

This is necessary. I draw the Minister's attention to Section 11, and I ask him if he will have the matter clarified. The section states—

Fees shall be paid to local authorities for licences as set out in the Third Schedule to this Act:

Provided that any vehicle licence required for any vehicle belonging to the Crown or to any local authority, or belonging to any fire brigades board or used exclusively for purposes connected with protection against fire or ambulance work, or for any vehicle used solely on a farm or pastoral holding and not on any road otherwise than in passing from one portion of the farm holding to another portion thereof, such portions being separated only by a road . . . .

That could be taken as meaning a road that divides the property. It could also mean that a person having one property at one end of a district, and another at the end of a straight road leading through the district would be deemed to have a property divided by a road even though it be some miles away. So, while I interpret this provision as meaning that it is from one side of the road to the other, it could mean that the road might be six miles long; and that whilst the farmer was travelling on that road, he would constitute a danger if the vehicle was not licensed and there was no third party cover. So I ask the Minister to have a look at that provision and give us an interpretation of it. If it restricts the person to moving across the road when travelling from one section of his property to the other, my amendment will be all the more necessary

The Chief Secretary: Did you say it will be all the more necessary?

Hon. A. R. JONES: Yes. I feel I have dealt with this subject fully on a previous occasion and with the explanations I have given tonight. But I would like to remind members of the fact that while a farmer can be issued with a free licence when he applies, he must take out a third-party insurance cover, and any tractor for which he had a licence to tow any overwidth vehicles along a road would be insured against third-party risk. He would not be running any undue risks because both he and his employee and the travelling public would be protected against any accident which might occur. I would like members to bear that in mind and, while the licence fee may be nil, there would be an insurance cover because he had applied for a licence. A farmer would be foolish if he ran the risk of not licensing his tractor if he wished to move along the road for any reason.

When the Bill is passed, we should advise all local authorities of the amendments that have been made and they, in turn,

can place small slips of paper, setting out what is and is not allowed, with rate notices or any other notices that may be sent to ratepayers. Few people bother to read the Act, and it would be impossible for them to follow the amendments made from year to year or to read the regulations that are gazetted. I have spent several days going through the Act and, in addition, hundreds of regulations have been gazetted. Also, if the Minister has not already considered the point, the Act should be consolidated in the near future. I support the second reading.

On motion by Hon. C. H. Henning, debate adjourned.

*House adjourned at 10.18 p.m.*

## Legislative Assembly

Tuesday, 2nd November, 1954.

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

### QUESTIONS.

#### FREMANTLE HARBOUR.

##### *As to Depth of Berths.*

Hon. J. B. SLEEMAN asked the Minister for Works:

(1) What depths are berths at the Victoria Quay and North Wharf supposed to be?

(2) What are the actual depths at the present time of berths at Victoria Quay and North Wharf?

The MINISTER replied:

- (1) (a) Victoria Quay—33 ft. at low water.
- (b) North Wharf—33 ft. at low water.
- (c) Main channel and turning basin—36 ft. at low water.
- (2) (a) Berths A to H—30ft. to 32ft. 6ins. at low water.
- (b) Berths 1 to 9—27ft. 9in. to 33ft. 9ins. at low water.
- (c) Main channel and turning basin—36ft. at low water.

#### STATE HOUSING COMMISSION.

(a) *As to Sale of Blocks, Reserve Prices, etc.*

Hon. D. BRAND asked the Minister for Housing:

(1) Is it true that reserve prices were put on blocks of land which were obtained by the Housing Commission by resumption, purchase, or as a result of taking over for non-payment of rates, when they were being sold at an auction sale which was advertised in "The West Australian" of the 18th September, 1954?

(2) How many such blocks were passed in?

(3) How many have been sold by private negotiations?

The MINISTER replied:

(1) Yes, but it should be appreciated that the development of any area by the building of houses, construction of roads and the provision of amenities greatly increases the value of the land.

(2) Twenty-nine.

(3) Sixteen.

(b) *As to Evictees Accommodated.*

Mr. WILD asked the Minister for Housing:

In connection with people housed by the State Housing Commission, following eviction by court orders from the 28th August to 23rd October, 1954—

(1) What were their names and addresses prior to eviction;

(2) the number, sex and age of children in each family;

(3) the approximate weekly income being received by each family;

(4) the date they first applied to the State Housing Commission for a Commonwealth-State rental or war service home?

The MINISTER replied:

As stated when replying to similar questions on Tuesday the 27th July, 1954, and Wednesday the 1st September, 1954, it is felt that this information is of a personal nature so far as the individuals are concerned and should be regarded as confidential by the commission. In replying, therefore, I have omitted on the attached schedules the names of the persons concerned. The details are as follows:—

District.	Children.				Weekly Income (from application form or interview).	File No.	First date of Ap- plication.
	Sex.			Ages.			
	No.	M.	F.				
1. Subiaco .....	4	2	2	11, 14, 6, 13 years	£15 ; Chld Endowment £1 15s.	8954/48	29-11-48
2. Maylands .....	4	2	2	8, 12, 3, 11, years	£13 11s. ; Chld Endowment £1 5s.	6080/53	3-11-53
3. Victoria Park .....	3	2	1	6, 8, 14 years .....	£15 15s. 9d. ; Chld Endowment £1 5s.	5737/53	15-10-53
4. East Victoria Pk.	2	1	1	4 months, 2 years	£12 14s. .... ..	5250/53	16-9-53
5. North Fremantle	3	3	....	6½, 5 and 2½ years....	£14 .....	4664/47	4-10-47
6. Belmont.....	5	2	3	12, 7, 16, 10, 3 years	£13 7s. ; War Pension £2 7s. ; Daughter's Wages £4 5s. ; Chld Endowment £1 5s.	4379/54	26-7-54
7. Midland Junction	5	1	4	7, 15, 13, 11, 10 years	£13 10s. ; Daughter £4 12s. ; Chld Endowment £2 5s.	3196/54	1-6-54
8. Fremantle .....	3	2	1	16, 20, 9 years .....	£13 13s. 6d. ; Son 20, £12 6s. ; Son 16, £8.	3194/54	31-5-54
9. Carlisle .....	2	2	....	3, 6 years .....	Not known ; Chld Endowment 15s.	3192/52	3-6-52
10. East Perth .....	5	2	3	8, 7, 12, 10, 5 years	Basic Wage .....	2855/54	19-5-54
11. Victoria Park .....	3	3	....	19, 15, 12 years .....	£20 .....	1580/53	23-3-53
12. Leederville .....	4	1	3	18, 20, 16, 11 years	Basic Wage .....	1254/52	18-2-52
13. Inglewood .....	3	3	....	7, 5, 3 years .....	£15 .....	1079/54	24-2-54
14. Fremantle .....	2	2	....	5½, 3 years .....	£10 18s. ; Chld Endowment £1 per month.	990/52	11-2-52
15. West Perth .....	4	2	2	15, 19, 12, 17 years	£13 ; Son 20, £3 ; Son £2 10s. ; Daughter, £3 (Board)	6873/53	1-12-53
16. Safety Bay .....	5	2	3	7, 8 years, 3 months, 3, 5 years	£11 15s. (1951) ; Chld Endow- ment £1 15s. ; War Pension £1 14s. 3d.	6566/51	28-9-51
17. Shenton Park .....	2	....	2	6, 7 years .....	£12 10s. ; Wife £7 .....	6028/52	5-11-52
18. Bilton .....	2	2	....	7, 11 years .....	£930 per annum .....	4082/52	15-7-52
19. South Fremantle	3	....	3	2, 6, 8 years .....	£14 9s. 6d. ....	3875/54	2-7-54

District .	Children.				Weekly Income (from application form or interview).	File No.	First date of Ap- plication.
	Sex.			Ages.			
	No.	M.	F.				
20. East Perth ....	4	4	...	10, 12, 17, 19 years	£14 10s. ; Son 17, £4 4s. ; Child Endowment 15s.	3823/54	28-6-54
21. East Perth ....	3	1	2	2, 3 years, 6 months	£25 12s. 2d. per fortnight	3707/51	5-6-51
22. Perth ....	3	2	1	5, 8, 6 years	£15	1196/50	12-1-50
23. Fremantle ....	3	1	2	8, 16, 18 years	£9 6s. per fortnight ; £11 13s. pension per fortnight ; Daugh- ter's Board £8 per fortnight	959/54	16-2-54
24. North Fremantle	4	2	2	2, 4, 10, 11 years	£20	4051/54	8-7-54
25. Bayswater ....	5	3	2	3, 5, 15, 8, 12 years	Basic Wage plus 14s. ; £9 per month allotments	2787/52	10-5-52
26. West Perth ....	1	1	...	6 years	£3 10s. War Pension and 12s. 6d. C.W.D.	3508/54	17-6-54
27. Perth ....	4	3	1	14, 22, 24, 20 years	Son £14 ; Son £13 ; Son £2 10s. 3d. ; Daughter £9	3296/54	1-6-54
28. West Perth ....	2	1	1	2, 4 years	£16 5s. ; Child Endowment 15s.	3220/54	30-5-54
29. Victoria Park ....	3	1	2	18, 3, 13 years	£15 18s. ; War Pension £1 0s. 7d. ; Wife and Children War Pen- sion 15s. 6d. ; Son £9 5s.	2845/54	12-5-54
30. Subiaco ....	4	1	3	8, 1, 12, 14 years	£15 6s.	484/54	26-1-54
31. Victoria Park ....	2	1	1	2½, 1 year 2 months	£15 18s. ; Child Endowment £3 per fortnight	4861/53	2-9-53
32. Mount Lawley ....	2	2	...	2, 4 years	£14	3492/51	28-5-51
33. Mosman Park ....	4	3	1	17, 22, 24, 18 years	£3 10s. allowance ; £7 15s. Children	541/53	27-1-53
34. Como ....	1	...	1	1 year	£12 3s.	3223/53	13-6-53
35. Nedlands ....	4	2	2	13, 2, 14, 7 years	£14	485/54	22-1-54
36. Fremantle ....	1	...	1	10 years	Basic Wage	517/54	27-1-54
37. Palmyra ....	1	...	1	1½ years	£11 15s.	191/52	3-1-52
38. East Perth ....	3	1	2	6, 3, 9 years	£14 2s. 5d.	4888/53	7-9-53
39. Albany/Fremantle	1	1	...	5 years	Not known ; Child Endowment 5s.	3720/52	29-6-52
40. Fremantle ....	2	1	1	1 month, 2½ years	£13	2650/53	14-5-53
41. Collie ....	2	1	1	1 year, 4 years	£14 plus Commission	3313/50	15-4-50
42. South Fremantle	2	1	2	13, 16, 25 years	£30	3829/54	28-6-54
43. North Fremantle	5	5	...	8 months, 3 4, 6, 6 years	£15	3954/54	8-7-54
44. Maylands ....	2	1	1	1 year 8 months, 3½ years	£8 5s.	5193/47	10-7-47
45. West Perth ....	2	1	1	4, 10 years	£13	5395/53	1-10-53
46. Fremantle ....	1	...	1	16 years	War Pension £10 4s. ; Daughter £3 10s.	5960/51	17-6-52
47. Subiaco ....	...	...	...	...	£6 10s.	6268/48	21-7-48
48. Leederville ....	4	2	2	4½, 18, 8, 13 years	£12 8s.	8535/51	30-11-51
49. North Fremantle	3	2	1	5, 7, 2 years	£6	9582/48	9-3-48
50. South Fremantle	2	...	2	1, 12 years	£35 2s. per fortnight	2973/54	13-5-54
51. Victoria Park ....	3	2	1	18, 19, 15 years	Invalid Pension £3 10s. ; Daugh- ter £3	684/41	9-8-51
52. Fremantle ....	2	1	1	1 year 3 months, 12 years	£14 19s. 9d. ; Child Endowment	890/54	14-2-54
53. Claremont ....	1	1	...	3 years	£15	1020/54	22-2-54
54. Victoria Park ....	3	1	2	11, 14, 16 years	Pension £11 13s. per fortnight ; Endowment	1451/54	10-2-54
55. Perth ....	2	2	...	1, 3 years	£670 per annum ; Child Endow- ment 5s.	3849/52	1-7-52
56. West Perth ....	5	4	1	7, 10, 14, 17, 16 years	£12 ; Son £2 15s. ; Child En- dowment £7 per month	4033/53	23-7-53
57. Bassendean ....	2	...	2	5, 12 years	£728 per annum	712/54	4-2-54
58. Claremont ....	7	3	4	6, 8, 13, 3, 11, 14, 16 years	£26 per fortnight	3682/54	21-6-54
59. North Perth ....	6	4	2	1, 4, 11, 15, 6, 10 years	£855 per annum	3594/54	16-6-54
60. North Fremantle	6	4	2	1½, 7, 10, 11, 14, 18 years	£25	2722/54	5-5-54
61. Mount Lawley ....	3	3	...	1½, 3, 4, years	£10 5s. ; 5s. allotment	2545/51	17-4-51
62. Nedlands ....	2	1	1	...	£14 6s. 6d. ; pension £1 5s. ; wife 18s. 11d. ; £9 Child Endowment quarterly	2465/54	4-5-54
63. Palmyra ....	2	2	...	15, 16 years	Basic Wage ; Son £4 10s.	2433/53	5-5-53
64. East Perth ....	5	3	2	1, 7, 9, 4, 12 years	Basic Wage ; Child Endowment ment	1908/51	16-3-51
65. East Perth ....	3	1	2	6, 3, 9 years	£12 10s.	1642/52	11-3-52
66. West Perth ....	4	4	...	5, 10, 13, 15 years	£15 6s. 6d. ; Child Endowment	1457/54	15-3-54
67. Rivervale ....	4	1	3	14, 12, 12, 16 years	Widow's Pension £3 15s. ; Main- tenance £3 ; Daughter £5 ; Mother's pension £3	992/54	18-2-54
68. Leederville ....	3	2	1	6, 13, 16	Wages £3 ; Child Welfare £2 17s. 6d. ; Daughter £5 5s. 8d. ; Pension 12s. 6d. ; Child Endowment 15s.	3726/54	19-6-54
69. Beaconsfield ....	1	1	...	3 years	£14	6608/53	28-11-53
70. Perth ....	1	...	1	3 years	£730 5s. 4d. per annum	3130/53	8-6-53
71. West Perth ....	5	4	1	10, 15, 16, 17, 8 years	Wages £12-£13 ; Boy £6 ; Boy £4 ; Boy £3-£9	4248/54	14-7-54
72. Scarborough ....	2	2	...	2, 3 years	£13 ; Family Allowance 15s.	971/52	7-2-52
73. Cottesloe ....	1	1	...	1½ years	£14 0s. 8d.	6231/52	17-11-52
74. Bassendean ....	1	1	...	3 years	£14 9s. 6d.	3565/54	14-6-54

District.	Children.			Ages.	Weekly Income (from application form or interview).	File No.	First date of Ap- plication.
	Sex.						
	No.	M.	F.				
75. Kelmscott	3	2	1	16, 18, 10 years	£14; War Pension £2 18s. 2d.; Child Endowment 15s.; Children £6	3363/54	10-6-54
76. West Leederville	3	2	1	3, 25, 20 years	£14 10s.; Son £3; Daughter £2	5804/54	30-9-54
77. North Fremantle	1	1		21 years	£11 14s. 11d.; Son £3	4172/54	8-7-54
78. Rivervale	2	1	1	15½, 20 years	£10; Son £10; Daughter £4; Daughter £3; Child Endow- ment 15s	417/43	7-1-52
79. East Fremantle	2	1	1	20, 17½ years	£13; Son £2; Daughter £3	7392/51	29-10-51
80. West Leederville	2	2		11½, 12½ years	£3	7872/48	17-9-48
81. Malda Vale	1	1		1 year 2 months	£15 10s.	3617/54	21-6-54
82. Perth	3	2	1	5, 11, 8 years	£18	4603/54	27-7-54
83. Shenton Park	2	1	1	2, 3 months	£300 per annum	1578/53	21-3-53
84. Claremont	2	1	1	4, 6 years	£15	817/54	11-2-54
85. Mount Hawthorn	3	1	2	14½, 5, 9 years	War Pension £1 1s. 8d.; Child Endowment £5	6360/50	12-8-50
86. Wanneroo					Husband £14; Wife £10	6358/53	19-11-53
87. North Perth	2	1	1	4, 3 months	£14 10s.	3601/54	21-6-54
88. Leederville	3	2	1	1 year 5 months, 4, 3 years	£13 10s.	1052/50	26-1-50
89. Subiaco	6	2	4	10, 14, 2, 4, 8, 16 years	£13 10s.	1404/53	12-3-53
90. Inglewood	4	2	2	6, 9, 4, 7 years	£10 15s. 3d.	5318/51	9-8-51
91. Fremantle	2	1	1	13, 14 years	£13 6s.	2976/54	20-5-54
92. Bayswater	1	1		16 years	£15	4394/53	11-8-53
93. West Perth	2	1	1	1 year 10 months, 3 years	£10-£17	471/53	23-1-53
94. East Perth	4	2	2	10, 12, 13, 16 years	Wife £7 15s.; Daughter £2 15s.; Superannuation £5; Child Endowment £5	6880/51	10-10-51
95. Mt. Lawley	3	1	2	13, 7, 10 years	£10 3s.; Child Endowment	8791/50	16-11-50
96. West Perth	2		2	15, 11 years	£15	2374/54	29-4-54
97. North Perth	1		1	1 year	£13 6s.	3198/52	3-6-52
98. East Perth	1	1		18 years	£2 10s.	3149/54	31-5-54
99. East Perth	1	1		18 years	£2 10s.	3149/54	31-5-54
100. Mount Lawley	1	1		14 years	£2 15s.	2908/54	15-5-54
101. Perth	2	1	1	17, 9 years	£13	4826/54	16-8-54
102. Cottesloe	1		1	14 years	£16	4511/54	29-6-54
103. Cottesloe	1	1		29 years	Basic Wage; Son £4 17s 6d (Invalid Pension)	3825/54	2-7-54
104. Cottesloe	1		1	13 years	£1 2s. 11d. plus £409 per annum	8646/49	19-10-49
105. Hilton Park	1		1	2 years	Basic Wage plus 10s.	1027/53	19-2-53
106. Midland Junction	1		1	2½ years	£15	3051/54	25-5-54
107. Victoria Park	2	1	1	4, 7 years	£12 4s.	3252/54	30-5-54
108. West Perth	1			?	£16	4336/54	21-7-54
109. Leederville	3	3		12 months, 4, 6 years	Basic Wage plus £1 7s.; Child Endowment £5	5054/51	7-8-51
110. Bassendean	2	2		2½, 1½ years	£13 10s.; Child Endowment 15s.	5272/53	24-9-53
111. Mount Hawthorn	5	2	3	12, 10, 16, 8, 5 years	£14	7458/48	3-8-48
112. Fremantle	4	2	2	15, 11, 9, 3 years	£15 10s.	3257/50	16-4-50
113. Leederville	2	1	1	22, 17 years	£15	9886/49	12-12-49
114. North Perth	1		1	20 years	£10	4402/54	22-7-54
115. Gosnells	3	3		15, 8 years, 4 months	£14	5998/50	28-7-50
116. Victoria Park	3	1	2	18, 21, 6 years	£15	1571/54	19-3-54
117. Rivervale	1		1	2 years	£300 per annum	2454/52	24-4-52
118. Lesmurdie	2		2	17, 12 years	£11 9s. 6d.	6698/48	16-9-48

(c) As to October Evictions, Perth and Fremantle.

Mr. WILD asked the Minister for Housing:

What was the number of evictions ordered by the courts at Fremantle and Perth during each of the weeks since the 25th September, 1954?

The MINISTER replied:

Week ending	Perth	Fremantle
2/10/54	8	4
9/10/54	8	No court
16/10/54	9	No court
23/10/54	8	5
30/10/54	6	No court

In addition, five orders were made at the Midland Junction court on the 26th October, 1954.

(d) As to Details of Maniana Project.

