

idea of ensuring some action is taken along those lines. I will leave the matter at that.

Question put and passed.

Bill read a second time.

In Committee.

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Attorney-General) in charge of the Bill.

Clauses 1 and 2 put and passed.

Progress reported.

House adjourned at 1.8 a.m. (Wednesday)

Legislative Council

Wednesday, the 4th November, 1959

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QUESTIONS ON NOTICE

WITTENOOM-ROEBOURNE ROAD

Bituminisation Programme

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

- (1) What is the present programme, including bituminising, for the Wittenoom-Roebourne road?
- (2) Is it intended, ultimately, to bituminise this road for its entire length?

The Hon. A. F. GRIFFITH replied:

- (1) In the Roebourne Road Board £15,000 has been provided for stabilising between 35M. and 55M. In the Tableland Road Board £15,000 has been allocated for stabilising, priming, and surfacing three miles between 187M. and 190M. £4,000 has also been provided for resealing four miles on the road to the mine. In addition to above, £7,500 has been provided for maintenance.
- (2) It is not possible to foresee what the ultimate importance of this road will be in relation to the thousands of miles of other roads in the North-West and Kimberleys. A new road has been opened up between Wittenoom and Port Hedland. The Wittenoom-Roebourne road is at the present time carrying very heavy loads and is in good condition. Surfacing work has been carried out where harsh conditions have presented problems not readily overcome by ordinary maintenance grading.

MARBLE BAR AREA

Drilling Plant

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

What is the latest information regarding obtaining a Mines Department drilling plant for the Marble Bar area as outlined by the deputation to the Minister at Marble Bar earlier this year?

The Hon. A. F. GRIFFITH replied:

Full information was obtained as to a type of drill which might be used in the Pilbara area. This was discussed in detail with one of the major operators in the field, but it entailed employment of a man to service and operate, and was also a very costly outfit—approximately £8,000. Further discussions were to be held with this operator, who actually introduced the idea of this type of plant at the deputation referred to, and who was prepared to assist

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

the department in its maintenance; but these have been temporarily delayed because he met with a serious motor accident and has since been in Royal Perth Hospital.

In the meantime, the department financed drilling at Bamboo Creek and Moolyella on behalf of our State Battery, and local operators respectively, and also collaborated with the Public Works Department in obtaining additional domestic and battery water at Marble Bar.

MELVILLE HIGH SCHOOL

Commencement and Status

3. The Hon. F. R. H. LAVERY asked the Minister for Mines:

- (1) When is it expected to commence the building of the Melville high school?
- (2) Is it to be a three-year, or five-year high school?
- (3) What number of rooms are to be provided in accordance with the first planning?

Area Served

- (4) So that early planning can be effected in regard to the transport of students, from what areas will students be drawn?

Appointment of Principal

- (5) Has the principal of the school been selected? If so, who is the appointee, and what is his present appointment and school address?

The Hon. A. F. GRIFFITH replied:

- (1) Early in 1960.
- (2) Three-year high school.
- (3) Nineteen.
- (4) Attadale, Hilton Park, Willagee, Bicton, Palmyra.
- (5) (a) Yes.
(b) Mr. J. A. V. Moore.
(c) Principal, Collie High School.
(d) As above.

Until the buildings of the new site are ready for occupation, the students of the Melville high school will be temporarily accommodated in Fremantle.

SOUTH-WEST CAMPING SITES

Water Supplies and Sanitary Conveniences

4. The Hon. F. R. H. LAVERY asked the Minister for Local Government:

In view of the importance of the South-West coastal camping areas at the Augusta, Meelup, and Dunsborough holiday resorts to the people of Western Australia, will

the Minister have investigations made before the Christmas holidays in regard to the following:—

- (a) What water supplies are available, and what is the quality of the water;
- (b) what sanitary conveniences are provided; are they sufficient and what arrangements are there for regular cleaning;
- (c) are these areas under the jurisdiction of the Busselton Road Board?

The Hon. L. A. LOGAN replied:

The camping areas at Augusta are within the Augusta-Margaret River Road District, and those at Meelup and Dunsborough are in the Busselton Road District.

The Department of Local Government will make inquiries into the matters mentioned by the honourable member.

LEIGHTON BEACH

Access and Advertising

5. The Hon. F. R. H. LAVERY asked the Minister for Mines:

- (1) As the Leighton railway crossing has now been closed to both vehicular and pedestrian traffic, thereby virtually closing down this popular beach, would the Minister for Railways seize the opportunity—with a view to the Railway Department gaining additional revenue—to advertise the fact that the Leighton railway station is the only siding in the metropolitan area where passengers can be let down almost on the beach?
- (2) Can the Minister inform me what are the proposals for access to this beach over the new railway tracks?
- (3) When is it proposed to construct an access road to Leighton Beach?

The Hon. A. F. GRIFFITH replied:

- (1) Publicity has always been given in season to the rail facilities existing for persons visiting Leighton Beach, by radio announcements, window displays, and poster advertising using the slogans "Go To Leighton, the Station on the Beach" and "Right to the Water's Edge by Train." When access is again provided by means of the subway mentioned in No. (2) below, this publicity will be continued.
- (2) Consideration is being given to a proposal for access to the beach by a pedestrian subway under the

new tracks in continuation of the existing subway at Leighton station.

- (3) An access road project which will give improved access to Leighton Beach is now under active consideration.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

First Reading

Bill introduced by the Hon. A. F. Griffith (Minister for Housing) and read a first time.

BILLS (3)—THIRD READING

1. Bunbury Harbour Board Act Amendment Bill.

2. Entertainments Tax Act Amendment Bill.

Passed.

3. Municipality of Fremantle Act Amendment Bill.

Transmitted to the Assembly.

ENTERTAINMENTS TAX ASSESSMENT ACT AMENDMENT BILL

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.44] in moving the third reading said: Before I move the third reading of this Bill I would like to give, for the benefit of the House, the information sought by Dr. Hislop in respect to the word "recitatorial" used in the second clause of the measure. It is a most extraordinary state of affairs; but, upon having this matter examined in the appropriate department, it has been discovered that the word "recitatorial," as it appears in the Bill, is a misprint; the word actually should be "recitation."

Perhaps I unknowingly cut it out of the original speech I made at the time, but "recitation"—and this is the way that it is intended it shall be interpreted—means the action of rehearsing, detailing or enumerating a recital; the action of reciting or reading aloud. There is a word "recitatorialism"—another one of the isms—which means, and is derived from, the characteristics of the usual style of recitation. I do not want unnecessarily to recommit this Bill; I think it can be accepted by the House as a genuine typographical error. If the House is in accord, the word could be altered by the Clerks, and the Bill put in order. It is not a controversial matter, and I hope that when the Bill is reprinted the word "recitation" will be used.

President's Ruling

The PRESIDENT: I give my ruling that this alteration may be made before the Bill goes to the printer. When the reprint takes place the word will be changed. If the House is in accord, I shall order that this be done; if not the Bill will have to be recommitted. There being no objection, I will now ask the Minister to move that the Bill be read a third time.

Debate Resumed

The Hon. A. F. GRIFFITH: I move—
That the Bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

ALBANY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.48] in moving the second reading said: This Bill is similar to the one I introduced yesterday amending the Bunbury Harbour Board Act. It, too, provides that all drafts and cheques drawn by the harbour board, as from the 1st December, 1959, shall be signed by a member and the secretary of the board, instead of by the chairman, or acting chairman, another member, and the secretary.

This is in conformity with the wishes of the Commonwealth Bank in regard to the future handling of accounts by the new Reserve Bank. This will mean that in conformity with the Bill that was given a third reading today, and which went through yesterday without any difficulty, the signatories in future will be two instead of three. I hope that a small machinery Bill of this nature—looking at the honourable member over there—

The PRESIDENT: The Minister must not look at honourable members; he must speak to the House.

The Hon. A. F. GRIFFITH: I am still looking at him, and I hope no objection will be taken to the Bill.

The Hon. F. J. S. Wise: There is no need to adjourn it.

The Hon. A. F. GRIFFITH: I thank the honourable member. I move—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [4.50]: As the Minister has explained, this is a similar Bill to that which dealt with the Bunbury Harbour Board; and it facilitates the signing of cheques for the harbour board. I see no reason for any further delay.

THE HON. J. M. THOMSON (South) [4.51]: In endorsing the remarks of the Minister, and in supporting the remarks of the Leader of the Opposition, I point out that this Bill is self-explanatory and similar to one which was dealt with last night. I see no reason why this Bill should not be dealt with immediately.

Question put and passed.

Bill read a second time.

In Committee

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

HIRE-PURCHASE BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.54] in moving the second reading said: Fundamentally, there are only a few differences between this Bill and the Hire-Purchase Act which was agreed to by Parliament last year, and which was ably handled in this House by Mr. Wise. All of the provisions of the 1958 measure have been included in the Bill, although some have been amended or redrafted to state the position more adequately. The additional proposals are based on the collective experience of unsatisfactory practices in the various States. Some of these have not been apparent in Western Australia, but the possibility of their introduction will be overcome by this Bill.

In introducing last year's Bill, Mr. Wise said that while negotiations for uniform legislation had been proceeding with other States, these had not prospered, although a meeting of Ministers had been proposed. The honourable member pointed out that the Bill was comparable to the one then before the Parliament of Victoria. It repealed the Hire-Purchase Agreements Act of 1931-37, but provided that that Act should continue in force in relation to hire-purchase agreements entered into before the coming into operation of the Bill. It was intended that the 1958 Bill should be proclaimed about the middle of 1959, thereby providing hire-purchase companies with adequate time to make all arrangements necessary to comply with the requirements of the new measure.

That Act has not been proclaimed, because of the negotiations that commenced this year to achieve uniform hire-purchase legislation throughout Australia. When I say "uniform," I would mention that the conference realised that absolute uniformity was not practicable, and that there were some matters in which the various States would have to differ. I will refer again to this matter. A resume of the events leading to the introduction of the Bill should be of interest to the House.

The first meeting of State Ministers was convened by the Premier of New South Wales, and was held in Sydney on the 14th January, 1959. Victoria was represented by its Premier and its Attorney-General. Others present were the Attorney-General of New South Wales, the Premier of South Australia, the Minister for Justice for Queensland, the Premier of Tasmania, and the Hon. E. Nulsen, then Minister for Justice for Western Australia. A delegation of four officers represented the Commonwealth.

The conference was preceded by a meeting of officers who prepared an agenda for consideration by Ministers. The agenda included—

(1) The identification of matters common among States regulating the form and content of hire-purchase agreements, and all subsidiary matters to be referred to a drafting committee of State and Commonwealth officers. Consideration also to be given to the disclosure in hire-purchase agreements of—

- (a) the true rate of interest;
- (b) the amount of insurance cover provided by any premium included in the hiring charges;
- (c) the description and value of trade-in articles constituting a deposit or part deposit.

(2) Fixation of maximum rates of hiring charges.

(3) Elimination of secret commissions in a hire-purchase transaction.

(4) Purchaser to be provided with a copy of any insurance policy in the hands of the vendor indemnifying the vendor or purchaser from loss or damage of the goods covered by a hire-purchase agreement.

(5) The extent to which conditions should be implied in hire-purchase agreements, with particular attention to second-hand goods, and consideration of the rights to be given to hirers against the owner and/or dealer arising out of misrepresentation.

(6) Ascertainment of the value of goods at the time of repossession or voluntary return, and the possibility of prescribing a statutory rebate of hiring charges and insurance premiums where the contract is determined by the vendor or purchaser.

(7) Minimum deposits and maximum hiring periods.

(8) Insurance of hire-purchase goods.

(9) The extent to which a purchaser should be apprised of his obligations prior to becoming bound under a hire-purchase agreement.

- (10) Sanctions for non-compliance with statutory requirements.
- (11) Credit sale agreements.

The Attorney-General for New South Wales, in advising officers of matters which his Government thought should be considered, stated that economic controls over the hire-purchase industry were a matter for the Commonwealth and need not be discussed in preparing the agenda. This view was confirmed by Ministers on the following day.

Excepting on items Nos. 2, 7, and 11 of the agenda, substantial agreement was reached by the Ministers, and the matters were referred to a representative drafting committee of officers to prepare a uniform Bill for further consideration. The Victorian Bill which had, in the main, been followed by our Act of last year, was suggested as a suitable basis for officers. It was also agreed that States were free to legislate on other matters necessary to meet local needs.

New South Wales strongly pressed for control over hiring charges, but other States did not consider such action necessary. Apart from the decision that economic controls were a Commonwealth responsibility, it was thought there would be some difficulty in agreeing on a uniform maximum rate on account of the taxes imposed in New South Wales (1 per cent.) and Victoria (2 per cent.) on hire-purchase transactions.

Ministers generally agreed on the difficulty of effectively legislating for minimum deposits, but decided to refer the matter to the drafting committee. Any decision on this matter affected the need for control over credit sale agreements. Provisions to deal with minimum deposits would need to cover trade-in allowances and the value of secondhand goods, and it was thought the matter might be left to the respective parties to protect their own interests.

In regard to maximum hiring periods, the position was complicated by the wide range of commodities being acquired under hire-purchase, and it was felt that hire-purchase finance concerns would, in their own interests, maintain sufficient control without any need for legislative provisions.

The drafting committee, which met in Melbourne on the 17th and 18th February, 1959, prepared a draft Bill closely following the provisions of the Western Australian Act of 1958. Officers were unable to arrive at any satisfactory solution in regard to showing the true rate of interest, but reported that the form set out in the first schedule should be more than sufficient to make hirers aware of the amount of hiring charges payable under agreements. This obviated the need for showing a true rate of interest.

A further conference of Ministers took place in Melbourne on the 8th April, to finalise the proposals for submission to their respective Governments. In addition to Ministers who attended the Sydney conference, the Hon. G. Freeth, Minister for the Interior, attended as representative of the Commonwealth. As Ministers in Western Australia had just taken office, it was impossible for a representative to attend, but an observer was admitted to the conference. He was Mr. W. J. Robinson, the accountant of the Crown Law Department.

