

quite easy in an institution, such as the Midland Junction saleyard and abattoirs to have disputes on methods of selling and slaughtering which have to be settled by the controller. If there were an appeal against the decision made to the board, with the controller as a member, it would be a case of Caesar appealing unto Caesar. If the Minister could instance an example of where the board is not functioning properly, I would give every consideration to the proposal to appoint the controller as a member of the board.

The Minister also referred to the capital outlay by the Government, which is considerable. It seemed to me to imply that the board would not have the same respect for the Government's attitude as would the controller. After all is said and done, the Auditor General, as a result of the powers conferred on him by the Audit Act of 1904-1950, has full authority to inspect the accounts of that board. If any member cares to look at the public accounts it will be found that even after paying depreciation amounting to £14,500 and interest on capital of almost £22,000 the Midland Junction abattoir showed a profit of £23,831. This new board has not yet presented its first annual report. Section 23 of the Act states—

The Board shall prepare an annual report of its proceedings and operations during the preceding year, which report, together with copies of the balance sheet and statements of account then last prepared and audited and the Auditor General's report thereon, shall be laid by the Minister before both Houses of Parliament as soon as practicable in each year.

It is my intention, as I said before, to oppose the Bill. I believe the board should have every opportunity to prove its worth. If, after it has presented its report, a fair and reasonable case is submitted to show that it has not functioned properly, I will be prepared to give consideration to the proposal contained in the Bill and, in all probability, favour any change; but at present I cannot support this measure.

On motion by Hon. A. L. Loton, debate adjourned.

*House adjourned at 12.58 a.m.
(Wednesday).*

Legislative Assembly

Tuesday, 8th December, 1953.

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

QUESTIONS.

HOSPITALS.

As to Collie, Kununoppin, Merredin and Manjimup Finances.

Mr. MAY asked the Minister for Health:

Will he advise as follows:—

- (1) What was the original capital cost of the following hospitals:—Collie, Kununoppin, Merredin and Manjimup?
- (2) What were the conditions of repayment of capital cost of each?
- (3) What amounts of interest, sinking fund and capital cost have been paid in respect of each?
- (4) What are the outstanding balances still owing in respect to each of these hospitals?

The MINISTER replied:

- (1) Collie—£16,047.
Kununoppin—£1,054.
Merredin—£10,732.
Manjimup—£4,934.
- (2) Collie—£7,794, 52 years, 4½ per cent., later reduced to 4¼ per cent.
Merredin—£3,000, 15 years, 3½ per cent., partly converted in 1950.
£1,000, 10 years, 3½ per cent.
Kununoppin—£500, 17 years, 6½ per cent.
Manjimup—£2,500, 20 years, 3¼ per cent.
- (3) This information is not available without undue trouble, involving the Commonwealth Bank.
- (4) Collie—£5,698 19s. 8d.
Merredin—£500 18s. 1d.
Kununoppin—£166 9s. 2d.
Manjimup—£507 7s. 8d.

SUPERPHOSPHATE.

As to Reconditioning Damaged Lots.

Mr. MANNING asked the Minister for Transport:

- (1) What quantity of damaged superphosphate was returned to the works for reconditioning during the 1952-53 season?
- (2) What was the cost of transporting damaged superphosphate during the 1952-53 season?

The MINISTER replied:

- (1) 234 tons.
- (2) £599 5s. 11d.

RAILWAYS.

(a) As to New Proposal for Chord Line.

Mr. J. HEGNEY asked the Minister for Railways:

I refer him to the report of Messrs. Dumas and Brisbane on proposed new railways, and ask—

- (1) Was any chord line proposal developed or investigated that would provide a connection to the railway system near the Bunbury railway bridge, East Perth, and the main line at Mt. Lawley?
- (2) Would this proposal be considered practical?

The MINISTER replied:

- (1) Yes.
- (2) It would be practicable from a constructional point of view but would encounter operational difficulties. Cabinet may decide in the near future to have the proposal reinvestigated.

(b) As to Town Planner's Recommendations.

Mr. J. HEGNEY asked the Minister for Railways:

(1) Can he inform the House as to the nature of the recommendations made by Professor Stephenson, town planning con-

sultant, relating to the transposition of certain railway facilities which he stated would almost completely wipe out the Bassendean-Welshpool chord line proposal?

(2) Were these recommendations submitted in writing?

(3) If the answer is "Yes," will he lay them on the table?

The MINISTER replied:

(1) Professor Stephenson and the Town Planning Commissioner presented to the Government a comprehensive town planning scheme, which advocated the location of the railway marshalling yard on a new site southward of and close to the Perth airport. The scheme comprehended railway connections quite different from the Bassendean-Welshpool chord line proposals.

(2) Yes.

(3) Yes.

(c) As to Midland Junction-Cannington Link and Marshalling Yards.

Mr. JAMIESON asked the Minister for Works:

(1) In view of the proposed Midland Junction-Cannington rail link, recommended in the Dumas-Brisbane report, should not this practical proposition be proceeded with immediately?

(2) As the rollingstock for the industrial establishments at Bassendean can be quite efficiently handled by the present marshalling facilities, does he consider the proposed expenditure on a marshalling yard in this area justified?

(3) (a) Has the possibility of an eleven-chain radius from the Jewel-st. crossing, East Perth, to the main Midland Junction line been examined as an alternative to this proposed line?

(b) Will such an alternative save the Government an additional £300,000?

(4) (a) Would not marshalling yards on the Midland Junction-Cannington link line cost far less than the proposed Rivervale-Bassendean link line and Bassendean marshalling yards?

(b) Is he aware that developing the Midland Junction and Cannington link line and yards would have very little, if any, effect on commerce, industry, housing, or the heritage of coming generations?

(5) (a) Has the possibility of an auxiliary marshalling yard to relieve the East Perth and West Perth yards being established immediately on Burswood Island, been examined?

- (b) If not, would he request the departments concerned to examine and report on such a possibility?
- (6) (a) Has his attention been drawn to the report in "The West Australian" on Wednesday, the 2nd December, 1953, of the protest meeting held the previous night in Belmont against the proposed line on the south bank of the Swan River?
- (b) Does he concur in the opinion of the speakers at this meeting that the estimated cost of this line has been grossly under-estimated?

The MINISTER replied:

- (1) The existing development of the South-West and Kwinana area does not warrant construction at the present time.
- (2) The proposed marshalling yard at Bassendean would handle all wagon traffic. The industrial establishments at Bassendean would only provide a fraction.
- (3) (a) Yes.
(b) No.
- (4) (a) Marshalling yards on a Midland Junction-Cannington link line would not be effective for the existing traffic.
(b) No.
- (5) (a) The objective was to construct one main marshalling yard with full facilities for efficient marshalling.
(b) Answered by (a).
- (6) (a) Yes.
(b) No.