Mr WILD asked the Minister for Housing:

(1) How many houses are to be built at Maniana under the Commonwealth-State housing agreement?

(2) Who was the successful tenderer and what is the total amount of the contract?

(3) What is the contract price for each type of individual unit to be built in this project?

(4) What is the cost of the land to be added to the contract price referred to in No. (3)?

(5) Does the contract price referred to in No. (3) include the cost of the fence?

(6) Will people owning adjoining blocks to houses being erected and fenced at Maniana have to pay any portion of the cost of erecting the dividing fence?

The MINISTER replied:

(1) One hundred and fifty-nine.

(2) This question was answered on the 21st September, 1954.

(3) A contract was let for the project as a whole and no tenders were invited for single units.

(4) Final costs will not be available until the area has been fully developed.

(5) Yes.

(6) Adjoining owners are liable to meet the normal requirements of the law with regard to dividing fences.

### EDUCATION.

#### *As to John Curtin High School.*

Hon. A. F. WATTS asked the Minister for Education:

(1) What is the estimated total cost of completion of the new John Curtin high school?

(2) How much of such cost will be attributable to the proposed open air theatre?

(3) How many pupils is the school expected to accommodate?

(4) In what period is it expected the school will be completed.

The MINISTER replied:

(1) £430,000.

(2) £3,500. The building has been so designed that a large quadrangle enclosed on four sides by the wings of the school is provided. All that is necessary to provide the open air theatre is a stage and extra lighting.

(3) 1,500.

(4) Under normal conditions, three years; but this is dependent on the availability of loan funds and supplies of labour and materials.

### POLICE STATIONS.

#### *As to Provision at Scarborough and Wembley.*

Mr. NIMMO (without notice) asked the Minister for Police:

Has the Minister obtained any further information in regard to the police stations at Scarborough and Wembley?

The MINISTER replied:

When replying to this matter last week, I stated that the provision of finance was being considered by the Treasurer. Since then, I have received information from that source to the effect that money will be provided for this purpose and the two

police stations and quarters referred to will be commenced in the current financial year.

### SUBIACO FLATS.

#### *As to Tabling File.*

Mr. WILD (without notice) asked the Minister for Housing:

In view of the Commonwealth Government's agreement to the Subiaco flats project, and the cessation of any legal proceedings against the Commonwealth by the State Government, as reported in the Press, will the Minister now lay on the Table of the House the file dealing with the Subiaco flats.

The MINISTER replied:

Yes.

### BILL—LOAN, £14,808,000.

Read a third time and transmitted to the Council.

### ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

1, Local Courts Act Amendment.

2, Factories and Shops Act Amendment.

### BILL—FORESTS ACT AMENDMENT

#### *Message.*

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

#### *Second Reading.*

THE MINISTER FOR FORESTS (Hon. H. E. Graham—East Perth) [4.42] in moving the second reading said: This Bill seeks to make a number of amendments to the Act, but I do not consider that there is anything revolutionary in any of them. Rather is it an endeavour to tidy up the Act and bring the statutory requirements more into conformity with the procedure that has been found necessary with the passage of years, and in some respects to avoid the necessity of having to adopt what might be termed subterfuges in order to conform to the Act as it stands. To a very great extent, this is a Committee Bill. There are some 12 amendments which, by and large, are not related to each other.

The first amendment proposes to bring "seeds" within the definition of forest produce. At present, there are many items of forest produce, such as flowers, roots, bark, gum and sap, etc. Seeds, of course, constitute an important element in respect of which some business is being done by the department, and no doubt as time passes there will be more of it.

The second amendment seeks to delete a section of the Act that was inserted when the legislation was originally passed—a provision which gave authority to extend timber concessions and leases where operations had been interrupted during the 1914-18 war. All of the steps have long since been taken and the section is now dead and redundant.

The Act provides that no person may be appointed to an office in the professional division of the department unless he possesses a degree or diploma of a forest school recognised by the Governor. It is strange that there is not a similar provision relating to the position of Conservator of Forests. I think it will be generally agreed that forestry is a profession involving a whole lot of technical matters, and it is only logical that a person who has been schooled and trained and who has gained experience in theoretical as well as practical forestry work should be a person who more or less is automatically qualified to hold the senior position in the department.

Apropos of this, the Royal Commissioner, who inquired into forestry and timber matters in 1951, Mr. G. J. Rodger, stated, amongst other things—

I would point out that every forestry service in Australia is administered by technically qualified foresters. An administrator in charge of a purely technical service has too often proved to be a person with a particular flair for political considerations and that in all other directions he has to rely entirely upon the advice of his technical staff.

Since we have had a Forests Department standing independently in this State, a qualified forester has always filled the position of conservator, and I do not know that any Government would seriously consider appointing to the position a person who was not qualified in forestry matters. However, as I have stated, this is an attempt to put the Act into better working order, and it was felt to be appropriate to have a provision of this sort in the Act. That, indeed, is the logical course to follow.

The fourth amendment proposed in the Bill is to empower the conservator to acquire, hold and dispose of property, and to confirm action which has already been taken along those lines. Over very many years, freehold titles have been issued in the name of the Conservator of Forests, but the Crown Law Department has advised that there is no statutory authority for this. Those who know anything about the activities of the department realise that there are divisional headquarters in various townships. In the metropolitan area, at South Perth, there is an area of land held by the department on which are certain buildings and facilities to enable the department to fulfil its functions.

There are instances, too, as is well known, where the department purchases from or exchanges land with settlers who are only too anxious to make an exchange. They may be anxious to get rid of some heavily-timbered country to the department, and receive in return some land which is perhaps not so steep and hilly and which is lower-lying and accordingly more suitable for agricultural purposes. It is definitely not intended that there should be any departures from what has transpired in the past. Apart from several centres in the lower forest region of the State, it is not likely that the department, for its own purposes, would require any areas of land upon which to establish headquarters and office and living accommodation for certain of its own workers.

Perhaps in years to come, as our forestry work becomes more intensive, there may be—no doubt there will be—a necessity to open depots or regional or district offices in more places than is required at present. Things of that nature will be done in the future as they have in the past and this provision seeks merely to establish lawfully something that has been the practice for very many years.

The next amendment contained in the Bill has to do with permits. The Act now states that the term of a permit shall not exceed ten years but that it may be renewed. The practice of the Forests Department is now, and has been for as long as I can remember—it is 21 years since I first went to work there—for permits to be of one year's duration and for them to be extended year by year during the lifetime of the timber on the area suitable, from the department's point of view, for sawmilling, or the gathering of produce which might happen to be the subject of the permit.

The Act does not at present state who shall renew the permit or under what terms and conditions it shall be renewed. As a matter of fact, the Act is most inexplicit where this provision is concerned. The lifetime of a permit may be 20 years, 30 years or more, as distinct from its annual renewals. It is to be hoped that permits will be more or less permanent in the future and that through a policy of tree-marking it will be possible, by the time the sawmilling company has cut over the permit area, for it to return and cut over it once again.

Whether such action would be possible from a practical point of view, to a stage where it would involve cutting over the area three, four or five times, we do not know. Whether it is possible to give the mill a permanent life in that way is doubtful and difficult to speculate upon, because official experience in relation to our principal timbers in the South-West is of such short duration. In any event, during the period of life of the timber growing on the permit area, it will be understood that,

because of the time involved, there could be many and drastic changes in the circumstances affecting the permit.

For instance, we might pass through a period of inflation, or a period of deflation. Monetary values today might be—in fact they are—totally different from what they were 10 to 20 years ago, and so in that way all sorts of anomalies are created, as members will readily appreciate. What was a sufficient royalty in 1930 might today be only a fraction of what the figure should be and so a new permit area, adjoining one granted 20 years ago, might pay a royalty five times as great as that paid by its neighbour.

It is the purpose of the Forests Department to endeavour to keep a fair and reasonable relationship between all the royalties paid, taking into account a great number of considerations which, however, are disturbed from time to time for the reasons I have already given, in addition to which it must not be forgotten that an adjustment, either upwards or downwards, in rail freights can have the effect of causing some further dislocations. On three occasions in recent years, when rail freights have been increased, that has amounted virtually to a bonus to the sawmills operating within a reasonable distance of the metropolitan area—those that use road transport entirely or use the railway to only a limited extent either as regards the volume of their freight or because of the comparatively short distance over which the timber has to be hauled by rail.

The availability of timber, the value of timber products and the demand for them at any time can influence greatly the royalty rate at a given moment, and in so doing can have all sorts of repercussions on the royalties of permits issued perhaps many years before. I realise that for a number of years there has been a process of negotiation between the Conservator of Forests and the principals of the sawmilling companies, in the course of which certain arrangements have been entered into and modifications made to the ruling royalty rates as they affect particular sawmilling permits.

However, that is a hit or miss type of procedure because, if a sawmiller decided to resist any upward adjustment, while another was more amenable to reason because of the changed circumstances, it is easily seen that one mill might be put at a disadvantage as compared with the other. There are also other factors to be considered, apart from royalties, owing to changing circumstances. Perhaps it might be the second or third time that the area is being cut over and it might be necessary from the department's point of view—which is the State's point of view—to reduce the permissible intake of the mill concerned so as to give it permanence, rather than allow it to go full speed ahead and have to close after a short period of years.

The intention is that the Conservator of Forests shall have the right to make adjustments in respect of the terms and conditions applying to any sawmilling permit. Looking at the matter superficially, that might appear to be unfair because it could perhaps be said that, without reason or argument, the conservator, when once he had a sawmill established, could play ducks and drakes with it and impose all sorts of hard conditions and increase the royalties, with the effect of driving the mill concerned out of business; but I would draw attention to what I said earlier, namely, that the sawmilling permits are issued for a period of 12 months only. If we like to go to extremes we can conjure up in our minds a situation wherein the Conservator of Forests, through pig-headedness or for any reason or lack of reason, might refuse to renew a permit at the end of the 12 months.

Yet there is a spirit of goodwill, co-operation and understanding between the Forests Department and the sawmillers to the extent that there is no real or genuine fear by the sawmillers that such will ever occur. The Conservator of Forests feels, however, that in certain cases there are such outstanding anomalies and such necessity for a review, that, if there is not something like this inserted in the Act, it could become necessary—and I am not saying this by way of threat—for the Conservator of Forests to refuse to renew a permit and to make it available again under entirely new conditions; by calling tenders for the area; by submitting it for sale by way of auction—subject to a royalty and to the conditions that he considers necessary—in order that the forest might be properly tackled and to give some reasonable life to a particular sawmill.

So I repeat that, if one cares to exaggerate what it might be possible for the Conservator of Forests to do under this proposed amendment, it could also be done under the provisions of the existing Act. However, the very spirit of the Forests Act, the department and those with whom it deals, is against such extreme action being taken. It is only natural that, with the best intentions in the world, the Conservator of Forests could do something that aggravated the sawmillers or something that they considered unjust, but they would have access to the Minister, as is the case in many other States. The Minister, on hearing their representations, could make a decision on his own initiative or perhaps refer the question to some independent body.

With respect to the matter regarding which the sawmillers might feel aggrieved, the Royal Commissioner suggested that there were certain difficulties in the way of setting out in an Act any statutory body which could hear appeals from the

decision of the Conservator of Forests. Accordingly, he did not suggest that there should be any such requirement provided in the Forests Act. However, I am certain that, if any Minister, after hearing the representations of the sawmillers and the viewpoint submitted by the Forests Department, were unable to satisfy himself beyond any reasonable doubt, he would take steps to appoint an outside party or parties to gather independent information for him. I am informed that in New South Wales the sawmillers have the right of appeal to the Minister and so far as I am concerned—and I dare say the same would apply to any other Minister for Forests—my office door is always open to representatives of the sawmilling concerns. In New South Wales the Minister, when he considers it necessary, appoints a tribunal which can investigate the matter in an impartial fashion.

There is another minor amendment in the Bill. When the Act was passed in 1918, it allowed the Conservator of Forests to issue permits without the necessity for auctions or the calling for tenders when the aggregate royalty did not exceed £10 in value. Of course, at that time £10 had a totally different value from the same sum today, and the proposal now is to increase the figure for royalty payments to £50. It will be perfectly obvious that this will apply to sawmilling activities and other small activities which are not necessarily connected with sawmilling.

The usual form of disposing of areas for sawmilling and other purposes is by permit which is issued after the area has been sold by auction or alternatively by the acceptance of a tender. However, there is a section of the Act which allows areas to be made available by way of licence. This section has been used very rarely in Western Australia, although I am informed that a similar section is used considerably in some of the other States. The section provides that licences may be used for the removal of timber from a forest area in common with other licensees.

It could so happen that there is only room for one licensee or that perhaps only one is affected. It could apply to anything at all, to the removal of timber or some other produce which I mentioned in my opening remarks. In order that there shall be no ambiguity in the matter, it is proposed to add the words "if any." The section would then read, "A licence may be issued in common with other licensees, if any." I do not know that the amendment is very drastic.

There is another section in the Act which says that licences may be issued subject to the payment of prescribed fees or royalties. That means that a whole series of royalty rates has to be resolved and determined by the Conservator of

Forests, which are then laid upon the Table of the House by way of regulation. I have been told that there are many hundreds of types of forest licences which could be issued, and many variations of them. In other words, it is not as simple as it looks to determine a fee or royalty for a particular form of forest produce and regard that as being the end of the problem.

A whole host of circumstances enter into it. There could be the question of quality; accessibility; demand; the ruling market price and so on. As it is at present, the section is so cumbersome as to be generally unworkable and for that reason the Forests Department, apart from the cases where it is unavoidable, has been reluctant to use it. There is no requirement in the New South Wales Act for the fees or royalties to be laid down by regulation. That State leaves it to the Forests Department to determine the figure, with one exception, namely, the regulation lays down the minimum fees that can be charged. If there is no objection to leaving it open, as I am suggesting in this amendment, the feeling might be in the opposite direction; that is, perhaps there should be a ceiling limit beyond which royalties should not go, rather than follow exactly the procedure adopted in New South Wales.

However, I submit, in all seriousness, that Parliament is hardly the body to set the royalty or other fees to be charged for gum, bark, timber or seeds, but it is a task and responsibility that should be reposed in those who know and whose business it is; in other words, the Conservator of Forests and his technical and professional advisers. There is a requirement in the present Act that all the revenue received by the Forests Department should be paid into the Treasury and that three-fifths of the net revenue received shall be paid by the department into a special reforestation fund.

Experience has shown that this amount is insufficient for the requirements of the Forests Department and that supplementary financial assistance is necessary and, indeed, has been made available to the department by successive Governments. In order to give the Forests Department a little more security, it is proposed that instead of three-fifths of the net revenue being placed in the special reforestation fund, nine-tenths should be set aside. This will, of course, have no effect upon the State's finances, but it will give the Forests Department a feeling of security and a little thought will indicate immediately that a department such as that cannot proceed in fits and starts, because the growing of timber over a great number of years is a continuous process.

The steps taken in respect of fire fighting, installation of further fire lines, establishing forest settlement, generally



opening up the country, carrying out controlled burning and all the other associated operations, must be continued year after year. It would be absolutely fatal for there to be a sudden cessation or a great reduction in the volume of work that the department is able to undertake along those lines because its funds are limited. For that reason I do not anticipate that there will be any objection to the amendment, particularly when I point out that in Victoria, Tasmania, Queensland and New South Wales, all the revenue that their departments receive goes back to each department for further forestry work.

There is another small amendment. Under the Act at present the payments to be made to the Treasury Department, include all royalties, fees, proceeds of sale of forest produce, rents and so on. When that was inserted in the Act, it obviously meant the rents received from grazing leases over forest country. But today, because of the more intensive application of forestry work, the Forests Department has erected many houses—I should say several hundreds of them—for its employees.

The Auditor General has queried the point as to whether these house rents should not be paid into the Treasury, and then, of course—as the Act states at the present moment—only three-fifths of the amount returned to the Forests Department. The rentals charged are only nominal, and are for the purpose of maintenance and ultimate replacement of those premises, and therefore are not revenue in the strict sense of the word. Accordingly it is proposed to amend the Act, whereby all the revenue shall be paid into Treasury, including rents, but excluding rentals from houses.

A further provision is to increase the penalties for the commission of forest offences. These penalties were laid down 36 years ago and, of course, are hopelessly inadequate at the present moment, particularly as the Act sets out that for the commission of a first offence the fine shall not exceed one-twentieth of the amount of penalty that is set out in the Act. Where the maximum fine is £50 then, of course, £2 10s. is nothing like a deterrent; and some of the offences against the Forests Act could have serious consequences.

In addition to which, if there are dishonest men operating in the forest country it is very difficult to detect them because of the magnitude of the forest area, and the impossibility of forest officers being able to be constantly on the job. Accordingly, when one such person is apprehended it is felt there should be some reasonable penalty attaching to the commission of offences under the Act.

I hasten to assure members that there is not in my mind any thought, or suggestion, that it is the practice of sawmillers to engage in such dishonesty. As

indicated earlier there is, in my view, a very high standard of ethics and understanding between the respective parties; but there have been cases—and I am referring to the small sawmillers—where certain individuals have endeavoured to take advantage of the Act when no forest officer has been about. The provision now is merely to double the amount of the fine as against the amount laid down in the year 1918. So far as any terms of imprisonment are concerned they are to be left as they were inserted originally in the Act.

The final amendment is a machinery or a domestic one. The procedure for the making of regulations is set down in the Forests Act, but, as members are probably aware, there is a procedure established in the Interpretation Act under which regulations are made in respect of many statutes, and there is some conflict between that statute and the Forests Act. Accordingly it is sought to delete this section so that any regulations made under the Forests Act will be made in exactly the same manner as is the case with all other Acts.

Those are the 12 amendments. I repeat there are, in my view, no drastic alterations sought. No attempt is being made to establish the administration of the Forests Department on a basis different from that under which that department has been operating since its inception. These amendments are being sought in the light of experience, and what officers of the Forests Department feel is necessary in order to facilitate the work of the department itself, and in its negotiations with sawmillers, and others who are drawing varied produce from the forests of the State. I move—

That the Bill be now read a second time.

On motion by Mr. Wild, debate adjourned.

## **BILL—VERMIN ACT AMENDMENT.**

### *Second Reading.*

**THE MINISTER FOR AGRICULTURE** (Hon. E. K. Hoar—Warren) [5.23] in moving the second reading said: Members will see that there are a number of small amendments in this Bill, some of which should have been attended to last year when we were amending the principal Act. There are also a number—though not many—amendments which are minor in character that have been suggested by the Crown Law Department in order to tidy up the Act as it now is. Apart from that, the Bill is not a very contentious one as we know the word.

Members will recall that last year, under the original Act pastoral holdings were rated on an acreage basis, and it was decided in the Bill introduced on that occasion, to make an alteration to

that basis and to place it on the unimproved capital value. Parliament agreed to that, but it has since been found that there are a number of places in the Act that need tidying up to the extent that we must take out from the Act all references to "area," because of the new system of rating now in vogue. That is one of the minor amendments sought to the Vermin Act. Accordingly wherever there is reference to the word "area," so far as pastoral holdings are concerned in the legislation, that will be struck out for the purpose of including the new method of rating.

As a result of the amendments last year which changed the basis on which pastoral holdings are rated, the Taxation Department has been inundated with requests from road districts to supply to the boards concerned the unimproved capital value of these pastoral holdings. This is, of course, quite beyond the department's capacity in a short space of time. In fact, it would take years to do the work required by the Act as it now stands. Accordingly, the new system is suggested, and it is one which I think will prove advantageous. It will certainly prove advantageous to the road districts inasmuch as they will, within a short space of time, be able to get the required information.

The altered method of arriving at the unimproved capital value of pastoral leases now proposed—and I hope it will be accepted by Parliament—is on the basis of a sum of money equal to 20 times the annual rent. There is nothing unusual or new about that, because it is the present-day, recognised method of assessing the unimproved capital value of pastoral leases in relation to the Road Districts Act. In that respect it is only a matter of bringing the Vermin Act into line with the Road Districts Act, so it will not only enable the districts concerned to get this information much more promptly, but it will facilitate all their future work inasmuch as this new system of rating for pastoral leases, and the new system of valuations on that basis, will be in accord with what they themselves are doing with respect to their district ratings. It will also facilitate their work a great deal.