Except for the omission of provisions dealing with minimum deposits and some minor alterations, the draft Bill was agreed to and referred back to the drafting committee for preparation of a final draft. Opinions on the question of legislating for minimum deposits were divided, and it was agreed that the draft provisions were suitable for uniform control in those States desiring to proceed with the matter.

Before the conference took place, the draft Bill had been made available to the Melbourne Chamber of Commerce and the Australian Hire Purchase Conference. Many of the points subsequently raised by these bodies were agreed to by Ministers, and the remainder were not of a serious nature.

Proposals in the Bill additional to those in the 1958 Act are provisions to prevent evasion of the legislation: an obligation on owners to supply hirers with a written statement of their liabilities under the hire-purchase agreement. A facsimile of this statement is shown in the first schedule to the Bill. It is designed to acquaint hirers with the cash price of the goods; the charges for terms, insurance, maintenance, freight, etc.; the total price for buying under terms; and the amount of instalments. This statement must be given to the hirer before the agreement is signed. The conference of Ministers agreed that this provision was the most important outcome of the conference. It was supported by the Melbourne Chamber of Commerce, and was not opposed by the Australian Hire Purchase Conference. It should have the effect of minimising complaints about excessive charges.

Other new proposals in the Bill are that hirers shall be provided with a copy of the policy of insurance or a written statement of the terms, conditions and exclusions affecting or concerning their rights; and power is given for a court of petty sessions to authorise a hirer to move the goods hired to a place other than that authorised in the agreement. A court may determine, on the application of the hirer, the place to which the goods hired shall be returned in a case where the hirer has decided to terminate the hiring—this is in cases where the goods cannot be returned to a place of business of the owner, and agreement cannot be reached as to where they should be

returned. An owner is required to give a hirer notice of intention to repossess in the form shown in the third schedule to the Bill.

A guarantor of a person entering into a hire-purchase agreement will not, in certain cases, be bound by the agreement unless the agreement is executed by the guarantor before a clerk of petty sessions, or a solicitor, who certifies that the guarantor understands the implications of the agreement. Where an insurer allows a no-claim or other rebate, the hirer and not the owner shall have the benefit of the rebate. Where the terms or conditions of an insurance policy have not been observed and proceedings are thereby taken in court, the court may excuse such failure if it appears that the insurer has not been prejudiced. Every insurance contract shall contain details of the goods to be insured, a statement of the amount and period for which they are insured, and advice of any variations of the amount during the period of insurance. These insurance provisions apply only where premiums are included in the total amount payable by the hirer for the goods.

The court is given power to reopen transactions, set aside or alter agreements, release hirers or guarantors of payment, etc. in cases where the court considers the transactions are harsh or unreasonable or where it appears relief should be given. This provision is in the Hire Purchase Agreement Act of 1931, but was not included in the 1958 Act. All States agreed it was desirable to have this right of appeal against unsatisfactory practices.

Where action is taken for repossession from a farmer of agricultural implements or a motor-truck, the farmer may apply to the court for an order restraining the owner from taking possession. If the court considers the farmer has reasonable prospects of bringing his payments up to date within 12 months, an order may be made deferring repossession for a period of up to 12 months. This provision was recommended by the Commonwealth and unanimously agreed to by the States.

Where a person does work on goods comprised in a hire-purchase agreement, and this work would entitle him to a lien on the goods if they were the property of the hirer, he shall still be entitled to a lien to the value of his work; but the lien is not enforceable against the owner of the goods if the worker was aware that the hire-purchase agreement prohibited the creation of a lien by the hirer. Experience in other States has indicated that hirers were taking unfair advantage of the hire purchase laws, and this provision is for the protection of workers.

Goods which, at the time the agreement was entered into, were not fixtures to the hirer's property shall not be treated as fixtures during the terms of the agreement. However, the owner will not be entitled to

repossess goods which have been affixed to a residence if, after they have been affixed, some other person has acquired an interest in the property without being advised of the rights of the owner of the goods.

The use of hire-purchase to obtain plant and equipment has emphasised the need to protect owners of goods against hirers seeking to take advantage of the doubts that at present exist at law in this matter; and these proposals will clarify the position. Where a hirer or a guarantor has given a bill of exchange or promissory note to the owner of the goods, and the payment of this results, through some provision of the Act, in payment of more than the hirer's liability under the agreement, the owner shall reimburse the hirer or the guarantor for the excess payment. Provision is made for a penalty of £200 or three months' imprisonment for the fraudulent sale or disposal of goods by a hirer. All agreements, copies of agreements, statements, and notices to hirers shall be in not less than ten-point Times type. This will prevent the use in agreements of small print for important clauses, and was unanimously agreed to by the Ministers' conference.

At the request of the West Australian Chamber of Manufactures, the Bill exempts the owners of types of furniture, as described in the second part of the first schedule, from the liability to advise hirers in writing, prior to the entering in of the agreement, of the exact cost of the goods. The reason for this is that when a retailer sells on terms a quantity of floor coverings, furnishings, window treatments, etc., he is often not able to advise the exact price at once. A recent trend in retail furniture merchandising enables purchasers to select their requirements from partly manufactured chairs, settees, divans, kitchen furniture, etc. A buyer can then select his own colour schemes for frames and furniture, and the materials from which the upholstery will be manufactured. The delivery of the completed goods then takes some little time, and the actual sale price cannot be determined until the manufacturing process is completed. The Bill, therefore, seeks to allow the owner to provide the prospective hirer with a statement showing the approximate cost of the goods. When the agreement is entered into, however, it must contain the true costs, and a further statement must be provided exactly showing the hirer's position.

There are a number of instances in which, as a result of decisions at the conference of Ministers, alterations have been made to the provisions of last year's Act. Section 4 of that Act, which refers to the form and content of hire-purchase agreements, has been redrafted to ensure that adequate information shall be provided in agreements.

The statutory period during which a copy of the agreement and a notice setting out in simple language the rights of the hirer shall be served on hirers has been increased from 14 to 21 days.

Section 8 of the 1958 Act specifies conditions of quality of goods that shall be implied in every hire-purchase agreement. This has been amplified in the Bill to provide for an implied warranty that the hirer shall have and enjoy quiet possession of the goods.

Section 9 of the Act appears as clause 8 in the Bill. This refers to the liability of the owner of the goods and the dealer for misrepresentation. The provisions have been redrafted but contain no material differences.

Section 5 of the 1958 Act provides that at any time before the final payment is made, a hirer may obtain a statement from the owner of the goods showing the amount paid by the hirer, the amount due but unpaid; and the amount yet to be paid. The Act provides that the owner need not provide such a statement if he had already given one to the hirer within a month of receiving the request. The Bill increases this period to three months.

The Ministers agreed this would be a deterrent to the nuisance-type of hirer who might demand frequent statements from the owner. The requirement in the Act for an owner to supply additional copies of the agreement on the payment of a fee of 5s. has not been included in the Bill.

Section 7 of the old Act has been redrafted and appears in the Bill as clause 9. This provides that the hirer may, with the owner's consent, assign to another person his rights under the hire-purchase agreement. The Act requires the hirer and assignee to pay the reasonable costs incurred by the owner in preparing and stamping the assignment agreement. The conference of Ministers decided that payment should not be required for preparing the documents. It was considered this might create legal infringements, and that owners should be allowed only the cost of stamping and registering the documents, which, after all, would only be of a standard form. The Bill provides that the assignment shall be registered under the Bills of Sale Act, whereas the Act specifically exempts such registration. The Ministers consider such registration advisable.

The Act provides for a statutory period of 14 days during which owners are required to hold repossessed goods and to advise the hirer of the means whereby he may regain possession of the goods. The Bill extends this period to 21 days. The period in which the hirer may advise the owner of his intention to complete the contract has also been extended from 14 to 21 days.

Section 14 of the Act, which deals with hirers' rights and immunities when goods are repossessed, has been redrafted as clause 15 of the Bill. It now contains a provision giving hirers the right to introduce buyers for repossessed goods at amounts not less than the value estimated by the owner. The Ministers agreed this would throw some onus on hirers to look after their own interests.

The Bill limits the commencement of a prosecution for an offence against any of the provisions to within 12 months of the occurrence of the offence. No time limit is included in the Act.

The Bill will come into operation on a date to be proclaimed. This will be when the hire-purchase companies have had the opportunity to print the agreement form, etc. required by the measure. An amount of this work was done following approval of the 1958 Bill, and it is hoped that proclamation may not be unduly delayed. I move—

That the Bill be now read a second time.

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

ELECTORAL ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. R. F. HUTCHISON (Suburban) [5.15] in moving the second reading said: This Bill, together with the one following it—the Constitution Acts Amendment Bill (No. 2)—is designed to achieve adult franchise for the electors of the Legislative Council. As both measures must come into force on the same date, clause 2 of this Bill provides that the Act shall come into operation on the 1st January, 1960. Clause 3, which seeks to amend section 17 of the principal Act, sets out the qualifications of electors for the Legislative Council elections. As it is intended that the same qualifications shall apply as apply to electors for the Legislative Assembly, this amendment is necessary to achieve that purpose.

Clause 4, if agreed to, will repeal subsection (2) of section 22 of the principal Act. This is a consequential amendment because the Legislative Council electors will no longer require the particular qualifications contained in sections 15 and 16 of the Constitution Acts Amendment Act. Clause 5 is another consequential amendment designed to bring the Legislative Council rolls into line with the Assembly rolls now that the property qualifications for the Legislative Council electors are to be removed.

In view of the fact that section 17 of the principal Act is to apply to Legislative Council elections, and residence in a province is a requirement for enrolment, clause 6 is designed to amend section 40 of the Act as proposed. The amendment

contained in clause 7 is necessary because residence in a province will now be a requirement for enrolment on the Legislative Council rolls. In clause 8, it is sought to delete paragraph (f) of subsection (1) of section 44 of the Act because property qualifications for electors for Legislative Council elections will no longer be necessary. The other amendments contained in this clause are merely grammatical.

In clause 9, the amendment is necessary because property qualifications will be abolished, and therefore section 50 of the principal Act will have to be repealed. As residence will be a universal qualification, the amendment contained in clause 10 relating to section 51 of the Act, is necessary. It provides that no person shall be on the roll for more than one province. Clause 11 is designed to empower the electoral officers to correct Council rolls in the same manner as they correct Assembly rolls, consequent upon residence being made the necessary qualification.

The amendments contained in clauses 12 and 13 are designed merely to tidy up the Act. Section 58 of the principal Act was repealed by Act No. 58 of 1951, and the opportunity is taken in these clauses to delete the references to section 58. As qualification for Assembly electors and Council electors will be the same if this Bill is passed, clause 14 is necessary.

This measure and the Constitution Acts Amendment Bill do not seek to make enrolment for the Legislative Council elections compulsory, but merely provide for adult franchise; and it is left to a person's discretion whether he enrolls or not. Therefore, no amendments are proposed to sections 38 and 45 of the principal Act.

In introducing this Bill to Parliament I am hoping that the time has now arrived when I can obtain support for it, as I am aware that it is becoming more and more necessary to grant electors of the Legislative Council adult franchise in order to bring them into line with the electors of the Legislative Assembly. The franchise under which electors of the Legislative Council labour at the moment is obsolete, and the time is long overdue when it should have been made to conform with the times in which we live.

I now intend to give a resume of the history of the Legislative Council. I cannot find in *Hansard* where such a history has been outlined before, and it is time that members should know what led up to the Legislative Council being preserved as a House of privilege. The time has also come when we should show when that occurred. On the 1st November, 1930, an Order in Council was issued by the Secretary of State for the Colonies, bringing the settlement in Western Australia into line as a Crown Colony.

The Hon. G. E. Jeffery: 1930?

The Hon. R. F. HUTCHISON: I am sorry; it is 1830. That order constituted the Governor, the senior military officer next in command, the Colonial Secretary, the Surveyor-General and the Advocate-General as the Legislative Council. Its powers were limited. No law or ordinance could be passed if it were not proposed by the Governor or the officers administering the Colony; and provision was made for disallowance by the Secretary of State. The Order in Council was sent from England on the 28th April 1831, accompanied by the commission to Captain Stirling as Governor and Commander-in-Chief.

The first meeting of the Legislative Council was held in January, 1832, and its principal business was the establishment of a civil court. In June, 1834, as a result of agitation among the population, permission was given to increase the personnel of the Council by four unofficial members nominated by the Governor, and it was decreed that the session be open to the public; but there was no move to carry this out.

Intense agitation continued until 1839, when Governor Hutt put into operation the plan approved five years before, and appointed William Lock Brockman, George Leake, Thomas Peel and William Tanner to the Legislative Council. The term of office for these members was for the duration of their residence in the colony. There was great opposition by the settlers to the nominee system which continued through the years. A public meeting was held in Perth about the middle of 1839, requesting the right of the colonists, in the event of a vacancy, to select a member from the list approved by the Home authorities. Succeeding years saw changes in the personnel of the Legislative Council, but not in the method of its construction.

In 1867, a change was made which queried the power of the Legislative Council to appoint non-official members equal in number to the official members. In October of that year, as a result of a public meeting held in Perth, it was arranged that the people in Western Australia should elect the six unofficial members. All free males of adult age had the right to vote. I hope all members will note that. It does not mean that the males were unmarried. Western Australia, at this time, was still a penal settlement.

The elections resulted in the return of the following members to the Legislative Council:—

J. G. C. Carr—Perth
W. Bateman—Fremantle
W. L. Brockman—Guildford and Swan
J. G. Lee Steere—Murray
E. Hammersley—Eastern Districts

Although its tenure was for three years, this Council functioned for only two years. It could not have been very effective. The Legislative Council, constituted in July, 1860, functioned for two

years, also. In 1870, the number of members was increased to 12; and, in 1872, a further increase was made to 20. Every adult male was entitled to a vote provided he possessed property worth £100, or was a householder paying £10 a year rent, or held a depasturing license. I am brave enough to say that I am sure they never thought, at that time, there would be a woman in this House reading the history of the Legislative Council.