(d) *As to Extension of Standard Gauge to Fremantle.*

Mr. COURT asked the Premier:

- (1) Is there any current proposal under consideration with the Commonwealth Government for extending the standard gauge of the Commonwealth Trans railway line from Kalgoorlie to Fremantle?
- (2) (a) Does the Government favour such standardising of the gauge?
(b) If so, will the Government give consideration to initiating discussions with the Commonwealth Government, if no discussions are current?

The PREMIER replied:

I have left the written replies to this question at my office. However, they are as follows:—

- (1) No.
(2) (a) Yes.
(b) Yes.

WHEAT.

As to Premium Varieties and Bread Quality.

Mr. OLDFIELD asked the Minister for Agriculture:

In view of the fact that the departmental better quality wheat varieties are now being grown to an increasingly large extent, that millers are prepared to pay premiums for them, and that Co-operative Bulk Handling Ltd. is arranging for their transport in bulk to the flour mills, will he state if he believes that superior bread can be made from flour from these wheats, and if so, will he arrange for his departmental officers to demonstrate this?

The MINISTER replied:

It is believed that superior bread can be made from the better quality wheat varieties.

The Department of Agriculture does not possess the facilities to demonstrate this by baking bread but it assesses the quality of the wheat for bread making by other tests.

PETROL STATION.

As to Site at Cottesloe.

Mr. LAWRENCE asked the Minister for Railways:

- (1) Is he aware that a petrol station is being erected on railway property at a site approximately opposite the Cottesloe State School?
- (2) If so, is this action condoned by the local governing authority and the Town Planning Commission?
- (3) If the answer to No. (1) is in the affirmative, for whom is the station being erected?

The MINISTER replied:

- (1) Yes.
(2) The condition of the lease is that the lessee shall comply with the requirements of the local authority concerned.
(3) It is the practice not to divulge such information, but if the hon. member calls at my office, the name will be conveyed to him in confidence.

PICTURE THEATRES.

As to Number and Condition of Sunday Permits.

Mr. COURT asked the Minister representing the Chief Secretary:

- (1) How many permits have been issued for Sunday film entertainment—
(a) as at the 28th February, 1953;
(b) since the 28th February, 1953?
- (2) What conditions as to prices, hours and types of films have been imposed in the permits?
- (3) (a) Are further permits contemplated?
(b) If so, to what extent?

The MINISTER FOR HOUSING replied:

- (1) (a) Eleven.
- (b) Twenty-two.

(2) Permission may be for (a) voluntary collection or (b) for a maximum charge of 1s. 6d. to any part of the house. Entertainments must not commence before 8.45 p.m., doors opening not earlier than 8 p.m.

Items of a comic or suggestive character calculated to give offence to any section of the community are prohibited.

- (3) (a) Yes.
- (b) All applications will be approved under above conditions.

BILL—MEMBERS OF PARLIAMENT REIMBURSEMENT OF EXPENSES.

Introduced by the Premier and read a first time.

BILL—ADOPTION OF CHILDREN ACT AMENDMENT (No. 2).

Returned from the Council with amendments.

BILLS (2)—THIRD READING.

- 1. Agriculture Protection Board Act Amendment.
 - 2. Marketing of Onions Act Amendment.
- Transmitted to the Council.

BILL—TOWN PLANNING AND DEVELOPMENT (METROPOLITAN REGION INTERIM DEVELOPMENT POWERS).

Second Reading.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth) [4.45] in moving the second reading said: As is well known, the greater metropolitan area has long suffered because of a lack of a co-ordinated plan. As a result, our metropolitan area has grown by fits and starts, and there is no semblance of order in its growth and development. The previous Government made a very important start by appointing a well-known and qualified town planner and charged him with the responsibility of developing a regional plan for the greater metropolitan area and, as a consequence of that, certain legislation is necessary.

There are two Bills to be submitted to Parliament to deal with this matter. One is of an interim nature and the other is of a more permanent character. The purpose of the first, which I am now introducing, is to hold the position for the time being because it would be disastrous, a start having been made, if works were to proceed, and buildings and factories were to be erected, which might not conform to the ultimate conclusion of the town planning authority. From a reading

of the Bill it will be seen that it will be of temporary duration only; that is, as stated earlier, it is designed to hold the position until such time as there is a regional plan.

As already indicated, the legislation is presented in two parts; (1) the Town Planning and Development (Metropolitan Region Interim Development Powers) Bill, 1953, which, when passed, will be a short-term Act, applying exclusively to the area centred around Perth and Fremantle; and (2) a Bill, which will be introduced shortly, entitled the Town Planning and Development Act Amendment Bill, which is a measure to amend the Town Planning and Development Act now on the statute book. Both measures will apply to the metropolitan region, but the Town Planning and Development Act Amendment Bill will apply to the remainder of the State only. The main objects of that Bill are to rectify certain anomalies in the existing Town Planning and Development Act which have become apparent over a period of time, particularly in those sections dealing with the machinery for town-planning schemes.

Further, the objects are to provide the necessary machinery for preparing a metropolitan regional plan and to exercise an overall limited control of and use and development in the metropolitan region during the interim period between now and the time the plan comes into operation. It is proposed to give local authorities power to control all building development from a town-planning point of view, particularly in areas where no planning scheme exists at present. It is also proposed to provide additional revenue to meet some of the costs of preparing the regional plan; possibly costs of land acquisition and other expenses in addition to those to which the Government is already committed.

As its name implies, this Bill is only an interim or short-term measure and is designed to cover the period between now and the coming into effect of the metropolitan regional planning scheme. It has to be read in conjunction with the Town Planning and Development Act which had not envisaged the making of an overall town-planning scheme, such as everyone agrees is necessary in the Perth and Fremantle areas. The metropolitan region will embrace nine municipalities and 19 road districts, a total of 28 local authorities, including the whole of the metropolitan and Kwinana areas and extending to Warnerroo, Swan, Mundaring, Darling Range, Armadale-Kelmscott, Serpentine, Jarrahdale and Rockingham. At present within this area only seven local authorities have planning schemes for the complete area, although others have partial schemes and by-laws. In effect, this Bill puts them all on the same basis in so far as control of development is concerned.

Whereas previously there might have been the necessity for planning as affecting the inner metropolitan area because of congestion, of rapid growth and development, and because of the progress of the State in an industrial sphere—something which, of course, has been given impetus within recent days—the necessity for some measure of this nature has become amply apparent. With the establishment of industries of considerable dimensions, quite a number of them being offensive in character, the necessity for opening up of main traffic thoroughfares and of providing adequate facilities and amenities generally for the growing population, require immediate attention, and the primary purpose of this Bill is to safeguard the immediate situation until such time as a town plan has been developed and has received the approval of Parliament.