There are other leases, such as forestry leases, licences and various concessions in connection with land which are rateable, but there does not appear to be any clear way in the Act of working out the required valuations. This problem has been overcome by the suggestion contained in the Bill of specifying the valuation to be on the basis of 5s. for every acre of land. It is in reference only to these specific leases and in order to make the Vermin Act uniform with the Road Districts Act that this sum has been adopted. Again I say

it is a fair way of rating, and it will assist the road districts concerned in the administration of their own particular Act.

The parent Act provides that a vermin board may specify in the "Government Gazette" a date, or dates, on or before which the owner, or occupier, shall commence the work of suppressing or destroying vermin—in other words, a planned vermin drive—and the period, or periods, during which this work shall be carried out. This notice must also be published in a newspaper not less than one month prior to the specified date.

In the Bill introduced last year Parliament amended the Act to provide that for any offences under this section the maximum penalty should be £50 and the minimum £5 for a first offence, for non-compliance with this particular notice. It was in order to cover the position for any subsequent offence that the maximum remained unchanged at £50, but the minimum was increased by Parliament to £10. Where the offence is a continuing one provision is also made for a fine of £1 per day, which was intended to apply after both the first or second offence. The Crown Law Department has come into the picture in this regard and has drawn the attention of the Department of Agriculture to this continuing penalty. The Crown Law Department contends that if the drive period is specified in the notice to which I have referred, no offence can legally continue after the final date given. The offence is then considered to be complete, and ceases; and at no time in the future does it continue.

I think members will agree that was not the intention Parliament had in mind regarding the continuing offence which was inserted in the Act last year; and I am quite sure they will agree that a person who does not comply with the notice that is published in the "Government Gazette" does, in fact, commit an offence, and continues to do so not only throughout the specified period of the particular vermin drive, but until he commences to comply with the notice. The amendments in the Bill will make that particular section sufficiently elastic to permit of the application of a continuing penalty until the owner or occupier has carried out the work referred to.

As the Act stands, there is another amendment which, from the point of view of the Crown Law Department, appears to be very important. It is a question of punctuation. Through a semi-colon having been inserted in place of a comma, the whole sense of a subsection has been altered, and an amendment is certainly necessary in order to give effect to the intention of Parliament. As the Act stands, it is considered that a continuing offence would apply only after a second offence had been committed and would not apply after a first offence. The original intention was that a continuing offence

would apply in the case of a first and second offence. That, however, is not the position at present, owing to an error in punctuation. The Bill makes the necessary correction.

The continuing penalty was originally intended to be at the irreducible rate of £1. The Agriculture Protection Board and those associated with the preparation of last year's Bill all feel that not less and not more than £1 should be charged per day for a continuing offence. In order to conform with what the Crown Law Department considered was necessary, the draftsman made provision in the Bill for a minimum amount of £1 per day, and a maximum amount of £2 per day. I have given the matter a good deal of thought, and I think it would be a mistake to allow that position to obtain, because the degree of an offence does not differ as between different people. Whether the necessary work of vermin destruction is undertaken or not, the offence is the same, and the penalty should be the same. But under the suggestion that has been made, one road board could charge a maximum of £2 per day, and another could charge only £1. So, at the Committee stage, I propose to move an amendment that will give effect to the original intention for provision to be made for a continuing offence carrying a penalty of £1 per day.

There are a great number of exemptions set out in detail in the Land and Income Tax Assessment Act, 1907-1948. In this instance, as with quite a number of Acts of Parliament with which local authorities have to deal, the work of such authorities is hampered because reference has to be made to many different statutes. This is one instance in which it is intended, if possible, to bring all of the exemptions into one Act—namely, the Vermin Act—so that local authorities, who have to undertake the necessary work and make provision for exemptions, will not have to look up several different Acts to ascertain which are referred to. They will find all of them in the Vermin Act, if this Bill is approved.

Members will find a number of minor amendments in the Bill, some of them having to do with the spelling of words. An amendment was moved last year to provide for the consolidation of the measure, and it may seem strange to members that a number of minor amendments such as spelling errors, and so on, have to be made. There is nothing very much in the Bill, which really provides for a tidying-up process. I hope it will receive the approval of the House. I move—

That the Bill be now read a second time.

On motion by Mr. Perkins, debate adjourned.

## BILL—MARRIED WOMEN'S PROTECTION ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the 28th October.

**HON. A. V. R. ABBOTT** (Mt. Lawley) [5.36]: The object of the Bill was fully explained by the Premier, and I think it is one that merits the support of all parties. As the Premier stated, the aim is to give a court of summary jurisdiction power to grant access to a husband when an order is made against him in the Married Women's Protection Court for separation from his wife.

There is one point of which the Premier might take notice. There is power to vary an order for access from time to time; but apparently there is no power to vary an order which has been varied once because a married woman has not carried into effect the terms of the order. I am not being dogmatic about this, but I think it might be argued that once an order had been varied against a married woman, it was defunct. I propose, when the Bill is at the Committee stage, to move a small amendment that would make the position reasonably clear. It is quite possible that the Crown Law authorities feel the amendment is not necessary. If that is so, I shall have no further interest in it. I think the Bill is a good one and propose to support it.

Question put and passed.

Bill read a second time.

### *In Committee.*

Mr. J. Hegney in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 5A added:

**Hon. A. V. R. ABBOTT:** I am in some doubt as to the position under Subsection (4) of proposed new Section 5A. If an order has been varied, can it again be varied? Judging from Subsection (2), it would seem that the draftsman felt that the power to vary on more than one occasion was necessary; and I think it might be wise in this instance. I propose to move to strike out in line 30, page 2, the word "the", with a view to the words "from time to time an" being inserted in lieu. Then I think it would be clear that the court could vary the order at its discretion from time to time. Before I move the amendment, I would like the Premier to comment on the matter.

The **PREMIER:** I am not sure about the use of the word "an" as against the use of the word "the". As the Bill is drafted in that part of the clause, the word "the" is used.

**Hon. A. V. R. Abbott:** I thought the word "the" referred to the first order.

The PREMIER: I think it would refer to the order current at the time.

Hon. A. V. R. Abbott: It might, too.

The PREMIER: In the circumstances, I think it would not be wise to do anything to the Bill that would take away the relationship of this part of it to the current order.

Hon. A. V. R. Abbott: Would the Premier like to have the Bill passed and then have adjustments made in another place if necessary?

The PREMIER: I would have no objection to that course being followed. I will arrange for the Minister for Justice to inquire from the officer of the Crown Law Department who drafted the Bill, whether some alteration along the lines suggested by the hon. member would be advisable.

Hon. A. V. R. Abbott: In those circumstances, I do not propose to move my amendment.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

## **BILL—LOCAL GOVERNMENT.**

### *Second Reading.*

Debate resumed from the 27th October.

MR. OLDFIELD (Maylands) [5.45]: In rising to support the second reading of the Bill, I do so with a not inconsiderable amount of knowledge of local government affairs because, for the past six years, it has been my privilege to serve as a member of a local governing body. I feel that the introduction of this measure is long overdue, as the Act definitely needs bringing up to date. That view is shared by the vast majority of members of local governing bodies throughout the State. What has surprised me during this debate has been the apparent reluctance of Government supporters to speak.

Mr. Lapham: Do not worry about it; we will be there.

Mr. OLDFIELD: Up to date, there has been reticence on the part of the back benchers on the Government side to rise and to speak to the Bill. Why that should be so, I do not know. I feel they should make some contribution to the debate because, after all, the Bill is of vital importance to the community; it deals with local government, which is one of the most important matters that affect the community in general. I trust that during the Committee stage the Minister will be prepared to accept some amendments. When we have regard to the Bill, which contains 681 clauses, we must realise that there will be difficulty in arriving at agreement of opinion in an Assembly of 50 members.

Mr. Hutchinson: Surely the Minister will be reasonable!

Mr. OLDFIELD: It is only natural that, with a Bill of 681 clauses, some amendments are not only desirable but necessary. Again, we must readily appreciate the difficulty that the Minister must have been faced with in regard to the drafting of each and every clause. We know that opposition to some clauses will come from certain authorities in particular localities, because it is obvious that what will suit metropolitan authorities may be contrary to the well-being of country authorities; and, conversely, what will suit the country may not suit metropolitan authorities. The most contentious clauses are those dealing with eligibility for registration as an elector, and those dealing with the election of a president, and one or two others.

To deal with the two I have mentioned, the former, as it appears in the Bill, is contrary to all accepted principles of local government. For many years, local government members and people who are concerned with local government affairs have accepted the principle that only those who have a stake in the district should be permitted to cast a vote for the election of their local authority representatives. In other words, only those who are actual ratepayers are permitted to vote because they are the ones who are responsible for providing the finance necessary to run the local authority, for providing the finance to carry out the general works in the area and to meet the repayment of loans that are raised for the purpose of developing the district.

I might add here that I have yet to know of any local government member or any person concerned with local government affairs who subscribes to the view that adult franchise should operate under a method such as this. The consensus of opinion of many people I have spoken to, regardless of their political opinions, is that it should not. Despite their political colour, they all feel that the franchise should be confined to ratepayers. When I was first elected to a local governing body, I felt that possibly adult franchise should apply to local government elections, but at this stage I am ready to admit that that opinion was erroneous; it was based on inexperience of local government matters.

During the past six years, I have gained sufficient knowledge to realise how undesirable a state of affairs such as that could be. At various times when this matter was mentioned at discussions away from the board table, and I offered my opinion—especially in my embryo years as a board member—I was quickly put to rights as to the position that could arise. I was told, how, if the state of affairs that I desired, did come into being, the district could rapidly find itself in no end of trouble. If complete adult franchise is written into the local government Act, we could reach

the position where a local authority could be comprised entirely of members who were not ratepayers. They would not need to be occupiers, or sole occupiers, of premises such as is necessary for the local government franchise today; they would need only to be resident in a boarding-house or a hotel.

In certain country areas—I would not say this would happen to a metropolitan authority—the greater proportion of the population of the district is concentrated in the town and the remainder of the population is widely and sparsely scattered and, if the non-ratepayers outnumbered the ratepayers, then the local authority could consist of non-ratepayers elected by a group of people who supported each other. We can readily appreciate what the position would be if we had a local authority the members of which were not ratepayers; that is, members who were not personally responsible for the repayment of any loan that was raised, or for the payment of normal rates. They would be playing with someone else's money—money which they had not directly subscribed, although they might have indirectly subscribed to it in some small way by paying their board at a boarding-house or their tariff at a hotel.

It may be argued that in such a manner they would subscribe in a small way to the finances of the district; and also that they would contribute to the finances by making purchases at the local grocer's shop and the local cool drink shop, or by attending the theatre, because a proportion of the money they so paid would eventually find its way into the coffers of the local authority. But they would not be concerned directly with the payment of rates or the repayment of loans. At least some, if not all, members of this Chamber have received from every local authority in the State an objection to this provision being written into the law.

I put it to the Minister in charge of the Bill that if a provision such as this is going to be opposed by every local authority in the State, it cannot be regarded as altogether desirable for the well-being of our local governing bodies. It may be argued—I do not know of any board where this has happened—that when some boards were deciding what their policy would be in regard to the Bill, and this clause in particular, there were some supporters of the provision. But I remind the House that those boards operate under the same democratic principle which is accepted in this Chamber, namely, rule by the majority; and it is obvious that a majority of the people interested in local government throughout Western Australia have raised objections to this clause.

Further, there have been letters from the Farmers' Union, the Local Government Association and various other organisations that are interested in the measure. I

do not know what most local authorities have done about the Bill, but I do know that the two local authorities in my district—the Perth Road Board and the Bayswater Road Board, of which I am a member—did form sub-committees which took various parts of the Bill and studied them at length and reported back at a subsequent date. The contentious clauses were placed before the boards and fully discussed. The conclusion of these people, who are interested and experienced in local government matters, is that complete adult franchise is undesirable. I feel that some consideration should be given by this Chamber to that decision.

The provision relating to the election of president of a council is a rather contentious one, even between local authorities themselves. In the main, local authorities now operating under the Road Districts Act are desirous of retaining their present system of electing a chairman from among their own number—that is, from one of the elected members of the board. On the other hand, municipalities, as they exist today, are in favour of retaining their present system of electing a mayor by popular vote throughout the district. I think there is a lot of merit in both arguments.

Under the present system municipalities have no scattered population and, generally speaking, the election, by popular vote, of a person as mayor, is a true reflection of the people's desires. But the position is different with many road boards that now operate under the Road Districts Act. Some of them, particularly those in the country districts, have large scattered areas, and the same applies to many metropolitan road boards. I refer particularly to the Bayswater Road Board, as it existed a few years ago, and to the Swan Road Board, as it exists today. Some four or five years ago the Melville Road Board would have been in the same position and many of the wards of those districts were undeveloped.

In the Bayswater road district the central ward was undeveloped, so far as dwelling-houses were concerned, and at present the west ward is rapidly becoming developed. But in many country districts which have a town ward, and the bulk of the ratepayers for the road board live in that ward with only a few ratepayers residing in the wards in the rural parts of the district, it would be an unsatisfactory idea to elect a president under the new system. If such were adopted and the president were elected on an overall vote throughout the district, the candidate from the ward which carried the preponderance of votes would automatically be elected as president.

For the sake of argument, let us assume that in a certain local authority each ward returns three members; although, in actual practice, some wards return only two members and some only one. Under

the present provisions of the Road Districts Act, if one ward has 2,000 electors and other wards have only 200 or maybe 300 or 400, it matters little. But if this Bill is passed, and the provision relating to the election of a president is agreed to, the candidate from the ward which has 2,000 or 3,000 electors will naturally be returned as president. But if the present provision in the Road Districts Act is adopted, at the first meeting of the board after the annual elections, representatives can elect their own president from among their own number. No ward could outvote any other ward because each would have only three members, irrespective of the number of ratepayers in each ward. That, in the circumstances, is the fairest and most equitable way of electing a president and the person selected would undoubtedly be the most suitable type.

When we reach the Committee stage I hope that the Government will see fit to have the provision suitably amended to allow local authorities to adopt whichever system suits them better. Then, if a municipality desires that the president be elected by popular vote throughout the district, it can make application to the department and the Minister can allow it to adopt the system at present being used under the Municipal Corporations Act. On the other hand, if a road board wishes to adopt the present system in the Road Districts Act, it can approach the department and the Minister on the same grounds.

As I stated earlier, this Bill is not one for long debate at the second reading stage. A good deal of hard work and careful consideration will have to be given to it in Committee and there are certain provisions which will require a good deal of thought. At this stage I shall not deal with clauses which are contentious from a party political angle or which are part of Government policy. But there is one provision which deals with the establishment of footpath levels. I know, from a town planning angle, it is desirable, where possible and practicable, to have footpath levels the same as the crown of the road.

But those who have a knowledge of road-making and the development of districts know that it is ridiculous to lay down hard and fast rules when dealing with footpath levels. In new subdivisions, where new roads are being provided, it may be possible to have both footpaths and the crown of the road at the same level. But in older districts, where the roads have already been provided and houses built but no footpaths put down, it would be most difficult. In many cases, particularly where a road runs along the side of a steep hill, and there are houses on the high and low sides of the road, it would be impossible, without a good deal of expense and trouble, to comply with a hard and fast rule that footpath levels on both sides must be the same. In many cases, the gradient has been too steep to permit the level of the

footpaths on both sides to be the same, unless the ratepayers were put to considerable expense.

In the case I mentioned, a tremendous amount of filling would be required on the low side, and stone walls would have to be provided to prevent the filling from encroaching on the properties of ratepayers. If the stone walls were provided, front gardens would be six or eight feet below footpath level and on the high side of the road a large amount of soil would have to be removed. This, too, would necessitate stone walls being built to stop soil from ratepayers' properties falling on to the footpath. It could be argued that soil from the high side could be taken to the other side and used as filling. That might be so but it would be an expensive job and stone retaining walls would have to be provided. In addition, vehicle entry to properties on either side of the road would be most difficult. So I trust that if suitable amendments are put forward, the Government will see fit to accept them.

During the debate, the member for Leederville spoke of the desirability of local authorities operating on the unimproved value system. This is another contentious item and one which should be left, in my opinion, to the discretion of the authorities concerned. I do not wish to take up the time of the House in quoting various reasons for and against the argument as to whether the unimproved or net annual rental value system should be adopted. I think we should allow it to remain discretionary because the problems of most local authorities throughout Western Australia are different.

There are some local authorities with small areas and others with large; some have large populations and some small populations; others have miles of roads that are used only once a week and that require a grader to work on them only once in two years to keep them in order, while with other authorities it is necessary to provide bituminous surfaced roads with concrete kerbing and extensive draining systems. Local authorities throughout the State have a multiplicity of problems and, in my opinion, rating should be a matter for the district concerned. Each district should make application to the department and the Minister could approve, or disapprove, of the system requested.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. OLDFIELD: I would like to revert to one section I dealt with earlier relating to the eligibility of people to vote. I omitted to mention one set of circumstances which could arise if complete adult franchise operated in local government matters, and that is where a referendum is to be held on the raising of a loan. Such an instance occurred recently in the Armadale district. A certain section of

the ratepayers was anxious for the board to purchase an estate called Minniwarra for the purpose of establishing a civic centre. Another section of the ratepayers has, by force of numbers, so far prevented the raising of the loan.

If complete adult franchise operated, a situation such as this could easily arise: A road board desires to raise a loan for a certain purpose but the proposal is objected to by the statutory number of ratepayers. This means that a referendum must be held to determine whether the board shall be given the authority to raise the loan. The referendum involves the expenditure of the ratepayers' money because they will be responsible for the repayment of any loan raised, yet the referendum to be held to authorise this loan will be decided by every adult person living within the boundaries of that local authority!

It could happen in such an instance that a large majority of the ratepayers were against a loan being raised, but they could be outvoted by irresponsible persons living within their district who might even be nomadic in their habits or who might be resident in the district for only six months, after which they would move on to another job. I refer to seasonal workers and such like who would be eligible to vote under a referendum and who could commit a district to repayment of a loan, which that district could ill afford to raise. I support the second reading.

Mr. Bovell: I do not.

Mr. OLDFIELD: As a member of a local governing body, and together with other people interested in this measure, I am pleased that the Bill has come before this House in some form. This matter has been of great concern to people connected with local government for a long time; in fact, ever since a similar Bill was first introduced in 1948. People connected with local government are anxious for an up-to-date Act. For myself I must voice my protest against the attitude of the Government in going outside the recommendations of the Royal Commission, which sat and took evidence relating to the framing of this Bill.

When the earlier measure was introduced some years ago by the then Minister for Local Government, now the Leader of the Country Party, it met with a certain amount of opposition from some local authorities. The Government then took a course for which it should be commended. Realising the seriousness of the measure, it wisely withdrew the Bill and constituted a Royal Commission charged with the responsibility of framing a suitable type of Act under which local authorities could operate. After the Royal Commission had considered all the evidence placed before it by the various local authorities, and after presenting a lengthy

report, it is a pity that the present Government has, in one or two instances, seen fit to disregard the recommendations and insert certain clauses in its own interests. I support the second reading.

MR. ANDREW (Victoria Park) [7.38]: I consider that this Bill is a step in the right direction as it brings a number of Acts into one. This will make it much easier for the future administration of road districts and municipalities. A number of interesting speeches have been made, and some reasonable arguments have been put forward, while others were not so meritorious. One of the complaints of the Opposition is that very few Government members have spoken on this measure. The Opposition should be pleased because this gave its members the opportunity of presenting their views, and quite a number of them took advantage of that opportunity.