The necessary qualifications to stand as a candidate for the Legislative Council were possession of property of a capital value of £2,000 or of the annual value of £100. The term of office for both nominated and elected members was five years. In 1874, a motion was introduced in the Legislative Council for responsible Government, but it was defeated. In 1882, the number of members in the Legislative Council was increased to 24; and in 1886 the formation of two Houses of Parliament was agreed to.

It was decided that the Legislative Council should be the first House nominated, but elected after a period of six years, or earlier, if the population of the State reached 60,000. The qualifications of members to be elected to either House were the possession of land or tenement to the capital value of £500, or an annual value of £50. Legislative Council electors were limited to freeholders of £200 capital value, and householders or leaseholders of £30 annual value.

For the Legislative Assembly, every adult male was entitled to vote who possessed, within his electoral district, for at least one year prior to registration, a freehold to the value of £100; or a leasehold, or license of the annual value of £10; or, if he occupied a dwelling or lodging, of the annual value of £10. From these comments one can realise the violent opposition that has always obtained to the constitution of this Chamber. There were even riots among the people about the nominated system and the undemocratic way the electors were treated.

John Forrest was elected to the first Parliament and, on the 22nd December, 1890, he was commissioned to form a Government. In 1893, the population reached 60,000, and the number of members in the Legislative Council was increased to 30. In Western Australia there are 10 provinces with three members representing each province, making a total of 30 members. One member representing each province retires every two years, making the six-year term of office for elected members.

I will go on now to deal with the history of the State and to refer to the time when responsible Government came into being. In 1896, the bicameral system of Government was established. An interesting subject to electors is the cumbersome, costly, and confusing method

that is in operation with regard to the present system of having three electoral rolls. The cost is stupendous and the method is quite unjustified. The cost staggers me. Two big staffs, the Federal and the State, attend to compulsory enrolments. The enrolment for the Legislative Council is optional.

Up until the last year or so, the Hawke Government made a limited effort, by regulation, to have the electoral office send out cards for enrolments in the new housing areas, and carry out some canvassing. That Government passed an amendment to have the Legislative Council rolls printed in the State constituency order.

On that occasion the people were made aware of the restrictions and the obsolete methods still held over the people of Western Australia by the conservative majority in the Legislative Council.

In 1937, a State Labor Government, after negotiations with the Commonwealth, introduced and passed a Bill in the Legislative Assembly for a combined State and Federal roll. I am making these comments from copious notes. I understand I am permitted to do that, in case any member questions the source from which these remarks come. I could not possibly remember all the dates without referring to the notes. The Legislative Council was not included, and that Bill was defeated in the Legislative Council, despite the fact that an agreement had been arrived at for the Commonwealth and State Governments to share the cost of running the department.

In my opinion it is time that action was taken to abolish this costly and unsatisfactory system of running two electoral departments, and thus alleviate the burden now imposed on the people of Western Australia—a burden brought about by taxing them to earth, as the present Government is doing, in respect of motor-vehicle licenses and drivers' licenses. At present the motor vehicle is not considered to be a luxury any more; many people of small means now find it a necessity to use for transporting them to work and for other purposes.

The Hon. A. R. Jones: What has that got to do with the Bill?

The Hon. R. F. HUTCHISON: A lot to do with the Bill. I am pointing out the manner in which the present Government is imposing irksome taxes on the people, instead of trying to avoid wasteful expenditure by the Government.

The PRESIDENT: The honourable member has no right to make reflections on the members of this House.

The Hon. F. R. H. Lavery: With respect, I would ask you, Mr. President, in which part of the honourable member's remarks did she refer to members of this House?

The PRESIDENT: Will the honourable member resume his seat? I am in charge of the proceedings in this House. Up until now I have permitted a great deal of latitude when members read their speeches. I refer to Standing Order 381 which distinctly states that no member shall read his speech. I have felt that some latitude should be shown to Ministers when they introduce Bills which emanate from another place, and speak from prepared speeches. Over a period of years that practice has grown in this House, and I have not opposed it since I assumed the Presidency. I hope that members will not violate the Standing Orders any further. When the honourable member resumes her speech, I hope she will not reflect on the members of this House.

The Hon. R. F. HUTCHISON: I am making these remarks from notes before me. In 1925 the Mitchell Liberal Government introduced a Bill to make voting compulsory for both the Assembly and the Council. It was defeated in the Legislative Council, as was the Bill which I introduced last week relating to the same matter. So again the people can see that privilege, which is the cherished tradition of the old British Conservative, is still closely followed by the Liberal and Country Parties in Western Australia. This is a well-guarded power of the few in Western Australia so that they may rule over the many. If I think in this manner I am entitled to state my views.

It is time we realised that a great change has taken place over the last few years in the enrolment of the Legislative Council. Social conscience is well on the move, but how long it will take to reach this House I do not know. In 1949-50 an important amendment, providing for the enrolment of women who were the wives of householders, was defeated in this House, in spite of the fact that since the war the whole picture pertaining to the Upper House franchise has altered completely. For instance, since the war and with the establishment of new housing areas, the necessity to house the people of this State caused this vote to change. This is supposed to be the vote of all thinking people, although I do not understand why all people are not supposed to be thinking people in patches.

The Hon. L. C. Diver: Why in patches?

The Hon. R. F. Hutchison: Throughout the war, and afterwards, there was a shortage of building materials. Young families could not be left without a roof over their heads, so the vote was changed completely. The result is that today there are as many supporters of the Liberal and Country Parties who have been denied a vote, as there are supporters of the Labor Party. The system seems to have gone all haywire. I cannot understand why members here do not appreciate that fact. I am simply speaking the truth.

In pre-war years, freeholders and joint freeholders were in the vast majority in what were known as the upper middle classes. We had those classes then, and we still have them today. As a result of the improved economic conditions of the workers, right through the ranks, the joint freeholders outnumber Government supporters in Labor electorates. This applies particularly to the Suburban and West Provinces. That is the plain truth. It applies to a lesser degree in the Metropolitan Province.

Sensible young couples now jointly own their homes. This gives them two votes, and provides them with more security should misfortune befall either of them. This brings to my mind what Dr. Hislop said during the debate on the Bill relating to compulsory voting, which was defeated in this House some days ago. He spoke of freedom. That rather amused me, because I want to know what real freedom the people have pertaining to the franchise of this House. They only have the very narrow rights which appear on the enrolment cards.

It amazes me that women's organisations at large have not taken up this question, because mostly the franchise is loaded against the housewife, although to some extent it is loaded against men. A wrong was done to the people of the State when the Bill to extend the franchise of this House to the wife of a householder was defeated. Women are still held subservient in law. Imagine in this young and vigorous country, with education up to a very high standard, women being still held subservient in law by the franchise of the Legislative Council!

The housewife is the one who has to rear the children of this nation. She is the one who has to carry out all the household duties. Her influence permeates through all avenues of society. It is a glaring anomaly that a widow or a single woman can claim a vote if she is a householder—she must be because she lives somewhere, in a flat or in a house—while the housewife is debarred from casting a vote. That state of affairs is both shocking and undemocratic. Is it any wonder that we still have an under-privileged race of people in this State and in this country, when we find restrictions like these which deny some people the right to vote? We will continue to have an under-privileged class when some people are denied their birthright, as the natives were denied their birthright when the Legislative Council defeated the native citizenship rights measure last year.

I ask members whether they know the meaning of the word "democracy." It is taken from the Greek word "demos," meaning the people and "kratia" meaning to rule. It means equality in political and legal rights, as opposed to aristocracy—a word fast disappearing from our vocabulary. The common sufferings of the

people in wartime struck a death-knell to the aristocratic class and to the word itself.

I draw the attention of members to the meaning of the word "franchise." According to the *Oxford Dictionary* it means a legal right to vote, especially for members of Parliament. That is the real meaning of the word which we use so frequently and so loosely in this House. So we learn that from the very beginning of responsible government in this State, the conservative Parties have engineered a huge swindle on the people by denying two-thirds of the population their absolute right, and imposing on the other third a direction as to how they should vote, in contradistinction to the practice followed in Legislative Assembly elections.

The Hon. G. Bennetts: I do not know how they can sleep at night.

The Hon. R. F. HUTCHISON: I do not know either. The free right to vote in the ballot box is the very fulcrum from which justice in democracy springs. In 1944 a Select Committee was appointed as the result of a Bill introduced in Parliament. That was when Sir Hal Colebatch attempted to alter the franchise. We all know the Bill was defeated. The copious debates are recorded, and they are available to members for examination. I think Mr. Heenan was on that committee. We all know from history what happened to Sir Hal Colebatch. The Liberal Party requested Mr. Hearn to stand for the seat also. Subsequently Sir Hal Colebatch was defeated. That was what he got for daring to challenge the right of the franchise of this House.

The Hon. J. G. Hislop: Nonsense!

The Hon. R. F. HUTCHISON: There is no nonsense about it; it is a fact! In 1952 even the conservative *The West Australian*, about which we often complain, published a leading article about this subject. I cannot find the one I want but it was definitely in favour of adult franchise for the Upper House. I have here, however, an extract from an article in the same paper of the 7th May, 1952.

The Hon. L. A. Logan: It must be right then!

The Hon. R. F. HUTCHISON: It is as follows:—

The worst thing about the Council is its obstinate refusal to review its own franchise. This was drafted for other times and is, in parts, quite illogical. The Council has had several opportunities to improve its status in the community and has rejected them all.

When we can find an article such as that in *The West Australian*, it is about time we woke up to the fact that something must be wrong and should be altered.

The injustice is perpetrated in local governing bodies. We are held in subjection by local government franchise;

this has always been loaded against the workers of this country. An elector on the local government rolls rated on improved capital values—as in municipal councils and some towns in the country—may claim a vote in the Legislative Council as an E.L.L.A.L.—Elector Listed on the Local Authority List. In regard to the road board electors who are rated on the unimproved value, no right exists at all for them to claim a vote for the Legislative Council. Can anyone say that there can be a more undemocratic situation than that? Would anyone here dare to try to justify it?

All a road board has to do to inform the ratepayers that they are entitled to vote for a road board election is to hang the ratepayer book out for, I think, 11 or 14 days. The board only has to hang it outside the door of the road board hall, and then take it in without anyone, perhaps, knowing about it.

Ever since I came into this House I have raised my voice against the restricted franchise. I know I have wearied members opposite, but I cannot help that. As long as I am here I intend to speak of this injustice. Even the Bolte Government in Victoria—a notoriously anti-Labor Government—granted adult franchise for the Legislative Council in Victoria; and yet here we are lumbering along a century behind; and there is no justification for it.

I wish to draw the attention of the people as a whole to the fact that a grave injustice is being done to our youth because of the restricted franchise for this House. Education has raised the education of all citizens far beyond what it was 100 years ago. We are always hearing about building the nation, and here we are bogged down by a 100-year-old idea that might is right. But might never was right. I say that by restricting the right of all to vote we are doing the youth of this State a grave injustice. They have far more books to read now and are far more advanced in every way. They have opportunities far greater than those which we had in our day—except for the privileged few. This restricted franchise nullifies the whole advantage of schooling and education.

As our youth grow into manhood and womanhood, unless they are in the favoured position of possessing property or being householders, they cannot exercise their right in any way to advocate any reform whatever in this State. They have absolutely no right to speak; and I think that is an abuse against the youth of this country by those who will not broaden this outdated and outmoded franchise.

I wish *The West Australian* would publish a good leading article in double size print to point out a few of the abuses that we know exist in relation to this limited franchise for the Legislative Council of

Western Australia. I hope my words will find soil somewhere within organisations such as the women's organisations, and that a voice will be raised by every right-thinking person to force, somehow, the broadening of the franchise for this House so that democracy can really work in this young and growing country of ours. I commend the measure to the House and move—

That the Bill be now read a second time.

THE HON. E. M. HEENAN (North-East) [5.52]: I would like to add a few words in support of the proposal which has been enunciated by Mrs. Hutchison. I commend her for the research she has given this matter. I personally found it very interesting, and although it may be somewhat wearisome to members who are opposed to the proposition to hear the argument submitted year after year in favour of the enlargement of the franchise, nevertheless we have to give the proposition serious consideration.

As Mrs. Hutchison has pointed out, this Chamber was originally a very exclusive one. Fortunately, over the years with the development of a more democratic outlook, the franchise has been considerably widened, until at present one must admit that it is fairly liberal in comparison to what it used to be.

If exploited—and I use the word as being analogous to the word “used”—quite a big percentage of the community could be entered on the Legislative Council roll. As Mrs. Hutchison has pointed out, there is the property qualification which is generous as values now stand. This includes freehold property of the value of £50; leasehold property of an annual value of £17; and various other qualifications which include enrolment on road board rolls and municipal rolls; property of certain values; equitable freeholders; joint freeholders; and leaseholders—and even then I have not exhausted the list. However, as I have always argued, this formidable list of qualifications is not understood by many people including—

The Hon. J. D. Teahan: Members of Parliament!

The Hon. E. M. HEENAN:—people who normally understand most things. I have said here previously, and I repeat it, that if one went to St. George's Terrace and called together 20 business and professional men from that area, I would be prepared to wager that very few of them would understand the qualifications which entitle members of the public to enrol for the Legislative Council elections. I believe that is an unsatisfactory state of affairs; and the particular aspect which worries me is that some years ago—years are beginning to become a maze in my memory, but let us say 10, 12, or 15 years ago—we were very close to broadening the

franchise for this Chamber to the extent that the wives of householders would have been granted a vote. As Mrs. Hutchison said, I was a member of the committee, which inquired into the matter. I think the others included Sir Hal Colebatch, who will always be remembered by me as one of the most eminent members in this House; and Mr. Baxter, another outstanding parliamentarian. The committee made a recommendation which was about to be adopted. If I remember aright, it was then near the end of the session and nothing was finalised. However, if anyone is interested—and I think we should all be interested—the report of that committee is available for perusal.

The Hon. R. F. Hutchison: In the office of the Chief Hansard Reporter.