It is proposed that this Bill, if it becomes law, shall run until the end of 1955 only, although it is hoped to break the back of the scheme in 1954. The job of preparing the scheme is a big one, and the Bill provides for the scheme to be submitted to the Minister for Town Planning by the Town Planning Commissioner. The scheme will be prepared in the regional planning office with the advice and under the direction of Professor Stephenson, the town planning consultant appointed by the Government for that purpose. Professor Stephenson will be returning to Western Australia early in the New Year, and, contrary to the earlier proposals that he should be available for two terms of three months, it is now proposed that he will concentrate his attentions over one complete period of six months.

As can be appreciated, there is, as already pointed out, considerable urgency for the passing of this Bill and the laying down of the fundamentals of an overall scheme. After submission to the Minister, the scheme requires to be approved by Parliament before it comes into operation, and full consultation must be had with all local authorities in the region and all departments affected, together with other bodies, persons or organisations likely to be concerned. It is clear that during the period of 12 to 18 months, while the scheme is being prepared, a lot of development could take place without any form of control other than that exercisable under building by-laws, and it will be appreciated that that form of control is practically negligible. Generally speaking, it only determines the type of structure of a building.

Some of these building activities might very seriously prejudice proposals being formulated in the regional planning scheme before the latter could be brought into effect, and perhaps make it impossible to achieve the desired results. When I say "impossible," I mean without the

expenditure of a considerable sum of money to buy out, if I may use that term, what has recently been erected or developed. Major proposals of this nature such as the line of a new arterial road, the location and size of new industrial areas, and the proper location of new housing areas are not decided in a day, but are produced as a result of extensive investigations and a patient analysis of those investigations, together with the close consultation of all persons and bodies concerned.

An example which readily comes to mind concerns the negotiations and investigations which have taken place over a considerable period in connection with the chord line to be placed somewhere along the railway between Midland Junction and Perth, and somewhere between Armadale and Perth. As is probably known, there is still no finality in respect of that matter. It is obviously wrong that such proposals as part of a regional scheme should be upset because some development is allowed to be launched without taking into account the intentions of the regional scheme.

At present there are large parts of regions where development can take place without any form of control other than that exercisable under building by-laws or health by-laws. That is, of course, obvious in the more remote parts of the greater metropolitan area which I have already outlined. Those authorities with existing town planning schemes and by-laws are more fortunate, but even then their control is limited. The Bill, therefore, gives each local authority in the region affected power to consider applications for development from a planning point of view, whether they have a planning scheme of their own or not. Development includes all types of building, engineering and mining works, changes of use of land, and buildings other than those existing at the time of the coming into operation of the proposed Act.

The local authorities will, therefore, be in the position of having resolved to prepare a planning scheme themselves as part of the regional planning scheme and can make decisions with that end in view. There must obviously be close liaison between the local authorities and the regional planning office during the interim period. It will also be possible, as the planning scheme takes shape, to free certain types of development, or development in certain areas from the requirements of the proposed Act, and it is the intention to free as much as possible and as soon as possible, without prejudicing the regional scheme.

This can be done at any time by means of an interim development order made by the Minister. For instance, where it is found that certain areas which some of us can envisage at present, do not form

a part of the overall scheme and can be left to be developed very much along the lines on which they are now proceeding, then such areas will be removed from the ambit of control as envisaged under the terms of the Bill.

In order that the regional planning scheme can keep in close touch with major developments, and particularly those most likely to have a prejudicial effect on the regional scheme, certain types of development or developments in particular areas may be required to be referred to the planning office by the local authority for consideration, to see whether they conflict with the proposals. These will mainly be developments of a special character such as industries, shopping centres, commercial uses or noxious trades. This can be done by means of an interim development order made by the Minister on the recommendation of the regional planning office. The object will be to keep such references to a minimum.

If the local authority, on its own account or on the advice of the regional planning office refuses an application, or approves it subject to conditions, there is a right of appeal to the Minister for Town Planning. Government departments and local authorities are also required to consult with the regional planning office in connection with their own works within the region. Obviously this provision is necessary because, bearing in mind the master plan, it would be ridiculous if a Government department could proceed of its own volition as if there were no such plan in existence.

One can imagine that public works of a certain kind or even the development of an area for housing purposes could interfere with the scheme. Usually, when all-embracing legislation is framed, the Crown is exempted from its operation, but that is not desirable in this instance. In one or two areas, the Housing Commission has not acquired land, and in other areas has not proceeded with its building programme, because of views that have been expressed by the town planning authority as to the likelihood of development of a totally different kind being undertaken or of areas being set aside for that purpose. Power is given to resume land for purposes connected with the regional plan, where necessary, and local authorities are also given powers of resumption and borrowing similar to those contained in the present Town Planning and Development Act whether they have a planning scheme of their own or not.

It is not possible to complete a major planning scheme of this nature without funds. The Government has already committed itself in this respect by engaging one of the best consultant planners possible and has engaged further qualified staff. However, other items of expenditure are inevitable in obtaining the very full information necessary for this pur-

pose and also for the payment of any compensation that may arise under this measure, payments in connection with resumption of land for planning purposes and payments in cases of hardship. It is therefore proposed to levy a rate in the region to cover the major part of this expenditure. This rate amounts to only 1d. in the £ on net annual value and one-fifth of a penny on unimproved capital value per annum. These rates are of equal incidence, generally speaking, and will produce approximately £23,000. This money will be placed in the metropolitan region planning fund under the control of the Minister.

Other provisions will enable a local authority with ministerial approval, or the Minister, to revoke a decision made under this measure where he is satisfied that it is right to do so and provided that the development has not been commenced. This may involve payment of compensation. A local authority may still make a town planning scheme of its own under the Town Planning and Development Act, but it will no longer be possible in the region to make town planning by-laws, and any existing by-laws take on the status of town planning schemes.

In the event of a breach of the measure being committed, provision is made for a maximum penalty of £50, and a local authority will also have a right to take action to remove development as it has under the present Town Planning Act. In conclusion, I should point out that interim development legislation of this nature is not new. It is a most necessary adjunct to the preparation of a planning scheme, and in various similar forms has been used in other capital cities in Australia and overseas.

Hon. Sir Ross McLarty: You propose under this Bill to give the Minister plenty of power.

The MINISTER FOR HOUSING: I am inclined to agree with the Leader of the Opposition, but either we are to have a planning scheme or we are not. If there is no power to enforce compliance with the interim scheme as it is developed, or with the ultimate scheme as adopted and approved by Parliament, it is useless continuing to engage authorities from other parts of the world and building up a staff of specialists to deal with this all-important question.

Hon. Sir Ross McLarty: What about granting power of appeal to a court?

The MINISTER FOR HOUSING: Perhaps we can give consideration to aspects of that sort when the Committee stage is reached, but members must realise that the structure to be determined under these proposals and in connection with which certain works have already been undertaken will leave its mark on the greater metropolitan area for many generations. Because no proper foresight was shown

in laying out the heart of the city of Perth, we appreciate how difficult it is, even in the simple matter of widening Hay-st. or doing something on account of the location of the present railway through the heart of the city, or of having roads laid out with regard to the contour and general nature of the country.