There appear to be only a few contentious clauses in the Bill, the two most debatable being, firstly, rating on unimproved values, and, secondly, adult franchise. Some Opposition members have drawn rather strange conclusions as to the effect of these two propositions, but stranger still is the lack of support for their contentions. The member for Nedlands said, "I feel that if the measure is adopted in its present form, we shall have a situation where local government will become highly charged with political bitterness and we will find it turned into a stamping ground for intrigue and subjected to excessive interference from the Government of the day."

Mr. Court: There is plenty of evidence of that in the Eastern States.

Mr. ANDREW: The hon. member has interjected that there is evidence in the Eastern States. I took the trouble to read his speech but found that he did not make this statement. This is a rather serious allegation. I suggest his argument would have been worth while if he had given some supporting evidence, but he has not, so we cannot accept his statement. He made a statement in regard to local government which I cannot understand. He said that one local authority had a series of models to demonstrate a lot-ratio. He had seen this model to illustrate that a four-storey building had more services rendered to it than a ten-storey building.

Mr. Court: I did not say that. I did not say that a four-storey building had more services than a ten-storey one.

Mr. ANDREW: He gave that illustration. I cannot quote his exact words—they are reported in "Hansard"—regarding that aspect, namely, that there are more charges on a ten-storey building than on a four storey one built on similar sized blocks. The charges for electricity, gas, water and sewerage are greater, but they

are charged by other authorities, not the local governing body. I fail to see the point in the argument of the member for Nedlands in this regard. He further went on to say, "I would say that the annual value is a principle of trying to collect payment directly related to services rendered." If he can show me where there are greater services to a ten-storey building than a four-storey building, I shall be interested.

Mr. Court: Would you like to see that demonstrated?

Mr. ANDREW: Yes. The services to the buildings would be the same. The charges for electricity, gas, water and sewerage on a ten-storey building would be higher than those for a four-storey building, because there are more offices and rooms in the former.

Mr. Court: What about street traffic?

Mr. ANDREW: If we were to adopt that principle and fix the rating on the number of people going to a certain building, then the hotels would be the highest rated because many more people would go to hotels than to many of the largest buildings.

Mr. Court: They pay high rates under the annual rental value system.

Mr. ANDREW: The main argument of the member for Blackwood is that because this is a plank of the Labour Party platform, it should be condemned. He enlarged on that point. I would emphasise that certain planks of the L.C.L. platform are supported by the Labour Party; and, vice versa, certain planks of the Labour Party platform are supported by Opposition members, such as education and like matters. There is one statement by the member for Blackwood to which I must take exception and that was his reference to the attitude of members on the Government side of the House whom he described as being not strong supporters of democracy and his assertion that members on the Opposition benches had fought in the armed services for the upholding of the principles of democracy. The hon. member should not have used that argument. I am an ex-serviceman and the hon. member should bear in mind that during the last war a man went where he was sent. Many men who desired to go to the war were not permitted to do so. By the same token there were many men who served their country more efficiently by staying at home than they would have done by going to the fighting front.

The Leader of the Country Party spoke about human rights. He has had legal training and should know that when he makes a statement, particularly in court, he is required to produce argument in support of it. Otherwise, it would not be considered. After making that citation the hon. member expressed his opinion, but advanced nothing to support it. I think he should have done so. We must accept democracy as it is, and that is government

of the people by the people for the people. The local authorities represent a portion of the Government and I consider that it applies to them. Therefore I say that it is a responsibility of any member to bring argument in support of his statement.

We are certainly in favour of the adult franchise at local government elections. Much has been said during the debate to the effect that it would be possible to have non-ratepayers forming the whole council or road board. That, to my mind, is very improbable. Today, the occupier is entitled to vote and is qualified to stand for a position on the council or board. That being so, the very thing that members opposite fear might happen under this measure could happen today.

There is another factor that should be taken into consideration in regard to non-ratepayers. The occupier is not directly a ratepayer, although indirectly he is, but I have not heard anyone argue that he should not have a vote. If the occupier has a son over 21 years of age who is qualified to vote at a State election and who contributes to the support of the home, he indirectly is helping to pay the rates. What is wrong therefore with carrying the idea a little further and giving a vote to those people? Members have told us what they fear will happen if these people are given a vote, but my opinion is that nothing much will happen.

In Victoria Park where a council election was held some time ago, there were 6,000 names on the roll and 9,000 votes were represented because there was a certain amount of plural voting. Of the 9,000 votes, the winner of the election obtained 321 and the loser 311. Thus 632 votes were cast though there were 9,000 votes provided for on the roll. I do not think the position would be much different under this measure because ratepayers are usually apathetic at election time unless there is some question of special interest to be decided. Consequently, the talk about all the terrible things that will happen if adult franchise is granted cuts no ice. In fact, it is a long way from reality.

Regarding the systems of rating on the annual and unimproved values, I am aware that a municipality or road board can raise the amount of revenue it requires by fixing the rate, whether on the unimproved value or on the annual rental value system. I consider that rating on the unimproved value is the only true way of making progress because, under the annual system, a man who builds a good home is rated highly, while a person who builds a poor type of place benefits by lower rating. That is not fair to the individual who has built the better type of dwelling and it is not right by the country.

During a visit to Wongan Hills early this year I was informed that a certain area of land had been taken up with a



view to subdividing it into building blocks. I remarked to my informant, "You seem to have plenty of building blocks here." The reply was, "We have, but they are all held, so we are opening up another area." The reason why another area was being subdivided, although there were plenty of blocks available, was that the owners of them decided to hold them because the rates were not high and, through the building activity of other people, they would obtain a higher price for their blocks. Under the system of rating on the unimproved value, it would not pay those owners to hold them, and the young couples who desired blocks at a reasonable price in a decent locality would have been able to obtain them.

Rating on the unimproved values does prevent speculation, so there is quite a lot to be said for the adoption of that system. At Wongan Hills and other country towns young couples were unable to buy building blocks, and this had a tendency to drive them from the country to live in the town. Much more could be said on the Bill, but I think I have expressed the views I wished to advance and I support the second reading.

**MR. ACKLAND** (Moore) [7.55]: I regard this as the most important legislation that the Government is likely to introduce during the present session. It is a measure that has created a great amount of interest amongst the people. For years local authorities have been agitating for a new Act to control local government. The position is that for many years the local government Acts have been geared to the horse-and-dray stage of our history. Admittedly, some amendments have been made from time to time, but in the main this is a statute that is many years out of date.

For my part, I claim to be able to speak with some authority on local government and road board administration because I was returned to a road board at the first election after returning from World War I and remained a member until after World War II had begun. During the greater part of that time, in fact for nearly the whole of it, I was not only chairman of the road board, but was also an executive member of the Road Board Association. I believe that it would be quite impossible for anyone to be associated with local government over so many years without having absorbed some knowledge of it and being able to appreciate the difficulties under which local authorities have been working.

Many amendments have been made to the Acts, but it was during the term of the McLarty-Watts Government that a Bill was prepared and introduced into this House. However, the measure was withdrawn by the Government of the day, because it was so obviously out of step with the desires of the local authorities

throughout the State. I consider that the Government acted wisely in withdrawing that Bill and then appointing a Royal Commission to prepare a case with a view to framing more suitable legislation. If the present Government had seen fit to give effect to the findings of the Royal Commission, I believe it would have been applauded from one end of the State to the other, because such legislation is so vitally necessary and so much desired by all who have interest and experience in local government.

Although it is my intention to vote for the second reading of this Bill, I cannot do so with a great deal of enthusiasm because there are so many of its clauses that are totally unacceptable to those who will have to administer them and find the money for the administration of local government, that I am doubtful whether we will be able to get through this Chamber, let alone another place, legislation which will prove satisfactory.

I was surprised to read in the last issue of the "Sunday Times" a statement reported to have come from the Premier with reference to the introduction of this Bill. It is as follows:—

The Government believes that adult franchise, both in parliamentary and local government elections, engenders a spirit of citizenship. A spirit of citizenship can be developed by placing more responsibility on more people in regard to the electing of all forms of government.

I agree with the Premier when he says it is desirable to place more responsibility on the shoulders of the people, but this legislation would not do that; rather would it put into the hands of the people licence and not responsibility, because the great majority of those who would receive the rights of franchise under the measure would have no responsibility whatever and could collect money and spend it in an irresponsible manner. That, I believe, is one of the greatest objections that anybody could have to this Bill. I do not intend to speak at length during this debate because the Bill, which I think has 681 clauses, is essentially a Committee measure, nearly every clause of which will be the subject of some debate, while a great many of them will be the subject of considerable and probably quite heated discussion at the appropriate stage. If the Government had been really desirous of putting local government in this State on a firm footing, it would have given effect to the recommendations of that splendid Royal Commission which recommended along the lines which it considered such a measure should take.

I represent an electorate in which there are seven road boards, every one of which is anxious to have a new local government Act, as they all know how impossible it is

for them to carry on effectively under legislation which I have already described as a horse-and-cart Act of many years ago. In each instance they have written to me, asking me to oppose certain clauses of the Bill, and it is my intention to do so because I believe, as they do, that the provisions in question are most undesirable.

Whether or not a letter written by the Farmers' Union has already been read to the House, I do not know. I will not read it all, but I think there are two paragraphs of it that are well worth placing on record. The first of them is as follows:—

It is felt that there is no justification whatsoever in extending the franchise to all adults whose only qualification is that they have resided in the area for at least six months. If the proposal was approved by Parliament, it could easily be that the majority of electors in most road board areas would be those who make no contribution to the board's finance and yet could have the deciding voice in how the ratepayers' contributions should be spent.

The member for Darling Range has already given the House a clear illustration of how that could happen in the Mundaring area, an instance of where the majority of the electors in a road board area would not have a scrap of responsibility but would have the right to exercise any licence they liked in the spending of money that was collected from somebody else. The letter continues—

It may be argued that because adult franchise is allowed in Legislative Assembly elections, the same privilege could be extended to local government elections. This argument has no force, because everyone who is on the parliamentary roll in addition to making some contribution by way of direct or indirect taxation to the Government funds, can, as a citizen, be called upon to discharge certain duties to the State and accordingly is entitled to the right to exercise a vote. On the other hand, a road board cannot call upon the individual to discharge such duties and the extension of the franchise to non-ratepaying adults gives them a right to a voice in the expenditure of money to which they have made no contribution whatever.

That is a further argument in support of what I have already said.

One of my own roads boards has written a letter, a couple of paragraphs of which I will read to the House. I had written asking the board to give me an opinion on the Bill. The reply I received included the following—

Firstly, it is considered that the Bill is in most respects a good one. The board feels that the framers thereof are to be congratulated upon a

courageous effort to put local government upon a firm foundation and set right anomalies overdue for correction.

I think everyone who has had some experience of local government will agree with that. It continues—

However, the board is not in favour of universal franchise for all persons over twenty-one resident six months in the district.

Further—

The board objects to the present proposal re the making of the rolls which in Section 43 (3) proposes that the basic roll shall be prepared by the clerk with "the names of persons who appear to him to be eligible." Clerks come and go and we feel any preparation that is based upon an uncheckable assumption by the clerk as to eligibility is open to much confusion.

I say that it is open to a lot more than confusion, and that is putting it mildly. The letter continues—

The entry of a name on the roll should be supported by evidence, and not by belief or assumption.

Next the letter mentions several other provisions which are most undesirable in the board's opinion and in mine, one of them being the provision for the rolls to be exhibited for far too short a period. The letter continues—

A further matter which the board would like recommended is that of the qualifications of a mayoral or presidential candidate. In addition to the proposed new eligibility clauses made above, re qualifications for an elector, we would like to see a further clause requiring a candidate for presidential or mayoral office to have served one term as a member of a local governing body, or State or Federal Parliament. Reflecting upon the fact that the president—mayor is the only non-elected executive in local government we want to avoid the possibility that he could be one who knew less about the matter than the latest member over whom he has to preside.

Another paragraph, which I will not read, objects very strongly to the clause relating to the 10 years' long service leave. This letter is from the Dowerin Road Board, which for years has had in operation a long service scheme for its employees.

Mr. McCulloch: For how many years has it functioned?

Mr. ACKLAND: For several years, and some of the employees have already had something from it. The board wishes to continue that system, under which an employee of the board has to serve it for 10 continuous years. It wants to continue that system but strongly objects to the

provision that a road board employee can leave one board and enter the service of another and carry with him his qualification for long service leave.

The board believes that it is an excellent idea to preserve the continuity of service where the employees have a knowledge of all the roads in the district and the requirements and know the ratepayers personally. This board feels that the services of its employees should be rewarded but strongly objects to a provision which could mean that a person who had been in the employ of the board for only a few months could, having brought with him his qualification, become due for the privilege of long service leave.

There are many clauses of the measure which I thought of touching on but at this stage I can see no advantage to be derived from mentioning them individually, as most members will speak again on a great number of the provisions. I now make a plea to the Premier that he grant the wish of all the road boards of the State and bring down legislation in line with their desires.

As there are in this Chamber so many members representing the Goldfields areas, I will read out a letter which was received from the secretary of a conference of Goldfields local authorities. I wonder how many members sitting opposite have received a similar letter, as I believe it embraces every road board in the Goldfields area. This letter reads—

The subject of the new Local Government Bill was introduced at a recent meeting of this conference and discussion centred around the provisions for adult franchise in connection with local government elections and the system of valuation.

It is the considered opinion of this conference, which represents nine local authorities from Leonora to Esperance and west to Southern Cross, that if the particular clause dealing with adult franchise was allowed to go through, ratepayers would virtually cease to manage the affairs of local government and its control could be taken over by a force of irresponsible persons with probably no special interest in the district whatever, thereby upsetting the smooth working of a local authority.

The new Bill makes unimproved capital valuation of land compulsory throughout the State and though undoubtedly there are good arguments for this system where land values are increasing, it is very detrimental to Goldfields towns. In small country towns, and especially goldmining towns where land values are low, local authorities will lose a considerable amount of value, and it would be more than difficult to assess the unimproved

value of goldmining leases, no regard can be had to the building and plant erected thereon.

I do not come from a goldmining area but the conditions set out in that letter are identical with those in the road districts of my electorate of Moore. I think a road board should have the option whether it bases its rating on annual or unimproved values. One road board that comes readily to my mind adopts both systems, and finds that they work satisfactorily. I think each road board should be allowed to continue along those lines.

I do not know how many members of local authorities there are in Western Australia. I doubt whether it would be an exaggeration if I stated that there were 1,500. However, every one of those men and women participating in the work of local government is rendering great service to the State. I think that the form of government they help to administer is of vital importance; possibly equally as important as that in which Parliament is engaged. They give their services entirely in an honorary capacity, and at great personal sacrifice to themselves. I would be very interested to hear of any local government authority in Western Australia that had, by a majority decision, agreed to those provisions to which so many on this side of the House are totally opposed.

Not only have I received many letters myself; my colleagues have had many more, and my party has had several. Further, they have been received from Labour electorates just as much as from electorates such as my own. In not one single instance has any desire been expressed—in fact, there has been great opposition—to the passing of the principal clauses in this Bill to which we so strongly object. Although it is necessary to vote for the second reading of the Bill in view of the fact that we so urgently need new local government legislation, I appeal to the Premier to agree to some of the amendments that are proposed because they are so vital to the safe working of local government and the interests of the State as a whole.

**MR. O'BRIEN** (Murchison) [8.20]: I wish to ventilate my views on the Bill before the House. I personally pay a tribute to the members of local governing authorities throughout Western Australia. Undoubtedly they are doing a wonderful job, and further, their services are voluntary and honorary. The members are elected by the ratepayers and the chairman is elected from among their number, and he is the man who is responsible for carrying on the business of the board. At various times the board members are called together by the secretary to discuss local government business.

Today we have before us a Bill which is extremely large, and which is urgently required by local authorities in Western Australia. On the occasions that the Bill has been discussed, I have found it most interesting to listen to the views expressed by members who represent different electorates. The member for Blackwood was greatly concerned because members on this side of the House had not, up to that stage, expressed their views on the Bill. Unfortunately, we cannot all speak at once, and, of course, it is parliamentary etiquette to allow Opposition members the first opportunity to discuss a Bill presented by the Government.

Hon. D. Brand: We never thought of that. I am glad you mentioned it. I trust that you will apply the same principle to other measures for the rest of the session.

Mr. O'BRIEN: Some members have pointed out the number of road boards they have in their electorates, and I would like to mention that I have no less than nine in mine. I have studied the Bill from many angles. I have also received many letters from various local authorities requesting a number of amendments to the Bill, and they have received my earnest consideration. Fortunately, to assist me in my observations, I have had experience as a road board secretary. I would like members to imagine that they are inside a board room. First of all, we start with elections. At present, road board elections are held annually. In most instances the members are elected by a handful of ratepayers. I remember that at one election 15 votes were recorded; 11 for one candidate and four for the other. I ask members of this Chamber: Is that a fair vote??

Hon. D. Brand: How many ratepayers are on the roll?

Mr. O'BRIEN: I beg your pardon!

Mr. Ackland: How many ratepayers were in that ward?

Mr. O'BRIEN: There were 257.

Mr. Ackland: Is that all there are in your electorate?

Mr. O'BRIEN: If we wish this State to progress, we must have a majority vote. At the election of which I speak, after the candidates had been duly elected, the returning officer, who happened to be the secretary of the road board, was taken to task because he charged a fee for the full day; that is, from 8 a.m. to 8 p.m. It was thought that was a terrible thing for him to do because so few ratepayers voted! The existing Act is urgently in need of amendment and that amendment is before us now.

No doubt, a few clauses are contentious, but the majority of them merely deal with the machinery of local government. On looking at the Bill, first of all is found

the provision relating to eligibility for registration as an elector. An elector must reside in a district for at least six months before he is entitled to vote. He is not obliged to place his name on the roll, but he applies to be registered. The secretary then has to post a notice on the official notice board setting out the names of those applying for registration.

Mr. Ackland: No, he does not. You look at the Bill.

Mr. O'BRIEN: The clerk has also to list the names of those who are eligible for registration. Further, a court of revision has to be set up to revise and hear claims and any objections to the names that are listed. A similar provision is in the existing Act. The clerk must also have copies of the roll signed by the chairman. The clerk supplies copies of the roll to the Chief Electoral Officer setting out the names of the electors in the various wards. Even the polling places are determined by the returning officer. Therefore, everything is clear and above board. There is no possibility of pushing a new member of a district into office.

The ratepayers whose names are placed on the register will be eligible to elect members of the board. As provided in the existing Act, a nomination fee of £5 will have to be lodged. The fee is refunded if a candidate polls a certain number of votes. As I said previously, the chairman and secretary carry on the business of the board from one meeting to another and, accordingly, the chairman is, and can be considered to be, a very responsible person. As a matter of fact, when we take into consideration that by virtue of his office he is made a justice of the peace, that, in my opinion, is sufficient for him to be elected separately as chairman of a road board or municipal council. This particular clause is only emulating the present municipal procedure.

The majority of the clauses are understandable. As I said before, they are only required to enable local governing authorities to function satisfactorily. With regard to the election of different members of the board and the right to vote, members of this House should know that many road boards have insufficient money to carry them through from the end of one financial year to another. They receive a petrol grant which enables them to carry on their business, but should they require financial assistance, they do not hesitate to approach the Government for that aid. If grants are forthcoming from the Government, which means the people, I ask members whether it is not fair that the people should have a vote as to the way in which the money is spent.

Let us for a moment refer to the pastoral industry. There are many pastoralists who pay large sums of money to their various road boards, but those amounts alone would be insufficient in many cases to keep

in good repair the roads from the township to the particular stations at which the pastoralists reside. I think we should forget party politics and try to visualise the procedure of local government. These authorities are at present doing a good job, but it is my honest opinion that some members fear they will not be able to carry on and do the job which they are undertaking at the present time whole-heartedly.

If the Bill is passed they should have no fears at all. The provisions it contains will be a great asset to this State, and it will be a fair and just measure. A few members and some of the general public have an idea that a road board or a municipal council is required to show considerable profit each year. That is not the case. To function correctly, a road board should levy its rates so that it will not have one penny over from the amount that is required to carry it through the business for the preceding 12 months. That is good government. If Clause 41 is carried, we will have good representation, and, in my opinion, the best brains will be available to do the job on hand. The local governing authorities will be able to carry on and improve conditions in their districts which will, I feel sure, progress in the manner we expect in this State.