The Hon. E. M. HEENAN: At that time, as Mrs. Hutchison reminded us, the Press—*The West Australian* and the *Daily News*—was in favour of a review of the franchise; and I have on my file leading articles that were published urging the Chamber to do just that.

I have the cuttings; and those were not isolated articles, as there was a general campaign. That was followed up by the previous McLarty-Watts Government proclaiming to the people of the State that, if elected, one of the measures it would introduce would be a Bill to enlarge the franchise of this Chamber. I hope the two Ministers in this Chamber will refer to and weigh seriously what Mr. —now Sir Ross—McLarty and Mr. Arthur Watts said, when they gave the people of Western Australia an undertaking that, if elected, they would bring down legislation to enlarge the franchise of this House.

True to their undertaking, they brought down that measure; and their Minister in this Chamber, Mr. Hubert Parker, introduced a Bill to this House; but although their leaders had given that undertaking to the people, some members of this Chamber did not feel themselves bound by it, and voted against the Bill. That seemed to me and to certain other members of that time to be hardly correct or right—to use mild terms—but there it was. Are we for ever going to put forward the proposition that the franchise for this House must remain as it now is; or are we going to review it in an intelligent and broadminded way, in accordance with the more liberal outlook of the times?

Unless the institutions of democracy are revised and streamlined, and kept in line with modern trends, by which the body of the people want more say in their own affairs, those institutions will undoubtedly be swept away; and no-one wants that. I will be one of the first to admit that this Chamber has done a good job over the years during which I have been here. Members who have passed across the stage here in my time have been men for whom I have the utmost regard;

and the State owes them a great debt for the contributions they made towards its general well being.

I believe the obvious way to enlarge the franchise of this House is to give votes to the wives of electors; and if that were done I am sure no radical changes would result. Not all wives vote for any particular political Party; but wives and mothers are important in our way of life, and I think their influence would be all to the good. Surely their role and interest in the community entitles them to a vote! A Select Committee recommended in that direction years ago, and the Press, representing the public viewpoint, genuinely advocated it. I think it is about time we faced up to this question. Do not let us treat this legislation as a hardy annual. I hope those who oppose it will put forward logical arguments; and I, for one, will appreciate them if they are convincing; but I cannot see how any logical argument can be raised against some review of our franchise.

Members must not laugh off this Bill which has been introduced by Mrs. Hutchison. She is the only lady in the House; and to her this is a burning question. We should not ridicule or belittle the Bill—

The Hon. J. M. Thomson: I do not think any attempt has been made to ridicule it.

The Hon. E. M. HEENAN: I am pleased to hear that; but in the past such legislation has been treated lightly. I repeat that there was an undertaking given by responsible Party leaders, who are still members of this Parliament, that something would be done about this question; and the Press strongly advocated that course. However, nothing has been done about it. The Bill deserves careful consideration. Let us amend and modify it, if necessary; but let us agree to some liberalisation of the franchise of this House, as it has not been amended for many years. I support the second reading.

Point of Order

The Hon. A. F. GRIFFITH: I am obliged to ask for your ruling on this Bill, Mr. President. A measure similar to it was introduced into this Legislative Council last year, having been conveyed from another place by message. That measure appropriated money, and I would like your ruling as to whether this Bill appropriates money; and, if it does, whether it is in order to be proceeded with.

The PRESIDENT: I have very little recollection of what took place in connection with that measure of last year; and for that reason I think I had better defer any decision on this question until a later stage of the sitting.

Debate Resumed

On motion by the Hon. A. F. Griffith (Minister for Mines), debate adjourned.

ORDER OF THE DAY

Postponement of No. 8

The Hon. A. F. GRIFFITH: I have no objection to proceeding with item No. 8 on today's notice paper, Mr. President, if Mrs. Hutchison wishes to proceed; but in view of the ruling which you are going to give, Sir, the honourable member might consent to it being postponed for the time being. I will not move it down the list without her consent.

The Hon. R. F. Hutchison: I am agreeable.

The Hon. A. F. GRIFFITH: I move—

That Order of the day No. 8 be postponed.

Question put and passed.

METROPOLITAN REGION TOWN PLANNING SCHEME BILL

Second Reading

Debate resumed from the previous day.

THE HON. H. K. WATSON (Metropolitan) [6.12]: This Bill, in my opinion, is essentially one to be dealt with in Committee; and, unlike its invalid predecessor, it appears to be readily capable of being dealt with at that stage, because it consists of 45 clauses, as against the one clause, as it were, which comprised the whole of the previous measure.

When listening to Mrs. Hutchison, I could not help thinking that it might have been a good thing for Western Australia if, in 1830, when the Colonial Office sent out its commission appointing five persons to be members of the Legislative Council of Western Australia, it had at the same time sent out another five person to constitute the first Town Planning Board of Western Australia; because it is one thing to town-plan or lay out a countryside on the drawing board in Mount Street, in respect of an area of virgin country, but it is an entirely different thing to attempt to apply a town planning scheme to an area of land which already shows the results of 100 years of development and improvement.

If one is working on an area of virgin country, one has nothing to consider but the most suitable method of laying out the land. When dealing with the position as we find it in the metropolitan area today, one cannot willy-nilly impose a regional or any other kind of plan, without having some regard to the facts as they exist; and I notice that the committee which is proposed to be set up to administer this Bill is to consist of a chairman and five members appointed by the Governor—and I understand that those five members are to be Government officials—together with a member, being the mayor or a councillor of the City of Perth, and four members,

each representing one of the groups of local authorities set forth in the schedule to the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. H. K. WATSON: In my opinion the constitution of this governing authority is far too restricted in the character of its representation. It appears to consist entirely of persons representing either Government departments or local authorities; and I cannot help feeling that there should be a representative on the authority to represent industry, or trade and commerce generally. I submit it is no answer to say that the representative of the local authority may in his turn be a member of the general community, and shall represent industry. The fact remains that not a few members of our local authorities seem to regard it as their mission in life to give industry the runaround.

I feel that more than one local authority ought to look at its general practice and realise that not every local authority in this State can constitute itself a residential suburb. It is not practicable; and there is no commonsense in the suggestion that every local authority but one shall be residential, and that the whole of industry in the State shall be confined in the other local authority, wherever it may be—at Kwinana or Esperance. Yet in our metropolitan area there are members of local authorities who, with a complete lack of appreciation of the realities of the situation, if they do not go out of their way to harrass and obstruct industry, certainly do not give it any assistance.

Whilst on the one hand we find the air filled with expressions of the necessity to encourage, aid, and assist industry in Western Australia, there have been, within my experience, definite illustrations where an already-existing industry has had to experience almost a crisis every time it wanted to extend, alter, or develop its establishment, which may have been in existence for 30, 40 or 50 years.

I think we have to realise that when an industry has been established that long, as the years go by it becomes necessary for it to alter, expand, and enlarge; and industry is entitled to look to the local authorities, and to the town planners for a commonsense approach to its problems. Therefore I feel it would be all to the good if this committee had on it not only the director of water supplies, the director of electricity, the chief valuer, the town planner, and a few other Government officers whose names I may have forgotten, but a representative of the man in the street, and the businessman. I leave that suggestion with the Minister so far as the composition of the committee is concerned.

On the question of a citizen's rights to object to the proposed town planning scheme promulgated by the authority, it seems to me that his rights, as set forth in the Bill, are more apparent than real. It seems that the limit of his rights is to lodge his objection and have it considered by the authority.

The Hon. L. A. Logan: And then by the Minister.

The Hon. H. K. WATSON: It is not clear as to whether the Minister has the right to overrule the authority. It does not say so in express terms.

The Hon. L. A. Logan: He has.

The Hon. H. K. WATSON: I would not like to see a position develop such as one which came under my notice in respect to the Government Tender Board. This happened many years ago when the Tender Board consisted of entirely different personnel to the present members. A citizen of this State had good reason to doubt whether tenders were being dealt with in a manner in which they ought to be; and, upon looking up the regulations, he saw that he had the right to be present and see the tenders opened. So at the opening of a tender in which he was particularly interested he presented himself and took a seat in the board room. The members of the board slit the envelopes in which the tenders were contained and said, "Very well, Sir, you have seen the tenders opened." He was still given no right to see what the tenders were; who was the lowest tenderer; who was the highest tenderer; or whether there was someone waiting behind the door to put in another tender.

I believe that anyone who has an objection to the proposal should have a definite right of appeal to the Minister to have his objection heard and considered—and to be heard and considered directly and not merely as one of 20 or 30 objections sent along to the Minister to read, or not read, as the spirit may move him. I know that in the Victorian Act there is a definite right of appeal to the Minister, and the Minister holds a formal hearing of the appeal from the town planning authority. Even though it may be an appeal from Caesar to Caesar, I think it is the very least that an objecting citizen is entitled to expect so far as his rights of objection are concerned.

Then we come to the method by which it is proposed to finance this authority. It would appear that the Bill contemplates that the finance shall be obtained from two specified sources, and any other payments made to the authority. The two specified sources are expressed as follows:—

The proceeds of the metropolitan region improvement tax referred to in section 41 of the Bill; and

Money borrowed by the authority from time to time under the authority conferred by this Act.

When we turn to the provision in the Bill which has relation to this tax, we find that it is proposed to be levied as from midnight on the 30th June, 1959, and annually thereafter; and it is to be imposed on all land within the metropolitan area other than land which is exempt from land tax at the moment; and other than land which is used solely or principally for the purpose of agriculture, pastoral pursuits, horticulture, and so on. The reason advanced in support of the proposal is that a metropolitan town planning regional committee cannot operate without finance. It costs money to run such an organisation.

That may be true, as undoubtedly it is; but in like manner we cannot educate the people without the expenditure of money; we cannot build schools without the expenditure of money, but that is not to say that the money for building schools is to be collected from the parents of school-children who happen to be attending those schools; we cannot conduct a gaol without expense, but that is not to say that the cost of running a gaol is to be collected from the inmates.

In the same way, I feel, as those items of expenditure come out of the general revenue, so the expenditure of this committee should also come out of general revenue. That is doubly so in this case, because we find that people who own land, which it is proposed to tax under this Bill and the supplementary measure, are already heavily subjected to tax of a most onerous nature. These people, pay land tax running up to many thousands of pounds—from tens of pounds to tens of thousands of pounds amounting in the aggregate to £1,250,000. That amount of land tax is collected from the people who own land in respect of which this Bill proposes to tax them still further; and that tax goes into general revenue.

In so far as property as such is to be taxed, I feel it is already being taxed under land tax; and out of the £1,250,000 which has already been paid, the odd £140,000—I believe that is the amount, from memory—which it is proposed to raise under this Bill, could well be raised by an appropriation from the existing collection of land tax.

The Hon. L. A. Logan: Where are you going to get the rest from?

The Hon. H. K. WATSON: The Minister inquires where the rest of the £140,000 is coming from.

The Hon. L. A. Logan: The amount over the £140,000.

The Hon. H. K. WATSON: I would ask the Minister that.

The Hon. L. A. Logan: It is in the Bill.

The Hon. H. K. WATSON: If it is going to cost more than £140,000, where is the Minister going to get it from?

The Hon. L. A. Logan: It is in the Bill.

The Hon. H. K. WATSON: If that is the Minister's answer, then I too will say it is in the Bill, because I am only dealing with the £140,000. I emphasise the point that at the moment the extra tax is to be a halfpenny in the £. It is also proposed that it shall be an annual tax to run on in perpetuity. It may start off at being a halfpenny in the £, as the land tax did, but it will not remain at that for long. It was not long ago that the land tax was a halfpenny in the £, but today it is 6d. in the £.

If this principle is approved, the halfpenny in the £ will be increased time and again. I have not yet seen the department that has been able to function on the original allocation of money given it to expend for its conduct. There is much to be said for the argument that the £140,000, which is required to provide the original finance, ought to come from general revenue rather than from a particular section of the people. Even though it is a regional plan, it does refer to the whole of the State—it is a State plan—and I would appeal to the Minister, before the Bill completes the second reading stage, to give very earnest consideration to that question; because I feel it imposes an unfair penalty on a very small section of the community.

As I mentioned by interjection some time ago, this tax is imposed willy-nilly on the metropolitan area; it is imposed regardless of whether the town planning scheme, as it has so far been adopted, has operated to the advantage or disadvantage of the citizens generally. I find it very difficult to imagine that any resident along Mounts Bay Road will be able to say that the town planning scheme as it has thus far proceeded had enhanced the value of his property. I should say it had written thousands of pounds off the value of his property. We then propose to add insult to injury by saying he shall be taxed a halfpenny in the £ for the town planning scheme.

The Hon. J. G. Hislop: What about compensation?

The Hon. H. K. WATSON: If he asks for compensation, there is provision in the Bill, if his property is resumed, whereby any added value caused by the scheme is not to be taken into account. I speak subject to correction on this point, but I do not know whether the Bill provides that any diminution in value shall likewise not be taken into account.

The Hon. H. C. Strickland: I think not.

The Hon. H. K. WATSON: As I have already said, the Bill is largely a Committee measure, and I may raise some more detailed points when it reaches the Committee stage.

THE HON. J. G. HISLOP (Metropolitan) [7.43]: Having been on the regional town planning commission, one naturally retains an interest in this matter; at least so far as the metropolitan area is concerned. I would join forces with Mr. Watson, first of all in asking that some review be made of the town planning authority. I agree with him that John Citizen again has very little representation on this authority—apart from those holding official posts in the local authorities and the City of Perth.

Rather than have an authority of this type, I think we should, on such an authority, have people with varying interests in order that the authority may have as wide a vision as possible in the future planning of the city. We have the Stephenson Plan to assist us. Surely it is necessary for people in all avenues of life to express their views as to what should constitute the future of this city of ours.

I would draw swords with the Minister in his upholding of the authority on the grounds of payment received. His view was that the Perth City Council would contribute 39 per cent. of the finance as arranged in the measure, and that the Perth Road Board would find 12 per cent. So, between those two, they would produce 51 per cent. of the money; and yet the Perth Road Board is not necessarily represented on this planning authority.

