to the States under sections six and seven of this Act shall be divided amongst the States as follows:—

- (a) to the State of Tasmania—five per centum of those sums; and
- (b) to the other States—
  - (i) as to fifty-seven per centum of those sums—according to the respective populations of those States as ascertained at the census taken during the month of June, One thousand nine hundred and forty-seven; and
  - (ii) as to thirty-eight per centum of those sums—according to the respective areas of those States.

“Areas,” was the operative word so far as Western Australia was concerned. From that initiation of payments, Western Australia was given direct compensation for its vast area and was able to overcome the difficulty of its sparse population.

That is indisputably proved by the fact that this State has a remarkable record with regard to its road system throughout the entire State—its country roads, its main roads, and its city roads. Throughout those years constant pressure was being brought to bear upon the Commonwealth by the two major States, New South Wales and Victoria. The constant plea of those two States was that Western Australia obtained too large a share of the Commonwealth aid roads moneys, and the continuous raising of this issue by New South Wales and Victoria had some effect.

It is as well to point out that in 1959 the original formula for the allocation of funds was abandoned, and a new formula, which took into account the number of motor vehicles in each State, was adopted. Naturally, this was to the disadvantage of Western Australia, because of our small population.

Already, there was a tendency to introduce into these Acts the basis of a special grant for country roads, and the

weakness of those special grants was that a Government could not provide for continuity of programming over a long period if it was dependent on a special grant from time to time.

I will quote again from the Commonwealth Act, No. 39 of 1959. Section 7 of that Act states—

Subject to the next two succeeding subsections moneys paid to a State under this Act shall be expended . . .

Let us now see how wide this expenditure can be—

(a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant;

(b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or

(c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads.

(2) Each State shall, out of the moneys paid to it under this Act in a year, expend in that year an amount, not being less than two-fifths of the sum of those moneys—

(a) on the construction, reconstruction, maintenance and repair of rural roads or on the purchase of road-making plant for use in connection with rural roads; or

(b) in making payments to municipal and other local authorities for the construction, reconstruction, maintenance and repair of rural roads or for the purchase of road-making plant for use in connection with rural roads.

(3) Each State may, out of the moneys paid to it under this Act in a year, expend in that year, otherwise than on roads, an amount, not exceeding the amount ascertained in respect of that State by apportioning the sum of One million pounds amongst the States in the same proportions as an amount payable to the States under section four of this Act in respect of the year it is divisible amongst the States, on works connected with transport by road or water.

Written into that section very clearly is the principle of money for rural roads. If I read section 5, which sets out the distribution of the basic amount among the States in that year, it will show the

complete and further emphasis as to the rural atmosphere in this Act. Section 5 (1.) states—

An amount payable to the States under the last preceding section shall be divided amongst the States as follows:—

(a) one-twentieth of the amount shall be paid to the State of Tasmania;

(b) of the remainder of the amount—

(i) one-third shall be divided amongst the other States according to their respective populations as published by the Commonwealth Statistician from the returns of the census last taken before the commencement of that year;

(ii) one-third shall be divided amongst those States according to their respective areas; and

(iii) one-third shall be divided amongst those States according to the number of motor vehicles shown by statistics published by the Commonwealth Statistician to have been respectively registered in those States as at the thirty-first day of December last preceding the commencement of that year.

If we read paragraph (ii), which says that one-third shall be divided among those States according to their areas, and we then bear in mind the fact that the rural areas are mentioned in every part of section 7, this will indicate the desire to provide the larger States with an opportunity to improve the road system throughout those States.

I will give further support for the motion by reading some of the current statements which were made upon the announcement of the new formula by the Prime Minister. I will first quote from *The Sydney Morning Herald* of the 14th March in which, under the heading, "Switch in Govt. road aid: \$600m for cities," it states—

N.S.W. will get the major benefits from a historic change in the emphasis of Commonwealth road aid from country to city.

Commonwealth aid to the States for road development will be increased by more than \$500m to \$1,252m over

the next five years and greatly increased priority will be given to interstate highways and major roads in the great cities.

The article then goes on to say what the States will get and mentions the percentage increase. It shows that over this period of time New South Wales will receive an increase of \$171,300,000, which is an increase of 81.9 per cent. It also indicates that Victoria will receive an increase of \$107,500,000, which is an increase of 73.2 per cent. Western Australia will get \$66,800,000, which constitutes an increase of a mere 50 per cent.