**MR. JAMIESON** (Canning) [8.36]: As the representative of Canning, an electorate which encompasses more portions of different local authorities than any other in the metropolitan area, I feel I should place my views clearly before the House, at least on the contentious portions of the Bill. At the outset I would like to agree whole-heartedly with the remarks of the member for Moore as to the good work that is done by the various local authorities in this State.

As a first and most essential form of government, a local authority has, I feel, the right to every respect from the people of the State. In the main it does a sterling job and its members spend hours worrying about providing the necessary amenities and needs of the district; and for all this trouble its members receive very little consideration from the people they represent. As a matter of fact, I wonder at times how we are able to get such sterling types of people on these boards when they have to put up with the amount of criticism levelled at them by those that probably represent the group of irresponsibles we have heard so much about in this debate from the other side of the House.

I would like now to pass on to the three phases of the Bill that have caused a certain amount of debate so far, and which will no doubt cause some further hours of debate before they are cleaned up. I refer, of course, to the provisions relating to adult franchise, unimproved valuations and the election of mayor or president. I shall first put my views before

the House on the election of mayor or president by popular vote rather than by the present set-up in the road boards.

There is one instance I know of—many more may occur in this State—where wards are each represented by two members and where one member is naturally seconded to the position of chairman of the board by his fellow members. It is then necessary for the other member of the ward, which the chairman and he represent, to rely entirely upon the charitable nature of those representing the other wards to permit him to even bring motions forward concerning his ward, and have them seconded and discussed at board meetings.

This to many might not seem of great consequence, but matters become further complicated when the board chairman is ill and the vice-chairman takes over. We then have two wards in a similar position and they cannot get their business before the board, particularly if it relates to the usage of plant of which the board may have only a limited quantity at its disposal. In such instances, the other wards may possibly hold up this necessary plant rather than permit an even distribution of it; they will not permit the other members to have their case put fairly before the board.

**Mr. Owen:** I have not experienced that.

**Mr. JAMIESON:** That happens fairly often, even though the hon. member may not have had such an experience. It happens where one has to rely on the charitable nature of the other members of the board to even get one's business before the meeting. I have seen that happen, and I imagine that in fairness to every ward the ideal set-up would be equal representation on the floor of the board without the necessity of having to rely on other wards for support. An independent mayor or president would be elected and the members would be able to meet one another on equal terms on any matters that came before the board.

There is another point that has concerned us in the matter of the election of a mayor or president. It has been suggested that he may not be the person desired as the head of the road board in a district. That might be so, but the chairman, or mayor or president—or whatever he might be termed under this measure—is, after all is said and done, the leading representative of the citizens of the district.

It naturally follows, therefore, that at civic functions and on other occasions that necessitate the attendance of a high representative of the board, the president or mayor is generally allocated that duty. While he might be the person that the board members feel is the most competent for the position, the majority of the ratepayers—or as the Bill states, the electors—might not think him the ideal

man. In their opinion, he might be the least deserving of the honour of representing them and being their sole representative in the sphere to which he is elected. So I feel that there is a great deal of argument in favour of electing this person from outside the ranks of the local authority, and that nothing harmful can come from that provision being incorporated in the Bill.

There has been much argument in regard to unimproved values, although I feel it is one of the least contentious matters when it is examined closely, for no member of this Chamber would like to have his income tax assessed on a different scale or under a different system from that applied to any other member. It is a matter of uniformity, and when we seek to secure that uniformity, we must find the system which approaches most closely to the ideal. I consider that the unimproved valuation system is closest to the ideal. Although it is not entirely the ideal system, it is the nearest to it that one could possibly hope for.

So I feel we should support a measure which will give a person in the road district of, say, Moora, the same appraisal of values as is given to a man in, say, the district of Wagin. In that way there would be an equal assessment of property values. An equal rating would be placed on those properties, and we would not have a system under which a person owning two or three properties in various places would be apt to be confused concerning the various means of assessing the rateable values or the rates on those properties.

Let me pass on to the third and most contentious feature of this Bill—the provision for complete adult franchise. We have had quite a lot of hypothetical nonsense from members on the other side concerning this matter. It would be possible to examine the position under the present set-up and formulate a number of hypothetical cases in that connection also. One instance could be of the members of the road board at South Perth. They could be people living at North Beach, and owning residences or blocks of land in South Perth. I put it to the House that we could not consider a complete absentee board as a good board for the district it was to govern. The interest of the members would not be there. They would be on the board as a means of looking after their own particular affairs and not the interests of the community as a whole. On that assumption alone, the present Road Districts Act has a failing, in that it would be possible for a board to be elected consisting completely of members living outside the district, but administering by-laws governing the people living in the district.

Another hypothetical case under the present set-up would be that of a number of women in a district owning property and their husbands being entitled to a vote and to be on the board as occupiers of houses, which would, of course, be tantamount to their being, under the new measure, on the board as residents of the district. Once a person is in a district, he has a very great interest in his surroundings, particularly when he is allowed to have that interest. If there are obstacles that prevent him from taking such an interest, he will find something else to occupy his mind; and very often that is the case. If, however, he is given an opportunity to take an interest in local government, that must be all to the good of the community as a whole.

Even a child who goes to the corner shop and buys a penny lolly is putting some revenue into the district by virtue of spending money in that ratepayer's shop, and is therefore helping him to contribute to the funds that keep the district financially stable. One could instance many cases where other than direct ratepayers are responsible for some portion of the finances used in the prosecution of the duties of the various boards and municipalities. Under such circumstances, I feel that the justification for opposing the clause providing for complete adult franchise is very small.

It has been said repeatedly by members of the Opposition that under adult franchise a board might fall into the hands of irresponsible people. We hear of these irresponsible people, and sometimes we see them. At times they even get into Parliament. But surely such people are not in such great numbers as to cause us this considerable worry of their running berserk in each and every local authority in Western Australia, and spending funds willy-nilly, here, there and everywhere on projects on which they should not be spent. After all, there are such safeguards as auditing, and the Local Government Department could pull such people into line, and limit their activities to those that would result in some good being done for the people of the district.

Mr. Yates: Local authorities consider the present position satisfactory.

Mr. JAMIESON: No fear!

Mr. Yates: Very close to 100 per cent.

Mr. JAMIESON: This is how satisfactory they consider it: Of the five local authorities in the Canning electorate, only one—the South Perth Road Board—has contacted me on this matter. The objection of that board is, in the main, more hypothetical than real. It quotes hypothetical cases, many of which could be quoted back to it under the present set-up. Such cases do not exist. It is all so much nonsense.

They are misleading others into believing that many people will be displaced from boards that exist. If one per cent. of those at present serving on local government authorities were displaced under this new legislation, I would be very surprised indeed, because there are not that many people interested in local government. Repeatedly local government members are returned without opposition for the simple reason that other people are not interested enough to go along night after night to various committee meetings to assist in the deliberations.

Mr. Yates: The people are satisfied with the work of the local governing authority in such cases. If not, they would submit someone else for election.

Mr. JAMIESON: They are not always satisfied. They are satisfied to the degree that they are not so affected as to want to submit themselves for election and take the place of others on the local authority. But they are not always completely satisfied with what is done. I guarantee that the member for South Perth could wander around his own electorate and receive more criticism of the members of the road board than compliments.

Mr. Yates: That is not so.

Mr. JAMIESON: On the other hand, when it comes to an election, we do not find more candidates for the various wards.

Mr. Yates: They are very happy with their local government members in South Perth.

Mr. JAMIESON: Sometimes.

Mr. Yates: You were at the meeting on Friday night and know that is a fact.

Mr. JAMIESON: It surprises me that a body like the South Perth Road Board, which encouraged the formation of a community centre and all that is associated with community goodwill, should want to deprive people in whom it has fostered the community spirit of the right to have a say in the affairs of local government. It amazes me that a board of that calibre, which displays such attributes and wants to foster a certain line of thought should, on the other hand, oppose it by refusing to accept a situation that would give the people rights they so justly deserve. I think the member for South Perth would agree with that line of reasoning.

We must admit that the cases that have been put up have been quite hypothetical, and can be squashed by the quoting of further hypothetical cases under the present set-up. There are, perhaps, contentious clauses in the Bill that need tidying up. No Bill could possibly be perfect and of such a kind as to suit everybody. I should think that by the time we have dealt with this measure in Committee, quite a number of amendments will have been made. The Bill is one which must be passed for the betterment of local government in this State. If we are to have

the best form of local government, we must have the best kind of legislation under which the local governing authorities can conduct their affairs. I feel that, after the deliberations of this Chamber, a Bill will emerge that will be of great benefit to the State in general.

**HON. DAME FLORENCE CARDELL-OLIVER** (Subiaco) [8.58]: I feel that if the galleries had been filled tonight with road board members and municipal councillors, the speeches we have heard from the Government side would not have been made.

Mr. Jamieson: Rubbish!

Hon. Dame FLORENCE CARDELL-OLIVER: If an election had been imminent, very few of the members who have spoken from the Government side would have been re-elected. When the Minister for Railways was speaking on this Bill, he said that the cost of printing it was approximately £2,000. I hope I am quoting him correctly.

The Minister for Railways: I said £1,000. Do not exaggerate!

Hon. Dame FLORENCE CARDELL-OLIVER: I remember you, Mr. Speaker, telling us to be careful of the Bills we had, because there would be no reprint, and the Minister said it would cost £2,000.

The Minister for Railways: The Minister did not say anything about it.

Hon. Dame FLORENCE CARDELL-OLIVER: I am not allowed to quote "Hansard." All I know is that if the Minister will look at page 1,811 of "Hansard" No. 15, he will be able to read what he said, and apologise.

The Minister for Railways: Think of the cost of the Bill your Government printed and withdrew.

Hon. Dame FLORENCE CARDELL-OLIVER: I cannot understand how we could pay that amount of money for a Bill with so many spelling errors and so many clauses badly framed. There must be a proof reader! If we were to reprint the Bill and make it worthy of what we intend it to be, it might cost more than £2,000. Some members have said they are going to vote for the second reading in the hope that when it is in Committee, many clauses will be altered. One member said he had in mind the alteration of 90 clauses. If members opposite, as they say, have not had letters from many local governing bodies, they should have, because I am sure that we on this side of the House have had many. The member for Moore mentioned a letter he received from Kalgoorlie, and I am certain that all members have had a similar communication.

The Minister for Housing: So what!

Hon. Dame FLORENCE CARDELL-OLIVER: The local authorities have emphatically made their protest. The Perth

City Council put forward its protest. We have seen the criticism from the North. There was a piece in the Press concerning Carnarvon, as follows:—

It was reported to the meeting that no acknowledgment from parliamentary representatives of the Gascoyne electorate and the North Province had been received to letters addressed to them in the matter.

Members have received letters of protest from most of their own electorates, road boards or municipalities. The hon. member who has just resumed his seat said he had received only one and that was from the South Perth Road Board. I am not going to continue to criticise the Bill because many members have spoken, and others will, too. I do intend, however, to repeat exactly what the members of the Subiaco City Council have said about it so that their comments will go down in "Hansard" and members will at least know that the people of Subiaco—the people represented in the city council there—are making their protest. This letter, which was sent to me, states—

(a) General.

Of all forms of Government, Local Government (Road Board or Council) has the most intimate association with the daily lives of the people. Therefore the City of Subiaco urges Parliament to ensure that, in any Local Government Act, a maximum independence is preserved for Local Governments. In the draft of the proposed Local Government Bill much authority is vested in the Minister for Local Government or his nominee in the person of a civil servant, thus placing control in the hands of one who is remote from the people in a given community. The defects of centralisation of power are intensified with the consequent further restrictions upon the initiative of Local Governments and their ratepayers. The City of Subiaco desires an enlargement rather than a reduction of the powers of Local Government.

(b) Re Specific Provisions in the Bill.

Page 50, Section 42, Clause 1 (a): (1) Re persons eligible to vote at Local Government elections. Adult franchise is proposed.

Press for deletion of this provision and request retention of the franchise provisions in existing Municipal Corporations Act (1906). Adult franchise for Commonwealth and State elections is justifiable because of contributions to Commonwealth and State Revenues by way of Income Tax and Indirect Taxes. Adult franchise is not justifiable in Local Government elections because Municipal Revenue

is derived from only owners or occupiers (tenants) of property receiving Local Government services and subject to Local Government Authority By-laws.

In all organisations, including Trade Unions, the franchise is dependent upon a determined financial contribution by members. No representation without taxation or contribution.

Under proposed provision in this new Bill it would be possible for all the members of a Council to be persons who made no contribution to the Local Authority's revenue yet they would control that Council's resources.

Page 63, Section 71, Clauses 1, 2, 3: (2) Re election of Deputy Mayor or Deputy President.

Press for amendment to have this election by secret ballot. This amendment is urged on basis of consistency of procedure and the election should be by the members of the Council present.

This procedure would be in conformity with the procedure set out on Page 63, Section 70, dealing with an extraordinary vacancy for Mayor or President and also in conformity with page 67, Section 82, Clause 1 (c) dealing with the appointment of a councillor as Returning Officer.

Page 72, Section 91, Clause 5: (3) Re limitations or restrictions placed upon a Returning Officer.

Press for deletion.

This clause prohibits the officer from making any inquiry or decision upon person's qualification as a candidate for election. It also prohibits him from rejecting a nomination because the person has not the necessary qualifications.

This clause removes any protection for the ratepayers against illegal representation.

Page 120, Section 158, Clause 1 (c): (4) Re removal from office of an Executive Officer (Town Clerk, Engineer, Building Surveyor) only on approval of the Minister.

Press for deletion.

Suggest amendment to provide for an Appeal Board similar to those existing for various sections of State Officers. Too much responsibility is placed on the Minister no matter how able or conscientious he may be. Executive Officers are entitled to protection against victimisation or wrongful dismissal.

Page 467, Section 624: (5) Re Government Inspectors of Municipalities replacing elected auditors.

Press for deletion.



Seek the continuance for a City or Town Council of the system of auditors elected by ratepayers.

It is noted that the Council will pay for the services of the proposed Government Inspectors.

General, Page 10, Definitions: (6) Re Financial Year—Alteration to make the year commence on 1st July and end on 30th June next following.

Page 18, Section 6c (ii): Re Annual Elections—Alteration to have these take place on the third Saturday in April each year.

Re Financial Statement and Annual General Meeting of Ratepayers. Alteration to have these take place "within 70 days after the end of the Financial Year."

Press for reconsideration of the above periods and for a provision that elections take place after the Annual Financial Statements and Annual General Meeting of Ratepayers.

It appears illogical, that as a consequence of an April election the Mayor and such Councillors as are newly elected to office should present a report and Financial Statement, in late August or early September, for a period during which they did not hold office. This is a matter of logical sequence of dates.

Page 88, Section 109 (4) (b): (7) Re permanent absent vote grant.

Press for deletion. Seek the provisions as operative in the present system obtaining for absentee votes in Municipal elections.

Page 387, Section 524: (8) Re valuations of Property.

Oppose the arbitrary use of Unimproved valuations as determined by the Commissioner of Taxation. Press for optional valuations—viz. Unimproved value or Annual value. These recommendations were presented to Council and adopted at a meeting held on the 24th August, 1954.

I have read this document so that it will be printed in "Hansard," and Government members will know exactly what the City of Subiaco wants. They will not be able to say that the council and road board members have not written to the Government or told it what is really needed. I am not going to support the Bill. I shall vote against it even if I am the only one in the Chamber to do so. If it is passed, I trust that the members of the Government will realise that thousands of people who are very interested in local government, entirely disapprove of it as it stands.

**MR. BRADY** (Guildford-Midland) [19.13]: My remarks, because of the many long speeches that we have had from both sides of the House, will be brief; but I

think I should speak because I also have received some letters from the four local authorities in my electorate, and they all have different points of view. One of them agrees that out of the 680 odd clauses in the Bill, all but about five should be passed. Another local body does not agree with any of them, but considers that the whole Bill should, lock, stock and barrel, go overboard because the Act was amended in 1938 and has worked comparatively well since. It is of the opinion that there is no need for the Bill.

Another local governing body has an argument with only one or two clauses; and so it goes on. The different local governing bodies are divided amongst themselves as to what the Bill should contain. During the debate a lot has been made of the fact that members have received a number of letters from local authorities opposing the Bill as at present constituted. I have in front of me quite a number of letters which I received when the present member for Stirling introduced a similar Bill in 1949. I can read at least half a dozen of those letters tonight if members want to challenge my statement. The local authorities concerned disapproved of many of the clauses in that measure.

**Mr. Ackland:** The member for Stirling withdrew the Bill because it was so unpopular.

**Mr. BRADY:** Yes, of course he did. Despite that fact, many of those clauses are in this Bill. The Royal Commission recommended the reintroduction of many of the provisions of the 1949 Bill, and they find a place in the measure that is now being introduced by a Labour Government. The Minister, by and large, was very fair when introducing the Bill. He said he anticipated there would be amendments to it, but he pointed out the difficulties that would arise if amendments were agreed to, and he mentioned the cost to the Government of having the Bill reprinted.

I want to deal with the question of unimproved values, and quote the experience of the Midland Junction Municipal Council. That local authority does not disapprove of the unimproved valuing system. For a quarter of a century or more it adopted the annual value system, but it was found that valuable properties—vacant land in the heart of the town—were being rated at a very low figure, despite the fact that the council was building roads and footpaths past these properties and electric light and other municipal amenities were being installed. As a result, these properties were increasing in value, but the rates were not increasing in proportion.

So, after giving the matter due consideration, the council switched over to the unimproved values system, and, as a result, the rates for those properties have risen by three or four times as much as they were formerly. The people who owned

them have built decent premises on what used to be vacant land and which, in some cases, approached rubbish tips. So as far as the Midland Junction Municipal Council is concerned, the unimproved values system has been a godsend, at least for the time being.

Ultimately there may be weaknesses in it, as was mentioned by the member for Nedlands. But so long as Parliament is fair in its approach to this matter there will be further amendments to our local government legislation and all these questions can be reviewed. We ought to try out the unimproved valuing system before we condemn it lock, stock and barrel, as some members have done this evening.

I think the idea of having Government inspecting auditors is a decided improvement on the present system. I do not want to reflect on local auditors, but most of them are busy men, and while they claim to have a complete knowledge of the Municipal Corporations Act, I very much doubt whether they have. A Government inspector would be a specialist in that class of work and could be of great assistance to local governing authorities while doing his audit. Too much public money has been wasted in some municipal councils and if a Government inspecting auditor had been available, many thousands of pounds could probably have been saved.

While members opposite have made great play of the adult franchise question, if they are fair about the position and analyse the arguments that have been advanced, they will agree that there is a lot in its favour. The other evening the member for Blackwood said that two world wars had been fought for democracy. If they were fought for democracy, let the men who fought in those wars take a part in our civilian administration. After all, a returned soldier who is driving a taxi pays his licence fees to the local governing authority; he pays his petrol taxes and, in many cases, is much more responsible than some of the men who vote at local authority elections and some of those absentee owners who blow in occasionally to record a vote in their own interests.

These people are not concerned with providing the local housewife with decent footpaths on which to wheel her pram, or supplying the town with electric light; they are voting to ensure that roads are built past their properties and that other works are carried out to increase the value of those properties. I believe countless instances could be quoted where landowners and ratepayers have no more commonsense than people who are not. Members here can recollect a number of cases where local administrators have had to be "put in" because of the incompetency, inefficiency or apathy of the ratepayers

who are supposed to have this super-knowledge and this super-amount of commonsense. I do not think returned soldiers or others over 21 years of age could have made a worse hash of affairs than have some people on these local governing bodies.