Today there is no power to assist local authorities in connection with what will virtually become main thoroughfares under this measure. At this stage I am not prepared to argue that point, but I think members will appreciate that before long ample provision must be made for main arterial roads and perhaps far in excess of anything envisaged previously with perhaps the exception of the road between Fremantle and Kwinana, to which matter some publicity has already been given.

I would appreciate it if members had regard to the overall importance of these proposals to the greater metropolitan area and indeed to the State in the ultimate. If there are certain hardships to be endured and certain sacrifices to be made, that will be unfortunate for the persons or interests concerned, but it will have to be shaped up to bravely in the hope of our being able to restore some sort of order out of the chaos or perhaps, to express the idea better, we shall not continue like Topsy merely to grow, but there will be some reasoning and planning behind future development. This becomes increasingly important in view of the contemplated rapid expansion of the State, an era upon which we seem to be entering now. I move—

That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Second Reading.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth) [5.10] in moving the second reading said: As I have already indicated, this measure is in some respects complementary to the one I have just introduced. The Bill seeks to amend the Town Planning and Development Act in certain phases and to make it more workable administratively. This legislation has not been amended since 1947 and a large part of it dates from 1928.

The present Act charges the Minister for Works, or other Minister for the time being in charge, with the responsibility for its administration. A similar provision exists in a large number of Acts of Parliament defining the Minister as the one who usually controls the Act. I have been given to understand that such a pro-

vision is not necessary. If we care to be sticklers for precedent, then perhaps we might insist upon this provision being retained, but the Crown Law advice is to the effect that the definition is no longer needed as the Interpretation Act provides for "the Minister for the time being in charge" to administer any Act. I believe that the Crown Law Department will submit this as standard advice so that in future, instead of incorporating a definition of "Minister" in each measure that comes under the direct administration of a Minister, we shall rely on the Interpretation Act.

Hon. A. V. R. Abbott: That is an improvement in the drafting plan of the Crown Law Department.

The MINISTER FOR HOUSING: Yes, and will have the effect of eliminating—

Hon. A. V. R. Abbott: Unnecessary matter.

The MINISTER FOR HOUSING: Yes, and superfluous words. The term of appointment of members of the Town Planning Board is to be reduced from three years to two years. This is deemed to be desirable as the regional planning scheme will be available to come into operation towards the end of the two-year period, and it is almost certain that special legislation will be needed to bring it into effect. This may necessitate quite different administrative arrangements. Members will appreciate that it would be absurd to appoint members of the board for a period of three years when it might be found necessary to terminate their services at the expiration of two years. The term of office of the present members expired several weeks ago, and their reappointment for a further term, or the appointment of new members, is a matter of some urgency, but we do not propose to deal with it until the Bill has been considered by Parliament.

Provision is made to indemnify the board members in the event of any action being brought against them in the exercise of their powers provided such exercise is done in good faith. I understand that recently there was a possibility of action being taken against members of the board as individuals by a certain local governing authority. If necessary, particulars of that incident may be obtained. The powers and functions of the board will remain substantially the same under this measure, but all subdivisions of land will now require to receive board approval, including those over half-an-acre in size. Provision is made for leases of land of over 10 years' duration to receive board approval.

At present, it is possible to circumvent the subdivisional requirements by a lease of land with option of renewal, or by a subdivision, without survey, of land of over half-an-acre in area. It is proposed

that the board shall place a time limit on its approvals. At present there are some approvals dating back to 1932 without even a survey having been made. It is obvious that considerable modifications of the original survey will be necessary and desirable now in view of the altered circumstances.

It would appear that as the law stands, notwithstanding that approval was given twenty years ago in respect of a subdivision, nothing whatever need be done for the next one hundred years; and the original approval still stands. All this provision means is that application will be made, approval will be given if it conforms to the requirements of the district, and a time limit—of several years—will be placed on it; and, if it is proposed to proceed further at the expiration of the period, it will have to be resubmitted to the board which might pass it in its original form, or require certain modifications in view of the altered circumstances.

Hon. A. V. R. Abbott: Will it apply to areas to which approval has already been given?

The MINISTER FOR HOUSING: I have not been advised in respect of that point, but it occurs to me that it is desirable that power be given in order to bring these outmoded subdivisions up to date. I point out that only last week there was an instance of a subdivision in the vicinity of Scarborough where blocks had been surveyed with only 33ft. frontages, although, I think, with some depth. The modern conception, of course, is to have a wider frontage and a lesser depth. Accordingly, if the subdivision to which I have made reference is allowed to stand, it will mean that there will be a set of standards in that area which might have been quite all right many years ago, but are outmoded today. When I say this, I am expressing a personal opinion. I will have the point checked in order to ascertain precisely what the position will be.

Provision is now made in the Bill for a penalty of £50 for infringement of a town planning scheme. At present this is left to the scheme itself, and has been omitted on occasions. Alterations are made to the compensation provisions to exclude compensation in respect of the laying down of a zone of development. This has been one of the difficulties in the New South Wales legislation. It has already been provided for in the Victorian Act. Compensation is also excluded in respect of car parking, and loading and unloading provisions where a number of vehicles are attracted, such as in the case of large factories in an industrial area, or large office buildings with numerous staff; and also in the case of laying down a reasonable building line, although compensation would, of course, arise in any case where land was taken.

Compensation is payable in the event of a building line making a block of land unusable. Finally, and most important, is the alteration to the First and Second Schedules which deal with matters which can be included in planning schemes and by-laws. At present they are rather rigid and inflexible, and are unable to deal with special circumstances which often arise. For example, it is possible to lay down only one type of industrial zone at present, whereas it is obviously desirable to separate the lighter industries from the heavier and to make provision for their siting.

Resubdivision of land by means of a scheme are also rendered more practicable, and road and density provisions are rendered more flexible. I feel I have an apology to offer members.

Hon. A. F. Watts: I would say, yes, I think you have.

The MINISTER FOR HOUSING: I feel this way for several reasons, one being that I never thought I would, when speaking in this Chamber, be placed in the position of having to depend largely on notes prepared by someone else.

Hon. L. Thorn: You stick to your notes, and you will not go wrong.

The MINISTER FOR HOUSING: That may be very true—whether prepared by me or anyone else. I say that I owe members an apology because the notes in connection with this legislation reached me only half an hour ago. The Chief Secretary is responsible for administering town planning activities generally. He has been intensely interested in this work whereas I have been viewing from afar, the work he has been doing.

As members can appreciate, I would wish that he were in the Chamber in charge of the Bill. If possible, where there are any great differences of opinion voiced during the second reading debate, some time will be permitted to elapse before proceeding to the Committee stage so that advice can be obtained on the various matters raised. By this means it should be possible to answer the objections which, on the surface, might appear to be valid. I move—

That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

BILL—PUBLIC WORKS ACT AMENDMENT.