It would be pertinent to suggest and expect those States with larger populations to lend some of their weight to assist in this matter, because naturally they have greater political representation. It will be a sad day if the form of consideration is such that a large and progressive State such as ours is made to suffer as a result of such a formula.

The Hon. A. F. Griffith: Did that article deal with South Australia?

The Hon. W. F. WILLESEE: I have all the figures if the Minister wishes to hear them. South Australia is to receive an increase of \$43,000,000, representing a percentage increase of 50 per cent., and Tasmania is to receive an increased amount of \$18,750,000, which is also a 50 per cent. increase. *The Sydney Morning Herald*, in an article dated the 14th March, 1969, written by the reporter John Stubbs, had the heading, "Boost for national highways." The article states—

The new Commonwealth road-aid agreement will be aimed for the first time at the development of a national highway system and the relief of traffic congestion in the great cities.

The Commonwealth has dropped its long-standing requirement that 40 per cent. of its road aid should be spent on rural side roads.

It has made its first specific allocations for major city roads and interstate highways.

Although the Commonwealth program is broadly a compromise between the old formula, which heavily favoured the country areas, and recent recommendations of the Commonwealth Bureau of Roads, which emphasised the needs of the cities and major highways, the new formula will swing in emphasis in its final years much more strongly towards the needs of the cities.

Though the total spent on rural side roads will rise by \$94.55m during 1969-74, the proportion of total Commonwealth aid allotted to them will drop to 32.8 per cent.

Under the heading, "W.A. Gets a Raw Deal," *The West Australian* of the 15th March, 1969, said—

Prime Minister Gorton's nationalism has assumed a distorted form in the new five-year road-money allocations. Lord Bruce, the father of the Commonwealth road scheme, would have been ashamed of him.

The old distribution formula, based on population, vehicle registrations and area, has been abandoned. And with the loss of the area component the only element that recognised Western Australia's unique position—having the task of developing a third of the continent—has disappeared.

Western Australia will have \$200.4 million of Federal money for roads in the next five years. This is an increase of 50 per cent. on the amount available under the last five-year scheme. But the W.A. share of the total allocation of \$1,252 million has been reduced sharply from nearly 18 per cent. to 16 per cent.

What is worse, the loss of formal recognition of W.A.'s huge area exposes the State to further retrogression in the future. Our share would not be even 16 per cent. of the total if it was not for supplementary grants, of a grace-and-favor nature, of more than \$40 million.

In giving increases of nearly 82 per cent. to N.S.W. and more than 73 per cent. to Victoria, Mr. Gorton has capitulated in the face of metropolitan road problems. These are real enough—Perth shares them with Melbourne and Sydney—but they are a separate issue. It is to urban roads that the Prime Minister should be allocating supplementary grants, not to the general development of the Australian network.

Mr. Gorton has made a shortsighted bargain.

Further comment in connection with the road grants allocation also appeared on the same day. It pointed out that Deputy Premier Nalder said he was disappointed that Western Australia, with its vast area, had suffered a reduction in its percentage share. There was a further comment as follows:—

The general president of the Farmers' Union, Mr. L. R. Forrester, said that he was disappointed to see W.A.'s percentage share fall from 17.95 per cent. to 16 per cent.

The Federal Bureau of Roads' assessment of W.A.'s needs was not realistic in view of the State's tremendous road development requirements, he said.

If export income was to be increased, adequate communications were necessary in country areas. As export income was a Federal government problem it should keep it in mind in the allocation of such funds.

There was, of course, a very different reaction from Sir Henry Bolte. He said—

... Melbourne's freeways ten years would be far ahead of any other city in Australia.

The Melbourne Age reported that Sir Henry had given a flat guarantee that there would be no more increases in Victoria motoring taxes for at least five years.

An editorial in the *Daily Telegraph*, Sydney, said—

In the early days there was no doubt a case for preferential treatment of States like Western Australia with vast undeveloped areas that cried to be opened up. Those circumstances do not exist today and the new formula is a logical recognition of the change.

Western Australia's present potential is probably greater than that of any other State—but meanwhile the more densely populated States have been starved of funds for their roads.

That is only part of the truth. A large network of roads will need to be laid down if this State is to continue to develop, and it is for this reason that money for that development should be available at all times.

Perhaps the most outspoken opinion was given by none other than the Minister for Industrial Development. A quotation in *The West Australian* of the 15th March, 1969, under the heading, "Court Says Raw Deal for W.A.," states—

Industrial Minister Court yesterday blamed Commonwealth centralism for what he described as a raw deal for W.A. in the road funds allocation.