The other night someone mentioned that local government is the third arm of Government. As that is so, people should be encouraged to take some responsibility in regard to its administration. This State is growing rapidly and over the last five or six years some 90,000 to 100,000 people have migrated to this State. Some of them are of British stock and the rest are from Europe. We ought to encourage them to take an interest in health and road board matters generally. Local governing authorities deal with a multiplicity of matters, such as health, cemetery and many other problems, and the legislation gives them the right to conduct electricity and gas works, ice works and so on.

So I feel that quite a good case could be put up for adult franchise. After all, the average person over 21 years of age has a fair amount of commonsense. He realises that he has to live in a locality and he is not likely to make things difficult for himself and his family. Whilst there has been a lot of opposition to the two clauses I mentioned, members opposite have not had much to say about the other 600-odd clauses. They have played on the two clauses only—adult franchise and the unimproved valuing system.

Mr. Ackland: Have a look at the notice paper and see how many amendments there are.

Mr. BRADY: If they analyse the position fairly, they will agree that there may be some merit in these two clauses. Earlier the member for Canning mentioned that there are many matters in the Labour platform which the Opposition parties could well support. In this case they could support the two clauses I have mentioned without doing a large amount of harm. We have a great responsibility with regard to this legislation, and any further remarks I have to make will be made during the Committee stage where the speech-making can be more effective. I support the second reading.

MR. HUTCHINSON (Cottesloe) [9.23]: At the outset, I would like to say that the member for Guildford-Midland is right when he says that the majority of us over here will be able to support most of the provisions in this Bill. However, it is difficult to get an idea of the equivalent values as far as quantity and quality are concerned. Personally, I find it impossible to support the Bill in its present form. To a great extent it is a Committee measure, but despite that fact there are many provisions which can

be dealt with at the second reading stage because they are of general interest and, more importantly, there are several of them which the Minister or the Government could look at with a view to polishing up or ironing out one or two anomalies that have presented themselves.

I trust that the Government will be wise and adopt a reasonable attitude with regard to the controversial provisions. If it adopts a take-it-or-leave-it attitude, I for one will find it impossible to support the Bill. Naturally enough, I, in company with those on this side, intend to support the second reading because, as the member for Guildford-Midland said, there is a large proportion of the Bill with which we cannot do anything but agree. Those important controversial provisions need the searchlight of public opinion and need to be ironed out in the cross-fire of argument and understanding.

When the Minister introduced the measure, he made reference to the fact that there are only a few provisions that are controversial. If I remember rightly, I made what could be said to be an almost complete understatement when I said, "Are not they rather important provisions?" He agreed with me that they were. As there are about five controversial provisions, I cannot see that the Minister can claim much for the Bill, because they are the important ones and the ones which have brought about a veritable flood of protest letters from local authorities throughout the length and breadth of the State. The subject of each of these controversial provisions, such as adult franchise, compulsory unimproved valuations, audits by Government inspectors and the qualifications of mayor and president and councillors—should certainly receive a full airing and no doubt will be spoken to at great length in the Committee stage, as indeed they should be.

I intend to make reference to some of these provisions at a later stage, but I want to make particular reference and lay emphasis upon two provisions which I feel have not been touched on to any great extent. I hope the Minister will take some note of them in order that this House may be better informed when it deals with those provisions in Committee. I refer to the portion of the Bill that concerns rights-of-way. There are difficulties associated with the vesting of these in either the Crown or municipalities. Difficulty is engendered in the present scheme of doing away with rights-of-way which are of little use and which, in many cases, are veritable breeding grounds for pests.

The Minister for Railways: You mean refuse dumps.

Mr. HUTCHINSON: Some of them are. I shall refer to that later. I hope the Minister will look at this aspect to see if

rights-of-way cannot be vested in municipalities, with final reference, if desired, to the Minister.

The other item I wish to deal with concerns the rateability of land held by agricultural societies. This is a rather controversial subject, and has been dealt with to an extent by the member for Claremont. I, too, have had some dealings with the Claremont municipality. It is deeply interested in the subject. I shall discuss the provision now so that the Minister will know the difficulties involved and which beset councils or local authorities in their attempts to govern their areas properly. With a view to ascertaining the procedure regarding the rateability of land held by agricultural societies in other States, the Claremont Municipal Council wrote to authorities in the Eastern States, and I propose to read this correspondence later.

That council is, of course, interested, and it says that the Royal Agricultural Society of W.A. derives income from the hire of ground and buildings in the showgrounds throughout the area, but it is still non-rateable. It points out that the society will not even make an *ex gratia* payment in lieu of rates. Mention is also made of the fact that the council does not receive any payment for the supply of health services during Show Week, which are pretty sizeable, or for the cleaning of streets, parks and reserves around the showgrounds. I support the principle of rateability of land held by agricultural societies. In saying that, I do not necessarily mean that it should be a full rating. It could be a rating in part, or an annual charge.

I referred to the letter sent by the Claremont Municipal Council to the Department of Local Government, Sydney; Officer in Charge of Local Government, Melbourne; and the Town Clerk, Unley, South Australia, which reads—

12th July, 1954.

Subject—Rating of Royal Agricultural Society.

In this State, the Royal Agricultural Society has its grounds in this municipality, and is exempt from rating under the provisions of the Municipal Corporations Act, as "land vested in trustees for agricultural show purposes."

My council would deem it a favour if you could advise the position existing in your State with regard to such lands—as to whether they are rateable, and if so, to what extent and under what particular Act.

Without troubling you with a list of queries, I should appreciate any general information you can supply with regard to the position in your State.

The following is the reply received from the Department of Local Government, Sydney, dated the 23rd July, 1954:—

There is no provision in the Local Government Act, 1919, for the exempting from rating of showgrounds as such. It is provided in Section 132 (1) (c) of the Act, however, that land which is vested in the Crown or in a public body or in trustees and is used for a public reserve shall be exempt from rating. "Public reserve" is defined in Section 4 of the Act as meaning, inter alia, any land dedicated or reserved from sale by the Crown for public health, recreation, enjoyment or other public purposes of the like nature.

It was held by the Supreme Court in the case of *Inverell Showground Trustees v Inverell Municipal Council* (10 L.G.R. 12) that:—

(1) where exemption from rating under section 132 (1) (c) is claimed the land must be—

(a) vested in trustees;

(b) dedicated for purposes included under the term "public reserve" in Section 4;

(c) used for purposes included in that term.

(2) the dedication of Crown land for showground purposes must be construed as a reservation for public purposes included under the term "public reserve";

(3) actual use of such land as a showground for a few days of the year, and for general purposes of recreation for the remaining days of the year, is a use for such public purposes;

(4) the exemption may be lost if the land is put to some use inconsistent with its use for the general public, but such use must amount to a material and substantial departure from the proper use of the land.

The question as to whether any land used for showground purposes was rateable would depend upon the circumstances. The responsibility for determining in the first instance whether any such land should be rated would rest upon the council as the rating authority, but within thirty days after notice to pay any rate had been served any person holding any estate or interest in the land could appeal against the levying of the rate thereon on the ground that the land or some part thereof was not rateable or was not rateable to any particular rate. This right is conferred by Section 133 (2) of the Local Government Act, 1919, and any appeal which might be lodged could only be determined by the court.

This is the only reply received which indicates that land held by agricultural societies is not rated in some part. The reply received from the Town Clerk, Unley, reads as follows:—

Your letter of the 12th July, 1954, addressed to the Secretary of the Highways and Local Government Department, has been referred to me on account of the Royal Agricultural and Horticultural Society having its grounds in the Unley area.

The section of the Local Government Act, 1934-1952, under which we work is as follows:—

Section 169 (2). Such part of any land and buildings or land situated in any district or in any municipality other than a metropolitan municipality as is used and occupied by or for the purpose of any agricultural, horticultural or floricultural show society shall be assessed at one-half or the amount of the annual value or land value thereof, as the case may be.

You will, therefore, see that for a country municipality the council would rate the agricultural society on half values, but in a metropolitan municipality, such as Unley, the agricultural society is assessed on full value and rated accordingly.

[Mr. Hill took the Chair.]

The third reply was received from the Department of Public Works, Melbourne, dated the 22nd September, 1954. It says—

With reference to your inquiry on this subject, I desire to advise that, neither in the Local Government Act nor other Victorian legislation is there any provision for the exemption from rating of land vested in trustees for agricultural show purposes.

Some Victorian showgrounds are on Crown land reserved for show purposes. The Local Government Act provides that Crown land used for public purposes is not rateable and this exemption would apply to those grounds. Other showgrounds are on land purchased by the societies concerned and would be rateable. However, I am unable to say whether, in practice, rates are levied in all such cases.

The Melbourne Showground is in the municipal district of the City of Essendon and comprises land granted by the Crown to the Agricultural Society for show purposes and land purchased by the society. The Crown grant contains special conditions restricting the use to which the land may be put and providing for re-entry by the Crown should the society fail to observe the conditions of the grant. It is not the

practice to levy rates on the land in Crown grant, but the other land held by the society is rated.

In addition, I believe that in Queensland the rating of lands held by agricultural societies is the function of the local governing body concerned. This is a subject worthy of consideration. There is certainly room for argument about the extent of rating, but surely there is no argument against some charge being made, if only for the services rendered by the local authority in times such as those I mentioned earlier—Show Week—when the local authority is put to a great deal of trouble and expense in clearing the grounds and giving the services required of it. One provision in the Bill to which I strongly object is that relating to mayor, president and councillors. If we object to adult franchise, as we do on this side—

The Minister for Labour: You do?

Mr. HUTCHINSON: Most certainly, in regard to local government.

The Minister for Housing: And with regard to the Legislative Council?

Mr. HUTCHINSON: Do Government members think there should be adult franchise in all matters? Can I ask that question of Government front bench members.

The Minister for Labour: You can put that on the notice paper.

Mr. Johnson: Do not all democratic people believe in adult franchise?

Mr. HUTCHINSON: I do not.

Mr. Johnson: Being a Liberal, you would not!

Mr. HUTCHINSON: I do not think that even his own side appreciate the remarks of the member for Leederville. I am doubtful whether it is right and just. Surely members on the Government side do not agree with that in toto!

The Minister for Housing: Why not?

Mr. HUTCHINSON: Does the Minister see no reason why we cannot agree with it? Is that correct?

The Minister for Housing: Yes.

Mr. HUTCHINSON: What happens in the event of a member of a union being unfinancial? Would such a member be entitled to record a vote?

The Minister for Railways: So far as I know, there is no such thing as an unfinancial member.

Mr. HUTCHINSON: I am seeking the truth. I do not know what proportion of unfinancial members there would be in a union, but I feel sure that union rules contain provisions to prevent such members from voting, for instance, in a pre-selection ballot.

Mr. Moir: What about unfinancial members of the Liberal Party? Are they allowed to vote?

Mr. HUTCHINSON: As a matter of fact, they are.

The Minister for Railways: Now you have given the show away.

Mr. HUTCHINSON: I should explain that there is a difference in the method of voting.

The Minister for Education: The franchise for the Federal Parliament you would deny to a person living in a small community?

Mr. HUTCHINSON: I am asking the Minister for Housing what the position is in a union. I think that what I have stated, by and large, is correct.

The Minister for Housing: You consider that before a person could vote for the Legislative Assembly, he should produce a taxation assessment?

Mr. HUTCHINSON: The Minister is trying to answer my question by asking another. I am seeking the truth and pointing out that what members opposite are saying does not carry much weight because, in domestic matters, they do not believe in the adult franchise.

The Minister for Railways: What you do not know about union matters would fill a big book.

Mr. HUTCHINSON: I do not deny that. I am merely attempting to find out what the position is so that we may reach a basis for argument.

The Minister for Housing: Every person who is a member of a union has a right to vote, and the Government considers that everyone over the age of 21 years living in a community has a right to vote for the local authority.

Mr. HUTCHINSON: I appreciate the Minister's explanation, but in the event of a member of a union being unfinancial, I should like to know whether he is permitted to record a vote in a pre-selection ballot.

The Minister for Railways: I do not know of any unfinancial member of a union.

Mr. HUTCHINSON: Would an unfinancial member be unable to vote?

The Minister for Railways: So far as I am aware, there is no such thing as an unfinancial member.

The ACTING SPEAKER: The hon. member had better keep to the Bill.

The Minister for Education: Which clause deals with unions?

Mr. HUTCHINSON: Admittedly it is a side issue, but it has some bearing on the measure. If a wharf labourer was one of the few types that did not believe in unionism and insisted on voting, I take it that he would not be allowed to do so. Incidentally, I think the unions have done a great amount of good.

The Minister for Housing: You would not find one such member amongst the wharf labourers.

Mr. HUTCHINSON: Well, a member of the clerk's union. I do not think he would be permitted to vote.

Hon. A. F. Watts: What the Minister is trying to tell you is that if a man does not pay his dues he cannot vote.

Mr. HUTCHINSON: It means that one cannot have representation unless one is taxed, so I shall oppose the provision regarding the qualifications for the president of a council, because it could lead to irresponsibility in local government. Then there is the adult franchise provision, by and large, with which I certainly cannot agree. I shall not spend much time in discussing it because this is the most controversial provision in the Bill and has been dealt with at length.

Since the dawn of civilisation in political and local government, it has been recognised that there shall be no taxation without representation, and this can be applied in reverse, particularly with regard to local government and the type of local government in which we are interested. Mention has been made of the practice in England where there is a much wider franchise, but there local government is on a very different plane. Because of the financial responsibility for the money of the ratepayers, we should have a watchword in that respect, namely, that there shall be no representation without taxation. I believe there could be a movement towards adopting a wider franchise, but with an adult franchise I cannot agree.

The Minister for Education: Did you say no representation without taxation?

Mr. HUTCHINSON: I mentioned that with particular reference to local government in this State.

The Minister for Education: I did not realise that you confined it to that. I was wondering why housewives have a vote for the Commonwealth Parliament, which deals with defence, migration and other big questions.

Mr. HUTCHINSON: Twice I have mentioned it to make the point clear. The other proposal to which I wish to give a little attention is the time appointed for elections. There appear to be certain anomalies with regard to the times of election meetings, audits and the end of the financial year that need clarification. This is another matter, apart from the rateability of land held by agricultural societies, to which I wish the Minister to give particular attention. The provision in which I am interested at the moment reads—

So that vacancies which occur on the third Saturday in April of each year throughout the State in offices of member of the council of each municipality may be filled by the election by the electors of the municipality of

persons to the vacancies, that day in each year is appointed for the holding of the annual municipal elections.

It appears that the election should be held as soon as possible after the end of the financial year, rather than have it two to three months before the end of the financial year. Under the provisions in the Bill it would be too far removed from the end of the previous financial year, a period of 9½ months, while to have an annual meeting and financial statement 2½ months before the end of the financial year seems nonsensical. I cannot align that in my mind and make sense of it. The Bill provides that nomination day shall be the 22nd day next preceding the day appointed for the holding of the election. The annual election day is laid down as being the third Saturday in April and the end of the financial year, with which I have no quarrel as such is the 30th June.

Accounts must be presented for audit within 70 days after the end of the financial year and the auditor, who is to be a Government inspector, is to audit as soon as he is able to do so. Mention is made that the ratepayers' meeting shall be held once in each financial year. When the statement is certified as correct, the council shall cause copies of it to be printed or copied and made available at least seven days before the annual meeting of ratepayers. Those provisions are contrary and quite anomalous when compared with those in the existing Act. The present provisions are—

- (1) Nomination day, 14 days preceding election day.
- (2) Election shall be held on the fourth Saturday following the 31st October.
- (3) Financial year ends on the 31st October.
- (4) Audited accounts shall be presented to the general meeting.
- (5) General meeting of ratepayers to be held within three months of the 31st October.

I have here a note that will be of interest. Prior to an amendment in 1943, the provision that had to do with the meeting of ratepayers provided that the meeting should be held in November and before the annual election, but that was altered in that year to provide that the general meeting of ratepayers be held within three months of the 31st October. The sequence seems to me to have got out of hand a bit and to have an election a little more than two months prior to the end of the financial year does not make sense.

The Minister for Housing: Is there anything really wrong with that? We hold our election about three months prior to the end of the financial year, and no one seems to suffer as a consequence.

Mr. HUTCHINSON: But these are annual elections and at the end of the financial year there is the financial statement and balance sheet and one sees how the local governing authority has dealt with matters pertaining to its district. The ratepayers are able, if they choose, to exercise their right and examine the financial statement. They can see what has been done and find out for certain, for example, that some of the thoughts they may have had in their minds can be crystallised by the presentation of the financial statement, and then of course they can act accordingly.

The Minister for Housing: Have you ever seen more than two men and a dog at an annual meeting of ratepayers.

Mr. HUTCHINSON: If the occasion arises and there is need for it, they will be found there, as the Minister knows well enough. If something has occurred during the preceding period, they come to the meeting seeking information and in order to find out what the position is, so that they can take action accordingly.

The Minister for Housing: That takes place at special or extraordinary meetings.

Mr. HUTCHINSON: It can take place at the annual meeting too, and it is the democratic method. To have the election two and a half months prior to the end of the financial year seems to give the people only a blind vote. The sequence of events in the present Bill seems to add to the general air of irresponsibility about this measure in respect of some of its controversial provisions. That clause dealing with the power of local authorities to hire and fire seems to me to be unjust. I believe local governing bodies should have power to hire and fire their servants.

Mr. O'Brien: They have that power.

Mr. HUTCHINSON: But they would not have it if this provision were agreed to.

Hon. A. F. Watts: They have not got it entirely now.

Mr. HUTCHINSON: I would not mind the modification giving a right of appeal to the Minister, but the Bill, as at present worded, would interfere with the autonomy of local governing bodies and impose a ministerial control which is objectionable to most local authorities. One provision states that the council shall meet at least once every three months and I am inclined to think that that should be altered to once a month. The provision making it compulsory for councils to rate on the unimproved value has been dealt with fairly fully, particularly by the Leader of the Country Party and the member for Nedlands, and so I do not intend to go into that question except to say that I can see no valid reason why the matter should not remain optional. The Minister may

be better informed than I in this regard, and for all I know it may be the best way, but I feel there is great doubt about it and that it is certainly a controversial point. Why should the method of rating not remain optional? That is what I cannot understand.

Mr. Jamieson: Do you not think it should be uniform?

Mr. HUTCHINSON: I cannot see why.

The ACTING SPEAKER: The hon. member has two minutes to go.

Mr. HUTCHINSON: I also oppose the provision for the Government auditor. Before I conclude I wish to refer three matters to the Minister. The first is the rateability of land held by agricultural societies, the second is the necessity to remove anomalies with regard to the sequence of events such as the end of the financial year, annual meetings and elections and, lastly, those provisions dealing with rights-of-way. I have not spent as much time on that aspect as I would have liked to spend, but it is a vexed subject as far as local authorities are concerned and for some time they have expressed the view that they have not enough control over rights-of-way. No doubt members have had experience of rights-of-way and know that they can be most objectionable places. I hope the Minister will examine particularly those three points.

Mr. NALDER: I move—

That the debate be adjourned.

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

Ayes	18
Noes	21

Majority against .... 3

#### Ayes.

Mr. Abbott	Mr. Nalder
Mr. Ackland	Mr. Nimmo
Mr. Brand	Mr. North
Mr. Cornell	Mr. Owen
Mr. Court	Mr. Perkins
Mr. Doney	Mr. Watts
Mr. Hill	Mr. Wild
Mr. Hutchinson	Mr. Yates
Mr. Manning	Mr. Bovell

(Teller.)

#### Noes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. McCulloch
Mr. Graham	Mr. Moir
Mr. Hawke	Mr. Norton
Mr. Heal	Mr. O'Brien
Mr. W. Hegney	Mr. Rhatigan
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Styants
Mr. Kelly	Mr. May
Mr. Lapham	

(Teller.)

#### Pairs.

Ayes.	Noes.
Mr. Thorn	Mr. Tonkin
Mr. Hearman	Mr. J. Hegney
Mr. Oldfield	Mr. Guthrie
Sir Ross McLarty	Mr. Nulsen

Motion thus negatived.