In Committee.

Resumed from the 2nd December. Mr. J. Hegney in the Chair; the Minister for Works in charge of the Bill.

Clause 3—Section 2 amended:

The CHAIRMAN: Progress was reported on Clause 3 to which the member for Mt. Lawley had moved an amendment to strike out proposed new paragraph (17D).

Hon. A. V. R. ABBOTT: There may be some excuse for new town sites. The Minister is taking extensive powers here.

The Minister for Works: I would have thought the discovery of recent days would emphasise the need for this.

Hon. A. V. R. ABBOTT: The Minister can always lay out townsites.

The Minister for Works: Yes, but you want to put the townsite in the proper place.

Hon. A. V. R. ABBOTT: The Minister can do that. He can put his roads, foot-paths, etc., where they should go. Everything that is required to be done by the Government, he can do, while leaving the land to be disposed of by a private owner in the ordinary way.

The Minister for Works: Suppose he refuses to sell?

Hon. A. V. R. ABBOTT: He never does. If a man is offered a reasonable price he will accept it. There may be an odd man who will not, but he does not matter. There may be odd blocks that would not be disposed of, but most of them would be. If a man finds his farm can be used for industrial purposes, he will sell. Another reason why he sells is because no man can afford to pay rates and taxes indefinitely on unimproved land, where the land is required for a townsite.

In the same way, townsite land is constantly changing so as to be used for the purpose which has the highest economic value. First of all we have houses, then flats, then offices and then shops. One use gives way to another. It is happening in Perth today. Adelaide Terrace used to be a good residential district fifty years ago, and then because of density of population it became a flat area. It was too expensive to remain a residential area. There may have been one or two people who could afford to reside there, but very few. It is now becoming an office centre. A little later a good deal of it will become a shopping centre; and so evolution takes place.

How many people can afford to hold unimproved land anywhere in the city today? Very few, because it is too expensive. I do not think the Minister requires so much power as is sought here. He does not require power to extend a townsite or to resume land. I do not know the boundaries of the original townsite of Perth, but I imagine the city has extended well beyond them, and is still extending. What is suggested here could apply in a place like Albany or Bunbury.

The Minister for Works: What is the difference in principle between this and any other resumption?

Hon. A. V. R. ABBOTT: I agree that where land is required for use by a Government, the Government can gain no material advantage itself. The advantage is gained by the people. Any proposal which permits the Government to resume land and resell it to a private individual, needs to be carefully considered. The member for Fremantle raised an objection about certain land in his area. He said that it was taken over for the purposes of a reserve, and it is to be sold at a high price.

Hon. J. B. Sleeman: It will be absolute robbery if it is sold.

Hon. A. V. R. ABBOTT: If the Government were to retain this land for its own purposes, I could have no objection, but when land is resumed for a townsite and then sold to somebody else, it puts the Government in a most difficult position. There is nothing to say that the land must be improved. The Government can resume improved land—land with buildings on it.

The Minister for Works: But it will have to pay for it.

Hon. A. V. R. ABBOTT: Yes, the price provided in the Public Works Act, and that price is to be a minimum. It takes no cognisance of the personal feelings, inclinations or intended use by the owner. He might have something in view for five years' time, but the Public Works Act does not take any notice of that. In my view, it provides for the barest of compensations: it is fair and just, but it does not go beyond that. When land was resumed for the chord railway, the Government did not think the provisions of the Public Works Act provided sufficient compensation, and power was taken to recognise certain other disadvantages and difficulties. So I hope the Minister will abandon this particular provision.

The MINISTER FOR WORKS: The provision is in the interests of the State and nobody else.

Hon. A. V. R. Abbott: But incidentally it will be of advantage to certain specific people.

The MINISTER FOR WORKS: The only existing general authority under which we can resume land for townsites is in the Land Act, and that does not apply to freehold land. As time goes on, more and more of our land is becoming freehold and so it is becoming increasingly difficult to get land required for the establishment of townsites.

Hon. A. V. R. Abbott: Cannot townsites be established without the aid of the Government?

The MINISTER FOR WORKS: No.

Hon. A. V. R. Abbott: They have been established in the past.

The **MINISTER FOR WORKS**: It depends entirely on circumstances. How could we have established a townsite at Kwinana without the aid of the Government?

Hon. A. V. R. Abbott: I do not know that we could not have done so.

The **MINISTER FOR WORKS**: It is fairly obvious, because the hon. member's Government introduced the necessary legislation to cover the position.

Hon. A. V. R. Abbott: It would probably have cost a bit more.

The **MINISTER FOR WORKS**: Not only would the cost have been a factor, but also the project would have been held up. We would have been fiddling around still, trying to reach agreement.

Hon. A. V. R. Abbott: That would have been the main difficulty.

The **MINISTER FOR WORKS**: Of course it would have been. One must have a general power in this direction, and that is what we are trying to secure. The provision under the Land Act was all right when there was considerably less freehold land, but in these days more and more land is becoming freehold; hence the reason for this provision. If one person owns all the land in an area where we want to develop a townsite, he can hold the people up to ransom. It is all right if the land is owned by a number of persons because there is competition, but if it is all held by one person, who knows that it is highly desirable, he can name his own price. Is that a reasonable proposition, from the point of view of the State's development?

Let us have regard to the recent discovery of oil. Suppose this oil had been discovered on a homestead block—and I think I read somewhere that the land is privately owned—and the Government desired to establish a townsite there. The owner of the land could demand his own price, and we would have no power to take over the land except at the owner's figure.

Hon. A. V. R. Abbott: He would not hang on for too long if you rated him.

The **MINISTER FOR WORKS**: We could not impose a special rate on him.

Hon. A. V. R. Abbott: You could if the land was worth money.

The **MINISTER FOR WORKS**: No, we would have to apply a general method of rating on his valuation. That would not be a solution to the problem. It is necessary for the Government to have this power. No Government would try to establish townsites simply for the sake of establishing them, nor would a Government want to use large sums of money on resuming land in order to sell it to other people at the price the Government

had paid for it. There would be a public outcry if the Government resumed land and sold it to make a profit.

Hon. A. V. R. Abbott: It has done it.

The **MINISTER FOR WORKS**: Give me an instance.

Hon. A. V. R. Abbott: What about Fremantle?

Hon. J. B. Sleeman: That does not apply. In that case, the Government has the land, which was resumed years ago.

The **MINISTER FOR WORKS**: I want an admission from the member for Mt. Lawley that he is completely off the beam. The hon. member does not know of one single instance where the Government has resumed land for the purpose of selling it at a profit.

Hon. A. V. R. Abbott: It could not do it.

The **MINISTER FOR WORKS**: But the hon. member said it could.

Hon. A. V. R. Abbott: I said it has sold at a profit land which it has resumed. That is slightly different.