"The results of this new arrangement should be a salutary lesson to those who advocate greater doses of centralism," he said.

Mr. Court said that experience of federal agencies in the past had been that States like W.A. and Queensland, which had big developmental responsibilities, inevitably got the raw end of the deal.

He said that it was ironical that the most populous and wealthy States had received such spectacular increases in their road funds.

"Those who continually advocate more Federal participation in education could well take heed of what has happened in this latest carve-up of road money," Mr. Court said.

I quote without comment the article written by Geoffrey Paddick, a representative in Canberra of *The West Australian*. In this article he said, under the heading, "Centralist P.M. Laid Down the Law"—

The trend against Western Australia in the distribution of Federal road funds is disturbing enough, but of added concern to some is the mounting evidence of Prime Minister Gorton's centralism.

Mr. Gorton prefers the word nationalism, but there can be little doubt that his blunt no-bargaining attitude to the States is generally acknowledged as the stance of a centralist.

There was a time in Canberra when the Prime Minister and Premiers of the day at least made a pretence of hagglng over funds.

The Premiers put their respective arguments and the Commonwealth went to pains to explain why it could not meet all demands—but then came good with a little extra. This already had been budgeted for, but at least the pretence of negotiations was there.

For better or worse—Canberra officials are apt to argue better and State leaders worse—Gorton-type nationalism now reigns supreme.

Mr. Gorton's approach is simple and direct. He tells the States what the Federal government has decided to allocate to the States and, in instances such as the national road programme announced last week, even directs specific categories in which the money must be spent.

"Take it or leave it" is very much the Gorton approach.

Obviously, the States take it. They have no option.

I do not intend to read any further comments which were made in that vein, but members can see how the views of those who are Western Australian-minded compare with the views of those who come from the more thickly populated States; while they rejoice it is unfortunate that we have to lament.

I shall conclude by emphasising certain points which I believe support the motion. In view of the situation that has been thrust upon this State, it is reasonable to assume that in the future Commonwealth Aid Roads Funds can be allocated at the whim of the Prime Minister for the time being, without any regard for the responsibility of States which have heavy needs for road development in outer areas—areas which are a long way from any central city development.

In future is no account to be taken of—  
large area  
small population  
smaller income from motor vehicles?

Let us compare the two States which have done so well out of the new arrangement. On the basis of area, New South Wales has approximately 309,000 square miles, which is less than one-third the size of Western Australia. Yet it is to receive 20 per cent. of the total funds available, an increase of 82 per cent. over its previous allocation. The area of Victoria is 87,000 square miles, and it is one-eleventh the size of Western Australia. Yet that State is to receive 20 per cent. of the total money available, or an increase of 73.2 per cent. on its previous figure.

By comparison the area of Western Australia is in the vicinity of 975,000 square miles, almost 500,000 square miles of which are in the north-west where, at the present time, the greatest development in Australia is taking place. Surely every facility, including roads, must be provided in that area as speedily as possible! It is obvious that if we are to attract investment throughout Western Australia we must develop all facilities, particularly roads. We need the money to enable us to build roads in all parts of the State because progress is being maintained in all parts of the State, and some parts are progressing faster than others. We do not want any suggestion of a curtailment of our expansion.

It is said that in the next five years the Commonwealth will spend on roads only a little more than 40 per cent. of the money it collects from road users. That is to say, it will give back 40 per cent. of the 100 per cent. it collects and so it keeps for itself the lion's share of the money collected from road users. If that be so then, of course, there is little hope for Western Australia in the new formula that has been evolved. If decentralisation is to be practised by development in country areas then the building of better roads becomes an essential ingredient to successful development; because the provision of better roads is so important to this State now and will continue to be so in the future.

At some time or another every member in this chamber—and country members particularly—has complained to the Minister and has made an endeavour to get a better deal and more funds for the building of roads in his electorate. If we have had cause to complain because of the treatment received under the old formula, what will be the position in the future under the new formula? I ask country members to think about what the position in their districts will be on this new basis of distribution of road funds.

It seems to me the Prime Minister prefers centralisation to decentralisation. Apparently he prefers a small State to a large State. He prefers large centralised populations to small groups of people spread over a large area. In effect, he says, "We will halt the rural areas and we will concentrate on the cities." I do

not think we can repeat this too often: An indispensable part of our development is the provision of good roads, and to lose the area constituent after it has been used for so many years means that now we are really dependent on handouts; because we have no other bargaining factor left to us to match the other States.