If we look at the question of where the future expansion of Perth is to occur, we will find that it must be in the Perth Road Board area. There will be alterations of planning within the actual city centre; there will be roadways to be made, and so on; and it will all be, shall I say, partly destructive and partly constructive planning. But when it comes to the extension of the city into the Perth Road Board area—which is a very large area—there will be a real opportunity for future planning in an endeavour to make this city of ours what it should be. It is quite possible that as this city grows, the amount contributed by the Perth Road Board will rise very considerably.

The Hon. H. K. Watson: It is John Citizen again who will contribute, not the Perth Road Board or the Perth City Council.

The Hon. J. G. HISLOP: That is so. I agree that the man in the street never has representation in the affairs which concern him, and which we organise in Parliament. There are those who hold some position of brief authority; but the businessman and the industrial man in the city must have some means of placing their views before this authority if they are not to be given some actual representation on it. Frankly, I wonder whether it would not be better to have some form of town planning council with executive authority, where the views of the people could be put plainly before those who take executive action.

That would give a much wider view of things, and I think it would result in much better planned activity. I do not know quite how one can amend this Bill, but there is no doubt that the Perth Road Board deserves representation on the central planning authority. I intend to place amendments on the notice paper with a view to debating the representation of that local authority on this board.

Where I draw swords with the Minister is that he has definitely made up his mind that his view is to be represented by those who pay the money; not John Citizen who is paying a large proportion of the money—he will not be represented. It is only those people holding some office in a road board or council who will have representation based purely on what John Citizen should do. But the citizen himself is not going to be represented. If I remember rightly, a couple of years ago we discussed the whole organisation set-up in Melbourne; and there is a considerable body of people who can offer assistance in town planning and whose views would be worth considering. This authority is too restricted an organisation altogether to take over the planning of this city of ours; to dictate to citizens the methods by which progress will be made. This, of course, can be modified in Committee at a later stage.

I would also like to add my word to that of Mr. Watson's when it comes to the person who objects; because the Minister has moved himself out of the Bill. What actually happens now is that a person who objects to any modification made by the authority does so to the Minister on a prescribed form. The Minister is then required to ask the authority to consider and report on the objection to him, the Minister; after which he shall present the scheme to the Government. So, when it comes to paragraph (1), we completely forget that this man has protested at all.

The Hon. A. L. Loton: The Minister slides out from under.

The Hon. J. G. HISLOP: Yes; he simply hands it on to the authority. It is merely a case of appealing from Caesar unto Caesar. If I remember rightly, when Mr. Fraser was in charge of town planning, he had and used power to override the town planning authority.

I think some protection should be given to the citizen. He is not represented on the authority, so surely he must have someone to speak for him. If a person has to get his local authority, such as the Perth City Council, the Perth Road Board or any other of the local authorities to speak for him, he might have to go through three or four persons to reach the one representing him. A person should have a direct approach to the Minister; and the Minister should have power to act over the authority. Otherwise, a citizen has no claim at all.

I suggest that members look carefully at paragraph (k) on page 17 of the Bill with a view to putting the Minister back into a position where he has power over the authority. At the present time the Minister has nothing else to do but direct the authority to report on the plan and report back to him. There the matter ceases. As far as I can see the Minister has either no authority to give his opinion to an individual or to tell that individual what his rights are as a citizen.

When we come to the question of the financing of this scheme, I again agree with my co-representative of the Metropolitan Province that there are some difficulties here. The Metropolitan Province is paying very heavily in many ways for services that are being used by people outside the metropolitan area. If we go a little further, we will find that the city area is paying very handsomely for amenities being used by the rest of the metropolitan area.

If we have regard for the rating of the land tax and water rates in the central city, we find that they are very heavy indeed. Only in the last year or two we have increased considerably the burden placed upon the business community of the centre of the city. Now we are proceeding to do it again.

This Bill proposes to impose a tax of a halfpenny in the £ on land valuation; and land valuation in the business centres is very high. These people will be paying for the rest of the community. This is a State-wide matter, yet the total payment will come from a limited number of people. If members, for instance, consider the amount paid for water rates in the city block, they will find that the people concerned cannot possibly use their water allowance even if they leave their taps running the whole year round. They all pay land tax simply because they are in the centre of business communications.

What will happen if this additional tax is imposed? It will simply mean that the rents of the city will rise once more. It is rather ludicrous that we should go on with this constant raising of taxation on one section of the community. Most of our taxation in recent times has been imposed on one section of the community; and this is another example. Another clause in the Bill which I do not like is on page 21, and it reads—

The Scheme may provide that where compensation for injurious affection is claimed as a result of the operation of the provisions of subparagraph (i) or (ii) of paragraph (b) of subsection (2a) of section twelve of the Town Planning Act, the Authority may at its option elect to acquire the land so affected instead of paying compensation.

Again the citizen has very few rights, even regarding the retention of his property, when he asks for compensation on

a deterioration basis. The authority may simply say, "If you want compensation we will acquire your land or property." The authority will acquire it at a deteriorated rate because it will say, "That is the value you put on it. Therefore, that is what we will pay for it." I would vote against any clause of that sort.

I do not believe any authority should have the power to cause a citizen, who feels he has been injuriously affected by something which is done for the good of the rest of the community, to lose his property at the option of that authority. I think we are going too far sometimes in the power we give these people. When we go into Committee on this Bill I propose to vote against that clause; and I hope I will be supported by the Committee.

I believe there has been more or less a promise that land tax would be reduced. What is the use of imposing an extra tax on the one hand and lowering the existing tax on the other? Why not look at it from the point of view that we intend to lower land tax? Why not vary the lessening of the existing impost according to the amount that is required in this measure? To take with the one hand and give with the other is not sound planning.

If this measure is passed, no-one will have any idea what the future cost to the metropolitan area will be for planning. Certainly there will be two bodies that will pay for it; the centre of Perth and the area close to the central portion of the city, and the new extending areas of the Perth Road Board and surrounding districts.

The Hon. F. J. S. Wise: Once the tax is imposed an increase might be allowed.

The Hon. J. G. HISLOP: The tax could be raised.

The Hon. L. A. Logan: Only by Parliament.

The Hon. J. G. HISLOP: Yes; but it is hard to defeat a request to raise a tax once the tax is imposed.

The Hon. F. J. S. Wise: Almost impossible.

The Hon. J. G. HISLOP: We should look at this matter very seriously and realise its implications. Town planning is absolutely essential to the city; and it is absolutely essential to the rest of the State to have a city well organised. Unless some town planning is done, we could reach the point where the centre of the city would begin to disappear.

Already we have noted the expansion of the suburbs and the rise of values in the business areas of the suburbs; and this will give an added impetus to the imposition of tax on those people on their land values. We will pursue the idea of discarding areas of the business community because new areas will come into being solely because of rising costs in the established metropolitan area.

An example of what has happened in recent years is the number of businesses that have moved from the city to Victoria Park. Before very long they will leave Victoria Park and move into the outer districts such as Cannington, and so on. If this process goes on, the Perth City Council may find that it is unable to maintain its present standards.

The Hon. H. C. Strickland: Central Sydney is suffering in that way.

The Hon. J. G. HISLOP: Instead of imposing further taxes, we must preserve what we have. We have a wonderful city—a beautiful city—but we could wreck it purely by the imposition of taxes on the community until such time as they can stand them no longer. Therefore when the question arises whether the central portion of the city should pay 39 per cent. of the first £140,000, we must have another look at it. If the £140,000 were spread over the entire State, the impost on the people would be very different. The tax proposed in this Bill, together with the accumulation of taxes, year after year, could have a very detrimental effect upon our city.

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

METROPOLITAN REGION IMPROVEMENT TAX BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [8.12] in moving the second reading said: This Bill deals in large part with the subject matter of the debate which has taken place to-night on another Bill—a measure to which exception has been taken by some members. Dr. Hislop said that we had a good city. Admittedly we have. We want to retain it as a good city; but if we do not do a little bit of town planning now, in a few years' time it will not be a good city. To do that town planning, it is essential to have finance.

The Hon. J. G. Hislop: The question is: From where?

The Hon. L. A. LOGAN: From the people who will get the benefit of the results. Do members think that a fellow who lives in Wyndham from the day he was born until the day he dies will get any benefit out of improvements to the City of Perth? Do members think that a fellow who has lived at Albany all his life will get any benefit out of an improved City of Perth?

The Hon. A. L. Loton: Why pick on that town?

The Hon. L. A. LOGAN: I will go to Esperance if the honourable member wishes me to.

The Hon. G. Bennetts: We do not want the people there taxed.

The Hon. L. A. LOGAN: We have already put some of the Stephenson Plan into operation through the interim development order; and there are people in the city who are making handsome profits because of the scheme as it is. When the scheme started some three or four years ago, I knew of areas where the value of land was £10 or £20 an acre. Today that land is valued at £750 to £800 per acre, just because of the implementation of part of this scheme.

The Hon. H. C. Strickland: How many years ago was it £20?

The Hon. J. G. Hislop: Did you say it had risen from £12 to £750?

The Hon. L. A. LOGAN: Yes.

The Hon. H. C. Strickland: £20 a foot.

The PRESIDENT: Order!

The Hon. L. A. LOGAN: I am just giving the facts and figures. Within the area covered by the interim development order, land is now being sold at £750 to £850 an acre.

The Hon. L. C. Diver: Factory sites?

The Hon. L. A. LOGAN: Not necessarily, but some are. Some will be used for other purposes. Professor Stephenson recommended that the authority and the plan be financed from a land tax; so, when a Bill was introduced in 1957, a land tax of a halfpenny in the £ was imposed; and exactly the same amount is included in this Bill.

The Hon. G. Bennetts: Is that only in the metropolitan area?

The Hon. L. A. LOGAN: That was the provision in the Bill which was accepted by Parliament in 1957; except that there was not time to complete the job because the other Bill was set aside.

When members consider the advantages to be gained from such a tax as this, and they relate it to the land tax, they will appreciate that it is a simple way out of the position. This is a tax which affects the average property holder only slightly. When Mr. Tonkin introduced the Bill in 1957, he said that the tax was a very low one. If it was low in 1957, it is lower now. If members are consistent and say that the value of the pound has decreased, they will say that the value of the halfpenny has decreased. According to my reckoning, the halfpenny is not as valuable today as it was in 1957.

The Hon. F. R. H. Lavery: If the value was £12 an acre in 1957, it could not be lower today at £800.

The Hon. L. A. LOGAN: I am talking of the value of the halfpenny. This tax is assessed on a uniform basis; that is something to commend it. Also, it is simple to collect, as the machinery for so doing already exists. It automatically reflects any increase in valuations arising

from the benefits of the plan, and therefore it provides a form of betterment. I know of no other way in which betterment can be applied.

The exclusion of agricultural properties will not only encourage the retention of important market gardens and orchard properties, so necessary for a capital city, but will assist in maintaining, to a degree, relatively open country in an adjoining built-up area. That, again, is probably part of the scheme.

I have already given the House an idea of the value to which some of these properties are subject today, because we have not got a plan in operation. I think they have already played their part in the plan.

Let us get back to the idea that we have to take this sum of money from Consolidated Revenue. I do not know how we can take money from a source when there is no money there.

The Hon. H. C. Strickland: You are not broke.

The Hon. J. G. Hislop: Do you not propose to reduce land tax?

The Hon. L. A. LOGAN: This tax is for a specific purpose. We must remember that. This money will not go into the coffers of the Government.

The Hon. J. G. Hislop: It all comes out of the one pocket.

The PRESIDENT: Order!

The Hon. L. A. LOGAN: It may do, but this tax is for a specific purpose. I do not know what this scheme is going to cost, and I do not think anybody does, but it will at least cost more than £140,000; because at the moment I have one re-sumption which will cost over £100,000.

The Hon. H. C. Strickland: The previous Government probably spent that much.

The Hon. L. A. LOGAN: There is a limit—and that is what I tried to say the other night—if we have to resume the properties on George Street, and properties on the other side of the railway line, and all around the city. If we resume them tomorrow to put this plan into operation, what effect will that have on the rest of the community in regard to what they require in the way of essential services? Somebody will want an extension of water supplies or electricity supplies, and the Scarborough Police Boys' Club or the Red Cross will want some money; and moneys for those purposes are paid from Consolidated Revenue. But there is none there now; so how are we going to take any out of it? I do not know what this scheme is going to cost.

The Hon. F. J. S. Wise: Do you not think that is a good reason why a tax should not be imposed at this stage?

The Hon. L. A. LOGAN: No; because I think posterity has a right to pay for some of its own planning.

The Hon. F. J. S. Wise: But do you not think, when you introduce a measure, you should know what you are going to tax?

The Hon. L. A. LOGAN: No; we cannot. The reason for this tax is to enable the collection of sufficient finance to pay for interest and sinking fund on loans.

The Hon. F. J. S. Wise: And the answer to that is "X" at the moment.

The Hon. L. A. LOGAN: I realise that. I do not think anybody appreciated just what the Cumberland County scheme was going to cost. Fortunately we have started about 100 years sooner than they did; and we can get out of this scheme reasonably well.

The Hon. L. C. Diver: It will be another 100 years before we can get anywhere.

The Hon. L. A. LOGAN: It will be if we go on like this. If the impost is put on Consolidated Revenue, we will not get anywhere within the next 10 years. That is not a threat or promise, but a bare statement of fact.

The Hon. F. J. S. Wise: What do you think it is going to cost?

The Hon. L. A. LOGAN: I would not have a clue; but not all the money, of course, will come out of this scheme.

The Hon. A. R. Jones: A halfpenny will not be enough.

The Hon. L. A. LOGAN: I think it will be plenty. Those who went into the scheme thought it would be sufficient to meet the interest and sinking fund on the loan.

The Hon. L. C. Diver: I would not be rash if I were you.

The Hon. L. A. LOGAN: I am not being rash.

The PRESIDENT: I think the Minister ought to be allowed to make his speech.