The **MINISTER FOR WORKS**: The land might have been sold at a profit many years afterwards. There is a doubt about that, too, taking into consideration interest on the money invested. The Government would resume land only in the public interest and because there was no other way of achieving its object. I think the power ought to be there so that it could be used if necessary, and the discoveries of recent days emphasise that fact.

Hon. A. V. R. Abbott: Other than Medina, give me an example where it would have been necessary.

The **MINISTER FOR WORKS**: Surely that is enough.

Hon. A. V. R. Abbott: No. A special Act was necessary there.

The **MINISTER FOR WORKS**: Years ago there was plenty of freehold land about, but that is not so today. I submit that this is a reasonable power, and I hope the Committee will reject the amendment.

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

Ayes	.....	21
Noes	.....	22
Majority against		1

Ayes.	
Mr. Abbott	Mr. Nalder
Mr. Ackland	Mr. Nimmo
Dame F. Cardell-Oliver	Mr. North
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Doney	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hill	Mr. Wild
Mr. Mann	Mr. Yates
Mr. Manning	Mr. Hutchinson
Sir Ross McLarty	(Teller.)

Noes.

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

(Teller.)

Pairs.

Noes.

Ayes.	
Mr. Brand	Mr. Guthrie
Mr. Bovell	Mr. Sewell

Amendment thus negatived.

Hon. J. B. SLEEMAN: I move an amendment—

That in paragraph (c) the following new paragraph be inserted:—

(17E) The taking over of properties which have been ruined by large works or factories erected close up to or adjoining a private residence.

We have been talking about preventing the Government from resuming land. I think it is time the Government should resume land. I refer to the North Fremantle silo which is being built. The permit has been granted and the land has been leased by the Government.

Hon. A. V. R. Abbott: Is it not Commonwealth land?

Hon. J. B. SLEEMAN: Part of it is State land. My great worry concerns the people who adjoin the land; they are within two chains of it. These people are being tortured to death, and my intention is to get the land resumed at a reasonable value. People should not be driven out of their homes. No reference was made to the local governing body or to anyone else. I think the previous Government might have been responsible; the previous Minister had a lot to do with it. The people concerned have spent their life savings to get their little homes and they are now going to be driven out at the present valuation, which is nil. Three people in this area have advertised their properties for sale and no offers have been received.

The MINISTER FOR WORKS: I think the hon. member's purpose has been achieved by ventilating his grievance for which there might be considerable justification. The amendment will not achieve anything. It will give power for resumption that will not be exercised. The Government would not resume unless it could enter into proper negotiation on the valuations. If the people desire to sell, they will do so at the market price. If this power were put into the Act, it would not be exercised.

Hon. J. B. Sleeman: This Government would not exercise it?

The MINISTER FOR WORKS: No, I would not exercise this power if it were put into the Act because I would not want the land. The building is a temporary one.

Hon. J. B. Sleeman: What is a temporary building?

The MINISTER FOR WORKS: The one the hon. member complains about.

Hon. J. B. Sleeman: And costing £175,000!

The MINISTER FOR WORKS: We would not want these properties at all. There is under contemplation extension of an area for bulk facilities at Geraldton. We have the necessary power to resume the properties if we want the land for that purpose. The remarkable part about this is that the people who are likely to be affected because of the proximity of the bulk installation, have sent in a petition against resumption. My idea in resuming is to protect them. They do not want to be protected in this way; they are opposed to resumption. The power already exists to resume land required in connection with bulk bins and I hope the Committee will not accept the amendment.

Hon. J. B. SLEEMAN: The Minister said I have ventilated my grievance, but by ventilating my grievance I am not achieving any purpose unless something is done along the lines of my amendment.

Hon. L. Thorn: Do these people own their homes or are they rented.

Hon. J. B. SLEEMAN: They own them, and have been there for many years. The Minister talked about a petition, but that is different from the information I have. The building is 880ft. long and cost £175,000. The least that could have been done was to approach the local governing body and see if there were any objections and what they were.

The building is similar in its temporary nature to that which exists here at Parliament House. The Minister for Agriculture has been down there and he had the itch for some time afterwards because of the dust flying around. I think the Minister for Works should also go down to see the conditions prevailing. I want the Government to give these people more than they are able to get now; at the moment this land is worth nil. They have put their life savings into their homes and cannot get any return for them. I want the land resumed at today's valuation.

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

Ayes	.....	17
Noes	.....	26
Majority against		9

Ayes.

Dame F. Cardell-Oliver	Mr. Owen
Mr. Doney	Mr. Perkins
Mr. Heal	Mr. Sleeman
Mr. Hill	Mr. Thorne
Mr. Mann	Mr. Watts
Mr. Manning	Mr. Wild
Mr. Nalder	Mr. Yates
Mr. Nimmo	Mr. Hutchinson
Mr. O'Brien	

(Teller.)

Noes.

Mr. Abbott	Mr. Lapham
Mr. Ackland	Mr. Lawrence
Mr. Andrew	Mr. McCulloch
Mr. Brady	Sir Ross McLarty
Mr. Court	Mr. Moir
Mr. Graham	Mr. North
Mr. Hawke	Mr. Norton
Mr. Hearman	Mr. Oulden
Mr. W. Hegney	Mr. Oldfield
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Styants
Mr. Johnson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Pairs.**Ayes.**

Mr. Brand
Mr. Bovell

Noes.

Mr. Guthrie
Mr. Sewell

Amendment thus negatived.

Clause put and passed.

Clauses 4 and 5—agreed to.

Clause 6—Part IVA. added:

MR. COURT: I move an amendment—

That in line 8 of Subsection (2) of proposed new Section 83C, after the word "damage" the following words be inserted:—"or within twelve months where notice of intention to enter the land was not given to the owner or occupier as required by Subsection (3) of Section 83A."

There is a provision in the Bill for the lodgment of a written claim for compensation provided it is lodged within 30 days of the occurrence or commencement of the damage. Without a proviso, that could be unfair to the owner, because there could be entry into the property without notice. That is provided for in Subsection (3) of proposed new Section 83A. The 12 months provided by the amendment should give the owner ample time to discover there had been an entry on to his property, and that a basis for a compensation claim had arisen. The amendment was to have been moved by the member for Greenough, and I am submitting it in his absence.

The MINISTER FOR WORKS: This is quite a reasonable proposal and I have no objection to it.

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

Clauses 7 to 9, Title—agreed.

Bill reported with an amendment and the report adopted.

BILL—LOAN, £17,850,000.*Second Reading.*

Debate resumed from 26th November.

HON. SIR ROSS McLARTY (Murray)

[6.7.] The debate on the loan programme usually takes place on the Estimates, when members have an opportunity of dealing with each item and expressing themselves generally. I hope they will not be denied that opportunity on this occasion. Since I made my notes on the Loan Bill, we have had what I might term the sensational news that oil has been discovered in our State. Naturally, there is a State-wide interest and, I suppose, a world-wide interest in that discovery.