I believe the motion warrants the support of the House and I would like to read what I consider is really the core of the motion—

That in the opinion of this House a most emphatic protest should be recorded and forwarded to the Prime Minister against the decision of the Commonwealth to change the formula for the allocation of Commonwealth Aid Roads Funds to the States to a new formula which deprives unclassified rural roads of their hitherto privileged position, places emphasis on centralism and accords priority of aid to the most populous and wealthy States of Australia.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Mines).

#### **MINING ACT AMENDMENT BILL, 1969**

##### *Introduction and First Reading*

Bill introduced, on motion by The Hon. A. F. Griffith (Minister for Mines), and read a first time.

#### **STAMP ACT**

##### *Amending Legislation: Motion*

**THE HON. C. E. GRIFFITHS** (South-East Metropolitan) [5.24 p.m.]: I move—

That in the opinion of this House the Stamp Act, 1921-1968, should be amended to extend the organisations eligible for exemption from paying duty on cheques drawn, to include all youth and junior sporting bodies.

As support for the motion I have just moved I believe I should outline to members the circumstances which have prompted my action. Since, I believe, the year 1931 the Commonwealth Banks Act has contained a section that reads as follows:—

Bills of exchange (including cheques) drawn on the Savings Bank, and receipts or orders given to the Savings Bank in relation to any money withdrawn from the Savings Bank, are not liable to stamp duty or other tax under any law of the Commonwealth or of a State or Territory of the Commonwealth.

This meant, of course, that any organisation which was qualified, and came within the requirements of the Commonwealth Banks Act, could operate what is known as a society cheque account and, as a result, was not forced to pay the stamp duty imposed by the State where cheques were drawn on such accounts.



Apparently this arrangement worked quite satisfactorily until, I believe, the late 1950s when the private banks started savings banks, and organisations began to open society accounts with those banks. However, such organisations had to pay stamp duty on the cheques drawn on those accounts. Also I believe at the time the State Government exempted certain organisations from the payment of such duty although, apart from friendly societies, such organisations were not legally entitled to exemption under the Stamp Act as it existed at that time.

In September, 1960, the Minister for Local Government introduced into this House a Bill to amend the Stamp Act, and the amendments which were agreed to at that time still remain in the Act today. For the benefit of members I shall read section 49A, which was one of the amendments agreed to at that time. That section states—

(1) Where, on written application being made to the Commissioner under this section, the Commissioner is satisfied that for the purposes of this section the applicant is—

- (a) a charitable body;
- (b) a body established for community welfare purposes;
- (c) A Friendly Society registered under the Friendly Societies Act, 1894; or
- (d) a body established for patriotic purposes,

the Commissioner may grant the applicant a written certificate to that effect.

(2) Duty shall not be charged on cheques or orders for the withdrawal of moneys deposited in any bank by any of the bodies referred to in subsection (1) of this section to which a certificate under that subsection has been granted.

(3) Any body of the kind referred to in paragraph (a), (b), (c), or (d) of subsection (1) of this section may make the application referred to in that subsection.

Although on the passing of that amendment to the Act the organisations listed in the amendment were exempted from paying stamp duty, irrespective of their bank, there still remained—and that position obtains today—dozens of organisations which were not listed and therefore did not qualify for exemption because of the strict legal interpretation placed on the section by the Commissioner of Stamps. However, the Commonwealth Bank was covered by the Commonwealth Banks Act and therefore the imposition of stamp duty did not apply in regard to cheques drawn on society accounts with that bank.

In order to obtain a share of society accounts, I understand the private banks decided to pay the stamp duty involved and, as a result, those organisations with society accounts—and this included the youth and junior sporting bodies, on whose behalf I am speaking today—were freed of this tax on their hard-earned and generally very meagre funds.

In November, 1968, the Federal Parliament passed the Commonwealth Banks Act Amendment Act, 1968, which, among other things, repealed section 54 of the principal Act and, as I have already mentioned, that section exempted the Commonwealth Bank from paying State stamp duty on savings banks cheques. As a result, since the beginning of this year all banks have sent to those organisations which previously have not been exempt from the payment of stamp duty, a letter pointing out that unless they qualified under section 49A of the Stamp Act in future they would have to pay 5c for each cheque used. Application forms for exemption were enclosed with the letters. That, broadly speaking, is the position at this point of time.

[Resolved: That motions be continued.]