The Hon. L. A. LOGAN: Who is to say exactly what it will cost? It will certainly cost more than £140,000 a year for the first couple of years if the job is to be done properly. Every penny taken out of Consolidated Revenue—which is the basis of the argument—is a penny less for someone or something else.

The Hon. J. G. Hislop: But you propose to reduce the land tax.

The Hon. L. A. LOGAN: Forget about that for the moment; it has nothing to do with this proposition. Under this Bill we will have a regional authority to do something specific. If we impose this tax of one halfpenny and we reduce some other tax by a halfpenny, we will not be worse off. But this tax will be collected for a particular purpose; and what is suggested here is the only way to deal with this scheme.

As Minister for Town Planning, I cannot afford to wait on what may happen. Members know what Parliament may do to any Bill. I happen to be the Minister charged with the task of endeavouring to

put the Stephenson Plan into operation. We have carried on the Stephenson Plan to a certain extent by interim development orders for a long while. The State is fortunate that it has been able to make so much progress without a legal plan. But surely we are not going to be denied the right or the finance to do the job properly. If we are denied this right, the plan will break down. Probably the first three or four years can make or break this plan.

We have to remember that, under the Act, the scheme has to be reviewed every five years. A look at the map on the wall will show where the roads and highways are to go. This plan will improve not just one portion of the region, but the whole of it. I think that the other night I gave the figures of what the cost is likely to be to some householders; and those figures were not very large. The average householder in the Midland Junction area will pay 8s. 7d. a year. There is no need for me to repeat all the figures; they are in *Hansard*. An increase in any tax will be objected to.

The Hon. F. J. S. Wise: And no-one was more vocal than you in the past.

The Hon. L. A. LOGAN: Quite true; but I have to pay this tax which I am endeavouring to impose. I have a property in the city where I live at the moment. I think the tax will cost me 19s. 5d. But if by paying 19s. 5d. a year I am assisting to ensure that in the future Perth will be a better planned city, I think it is my right and duty to pay it without quibbling.

The Hon. H. C. Strickland: You are getting out of it lightly.

The Hon. L. A. LOGAN: That may be so; but that is what the tax will be on the valuation of my property at the moment. If the valuation goes up, I might have to pay a little more. What we ask the individual to pay is not, over all, very great. Mr. Wise will appreciate that any deficit in the Consolidated Revenue Fund has to be met out of loan funds, on which it is a charge; and the more loan moneys we use to pay for Consolidated Revenue losses the less amount of loan funds that can be used on public buildings or other public works in the State.

There are many things to consider when dealing with the halfpenny in the £ land tax for the regional plan. I only hope that members will give some thought to just what they would do if we endeavoured to take this money out of Consolidated Revenue. If we did this, we would delay the plan by at least seven years; and the State cannot afford to let any plan idle along for another 10 years.

Mention has been made of devaluation. I believe that there may be some properties in the city which will be devalued. No city can have a plan without hurting somebody. If we start off with a new area, and plan it, that is an entirely different matter.

The Hon. F. R. H. Lavery: That is all right so long as everyone is fairly dealt with.

The Hon. L. A. LOGAN: Compensation is provided for under the Act. As I said earlier, someone is getting a lot of money out of this today. The Cumberland County Council at the moment has compensation claims amounting to £400,000,000. That is a lot of money.

The Hon. A. R. Jones: It is more than I have.

The Hon. L. C. Diver: It was only £200,000,000 when we first discussed our plan.

The Hon. L. A. LOGAN: I asked Mr. Lloyd, the Town Planning Commissioner, who was in Sydney, and has been in Tasmania, and is now in Western Australia, what was the figure in regard to the claims for compensation. Surely I can rely on the figure he has given to me.

The Hon. L. C. Diver: I said the cost had increased considerably since we first started to discuss town planning here.

The Hon. L. A. LOGAN: I am sorry. However, that is how the cost can jump if we do not commence the job in the first place. The Cumberland County Council delayed its move towards town planning for quite a while. I would like members to give a great deal of thought to the imposition of this tax of a halfpenny in the £. I move—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [8.31]: Whilst the Minister was explaining the Bill to us, I was interested in some of the remarks that were made by him on this proposed tax. He told us most emphatically that unless the tax was imposed, the town planning scheme could break down. However, it appears that it is taking some years to break down.

The Hon. L. A. Logan: It has not proceeded very far.

The Hon. H. C. STRICKLAND: In fact, it is progressing according to plan—

The Hon. L. A. Logan: Not according to plan.

The Hon. H. C. STRICKLAND: —and as far as finances will permit. The sum of £140,000 per annum which the Government proposes to obtain from the imposition of this tax on only a section of the community in the metropolitan area will not be sufficient to implement the complete plan. The revenue obtained will be insufficient to purchase the land that will be resumed under the town planning scheme. Surely the Minister does not expect us to understand that the total cost of the scheme is to be met by this taxation! As I understand it, this measure is to secure enough money to compensate property owners for the resumption by the Government of land which is required for the implementation of the scheme.

I can recall the present Minister for Mines making very strong representations in this House in the last few years upon the previous Administration in regard to the reason why owners of land which had been resumed by the Government had not been compensated. That land is involved in this town planning scheme, and the Minister for Mines, at that time, was making representations on behalf of his electors. However, I am sure he will admit that the Government of the day met his representations in that respect.

The Hon. A. F. Griffith: He certainly will not admit it.

The Hon. H. C. STRICKLAND: The Minister is pretty niggardly if he does not, because most of the cases which the Minister submitted for consideration at that time concerning land situated in the Cannington area were certainly dealt with by the Government of the day.

The Hon. A. F. Griffith: Some of the cases were dealt with, but they were not cleared up.

The Hon. H. C. STRICKLAND: Those cases were dealt with and cleared up to the satisfaction of all concerned. That is correct; and the town planning scheme has progressed. At such short notice I cannot remember the specific properties that have been acquired in recent years by the Government, through its various departments, but the Railway Department has bought several properties in the East Perth area because they were being offered for sale at the time. Further, although I do not know which department is involved, several properties in George Street, as they have become available, have been purchased by the Government because they will be involved in this scheme. The money for those purchases has been provided by the Treasury. Quite a good deal of land has been purchased in recent times at reasonable prices.

The Minister in charge of the Bill asked how and where the money could be raised apart from the imposition of this tax. There are several sources of obtaining revenue without imposing a tax. For instance, the Treasury building is to be vacated some day.

The Hon. L. A. Logan: Yes, some day! In 100 years' time!

The Hon. H. C. STRICKLAND: Why could not the Government capitalise on that property?

The Hon. L. A. Logan: What would it do with the money from that sale?

The Hon. H. C. STRICKLAND: It could be used to implement this scheme.

The Hon. L. A. Logan: And where would the honourable member put the Government departments which are at present located in that building?

The Hon. H. C. STRICKLAND: Such problems could be overcome with a little careful thought.

The Hon. A. F. Griffith: It is so easy to say.

The Hon. H. C. STRICKLAND: In reply to the Minister's question as to where the money could be obtained other than by taxation, I suggest that it could be obtained by the disposal of certain surplus Government buildings in the city. I do not know whether the negotiations have been completed or not—if they have not they would be still in train—but one of those buildings is the Perth Technical College. When my Government was in office, we were trying to sell this property, which is worth a little more than £20 an acre, to the Commonwealth Government.

The Minister said that land in Perth had risen in value from £20 an acre to thousands of pounds an acre in recent years. I would like to know where he could buy a block of land for £20 an acre, even going back as far as 20 years. Let the Minister try to buy a quarter-acre building block within 20 miles of Perth. If he could buy such a block for £200 today he would be doing well. There is another problem involved in Government land. It is proposed in this scheme that the area taken up by the railway goods yard shall be put to other Government use. In the near future there is going to be a tremendous area of surplus land between the Perth central station and the metropolitan markets.

In the town planning scheme, even the metropolitan markets will be transferred to the Welshpool area. Members can imagine the huge area of land, within the city itself and which belongs to the Government which will become available as the scheme proceeds. Therefore, when the Minister asks how we are going to finance this scheme other than by the imposition of this tax, I suggest that the Government could finance it in that way if it so desired. It could proceed to finance, from the Consolidated Revenue Fund, the purchase of land that has to be resumed and which will be required in the city. I do not see how the Government could do that with only £140,000 a year, which this tax is expected to produce for such a purpose. If this amount is to be used to finance the scheme, it will move along only at a snail's pace.

It will be a far better idea to drop this proposal to tax a section of the people in the metropolitan area—not the whole community in the metropolitan area—and obtain the money required from either the realisation of very valuable Government property in the city proper which becomes surplus, or use money from the Consolidated Revenue Fund and the Loan Fund until the Government disposes of this land, if that is found to be necessary. Those suggestions are worthy of some consideration by the Minister when he asks by what other means the scheme could be financed.

THE HON. C. R. ABBEY (Central) [8.40]: I feel I can support the Minister's appeal to the House to pass this half-penny in the £ tax which the Bill proposes to impose on metropolitan land. I would like members to compare the imposition of this tax with the loan rate applied by any country municipality or road board to finance various schemes or projects, including town planning, in their own districts. I think all members know that the town planning of any country municipality or road board is paid for by the people of the district concerned. They expect to pay for it without any assistance from the Treasury. Therefore, is not this scheme in exactly the same position?

The Hon. R. C. Mattiske: What about the country areas water supply scheme?

The Hon. C. R. ABBEY: I suppose a comparison could be made with that scheme.

The Hon. E. M. Davies: People do pay land tax in the city.

The Hon. C. R. ABBEY: Those charges raised in the past to develop the country were used by the Governments of the day in order to develop this extremely large State. We must agree that there was a case for the imposition of those water rates to cover any losses incurred by the Government. When we can afford to pay these taxes and rates we should be happy to do so if it means that we are to make a move forward in our stage of development. Over the years these forward moves have met with opposition, but when the plans are implemented, most people in the community agree that they are of great benefit to the State and that the cost of them was well warranted.

I know that most members will agree that any benefit from such a scheme will be great. Therefore, why should not the people who reap the benefit pay for it? I do not think the Treasury should be called upon to make contributions to finance this scheme. We know that many of the facilities and amenities that are provided in the country are financed from the rates imposed on the people in the district. Application is sometimes made to the Treasury for assistance, but it is only on rare occasions that the Treasury makes a hand-out. The people concerned are told, "This is your pigeon and you should finance it." I agree with that policy.

If a district is progressive enough to make some advances for the benefit of the local community, the people enjoying that benefit should pay for it. There are many projects under consideration by country road boards and municipalities, and I am not aware of any of them having made application to the Treasury for financial assistance. Therefore, if those local authorities are prepared to accept their responsibilities, I consider that the people

in the city area should accept the responsibility of financing the implementation of the Stephenson town planning scheme.

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

ADOPTION OF CHILDREN ACT AMENDMENT BILL

Returned

Returned from the Assembly with amendments.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

(No. 3)

Second Reading

Debate resumed from the previous day.

THE HON. F. J. S. WISE (North) [8.46]: I support this Bill.

Question put and passed.

Bill read a second time.

In Committee

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

TRAFFIC ACT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from the previous day.

THE HON. L. C. DIVER (Central) [8.48]: The main purpose of this Bill is to increase the scale of traffic fees in this State in respect of motor passenger vehicles and utilities. It is claimed that the increase will bring the amounts contributed by the motorists in Western Australia into line with the amounts paid in the standard States.

In times past, I supported a Government of a different political complexion when it introduced legislation on very similar premises, and there was much criticism of my action. I supported the legislation then because of the position in which this State was viewed by the Commonwealth Grants Commission. Being a claimant State, the Commission considered that we were not taxing the people as much as the people in the standard States were being taxed. There was criticism of my action in supporting the pleadings of the previous Government to pass legislation to bring the rates applicable in this State into line with the rates in the standard States.

Today we have a Government of a different political complexion, and a Government which I support. This Government is bringing forward the very reasons

which were submitted by the previous Government for amending the legislation. I am bringing this point up to show that members in this House should at least be fair.

The Bill sets out the method of allocation of the money to be raised. It provides that for every £1 of revenue collected by road boards and municipalities outside the metropolitan area, they will in return receive 30s. That is, after the central fund has recouped an amount of 20s. from the Commonwealth authorities for every £1 raised.

I was inclined to oppose this Bill on the ground that there was no reason for the amount raised in country districts to be subsidised at less than the full extent; that is to be subsidised on a £ for £ basis less the overhead costs of collecting the taxes.

I now refer to something which I have been told unofficially. When replying, I would like the Minister to enlighten this House as to whether the facts are correct. If they are, the Government should give an assurance that certain undertakings will be carried out by the Main Roads Department, as some compensation for the 10s. in the £ which the road districts will lose from the subsidy. I am told unofficially that the Main Roads Department will set up an engineering advisory panel for the purpose of giving technical information to and carrying out survey works for local governing authorities outside of the metropolitan traffic area. If that is a fact, I am prepared to give the Bill my blessing. If no assurance along these lines is forthcoming I shall not support the measure.

THE HON. G. E. JEFFERY (Suburban) [8.55]: I oppose the Bill. In doing so my mind goes back to what happened three years ago when I first entered this House. I listened to a very long and educational speech from one member who had a long and distinguished political career. I remember very well his giving some of us the experience of his lengthy political career. He said that Governments spoke with two voices, one being the nice soothing voice used just prior to the election, and the other exercised immediately after the election. The speaker was referring to the fact that Governments are very quiet regarding taxation proposals prior to election, but immediately on assuming the Treasury bench they announce loudly their intentions. In case you, Sir, suffer from lack of memory as to the speaker, I remind you that this was a submission by yourself before you assumed the Presidency.

I bitterly disagree with the tax referred to in the Bill. Any tax to be imposed on the people of Western Australia should be imposed on every section, and not on a small section as is proposed in the Bill. It is ironical that the Government of this State has been forced into this situation

by the action of the Commonwealth Government. I realise that this applied to the Party to which I belong when it was in office. It also raised the license fees on motor vehicles. That was not a pleasant duty.