The Premier: State-wide rejoicing.

Hon. Sir ROSS McLARTY: Yes. It is not absolutely certain that we are going to have a great supply of oil in our State, but the prospects seem to be good, and it is only reasonable to assume that if oil can be struck in one spot in Western Australia, it can be found in other parts also. No doubt the fact that oil has been discovered will give a great impetus to oil search throughout Western Australia. As we have seen by the happenings of the last few days, there is a tremendous interest in oil development, and no doubt a great deal of money will be forthcoming for future oil search.

While at present we just do not know what this will mean to the State, and it is not absolutely certain that oil will be found in payable quantities—though the prospects appear to be very bright—it will be necessary for the Government to be ready with its plan in regard to the discovery of oil because, if all turns out as we hope, quick action will be required. It will mean, of course, that further loan funds will have to be provided for very urgent works. Because of that, I hope the Government is giving attention to the matter. I expect it is.

The Premier: Yes.

Hon. Sir ROSS McLARTY: I think an advisory council should be set up to advise the Government in regard to the development that will take place. We cannot afford to be caught flat-footed. There will be tremendous activity if all goes as we hope it will. The committee I have suggested could be representative of certain sections, and the Government should act in that direction. I would hope that the services of Mr. Dumas, whose retirement will take place at the end of this year, could be availed of for a further period. I say that because, as members know, he is a far-seeing man. He has great ideas about development and planning, and at this important stage his services should not be lost to the State. I repeat that I think it very necessary that some planning authority, or some consultative body, should be set up to confer with the Government on matters of development that may be necessary in the near future.

I notice that the public debt at the 30th June last stood at £153,000,000, an increase of £14,780,000 since June 1952. That very substantial increase in debt over a period of 12 months should be a matter of concern to all members; and if they do their duty, they will want to know how the money has been spent, and will want to satisfy themselves that it has been expended in the best interests of the people of this State.

When introducing the Bill, the Treasurer said there appeared to be a lack of interest in regard to the spending of loan moneys. If I remember rightly, he said that in times gone by there was more interest in the spending of loan moneys than there is today. That might have been brought about because money is much more plentiful now than it was in the past, and the sums being spent are very much larger. But the fact remains that the careful spending of loan money is just as essential today as it has ever been. The Treasurer also gave us the reminder that this money has to be paid back, and he went on to say what could happen in future years in regard to the prices that we will receive for our primary products. I will have something to say about that a little later when dealing with other matters. The debt per head of population is £244 19s. 10d., an increase over last year of £22 10s. 8d. Those are interesting figures and should receive the consideration of members.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. Sir ROSS McLARTY: Before tea I was giving certain figures and said that the public debt now stood at £153,000,000—that is our State debt—at the end of 1952, representing an increase over the previous year of £14,783,000, and the debt per head of population had increased to £244 19s. 10d., an increase over the last year of £22 10s. 8d. per head of population. The annual interest bill was £4,190,698 at the 30th June last. The provision for sinking fund was £1,114,795 and exchange cost us £386,384, or an annual total for these three items of £5,691,877. Of course, as members realise, that amount is not only increasing, but also increasing rapidly.

The net deficiency on loan works last year was £10,574,000 and it is interesting to see again where these losses came from. The railways accounted for £6,724,000 odd; water supplies £1,045,000; harbours and rivers, £248,440; State trading concerns, £583,300; and development of agriculture £420,500 odd. Let us examine our loan expenditure and see what proportion of our loan works are fully reproductive, partially reproductive and totally unproductive. The figures are interesting.

Of our loan expenditure only £4,537,000 odd is fully reproductive. The sum of £43,107,000 is partially reproductive and

shows an annual deficit of over £646,000, and £98,800,000 is totally unproductive, the deficiency being £9,787,340 per annum. Members can check these figures by referring to the Treasurer's speech at page 1250 of "Hansard", return No. 10.

The Premier: And also at page 31 of the financial statement.

Hon. Sir ROSS McLARTY: Yes. The Treasurer did say that in meeting these obligations there might be difficulties in the years that lie ahead of us, and not far ahead. There is no doubt that the problems which face us will depend largely upon the price we receive for our primary products and particularly our exportable primary products. This Bill provides for £17,850,000 and add to that £2,000,000 which is borrowed by the State Electricity Commission, bringing the total to a little under £20,000,000. Then, as the Treasurer said, there is another amount of £500,000 borrowed from Australian Petroleum Refinery Ltd.

I think the Treasurer is more fortunate than I was when, to carry out our loan programme, which, of course, was all essential work, we had to get supplies from overseas. Members know the difficulty that was experienced in obtaining steel and cement—steel at some-times three times the local price and cement also at far above the local figure. I will never forget how, when I was at the Treasury and these contracts used to be brought to me for requirements from overseas, I found it very difficult indeed to agree to the price asked and sometimes, in fact, I used to ask for fresh tenders to be called for; but I regret to say that I did not meet with any success.

The question that faced us as a Government was whether we would import these goods at greatly increased cost or cease a considerable portion of our public works. As members must realise, where steel and cement were concerned water supplies and many other urgent public works were vitally affected. With the increasing local supplies of these commodities, I think the public works programme should be carried out at considerably less cost than hitherto. We know that cement, for instance, has been decontrolled in this State and that there are much larger quantities of steel available now than formerly.

The greatest difficulty in relation to steel at present is to get it into the State. Huge quantities of steel are piled up in Eastern States ports and the difficulty is to get it here, but we do not have to go overseas for it now as we did a few years ago when we were also faced with a shipping shortage and had to charter vessels at much increased cost in order to land goods in Western Australia.

The commitments that the previous Government made overseas have proved fortunate for the State, as I think the Treasurer will agree. I did intend to have

something further to say on this question when discussing the general Estimates, but, as a result of the large quantity of certain urgent requirements that we had in store when the present Treasurer took over, he was able to make use of them and, to a considerable extent, meet his overseas commitments. When I say, "to a very considerable extent," I mean that he was able, with the deferment of certain railway requirements, just about to wipe out those commitments.

The great problem facing the Government today in relation to its loan programme is to decide on the priorities of its public works, and in a State such as ours we know that loan moneys are required everywhere. There is no part of Western Australia where the expenditure of loan money is not a necessity. Not only do we need it for urgent requirements which are wholly unproductive—hospitals, schools and so on—but, as has been pointed out, there is also urgent need for the expenditure of loan money on railway rehabilitation, water supplies, reforestation and in many other directions. It must be remembered that even if we could get all the money we wanted to carry out our loan programme we just could not implement it because the economy of the State could not stand it and so today the Government is faced with the problem of deciding what are the most urgent public works and in what priority they should be carried out.