The Hon. C. E. GRIFFITHS: As the Commissioner of Stamps, who administers this Act, can exempt only those societies and organisations which come within the legal interpretation of the exemptions now provided, there are now literally hundreds of organisations with thousands of members who do not qualify. It is on behalf of those organisations which cater mainly for our young people that I feel I must press for this motion to be supported by members.

Hundreds of hard-working dedicated men and women in our community work long hours for no reward other than the satisfaction of knowing they are contributing to the well-being and benefit of thousands of young Australians and future young Australian citizens. The cost of running these organisations is enormous. The money to pay the costs is extremely hard to come by and without these men and women of whom I have made mention the organisations would surely fall and disband. Therefore, because it is in fact money that the Treasury has never had, as far as accounts with the Commonwealth Bank are concerned, and because in the overall picture of the State's finances the balance of the accounts would not send the State bankrupt, I believe most strongly that quick and positive action should be taken to alleviate the load these people carry.

The Hon. A. F. Griffith: Have you any idea what such relief would amount to?

The Hon. C. E. GRIFFITHS: Not off-hand, but it would not send the State bankrupt.

The Hon. F. J. S. Wise: It would be an awful amount if it did.

The Hon. C. E. GRIFFITHS: The fact of the matter is—and I will deviate here—that I do not care what it costs. I do not believe any other members here should care at all what it costs because, as I have said before, as far as the Commonwealth Bank is concerned it is money the State has never had. I am quite sure, and I believe the Minister is just as sure, that the amount of money involved, as far as the overall picture of the State's finances is concerned, is pretty insignificant indeed, but as far as these organisations are concerned it is most significant.

I did not want to speak for very long so I will quickly give members an idea of some of those organisations which qualify and a few of those which do not qualify under section 49A of the Stamp Act. Some of those which qualify are the Y.M.C.A.; parents and citizens' associations; most, and perhaps all, church youth organisations; police and citizens' youth clubs; the Boy Scouts, and the Girl Guides. Those are some of the organisations which do, in fact, qualify.

Some of those which do not qualify are all the junior cricket clubs, football clubs, soccer clubs, athletic clubs, baseball clubs, basketball clubs, hockey clubs, and so on. These organisations, for some reason or other, are not exempt from this burden.

Those which do qualify are in the main defined as community welfare or charitable organisations. I do not believe that any member present today would argue with me when I say that any organisation which functions for the benefit of our young people is most surely a community welfare organisation if not, indeed, a charitable organisation.

Western Australia in recent years has received a great deal of publicity because of the great developments taking place in our mining and industrial industries. These developments are causing a great number of people to hear about Western Australia and are also responsible for a big influx of tourists to Western Australia. As we would all agree, the tourist business is a very good one. However, we must not forget the goodwill and publicity that is being created by our young people, be they from sporting, cultural, or other youth organisations, as they go forth to other countries of the world representing and spreading the word about Western Australia.

This is one of the best means of publicity as far as this State is concerned, and unless we allow these people every concession possible the progress they make in their particular activities will surely be curtailed and, as a result, they will be less likely to go forth into these other countries and represent Western Australia.

I believe the investments made in Western Australia are magnificent and a credit to the Western Australian Government; but I also believe that the greatest investment of all is the investment in our young people.

I realise that the Act now gives the Premier power to waive these particular charges; but, for various reasons, I do not believe the onus should be on the Premier to do this. In my opinion it should be clearly written into the Act in order that every organisation might know where it is going. I also realise that numerous other voluntary organisations are doing sterling work in our community and they are also excluded from these exemptions of which I speak. I would certainly support any move to make them eligible for exemption.

I conclude by saying that I trust all members in this House will share the concern I have expressed on behalf of the particular young people's organisations to which I have referred and that therefore the motion will be passed unanimously.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Mines).

#### BILLS (2): INTRODUCTION AND FIRST READING

1. Inspection of Machinery Act Amendment Bill.
2. Mines and Machinery Inspection Act Repeal Bill.

Bills introduced, on motions by The Hon. A. F. Griffith (Minister for Mines), and read a first time.

#### ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.41 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 1st April.

Question put and passed.

*House adjourned at 5.42 p.m.*

## Legislative Assembly

Wednesday, the 26th March, 1969

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

#### QUESTIONS (55): ON NOTICE HOUSING: HIGH-DENSITY DEVELOPMENT

##### *State Housing Commission's Plans*

1. Mr. TOMS asked the Minister for Housing:
  - (1) Has the State Housing Commission a plan to carry out high-density development in any of the existing commission's developed housing areas?