**MR. NALDER** (Katanning) [10.12]: The debate on this Bill so far has been rather strange. We find that members on the Government side of the House have been very quiet and have had little to say until this evening when apparently the gag previously placed on them was released, with the result that they have been able to rise and take part in the debate. I would like to know what members of the Government, who represent country districts, feel about the measure, especially in view of the fact that, as far as I am aware, 100 per cent. of the local governing bodies in country areas oppose many of the provisions of the Bill. In spite of that, we have heard very little from members on the Government side as to whether or not they agree with the Bill.

From all the country road boards and a large number of municipalities we have had letters of protest, especially with regard to the clause that deals with adult franchise. We must give consideration to what would be the effect of that clause becoming law, and more especially when we look back over the years and realise how much our local authorities have done for the advancement of the State. Many hundreds of individuals have given up time and have sacrificed their leisure for the benefit of the communities in which they resided. I believe it is our duty to give those people full credit for the efforts they have made for the benefit of the State in general and the districts which they represent in particular. Therefore we must give consideration to requests made by the various local authorities which they have expressed in writing not only to members of the Opposition, but also to those on the Government side of the House objecting to the particular clauses under discussion.

Members on this side of the Chamber have, I think, left no doubt in the minds of members on the other side as to their feelings on this matter. Undoubtedly some of these provisions could be abused. For example, an influx of residents into a district could occur as a result of, say, houses or industrial establishments being built in that area. Such people would be in the district for only a short period. Road works or bridge building would also result in a great influx of people to a district.

These new residents could be successful in electing to a board members who had no real interest in the district by voting them in and voting out members who had served on a road board or a council and who had had the interests of the district at heart over a long period of years. Many members have cited examples of how those abuses could occur in the various districts and there is no need for me to go over that ground. The work performed by local authorities in

Western Australia has resulted in the development of the districts in which they are interested.

For example, they have been responsible for opening up many new roads, which, of course, is their duty. I refer particularly to roads that have been constructed in outlying districts to link up with others to ensure that the development of the better type of land could be achieved, despite the fact that a great portion of the road might travel through land that was not worth developing. Therefore, from that angle alone the requests made by the local authorities should receive every consideration.

We should encourage those bodies to assume more responsibility than they have done in the past, but I do not think the Bill will achieve that object. In this measure we find that the more important matters are required to be referred to the Minister. Every effort should be made to give more responsibility to local authorities so that they may be enabled to carry out new developmental work in their districts and extend the undertakings they have already embarked upon. They are fully acquainted with the problems associated with such works because they have lived in the district for many years. The requests made by local authorities have been outlined by several speakers on this side of the House and I hope that the amendments that will be moved in Committee will be agreed to. I support the second reading.

**MR. LAPHAM** (North Perth) [10.21]: I support the second reading of the Bill. There has been a good deal of unnecessary and unjust opposition to this measure. Quite a deal of it has been against the provision for adult franchise. I find it extremely difficult to understand why a body of men who have been elected on the principle of adult franchise should now oppose that principle being applied to local government elections. It is a principle that has been followed in England for many years.

In the official handbook "Britain," issued in January, 1954, under the heading of "Local Authority Elections" the following appears:—

Any person is entitled to vote at a local government election, provided that he or she is a British subject of 21 years or over or a citizen of the Irish Republic, is not serving a prison sentence, is not certified insane, is resident in the area for which the election is being held or has a non-resident qualification therein.

Because the Government is endeavouring to introduce a similar provision in this Bill, there has been considerable hostility towards it.

Hon. A. F. Watts: There is no non-residential qualification in the Bill.



**Mr. LAPHAM:** But there is quite a lot of hostility towards adult franchise being introduced into the measure. One of the main reasons outlined, and reiterated quite a lot, is that all the rates are paid by landlords, and that anyone who is not a landlord is not contributing towards the finances of a local governing authority. That is entirely wrong because land rates contribute about 55 per cent. of the finances of local government; Government grants contribute about 30 per cent., and there are many other items which could make up the revenue received by local authorities.

As a matter of fact, any person who licenses a motor-vehicle in a country district is contributing to the finances of the local authority. Accordingly, a lad of 21 who has not a stake in the country in the way of land is contributing towards the finances of the local authority; yet that lad has no right whatever to have any representation on that local authority. He can, of course, vote to elect his member of Parliament to the highest tribunal in this State; but because it is a local authority which is concerned in this case he is not allowed the right to vote.

**Mr. Yates:** He only buys a service when he licenses a vehicle.

**Mr. LAPHAM:** He also contributes to the finances of the local authority.

**Mr. Yates:** That has nothing to do with it.

**Mr. LAPHAM:** Of course it has. Rates are based to a large extent on the rental being received from properties. I think we all realise that the State Housing Commission rentals are based on the amount of money that is being received collectively by the individuals in any home. That means, of course, that the father's income is taken into account, and so is the mother's, if she happens to be working. If the children are working and they are over or under 21 years of age, their income is also taken into account when the Housing Commission calculates its rental value. This means they are individually and collectively paying towards the finances of the local authority. Then why should not they be entitled to have the right to say who shall represent them on any local authority? Usually the higher the rents the higher the rates.

**Mr. Perkins** called attention to the state of the House.

Bells rung and a quorum formed.

**Mr. LAPHAM:** As I was saying, the higher the rents the higher the rating value of the property. Accordingly, the monetary accumulation in any home has a bearing on the rental which the collective family can afford to pay. Consequently, each individual who is working and is paying his contribution to the family income is, in effect, paying a small proportion of the rates. But under our present arrangement they are not allowed

any representation whatever. I think that is entirely wrong, and it is high time that we adopted adult franchise in this country. It has operated very effectively in England for many years and I see no reason why it cannot operate in Australia.

The opposition to this question is mainly derived, according to my view at least, from local authorities who do not like to see any change in the present arrangements. That, of course, is quite understandable. I do not like to see any change in the boundaries of North Perth because I know I will be down by about 3,000. But nevertheless I am quite prepared to advance with the times and realise that as my quota is down there must be some re-arrangement to the electorate. Consequently, I think local authorities should also realise that we have progressed quite a lot since the idea of giving a vote to landholders was first introduced. They should also realise that we are continuing to progress and that we should have a different arrangement from that which we have today.

Another item in this Bill that has caused a lot of comment, especially by the Leader of the Opposition, is that relating to trading undertakings. It would seem that, on the one hand, the opposition to the Bill feels that the members of local government are responsible people and they do not want them changed. Yet, on the other hand, when the Government introduces a provision under this Bill to allow local authorities to take part in trading undertakings, the Opposition is vitally opposed to such a principle because it feels that the responsible section might become irresponsible, and all sorts of trading undertakings could be carried on. The Opposition feels that in such circumstances the local authorities, not using their own funds, might go to excesses.

I am sorry to admit that there was one trading undertaking conducted in Western Australia by the Perth City Council but it had to be closed. In its place we have the spectacle at present of the Government and local authorities purchasing road-making materials from a private concern which can charge anything it likes. There is no real effective competition. Is there any legitimate reason at all why any local government should not indulge in quarrying, for instance?

A local authority might have quantities of a particular type of stone in its area which it was desirous of using for road making. It might feel that the setting up of quarrying equipment was not justified solely for its own use. It might desire to sell part of the products to other local authorities, but members of the Opposition feel that the local authority should be debarred from embarking on such an undertaking.

When the opposition to this Bill is analysed, we find it has no real basis. There are 681 clauses in the Bill, so I do

not doubt for one moment that a few amendments will be made, because the Government has always been reasonable. Where a fault in draftsmanship is discovered, or where a commendable suggestion is put up by the Opposition, the position is rectified. In Committee a few amendments may prove necessary, but at the present moment I am pleased to support the second reading.

**HON. D. BRAND** (Greenough) [10.33]: The Bill is essentially a Committee measure. All the issues which have been raised during this debate will, I feel sure, be very fully debated in Committee. The fact remains that Opposition speakers who have voiced their opinions have done so because of representations made to them by local authorities.

The Minister for Lands: That is an honest statement and fair enough.

**Hon. D. BRAND**: I understand there are 127 local authorities in this State.

The Minister for Railways: There are 128.

**Hon. D. BRAND**: It would be quite in line with 127 local authorities who have made representations in respect of the Bill now before the House to point out that the main principles which are controversial surround adult franchise, election of president and chairman of councils, and the question of valuations. In the first place I am informed that it is almost the unanimous wish of local authorities that the franchise remain as it is, and no good purpose will be served by altering it.

Many arguments have been put up by members of the Opposition as to why the existing franchise should be retained. Some mention was made of the possible intrusion of party politics into local government immediately following the acceptance of adult franchise. That would surely happen. If any member of this House were to express himself sincerely, he would admit that it is not in the best interest of local government to adopt adult franchise. I asked the Deputy Premier a question following the publicity given to the fact that the A.L.P. was calling for nominations for candidates for the municipalities of Perth and Subiaco.

The Minister for Lands: What is that, the Australian Liberal Party?

**Hon. D. BRAND**: Just at present they would like to be. The Deputy Premier pointed out that this practice had been adopted for some time past. I am quite well aware that if applications have been called by the A.L.P. and interested bodies on the Goldfields, it has also been done in the City of Perth. Nevertheless, that does not make it right. I am certain that immediately following the acceptance of adult franchise in local government in this State, there would soon develop a political squabble and the neutrality of elected

members would be lost in the face of party politics. In small districts or towns I cannot see that this would be in the best interests of local government.

The Minister for Lands: If the whole country is run on that basis, what is wrong with applying it to local government?

Mr. Jamieson: The objections raised are hypothetical.

*[The Speaker resumed the Chair.]*

**Hon. D. BRAND**: The member for Canning has got hold of a couple of hypothetical words and he is using them again and again. He stated that we used hypothetical cases and went on to back up his own case with hypothetical cases. The situation as it exists in local government in this State is very satisfactory and in the event of the intrusion of party politics into the present system, nothing but difficulties would arise as a result. The member for Canning mentioned the road board at South Perth and said that was the only one of the five local authorities in his electorate which had approached him. Like the member for Murchison, I represent nine local governing bodies, all of whom have been very active in their representation on the issues which have been placed before this House in the last few weeks.

The Minister for Lands: But I thought you were allowed to think for yourself.

**Hon. D. BRAND**: As a matter of fact, I am, to a far greater extent than the members opposite. This paper, "Community News," is printed in South Perth and is very impartial.

Mr. Jamieson: So is the quotation you are about to make.

**Hon. D. BRAND**: It is headed, "Local Government Bill is Opposed by Road Board. Group Says Basic Principles Involved." Then it goes on to tell what the board thinks about the Bill. There is an editorial.

The Minister for Lands: It is a useful bit of paper.

**Hon. D. BRAND**: The editorial includes the following comment—

The "Community News" as a local Press medium, is happy to accede to the board's request for publicity on this matter and commends its readers to a careful study of the clauses quoted and the board's opinions and criticism thereon.

Mr. Jamieson: Who is the editor?

**Hon. D. BRAND**: I cannot say; the hon. member should know more about that than I do. There has been no pressure from any quarter for adult suffrage or for any alteration of the franchise now applying to local government. When the Minister for Local Government, Hon. G. Fraser, opened the 29th Road Board Conference

on the 11th August, 1953, he made a statement which was recorded in the minutes and which I was interested in reading. The record said—

It is a pity that all road boards are not members of the association. Hope that whilst conference is sitting, you will cover all items of agenda. Speaking re the Local Government Bill, the Minister said, "I am taking the Bill introduced by the previous Government combined with the then Cabinet's decision, plus the recommendations of the Royal Commission."

The decisions of the then Cabinet had meanwhile been the subject of a Royal Commission and of much criticism in this House.

From those, a new Bill is being drafted. In this way, I hope the Bill will see the light of day this session. Hope not optimistic in saying that the Bill may become law in 1954. Have not yet seen the draft. Would like decisions on suggested amendments forwarded to me for consideration. Bill will go to Cabinet first.

Had that sequence been followed, this Bill would have been welcomed on both sides of the House. As the Leader of the Country Party stated in his speech, the whole of the measure has over many years been the subject of much investigation and survey. A committee was appointed by him and a Bill was introduced. I think the Deputy Leader of the Opposition at that time—the present Premier—had much to say in general terms about the need for obtaining unanimity and giving everyone a chance to express his opinion and allow plenty of time for the bringing in of amendments. Following that, a Royal Commission was set up and recommendations were made that can be found in the report.

Had the Government stuck to the recommendations of the Royal Commission and not imposed its policy on the Bill, it would have been readily accepted in this House. I sincerely hope that the Minister will give consideration to the amendments on the notice paper, which cover all the issues that have been raised during the debate. Some indication was given to-night that the amendments might not be accepted. For what reason, I am not certain, because, if we are interested in maintaining local government as it exists to-day, if we are interested in giving it its rightful place as the third arm of government in this State, we should be encouraging the people, particularly in the smaller centres, to take a more direct interest voluntarily in the service of their town.

The Minister for Lands: What about bringing them up to date?

Hon. D. BRAND: They are quite up to date.

The Minister for Lands: They are not.

Hon. D. BRAND: We know that they are and are doing a worth-while job in the interests of their respective communities.

The Minister for Lands: They are doing a good job, but they are relics of a forgotten age in their administration, generally speaking.

Hon. D. BRAND: Rather than giving them adult franchise, if we directed our attention to investing them with more authority and greater responsibility for public works, etc., it would represent a great gain to the Government, and the work would be done more cheaply because there would be a local interest in and local superintendence of what was going on.

I wish to say a few words about the provision for the election of chairman. This might apply in a closely populated centre where the president or chairman might well be elected by those who live in the community, but road districts covering hundreds of square miles and perhaps including one small township would present a very different picture. If there is to be a separate election for chairman, he will often be elected from the ward where majority of ratepayers live, and that is in the town. The existing system should be retained in order that the ratepayers may have the choice of the best men available for their chief citizen whether they live in the town or on the farm lands surrounding the town.

Mr O'Brien: The chairman is generally elected from the town ward.

Hon. D. BRAND: Not at all. That might happen on the Goldfields, but it does not apply to the country by any means. Very often there are three or four interested and worth-while citizens who could take the lead in community affairs, and I feel that the services of those men should be available for the positions of chairman and members of the local authority. In any event, there has been no pressure or request for an alteration of the existing system. The Royal Commission recommended that this be made optional, and I am of opinion that Parliament should not interfere with the wishes of almost 100 per cent. of the local authorities interested in this issue.

The matter of valuations has been discussed. There again I repeat, "Leave it optional. Give the local authorities a say as to the system of rating they will adopt." I know that we can have a lot more to say on this matter when the Bill is in Committee and I have no wish to cover the ground twice, but I urge the Minister to approach the Committee stage with an open mind and accept some, if not all of the amendments that have been placed on the notice paper. Those amendments have been put

forward directly on behalf of the representatives of local authorities, the Farmers' Union and other people closely interested. The Minister should be prepared to do that, as these amendments are not put forward with any political backing.

The present Premier, when Deputy Leader of the Opposition, said the Bill on that occasion was 98 per cent. non-political. Therefore I trust that we shall enter the next stage and discuss the Bill with open minds and be non-political in our approach to it. If this is done, there will emerge from the discussion a worthwhile measure, something that has been required for many years and will place local government on a sound basis thus enabling the local authorities to carry out more effectively the duties of the third estate of government in this State.

The Minister for Lands: When you said you hoped we would approach it with an open mind, did you mean that you were prepared to change yours?

Hon. D. BRAND: I do not know that to have an open mind means that it has to change every now and again. If, however, the Minister has an open mind, it would be very different from some of the approaches made by the Government to our amendments. There seems to be no open mind, or any other way, through which we can have our opinions heard on that side of the House. I feel that the Bill contains some essentials that are required by local government. It has come about as a result of much consideration, and we now have a consolidated measure before us. I support the second reading in the hope that some of the hundreds of amendments will be accepted.

**THE MINISTER FOR RAILWAYS** (Hon. H. H. Styants—Kalgoorlie—in reply) [10.51]: I do not propose to speak at great length in reply, but I want to answer some of the criticisms that have been levelled at the measure. No one in the House has a greater admiration for the work done by local authorities than I have. I have some appreciation of the amount of time they give and the work they do in an honorary capacity for the welfare of the residents of their districts. I do not expect that the Bill in its entirety will suit anybody, but I would say that 90 per cent. of it would provide a suitable framework upon which to build a local government Bill.

Of course, I know it is difficult to give satisfaction in the one measure to country districts which are some distance from the metropolitan area and also to provide what is satisfactory for the metropolis. One would perhaps be pardoned for thinking, when listening to some of the criticism, that the Government had committed some heinous crime by including in the Bill certain provisions which it thought were right and were preferable to those recommended by the Royal Commission. I do

not know that any Government is under an obligation to accept in toto the recommendations of a Royal Commission.

I would say that the Government is not wedded to any particular portions of the Bill, but it exercised its perfect right to express its views in the measure, irrespective of what members of the Opposition might think. The criticism of the Bill has been largely reiteration of the views expressed by the first speaker—the member for Stirling—who was designated as the official spokesman for the Opposition. About 90 per cent. of the criticism has been repetition of the arguments put forward by him, so that in answering what members have said, I propose largely to confine myself to the objections raised by the member for Stirling, and to those matters in the Bill which can be regarded as controversial.

The criticisms have been mainly against the adult franchise provision; the method of electing the president; the method of valuations; the question of audit; and electoral matters. It has been stated that very little was advanced in support of the Bill. If members would look at the introductory remarks which I made, they would find a number of reasons in support of all these matters. I put forward eight to ten reasons to show why we, on this side of the House, think they should be incorporated in the measure.

Mr. R. F. Hutchinson: Would you have a look at those I mentioned regarding times of election and right-of-ways.

**THE MINISTER FOR RAILWAYS:** Yes. They are matters which could quite easily come up for discussion in Committee; and there is no doubt that quite a number of others will be dealt with when the Bill is at that stage. I am not surprised that members opposite have opposed the principle of adult franchise because it is a continuation of the system of franchise which operates in another place.

Mr. Court: I do not think the circumstances are comparable.

**THE MINISTER FOR RAILWAYS:** No, but the proposals which are supported by the Opposition are more reprehensible than even the franchise of another place. Here they want not only the property franchise but plural voting as well.

Mr. Hutchinson: No one objected to the provision in the Bill regarding one-man one-vote.

**THE MINISTER FOR RAILWAYS:** Adult franchise is much more democratic than plural voting. During the debate we heard much of our democratic way of life. It is my firm opinion that while we have one of our legislative Houses elected on a property franchise, we cannot logically contend that there is any democratic way of life or government of the country.

Democracy was defined by one of the greatest statesman the world has ever known as being, "Government of the people for the people by the people." The proposal from the Opposition, however, is government of the people by a section of the people; that is what it has always espoused as far as our legislative Houses are concerned. I am not surprised that it wants a continuation of that system in local government.

Hon. D. Brand: Local government must be satisfied with the system.

The MINISTER FOR RAILWAYS: Local government does not rule the country. The legislative Houses, or the Houses of Parliament, elected, as to this Chamber, by the whole of the people, and as to another place by a portion of the people, rule it.

Hon. D. Brand: Why not wipe them out altogether?

The MINISTER FOR RAILWAYS: Some awful pictures were painted of the catastrophes and disasters which would be likely to overtake the community if adult franchise became law in local government elections. Members opposite skillfully skirted the example in Australia—the State of New South Wales—where adult franchise has operated. After having made a study of local government in New South Wales, I would say it is on a plane equal to what it is in Western Australia; and I have a high regard for local government in this State.

Mr. Hutchinson: It is not.

Mr. Court: New South Wales is in one awful mess in regard to its local government!

The MINISTER FOR RAILWAYS: No.

Mr. Hutchinson: A frightful example!

The MINISTER FOR RAILWAYS: The hon. member can have it his way. I say that local government in New South Wales is on as high a plane as it is in Western Australia.

Hon. D. Brand: Not by any means.