On this occasion the Government is taking a very narrow view. To my mind it is akin to the action of Robin Hood in reverse. It is taking from the poor and in some cases giving to the rich. I have received many representations from electors of mine on this measure. It has raised more opposition than any other with which I have been connected in my short political career. I received from the Belmont Park Road Board a letter dated the 20th October, 1959. It states—

From press reports my board has noted that it is the intention of the Government to introduce legislation to amend the Traffic Act to provide for increases in the license fees payable for motor vehicle registration.

I have been directed to request you to oppose such legislation as far as it applies to vehicles used solely for private purposes by their owners. It is realised that some justification may exist for increases in regard to commercial vehicles including taxis, cars used by commercial travellers, etc. but it is felt that where cars are used solely by their owners as a means of transport to their employment and to provide pleasure for their families at weekends and holidays any increased license fee would entail some degree of hardship as it has to be met from tax paid income and would not be a deduction for taxation purposes as would apply for a business expense.

The tone of that letter seems to be the general attitude of most people who have spoken to me about this Bill. Some member in another place said Ned Kelly would turn in his grave if he knew what was going on in Western Australia with regard to traffic license fees. I suggest he would not turn in his grave; he would oscillate.

One portion of the Bill will severely affect the person who owns a motor vehicle and who has to change his place of residence. By doing so he will not be able to obtain a full refund of the license fee. It is to hit the dizzy limit by charging a fee of 10s. If a motorist is to pay an increased license fee averaging 25 per cent., at least he should be entitled to the full refund of the fee if he moves his place of residence to another district, or disposes of the vehicle. I can see a situation arising where the refund, after deducting the 10s., would be so small that the motorist would feel that he was a beneficiary in a bankrupt estate.

If Western Australia needs this tax as much as we have been led to believe, then the tax should be spread over the whole section of people who operate vehicles.

While I agree that the petrol tax was raised for a particular purpose, but has not been expended for that purpose by the Commonwealth Government, at least it has the merit that the people who use the roads do in effect pay proportionately for them.

To my mind this particular Bill seeks to tax the person most who uses the roads the least. The week-end motorist need not necessarily be a resident of the metropolitan area. The Government has been ill advised in the framing of this Bill. The tax should be spread over the whole of the State.

I have heard during the last couple of months of an attitude of town versus country. I do not believe in this; I believe that my interests are equally vital to the State of Western Australia as are those of the man who lives in Wittenoom Gorge; and that the interests of the man in Wittenoom Gorge are equally as important as those of the person who lives in the Eastern Goldfields or in the Great Southern. When considering all legislation we should keep this in mind.

I feel we are developing a psychological attitude now of motorists, economically, being the milking cow of the nation, and I intend to oppose this Bill at the second reading stage; and if it gets as far as the Committee stage I will oppose it then.

THE HON. F. R. H. LAVERY (West) [9.1]: Each year during the eight years I have been in Parliament, there has been some further imposition placed on the motorist in Western Australia. I am wondering when a line is going to be drawn. We all know that the motor industry is the second or third biggest industry in Australia. The amount of tax it brings to both the State and Federal Governments is astronomical. Firms such as General Motors and the Ford Company contribute a very large amount to the coffers of Governments through sales tax and other forms of tax which are eventually placed on the motorist's back. He is the one who ultimately pays such taxes because he buys the motorcars, thus paying both indirect and direct taxation.

The attitude is that we are so poor that we have to increase the rates of license fees on vehicles to bring them up to the standards of other States. However, the same stand is not taken in regard to workers' compensation benefits, because the other States have higher rates than we have. It is all right when it is paying Peter but not so good when paying Paul.

I am going to make an appeal to the Minister, the Government, and all concerned, for the section of the community which has retired and which owns motorcars. I am thinking particularly of the pensioners, although there are others involved. These people are on a fixed income, and I want the Government to consider how this increase is going to affect them.

Although I do not receive many letters, strange as it may seem, I have, from various parts of the metropolitan area, received many letters in regard to this matter. In addition, I have had many telephone calls. Altogether, I have received 22 letters, which I did intend to bring to the House. They all referred to the people who are on a fixed income and who, through their lives, have saved enough to enable them to buy a motorcar for the comfort of their declining years. They are just managing to keep their car on the road; and now a further imposition is being placed upon them. Not only is there an increase in the license fee, which is bad enough, but they are also being asked to pay an additional 10s. for their driver's license.

I would have thought that the Government would show a little decency in regard to these people, but such is not the case. No thought has been given to the effect the increases are going to have upon them.

When I was quoting some figures the other night I referred to an amount of £80,000. The amount I should have stated was £30,000, and I apologise for that mistake which I made when reading.

The Hon. G. Bennetts: What is £50,000?

The Hon. F. R. H. LAVERY: However, I am correct in saying that there are approximately 16,000 motorists who are on fixed incomes or, rather, are retired on pensions. These are the people I feel should be given some consideration, and it is for this reason I oppose the Bill. I know that from time to time it is necessary for Governments to raise finance; and there is not one of us in this Chamber who would not object if we had to pay more money. We would put up a fight. However, I am not speaking for myself on this occasion, but on behalf of those 16,000 motorists.

The Hon. J. M. Thomson: They will get some benefit out of this expenditure, though.

The Hon. F. R. H. LAVERY: The only benefit they may receive is the advantage of better roads. But in the meantime, it is no benefit for them to have to dish more out of their pockets. That is what I am objecting to; not what benefits they will receive.

The Hon. E. M. Davies: They might not have it in their pockets to dish out.

The Hon. F. R. H. LAVERY: As the matter of roads has been raised, I feel that full credit should be given to the Main Roads Department for the type of roads built with the money received. I would be the last person to criticise this department because we have the best roads in Australia—bar none.

However, I am concerned about the 16,000 motorists who are on fixed incomes, and who will find it difficult to

pay this increase; particularly those who cannot afford a new car, and are just managing to keep their vehicles on the road because they have reached the stage where they require a lot of repairs. It is for this reason that I intend to oppose the Bill.

THE HON. E. M. DAVIES (West) [9.8]: I do not think that any member in this Chamber could feel happy about this particular legislation; not that one does not readily agree that from time to time it is necessary for Governments to find extra finance. However, I would like to say first of all that when a tax is imposed, one at least expects it to be borne by the majority of those concerned. However, on this occasion we find that notwithstanding the fact that motor licenses were increased not so very long ago by the previous Government, and drivers' licenses were increased from 5s. to 10s., it is proposed to increase the licenses of one section of the motoring public, and to exempt the other section, which does most damage to the highways and other roads. I feel I cannot support this legislation. If we are going to place a tax on the motoring public it should be on the whole of the motoring public, not just the section which owns a motorcar or light utility.

If we study the Bill we will find that taxation is being raised for repairs to be made to certain highways and other roads, railway crossings, and other such purposes. Therefore, as all motorists will benefit, all motorists should bear the tax.

We have heard a good deal in regard to the matching grants scheme. It has been stated that the taxation in the other States is higher than it is in Western Australia. Because of the matching grant we are called upon to increase our license fees so that we will be able to obtain an amount equal to that received by the Eastern States.

I noticed in the Press recently an article in regard to the subject. It was published on the 24th October in *The West Australian*, and is as follows:—

R.A.C. Hits at Motor Fee Rises

The claim that vehicle registration fees in Western Australia were uniformly lower than in any other State was incorrect, Royal Automobile Club president D. M. Cullity said yesterday.

The R.A.C. felt that there was no justification for the Government's tax relief to the entertainment industry while simultaneously imposing a savage increase in direct tax on private cars and light waggons to the exclusion of other classes of road users.

Mr. Cullity said that a reported yield of an additional £400,000 yearly from bigger car, light waggon and drivers' fees was £50,000 more than the amount said to be needed to qualify for a matching grant from the Commonwealth.

He said that the R.A.C. looked for an assurance that progressively increasing revenue needed for matching grants over the ensuing four years would be obtained from other sources.

I believe that every member in this House will agree with that article because it has already been stated during this debate that when some extra revenue is necessary, the first people who are called upon to supply it are those who run a motorcar.

However, as I have already stated, the worst feature of this latest tax is that only one section of the motoring public is being asked to pay the tax, while that section which does most damage to the roads is being exempted. Because of this fact, I cannot bring myself to conscientiously support the Bill; and unless I hear something during the remainder of this debate which prompts me to change my opinion, I will not do so.

THE HON. A. R. JONES (Midland) [9.13]: Once again I say that I hate taxing Bills; and this is certainly one. It is going to impose a further burden on those who own a motorcar or light utility.

The Minister gave two reasons for the necessity for this tax, the first being that the money was needed to obtain the matching grant from the Commonwealth fund for the improvement of roads. The second was that it would have an influence on the amount of money that would be made available by the Grants Commission.

Be that as it may, it seems wrong that we should be asked to tell our motorists that they are to be taxed further, in order that we may take advantage of funds which the Commonwealth will make available to us. The Commonwealth Government has the money that has been collected by virtue of the petrol tax and the diesel tax; and I cannot see why it cannot say to the States, "Here is a further £1,000,000 for you, which has been collected for the purpose of building and maintaining roads," rather than ask us to place this further impost on the people, knowing that we have no means of raising the money except by further taxation.

It is only because we need the extra money so desperately that I will support the Bill. I do not agree that it is only one section of the motoring public who will be asked to pay the tax; because I would point out that the owners of heavy vehicles have for a number of years been paying more than their share of taxation. The difference in the rating is such that car and utility owners in this State have been paying fees 25 or 30 per cent. below the average of those in the other States, whereas truck licenses have been on a par. From those figures it would appear that the heavy-vehicle owners have been paying more than their share in the past,

and will be paying their fair share when the fees of the ordinary motorist have been increased.

I agree with a previous speaker, that it would be fairer to raise the necessary money by means of an increase in the fuel tax, rather than by taxation of this kind, because we know that some motorists use their cars on only a few days per year and do a comparatively small mileage. I believe that the great majority of motorists would not average more than from 4,000 to 6,000 miles per annum, but they will be called upon to pay the same license fee as the man who does 30,000 or 40,000 miles per annum.

I think it is a reflection on the Federal Government that it should impose this penalty on Western Australia; because we cannot rely, as the Eastern States can, on collecting sufficient extra fees owing to the increase in the number of motor vehicles on the road each year. From that source the Eastern States are able to get sufficient money to secure the Commonwealth contribution; but we have to impose a further tax on the people; and I object to that. I hope that all members will register a strong protest at what has been done in this regard.

The Hon. J. J. Garrigan: Hear, hear!

The Hon. A. R. JONES: I have no doubt that the honourable member will. I think it a damnable thing to do. The Commonwealth collects the money for the States; and I think it should be willing to make it available to them.

The Hon. F. J. S. Wise: The Leader of the Opposition strongly stressed that point.

The Hon. A. R. JONES: I am hopeful that every member will register objection to what is being done. I do not know how the Minister can justify the proposed 100 per cent. increase in the fee for a driver's license. I cannot recall him having made any statement to justify it. The previous Government also increased the fee 100 per cent. in one year—from 5s to 10s.

The Hon. H. C. Strickland: But they gave a service for it.

The Hon. A. R. JONES: It is more trouble to renew a license now than it used to be—

The Hon. H. C. Strickland: They remind you now when your license has to be renewed.

The Hon. A. R. JONES: The previous Government gave us a more costly service. I would like the Minister to endeavour to justify the 100 per cent. increase. Surely it is not required to cover increased costs of administration! I suppose it is to go towards building up the fund.

Although it is harsh, I feel that we cannot afford to neglect the opportunity of obtaining an extra £5,000,000 over the next five years, provided we can meet certain conditions; but at the same time I am diffident about imposing further taxation on our people in order to get that money. I

put the position to people in the districts of certain local authorities which I visited recently, and they all said that rather than forego the extra £5,000,000 they would pay the extra tax. For that reason only I support the Bill.

THE HON. G. BENNETTS (South-East) [9.20]: I am amazed at the Government having brought down a measure to place a further impost on the motorists of the State. I was amazed also at the further charges for water the other night, but that problem has been overcome—

The Hon. L. A. Logan: Not yet.

The Hon. G. BENNETTS: I hope members will reject this measure; because I do not think the ordinary people should be further taxed when it is not warranted. The Government has about £1,500,000 more loan funds available this year than were available last year; and I agree with the Leader of the Opposition, that the money required should come from Consolidated Revenue.

The Hon. L. A. Logan: Where did you get that idea from?

The Hon. G. BENNETTS: It was suggested by either the Leader of the Opposition or Mr. Wise, and the Minister did not disagree when the remark was made. Over the last four years the Federal Government has got more than £200,000,000 out of the petrol tax; but it has distributed only about £128,000,000 to the States. It has also collected hundreds of thousands of pounds from excise; but now we are being asked to impose extra costs on our people in order to get back from the Commonwealth Government money to which we are entitled.

As one member said tonight, a tax is being imposed on pensioners. I know one or two pensioners who have to have motor-cars in order to give their wives an outing and do their shopping. Such people are going to be hard hit by the proposed increases; and I think the measure should be amended so as to exempt them. As a previous speaker said, some motorists use their cars only occasionally, while others have their vehicles in constant use; and I agree that the only fair way to raise the extra money required is by a tax on the fuel used by motorists. I understand that in New Zealand, whatever money is required is raised by means of a petrol tax.

I believe that, in 1953, the registration fee in New Zealand for vehicles carrying less than 9 passengers was £3, and for vehicles carrying more than 9 passengers it was £5 per annum. I heard it said tonight in this Chamber that the local governing bodies will pay £1 and receive back only 10s. additional, instead of the full 100 per cent.; and the local authorities are very hostile about that. Two of them recently protested strongly about what is being done; and they want to know what is going to happen to the other 10s.

I understand that the method of working out the charges on cars is to take five times the weight of the vehicle, plus five times the horsepower of the car as a basis. A car weighing 20 cwt. would represent 100s. or £5., and five times 20 horsepower would represent 100s. or £5, or £10 in all. To that is added £3 12s. 6d., bringing the charge to about £13 10s., which would mean an increase of about £3 in the case of my own car.