The MINISTER FOR RAILWAYS: We heard all the dire predictions of what is likely to take place if adult franchise becomes law, but, in my opinion, what has been said was put forward just to try to frighten people. Let us take the most extreme case in favour of the argument of members opposite, a man who is earning his livelihood, but who may not own any bricks, mortar or land. In passing, I might mention that there is no objection to a boy of 18 being conscripted to fight for the country although he does not own 2ft. of land.

Mr. Court: He has an interest in the country as a whole.

Hon. D. Brand: Tell us what is the alternative.

The MINISTER FOR RAILWAYS: As far as this measure is concerned, the alternative is to give him the right to vote in all matters pertaining to local and other government—

Hon. D. Brand: But tell us what is the alternative to his fighting for the country?

The MINISTER FOR RAILWAYS: Do members opposite suggest seriously that a man earning his livelihood in a district is likely to vote in a way that would bring chaos and disaster on the district and its industry? Would he not have a stake and an interest in it? The only means by which he can earn his living is the industry of the district and its welfare, and yet members opposite say that such a man would vote for something that would bring about disaster and thereby do away with his only means of earning his bread and butter! That does not make sense.

Let us deal now with the indirect contribution. Let us consider a boarder, for example—this the most extreme case for the Opposition—living in a lodging-house or hotel. Would members of the Opposition seriously contend that that man does not contribute something towards local government in the form of taxes? He pays his board to the proprietor and, if the proprietor is the owner of the premises, portion of the profit he makes out of providing accommodation for the boarder will go towards paying local government taxes. If the proprietor is a tenant, the same thing applies.

Then there are those who use electricity and gas or transport provided by the local authority. They are all indirect contributors, perhaps not in such large proportions as the man who owns a terrace of houses or his own premises, but they still contribute. I believe the principal objection from members of the Opposition is that if we grant adult franchise we will have councils and road boards truly representative of the people and not just of the bricks and mortar in the community. Over the years that I have been in this House, members opposite have shown more concern for the voting power of bricks, mortar and land than for flesh, blood and brains.

Hon. D. Brand: Do not talk such absolute rot!

The MINISTER FOR RAILWAYS: That shows how wrong I can be! Nevertheless the protests and denials of members of the Opposition do not alter my opinion one whit. I have sat in this House a great deal longer than has the Deputy Leader of the Opposition and, year in and year out, I have heard members opposite—both as the Government and when in Opposition—stoutly defending the right of bricks and mortar to vote rather than the people in the community.

Hon. D. Brand: We, on this side, think at least as much of flesh and blood as you do.

The MINISTER FOR RAILWAYS: Because a man is not possessed of bricks, mortar and land, members opposite would deprive him of the right to record a vote as to what was to take place in his town or district.

Hon. A. V. R. Abbott: Do you not think he should contribute something towards it?

The MINISTER FOR RAILWAYS: I would wipe the hon. member right off, if I had my way.

Mr. SPEAKER: Order! The Minister had better wipe all the interjectors off and get on with his speech.

Hon. A. V. R. Abbott: Why not be logical?

The MINISTER FOR RAILWAYS: The member for Mt. Lawley is not noted for his logic.

Mr. SPEAKER: Order!

The MINISTER FOR RAILWAYS: People who do not own property or occupy property as tenants and thus become ratepayers and eligible to vote have been held up to us as a crowd of irresponsible who, if given a vote in local government affairs, would wreck industry and the welfare of their town or district.

Hon. A. V. R. Abbott: They did it in New South Wales.

The MINISTER FOR RAILWAYS: Let us examine the type of person who comes within the category of those who cannot record a vote unless we grant adult franchise, and see just how responsible they are. As an example, we might deal first with the schoolteacher, who usually lives in a house provided by the Government and who consequently is not permitted to vote in a local government election. Schoolteachers are the people to whom we look to educate our children and they are largely responsible for the formation of parents and citizens' associations. They are usually interested also in the formation of community centres, yet members opposite tell us that they would be totally irresponsible if given the right to vote in local government elections.

Hon. A. V. R. Abbott: They were irresponsible in New South Wales—

The MINISTER FOR RAILWAYS: Let us look next at the police officer. I do not refer to the ordinary constable, who is not usually provided with a residence, but to the sergeant in charge of a district. He is the man to whom we look to keep law and order and protect life and property. In addition to those services, he is frequently the local factotum. In some districts he is the mining registrar, the clerk of courts, the registrar of births, deaths and marriages, in addition to perhaps a score of other jobs, yet members opposite say he is the type of person to whom it would not be safe to give a vote in local government

elections, simply because he does not happen to own some bricks and mortar or land. What about the postmaster, who lives in Government quarters? He is the man we depend upon to make telegraphic or telephonic facilities available to us at any hour of the day or night, and he looks after many of our valuables.

Mr. Bovell: In every instance you have quoted those people own property in some other place and are entitled to vote there.

The MINISTER FOR RAILWAYS: The hon. member would not know anything about it. He would not have a clue as to whether the postmaster in Busselton or the local sergeant of police owned property elsewhere in the State.

Mr. Bovell: I have. That puts you in your place.

The MINISTER FOR RAILWAYS: It does not.

Mr. Bovell: Yes, it does, because you have told me I know nothing about something which I do know something about.

The MINISTER FOR RAILWAYS: Does the hon. member think I am going to take his word for it?

Mr. Bovell: The Minister cannot tell me what I know and what I do not—

Mr. SPEAKER: Order!

The MINISTER FOR RAILWAYS: The hon. member may be the king of Busselton, but he is not king of Western Australia.

Mr. SPEAKER: Order! Will the Minister address the Chair?

Mr. Bovell: On a point of order; the Minister has made the statement that I do not know whether the postmaster in Busselton owns a house or not, and the point of order is that I do know. In unparliamentary language, the Minister's statement was completely untrue.

Mr. SPEAKER: There is no point of order in that. The Minister may continue.

The MINISTER FOR RAILWAYS: I was provoked into saying that by the hon. member's saying that I was not speaking the truth.

Mr. Bovell: I did not say any such thing.

The MINISTER FOR RAILWAYS: The hon. member said it in effect.

Hon. D. Brand: Read out what the local governing authorities on the Goldfields had to say.

The MINISTER FOR RAILWAYS: I do not mind telling members that, like everybody else, I received a letter and I wrote and told them that I was going to support the proposal for adult franchise.

Hon. A. V. R. Abbott: You have to; you have no option! It is your party's policy, so that is that.

**The MINISTER FOR RAILWAYS:** These people to whom the Opposition would deny a vote at local government elections are those of high character and standing in the community. To designate them as irresponsible, does not do credit to members opposite.

**Mr. Court:** We have never singled out teachers, postmasters or policemen.

**The MINISTER FOR RAILWAYS:** Members opposite have not singled them out but they are the people objected to because they do not own bricks and mortar.

**Mr. Court:** I do not think that is a fair statement.

**Mr. Bovell:** I will tell the Minister something else for his information.

**The MINISTER FOR RAILWAYS:** If members opposite have their way, regarding the adult franchise provision, such people will not be able to vote because they are living in government premises for which no rates are paid to the local authority. Consequently, those people would not be entitled, as tenants, to vote. They are the irresponsibles who would wreck the welfare of the community if they were permitted to vote—that is, according to the Opposition.

**Mr. Bovell:** Talking about postmasters—

**The MINISTER FOR RAILWAYS:** What are the leading hands—

**Mr. Bovell:** The postmaster at Manjimup—

**The MINISTER FOR RAILWAYS:** Mr. Speaker, I find great difficulty in continuing because the member for Vasse is constantly chipping in, and when I answer him he raises points of order.

**Mr. Bovell:** Because you told untruths.

**Mr. SPEAKER:** Order! I think the Minister should address the Chair and disregard interjections.

**The MINISTER FOR RAILWAYS:** Take the men who are living in cottages on farms. Will farmers say they are not entitled to vote? Is it likely that such people would wreck the industry in which they are earning a living? They are the types of people upon whom the farmer depends to carry on his industry, and yet members opposite say they would be irresponsible!

**Hon. D. Brand:** A man living in a cottage on a farm would get a vote.

**The MINISTER FOR RAILWAYS:** No.

**Hon. D. Brand:** If it were rated he would.

**The MINISTER FOR RAILWAYS:** He would not get a vote; the owner of the property gets one. If it were not for those people, who are designated as irresponsible by members opposite, it would be difficult for the businessmen in country centres to carry on. The publicans and

grocers would find it particularly difficult to carry on because, by their patronage, and because many of them are working in these businesses, these so-called irresponsibles are assisting industry in country towns to prosper. I believe that the adoption of adult franchise for local government is progressive, and despite assertions made by Opposition members, it has proved a success in New South Wales.

**Hon. D. Brand:** It has not.

**The MINISTER FOR RAILWAYS:** It has proved successful in England, where it has operated for many years, and it is rank conservatism on the part of members of the Opposition that makes them want to stick to the old system. If adult franchise were adopted we would get councils and road boards which were truly representative of the whole of the people and not only the section of it that owns bricks and mortar.

**Mr. Nalder:** What about the 122 road boards in the State who object to it?

**Hon. D. Brand:** They are not asked about their ideas. Their wishes are being ignored and those of the Local Government Association as well.

**Mr. Brady:** Some of the Liberal organisers have been around.

**The MINISTER FOR RAILWAYS:** The statement I made in connection with auditors and the etiquette of certain actions and the holding of certain positions in local government affairs was questioned by some members opposite. The member for Nedlands stoutly denied that my statement was correct. I have here an extract from the "Federal Accountant" and the hon. member would know what that is.

**Mr. Court:** It is a defunct body now.

**The MINISTER FOR RAILWAYS:** As I said, this is an extract from the "Federal Accountant" dated January, 1949, and is a lecture on the ethics of the accountancy profession delivered by H. R. Irving, F.F.I.A., vice-president of the institute. He said—

The institute has enunciated some guiding principles for regulating and maintaining ethical standards and these are set out in the institute's articles and by-laws, which should be carefully studied by all members.

That is in the institute's articles and by-laws and therefore its provisions would be binding on all members of the institute.

**Mr. Court:** You know that you have the wrong institute. That, when it existed, was a commercial institute and not a professional one.

**The MINISTER FOR RAILWAYS:** It continues—

In regard to appointments, no member is permitted to offer himself for election, as auditor of a company, road

board, municipality, shire council or any other body of a like nature, in opposition to a member of a recognised Institute of Accountants at the time holding the position and who, being eligible, is offering himself for re-election; save only in cases where such member has been approached by an important section of the shareholders of the company or of an influential proportion of the ratepayers, or has been authoritatively informed of the existence of a general desire for a change of auditor, in which event he must notify the auditor holding the position at least thirty days prior to the date of the election of his intention to compete and he must also notify the council of the institute of his intention to compete and of the grounds on which he feels himself entitled to compete.

Mr. Court: You know that that institute is defunct. There are only two institutes, the Australian Society of Accountants and the Institute of Chartered Accountants, and two of your Ministers are members of one of those institutes.

The MINISTER FOR RAILWAYS: The hon. member admitted the other evening that there is a certain amount of etiquette as far as auditors are concerned. But if I have quoted from the wrong institute, or if it has become defunct in the meantime, the hon. member will be right.

Mr. Court: I am right. You would be fairer if you read out the current one I made available to you. There are only two institutes in Australia—the Australian Society of Accountants and the Institute of Chartered Accountants.

The MINISTER FOR RAILWAYS: If that is the case, I was not aware that it had been altered.

Mr. Court: The institute you quoted has become defunct since then.

The MINISTER FOR RAILWAYS: I am prepared to accept the hon. member's version of it. I now come to the question of the election of president by the electors. The system of having the head of a municipality or road board elected by popular vote has operated quite successfully in municipal elections. The Deputy Leader of the Opposition has told us that in a widespread country district, it would be almost certain that the town candidate would be elected as shire president. He must think that people in the country are very parochially-minded. I do not think that such an occurrence would happen. I think a man would be elected as shire president on his ability. I think the people would consider the merits of the man for whom they were voting rather than whether he lived in the townsite or in a small hamlet 10 or 15 miles distant.

Hon. D. Brand: You know very well that if a man were residing in the townsite he would be elected as shire president because the majority of the votes would be polled there.

The MINISTER FOR RAILWAYS: The objection I have to a chairman of a road board or a president of a shire council being elected by the members is that each member is elected by the ratepayers for a particular ward and the man who is appointed chairman is in the position of having to serve two masters. In my opinion, there is almost certain to be a conflict of interests on his part, and he would find his position extremely difficult. I think his primary duty as a president of a shire council or as a chairman of a road board would be to ensure that the affairs of the local authority were carried out in a proper manner and that its business was conducted as it should be.

He should be entirely unfettered and it would be much more advisable to have a chairman of a road board or a president of a shire council elected in a similar manner to the appointment of a mayor or a lord mayor of Perth. I do not think it would have a very detrimental effect if we made such a provision uniform. One of the principal objects of the Bill is the proposal to make local government laws uniform. I believe that there should be no great objection to that.

I now come to the principle of rating on unimproved values. One hon. member quoted a chairman of a road board who said he preferred the system of annual valuations and that it would be detrimental to adopt the principle of rating on unimproved values. In opposition to that view, I will quote the opinion of Mr. Colin Clark, one of the leading economists of Australia who resided in this State for some time. He said—

Taxation on unimproved land values is in a class by itself for goodness. It is almost the only taxation which is without effect on the incentive to produce or save and it should therefore be exploited to the fullest possible extent.

Therefore, according to that opinion by one of the leading economists in Australia, valuations based on unimproved land values cannot be so detrimental as some of the Opposition members would have us believe. I would also point out that a body known as the Henry George League frequently publishes convincing arguments in favour of rating on unimproved values. Further, an ex-member of this House, Sir Ross McDonald, who served the State for many years, was a member of that league, and I have the utmost respect for him. In this House he frequently spoke in favour of rating on unimproved values.



In reply to the argument put forward by members of the Opposition that local authorities would not be able to raise sufficient revenue and would become bankrupt, I would say that such a statement is so much nonsense. I know that under the system of rating on unimproved land values, they could raise just as much revenue as they desired by striking a higher rate in the £. However, whichever system is followed, it resolves largely into a question that if either a road board or a municipality desires to raise a certain amount of revenue to carry out its functions in the interest of the community, it will rate accordingly and raise all the money it requires whether it adopts the system of rating on unimproved values or of rating on annual values.

Hon. A. F. Watts: How do you arrive at the unimproved value of a mining lease?

The MINISTER FOR RAILWAYS: I do not think that that would matter very much. Personally, I do not know how it would be assessed. I do not think that local authorities would receive a great deal of revenue from mining leases, but would obtain it from other sources. It is passing strange, particularly in Wembley, where I live, which is within the boundaries of the Perth City Council, that the rates have recently been doubled, and more than doubled, under the annual valuation system. Yet a little further out in the aristocratic portion of Floreat Park, the wealthy business people—those who are making colossal profits and who are living on properties comparable with those in Wembley—are levied with rates which are only about 50 per cent. of those that are paid by the people residing in Wembley.

Hon. A. F. Watts: This Bill will not even remedy that.

The MINISTER FOR RAILWAYS: No, it could be that under a system of rating on unimproved values the people of Wembley could still be over-rated in the same way as they are now. Why should a local authority be permitted to rate a wealthy section of the community on the unimproved values of their properties, when in Wembley properties of approximately the same type are rated on the system of annual valuation?

Hon. A. F. Watts: The Act that requires to be amended to remedy that is the City of Perth Endowment Lands Act.

The MINISTER FOR RAILWAYS: One matter that was raised dealt with the by-laws relating to school hostels. Road boards have had authority, since 1946, to make by-laws "for regulating the establishment, maintenance and control of hostels for schoolchildren." A similar provision was included in the 1949 Bill. The provision to authorise a by-law regulating the admission of persons, conduct of persons and the prescribing of fees and charges

was included on the recommendation of the Royal Commission. Clause 496 of the Bill now before the House authorises the council to establish, acquire and conduct as a trading concern "the carrying on of hostels for schoolchildren." This power made it necessary for by-law making power to be included so that a council could "prescribe fees and conditions to apply to school hostels under its control."

Whilst Clause 189 of the Bill, dealing with by-law making powers generally provides that a council may make by-laws prescribing fees, matters and things which, by this Act, are contemplated or which appear to the council to be necessary or convenient for the purpose of effectually carrying out the provisions of the Act, it is not thinkable that any responsible Minister would recommend the making of a by-law by a council to cover school hostels not under the control of the council. However, if any doubt remains the matter could be clarified. It simply means that under the provisions of the Bill the functions of the council have been extended so that it will be able to inaugurate, establish and conduct hostels. The provision of prescribing fees refers, of course, only to the hostels which would be under the control of the local authority, and would not affect those under the control of any educational body.

I went into the question raised by the member for Stirling in connection with the authorisation of cheques by resolution of the council, and the note I have here states—

The member for Stirling raises objection to the provision in the Bill which requires that money shall be withdrawn from the bank only by a cheque which has been issued by authority of resolution of the council. This is contained in Clause 615 of the Bill, but the hon. member does not mention a further provision in this clause which provides—

and this is the provision referred to—

This subsection does not preclude a council from entrusting to its clerk or treasurer a sum of money to be used as petty cash or other advance account nor to prevent a sum being placed to the credit of a banking account operable upon the signature of the clerk or treasurer alone.

There is a further provision in the same clause as follows:—

Where in the opinion of the Minister, absence of banking facilities in a district renders strict compliance with the subsection objected to, the Minister may permit such modification of those provisions as he thinks fit.

The note I have continues—

It is clear from this that any council could entrust to its clerk or treasurer a sufficient sum to cover wages that may become due between meetings.

All the provisions relating to the withdrawal of cheques authorised by resolution of council were included in the 1949 Bill and were not altered by the Royal Commission.

Those are the principal matters raised by the member for Stirling and repeated frequently during the debate. It was only on very rare occasions that some other provision in the Bill was mentioned. I say again, I believe that the Government is quite justified in incorporating in the Bill what it thinks is required in the interests of the community, even though it may not have been recommended by the Royal Commission. In itself I believe the Bill provides a framework from which quite a workable Act could eventuate. If we approach it in the right light and in the right spirit, it would possibly take a month or six weeks to get it through the Committee stage. It might not be possible to get it through this session because I should imagine that immediately the controversial clauses come up in Committee, the same people would raise the same arguments again. That is all I have to say in connection with the measure.

Question put and passed.

Bill read a second time.

*House adjourned at 11.36 p.m.*

## Legislative Council

Wednesday, 3rd November, 1954.

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

## AUDITOR GENERAL'S REPORT.

### Section "A", 1954.

The PRESIDENT: I have received from the Auditor General a copy of Section "A" of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1954. It will be laid on the Table of the House.

### QUESTION.

#### RAILWAYS.

*As to Fires Caused by Locomotives.*

Hon. J. McI. THOMSON asked the Chief Secretary:

In view of the unusually dry conditions that have been experienced this year and the resultant increased fire menace throughout country districts, can the Minister inform the House—

- (1) Has the Government any plans to obtain Newcastle coal for use in locomotives in areas where high fire hazard exists?
- (2) How many oil-burning engines and diesels are available for use in these areas?

The CHIEF SECRETARY replied:

(1) Yes. The anticipated consumption of Newcastle coal for the current year is 14,440 tons. This is to cover normal requirements; and, in addition, for use during the period of the miners' Christmas and New Year holidays, as the storage of Collie coal in open trucks causes it to weather and increases the fire hazard when used.

(2) At present there are 18 oil-burning locomotives and eight "X" class diesel electric locomotives in service. Four more "X" class are expected by Christmas, after which deliveries at the rate of three per month are anticipated.

### BILL—BUSH FIRES.

#### Third Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [4.37]: I move—

That the Bill be now read a third time.

HON. L. C. DIVER (Central) [4.38]: I have now some information which was not available when the measure was being debated. It is fit and proper that I should give this information to the House before the Bill passes the third reading, for it will amply illustrate to members that there are shortcomings in this Bill, particularly as it applies to the Commissioner for Railways, who could not, under the measure, be proceeded against as