The Hon. J. G. Hislop: Be careful, or you will do someone out of a job.

The Hon. G. BENNETTS: Another 10s. is to be charged on the driver's license; and I think the Government is making a bad start in trying to tax the people in so many ways. We have heard tonight of another tax for town planning purposes, and I expect that before long further taxing Bills will be brought down. I hope members will reject this measure.

THE HON. J. M. A. CUNNINGHAM (South-East) [9.30]: I do not intend to speak at any great length on the measure. I believe that the Government, whatever its colour, has the right to govern and bring down taxing measures such as this, no matter how unpleasant they may be. A Government bringing down such legislation must be prepared to face the criticism that must of necessity follow. Unpleasant and unpalatable as the measure may be to all of us, we realise, of course, that it will mean a considerable increase in the income from the Commonwealth by way of grants. This will enable the State to carry on a programme of road building for which we are already well-known. Interstate travellers agree that our roads, particularly our country roads, are years ahead of those of the other States. This, of course, has been made possible through the grants made available by the Commonwealth.

The Hon. F. R. H. Lavery: And an efficient Main Roads Department.

The Hon. J. M. A. CUNNINGHAM: I understand that in future the formula is to be slightly different, but we will get a little more money. By means of this taxing measure, the Government has found a way of obtaining some additional money from the Commonwealth to enable it further to improve our roads.

I, like other speakers, feel that under the circumstances a gesture could very easily be made to that small group of citizens who are on a limited income or are in such a position that any increase in their outgoing is a hardship—I refer to all groups of pensioners. I wholeheartedly support the suggestion that no matter how big a departure such a move would be, it is more than warranted; and something should be done to ease the burden on the people I mention. Anyone such as a cripple, who needs a vehicle to move around, does not pay any license fees. I realise that the Minister is reluctant even to consider any

form of partial rebate; but if an incapacitated person has to use his car for moving anywhere, he does not have to pay a license fee.

The Hon. G. Bennetts: He must be a cripple.

The Hon. J. M. A. CUNNINGHAM: Yes. It applies only to people who are completely incapacitated. I know that what I am suggesting is a departure from present practice; but I think a partial rebate could be given to people of limited means. No matter how reluctant the Minister may be to agree to such a suggestion, if he would give this concession, every member here would feel far more happy about supporting this Bill. We know that we have to support it if we want to get more money for the State.

The Hon. G. Bennetts: The farmers get—

THE PRESIDENT: Order! The honourable member has made his speech.

The Hon. J. M. A. CUNNINGHAM: The people for whom I am now speaking are those who will benefit the least from any improvements that may be made to our roads by virtue of the money obtained from this extra taxation. Therefore I suggest that the Minister give serious consideration to the proposal, and I ask him to accept an amendment which will have the effect of lightening the burden on the pensioner.

THE HON. J. D. TEAHAN (North-East) [9.35]: I wish to register my protest against this measure. Each year we hear of the necessity to increase charges and fees for some of our services in order that those charges may be brought into line with the Eastern States. Year after year we hear that some increase in charges is necessary if we want the Commonwealth Government to give us additional money; and we are told that unless these increases are made the money will not be forthcoming. That is one of the reasons given on this occasion, but I do not think anyone can recall any occasion when it was said that Eastern States' charges were less than ours, and so our charges would be reduced accordingly.

I heard over the air this morning that owing to a reduction of petrol tax in New Zealand the price of petrol in that country would be reduced by 4d. a gallon. If it is possible for a reduction to be made there, surely we should be able to expect a reduction in some of the charges here. In the past it has been said that tobacco and liquor provide the Government with most of its money because of the taxes levied on those two commodities. To them must be added the motorist; I believe that he has become one object that the Government feels it can keep on taxing. Already the motorist pays plenty; he pays a tax on petrol and diesel fuel, import duties, sales tax on parts, and the like.

Those who own cars know only too well what it all means. A small part which could be produced for about 4s. costs the motorist about 24s. To such an extent have charges been increased over the years that the owning of a motorcar is almost outside the range of the basic wage earner, or the person who has a slight margin over the basic wage. But we have reached the stage where a motorcar cannot be regarded as a luxury. The family man buys a motorcar to provide entertainment for the whole of his family. He uses it to take his wife and children to places where it would not be possible to go without a motor car. If he has a wife and five children he is able to give those six people a good deal of pleasure if he owns a motorcar.

All this Bill will do will be to tax the pleasure of such people. The family man will be the hardest hit by this legislation because every item of expenditure on his car must come from his own pocket. A businessman is allowed 60 to 80 per cent. of the cost of running a car as a deduction from his income tax. Therefore, a charge of 6s. would mean in actual fact only 3s., because the other 3s. would be allowed for in his tax. The increased motor driver's license fee will also bear heavily on the private motorcar owner, and particularly on those who have a fixed income, such as the pensioners.

The Federal Government does not consider that the motorcar is a luxury item. Special provision has been made in recent years so that a motorcar is no longer taken into account when assessing a pensioner's assets. Many of the pensioners with whom I come into contact regard their car as the only amenity they have. Probably because they have been thrifty during their lives they have been able to save up and buy a motorcar. By this legislation we are imposing a heavy burden on such people; and, if it is possible to give relief to them by way of an amendment to the Bill, as has been suggested, it should be done.

Also the week-end motorists will be heavily hit. They make little use of the roads; I suppose most of them would travel no more than 3,000 to 5,000 miles a year, whereas the average businessman, who is able to claim car expenses as a taxable deduction, would travel something like 30,000 miles a year. There are also many people in the country who own older types of vehicles. Most of such vehicles are very heavy and, because of the way in which registration fees are calculated, the burden will be heavier on the owners of such vehicles than it will be on the owners of light vehicles.

Many people in the country have a light utility which they use for carting wood. They do this to help with the family budget because of the high cost of fuel. They combine business with pleasure inasmuch as they take the family for a run into the

bush, and bring back a load of wood. This legislation will seriously affect that sort of person. It will also affect the week-end prospector, who is a useful citizen.

Usually a man prospects for one of two reasons: One, he has the gold fever; or, two, it is a means of getting away from the dust of underground mining, and he goes out into the bush and does a little prospecting over the week-end. Those people, too, will feel the impact of this increased tax. Whilst I have registered my protest, I hope the Minister will be receptive to the many suggestions that have been made to allow those on the lower and fixed incomes to be given some concession.

THE HON. J. G. HISLOP (Metropolitan) [9.43]: We live under a crazy sort of structure. On one hand the Government speaks to the people of Australia and says, "We must control inflation," and on the other hand it is the greatest inflationary body in the Commonwealth.

The Hon. H. C. Strickland: Definitely.

The Hon. J. G. HISLOP: That fantastic situation seems to go on and on. When I look at this measure, it reminds me of a parallel in mythology—with the Commonwealth acting as the holder of the carrot while the State goes along as the donkey.

It is curious and interesting to look at the figures concerning the petrol tax, and realise that the excise duty on petrol in 1956-57 was £21,000,000, and that at the rate it is increasing the figure must be £30,000,000 today. That, as a separate entity, goes straight to the Commonwealth; and it is a tax on every motorist; it is a tax on aviation, transport, and on all forms of communication which this country so badly needs.

We are trying to match money which is promised to us if we treat the milch cow a little less kindly. It is a curious attitude for the Commonwealth to adopt to say to the States, "We have already taxed these people once. You tax them twice and we will give you a bit more."

The Hon. F. J. S. Wise: After we shear the sheep you can have the wool!

The Hon. J. G. HISLOP: Yes. If that sort of attitude in regard to finance is to continue, where do we stop; because every one of the dependent States has to operate on this process of continually inflated moneys? It only needs one of the standard States to again raise its motor-vehicle rates for us to be penalised as a result. It is simply a step-ladder on the road to further inflation, and it seems to me to be a most unsound type of finance to adopt; that is, if we double our tax we will be given more by way of reward.

I cannot imagine that Australia will get very far on that basis. It has been suggested that it might be wise to look

at it from the point of view of petrol tax which will be paid to those who use their cars to the greatest extent. Owing to the kindness of Mr. Wise in loaning me a copy of his *Year Book of Australia*, for 1958, I was able to take a quick look at the number of gallons of petrol on which excise had been paid in Australia. In 1955 excise was paid on 540,000,000 gallons; and in 1956-57 it was paid on 740,000,000 gallons. From the rate at which the increase has progressed, I should think probably 1,200,000,000 gallons are being used today. If we divide that by 14 we get to the stage of having 80,000,000 gallons a year used in this State.

The Hon. F. J. S. Wise: That is on a *per capita* basis.

The Hon. J. G. HISLOP: Yes; and this would bring in a very considerable sum of money.

The Hon. F. J. S. Wise: As you say, quite apart from excise.

The Hon. J. G. HISLOP: That is so. For instance, recently the price of petrol was lowered a halfpenny a gallon. People had got used to paying that amount and the relief of a halfpenny a gallon did not mean very much to the people individually, although I dare say spread over the community it would be a large amount.

We might have a look at it from that angle. But here is the difficulty: Last year I went very carefully into the relationship of State and Commonwealth grants, and my reading of it was that if we were to raise money by a petrol tax of 1d. a gallon it would do two things: It would still leave us lower in our motor-vehicle license fees as compared with the standard States, and we would still be penalised on that basis. Then, having raised that extra revenue we would be told that we would not need so much by way of grant.

The Hon. L. A. Logan: We lose it both ways.

The Hon. J. G. HISLOP: The whole thing is fantastic; and until the authorities get together and decide the correct method of Commonwealth-State finance, our entire financial structure could lead us to despair. Accordingly, it does not seem to me to be any good pursuing the matter—which is an interesting one—of the halfpenny tax on a gallon of petrol. I do not suppose it would amount to very much. On an average I daresay I would use about 500 gallons of petrol a year, because I should say that I use about eight to ten gallons a week; and the average individual would not use much more.

The Hon. W. F. Willmott: Oh no! What about the country members?

The Hon. J. G. HISLOP: Those who live in the bush would certainly use more; but if we doubled the number of gallons, and doubled the amount of tax, it would still not be very great; but it would

bring in a considerable sum of money. As I have said, however, there is no point in pursuing that matter, because we would only be further digging our own financial grave.

One day very soon we must ask the States and the Commonwealth to have a full-dress debate on the question of the government by the States financially. We do not really govern. We are, as it were, like an elder son allowed to spend what we receive parentally, because what we can actually raise, as a State, from taxation is comparatively small. To a large extent we have to rely on a return of taxation by the Commonwealth, and on other grants given to us. Since this new arrangement has come into being, I can see that the State is more than ever dependent on the Grants Commission. This Commission over the years has fortunately been very kind to us; it has looked at us very sympathetically.

My final word about the petrol tax and the question of grants given to us on the understanding that, "Because Victoria's license fees are higher than yours you must raise yours or else you will be penalised," is that no account is taken of the distances that have to be travelled in this State. Victoria consists of a very small area, and it would be interesting to have the figures dissected to see which State used the greater amount of petrol per year. I think we might find that in a year, *per capita*, we use more petrol than any of the other States.

Accordingly, with the greater use of petrol and the greater return of tax to the Commonwealth, we get no abatement of our penalty; whereas we should receive consideration on a territorial basis. I would like to stress that the question of continually taxing people is one that all Governments must look at. If we look at the figures for 1935-36 we find that the Consolidated Revenue of this State was £10,000,000. By 1958-59 it had reached £60,000,000. That is the annual expenditure from Consolidated Revenue. At the rate we are going this year, the expenditure could quite easily be £63,000,000. That is an enormous amount of money to spend on 750,000 people.

The Hon. H. C. Strickland: A lot of it is reflected in development.

The Hon. J. G. HISLOP: Yes, but at some time or other there must be a limit to Government spending.

The Hon. H. K. Watson: Of course the quarterly adjustment in the basic wage has accounted for a large proportion of it.

The Hon. J. G. HISLOP: It has not accounted for six times the figure at which it was in 1935. It may be three times more. Government expenditure generally is getting out of hand as related to the income of the people.

The Hon. R. C. Mattiske: To which year do those figures apply?

The Hon. J. G. HISLOP: To 1935-36. The revenue was £10,000,000 odd, and the expenditure was £9,000,000; so in those days we were able to live within our means.

The Hon. R. C. Mattiske: It is more interesting to note that the public debt per head of population in 1935 was £197, and in 1959 it is £322.

The Hon. J. G. HISLOP: So it can be seen that there are some of us who are getting alarmed on the question of constantly increasing taxation in a manner which we regard as financially unsound. I support the measure, because I know what it will mean to the State; but I think the time must arrive for us to have a talk with the Commonwealth as to whether we should match the expenditure of other States purely on a *per capita* basis.

On motion by the Hon. W. F. Willesee, debate adjourned.

ADJOURNMENT—SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn till 2.30 p.m. tomorrow.

Question put and passed.

House adjourned at 9.56 p.m.

Legislative Assembly

Wednesday, the 4th November, 1959

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

QUESTIONS ON NOTICE

MIDDLE SWAN GENERAL HOSPITAL

Preparation of Plans and Specifications

1. Mr. BRADY asked the Minister for Health:
 - (1) Have any plans or specifications been prepared for a general hospital at Middle Swan?
 - (2) If so, will he state the number of beds it is intended to cater for?
 - (3) If not, will he arrange for same to be prepared?

Mr. ROSS HUTCHINSON replied:

- (1), (2), and (3) The Principal Architect has been asked to prepare plans for a hospital of approximately 30 general beds to be added to the existing midwifery hospital, and has completed his preliminary investigations of the site.

WATER SUPPLIES

Queen Street, South Guildford

2. Mr. BRADY asked the Minister for Water Supplies:
 - (1) Is the Water Supply Department anticipating the extension of water services along Queen Street, South Guildford, in the current year?
 - (2) If not, when is it believed the extension will be made?