The public works programme and the expenditure of this colossal sum of money—colossal when compared with the expenditure of a few years ago—has an effect on private industry and particularly on primary industries. To meet our debts, interest, sinking fund, and so on, we depend in the main on primary production and with this public works programme I am afraid that for some years, since money has been so plentiful, very little consideration has been given to the effect of these works upon industry generally.

The railways, for instance, have for some years been very large employers of labour; and if that department wants men, no thought is given to the fact that skilled men in the agricultural industry will be attracted away from it. We cannot blame those men because in the employment of the Government they certainly work shorter hours and in many cases get better pay, in addition to which they receive a number of amenities that those engaged in agriculture do not enjoy. However, every skilled man that leaves the agricultural industry undoubtedly represents a loss to the State.

Very soon, possibly much sooner than we expect, we shall reach the position when we will find that the production of the primary industries of the State have been seriously and detrimentally affected. This is not a problem that can be easily over-

come. I am not suggesting that there should be a direction of labour, but I think that in carrying out our loan programme in certain districts, the Government should ascertain what labour is available and what detrimental effect the spending of loan moneys in certain areas will have upon primary industry generally.

I notice that under the Savings Bank Transfer Agreement we received £1,650,000 this financial year. The Treasurer explained, as I also did when I was Treasurer, how we are entitled to obtain this money. We pay $3\frac{1}{2}$ per cent. interest for it. The money raised by way of general loan is at $4\frac{1}{2}$ per cent. interest. Therefore, we save 1½ per cent. on the money that we obtained as a result of the Savings Bank Transfer Agreement. This is, of course, part of our General Loan Fund. Might I put this question to the Treasurer: Could not this money be earmarked for rural water supplies?

We all agree that the great drawback of our rural towns throughout the State is the lack of water. Members know that the growth of our rural towns is affected because there is insufficient water for their residents, and all these towns continue to grow. Undoubtedly the great need for this State is water conservation and its supply to rural centres. If this money could be earmarked for the purpose I suggest it would mean that the rate charged to those who are served by the scheme would be cheaper than is paid in respect of funds provided from the General Loan Fund. If it could be made available, £1,650,000 a year would go a long way towards assisting to provide these much-needed water schemes in rural towns.

I am not suggesting that this money should be used for the comprehensive water scheme because the Commonwealth Government is paying 50 per cent. of the cost of that undertaking. Has the Treasurer received any word from the Commonwealth Government as to the final payment for this scheme? Because of the import of steel, cement and other materials, the cost of that scheme has risen tremendously. Some few years ago I went to Melbourne and told the Prime Minister that the cost would be far in excess of that originally estimated. I asked him if he could advise me if he would make this additional money available. At the time I think the Prime Minister said that the Commonwealth had undertaken to provide a certain sum but had given no guarantee to provide anything above that.

Taking into consideration all the factors of that scheme, I think there is an obligation upon the Commonwealth Government to provide 50 per cent. of that money. I notice that Clause 6 of the Bill reappropriates certain moneys. The total in the Second Schedule, for water supply and sewerage, amounts to £458,000. Of this, approximately £414,000 is to be reappro-

priated for water supply and sewerage under the Third Schedule. I am sorry to see that this means that £44,000 is being taken away from water supplies, and I hope that the Treasurer will be able to indicate to us why this is necessary and what other urgent public works will take priority over water supplies.

The loan programme is, to a large extent, that which the previous Government was carrying out. If one looks at these Estimates and last year's Estimates it will be seen that the previous Government was carrying out a similar loan programme. Therefore, I am not going to offer any objection to it. I have stressed the need for the careful spending of money. That is always necessary when loan funds are being spent. I also think that careful planning is needed. The works that the Government is carrying out are urgent and if the State is to progress, there is no doubt about the need for the programme as outlined. If new development takes place as a result of the discovery of oil, it may mean that additional loan money will be necessary immediately. If such is the case, I should think that the requisite finance will be forthcoming because there is no doubt that there will be an urgency for works to be carried out and in a direction that should not be delayed. I do not propose to add anything more on the Bill, but I will have something further to say on the Loan Estimates.

MR. J. HEGNEY (Middle Swan) [7.54]: The session is coming to a close and to-night I propose to deal with an aspect of the railway system that affects the district I represent. Before I continue with my speech, I have here a letter which I received from Mr. H. L. McGuigan, the secretary of the Belmont Road Board, under date the 30th November last. It reads as follows:—

**Re Bassendean-Rivervale
Chord Railway Line.**

The chairman, Mr. R. H. Selby, reported at the last meeting of this board on the ministerial inspection of this proposed line conducted on the 20th November.

I am directed to advise you that this authority strongly objects to any railway being constructed on the Belmont side of the Swan River. It is asked of you that you inform Mr. C. J. Jamieson, M.L.A., of this decision. The Board requests you to make known to Parliament at the earliest possible opportunity the concern of the people of this district, that should this line be built where indicated, we shall be denied the proper use of this section of the riverfront in our district.

We know that for a number of years the question of trying to solve the problem of finding a site for the railway marshalling

yards has received a great deal of consideration by Parliament. Three years ago Bills dealing with the matter were put through this House and certain resumptions at Bassendean were made in order that the proposal to establish the Bassendean-Welshpool chord line and the Bassendean marshalling yards could be implemented.

However, in view of the new project at Kwinana, it was decided to call a halt to that proposal in order to ascertain how the new developments might affect the position. For 12 months the resumptions in the Belmont district were held up and many owners of property through which this proposed chord line was to go, could not sell and in many instances could not obtain compensation, so that they were on the horns of a dilemma.

I made strong representation to the previous Minister for Railways and also the present Minister for Railways and the Minister for Works, urging that a decision be made on the question of whether the line was to go through Belmont or not, so that these owners would know where they stood. In due course Hon. C. H. Simpson, the then Minister for Railways, advised me that Mr. Dumas would be asked to report whether the Bassendean chord line was well placed or was not. Twelve months have elapsed since his return from overseas, but recently a report was submitted to Cabinet containing nine recommendations on these proposals. Subsequently it was announced that all these recommendations had been adopted.

For my part, I was very concerned about one of them, which I knew would have a detrimental effect on the district I represent. In the party room I took the opportunity of pleading with the Premier to give this proposal further consideration to ensure that the line would be built in the right place or, alternatively, that his Ministers and their advisers should further consider it before any public funds were spent. I am pleased to say that the Premier was interested in my representations and, as a result, I had almost a full Cabinet meeting in the Belmont district, which is practically unheard of. The Ministers and their advisers visited the scene of the proposed line which is to skirt the Swan River to the south. I am hoping, as a result of that visit and of what they saw, that wiser counsel will prevail in the Government and that it will not proceed with the proposal to build the line along the banks of the Swan River.

I would point out to the House and to the public generally that the people's greatest heritage in this State is the Swan River. Recently I was speaking to a friend of mine who has travelled through England, Scotland and Europe by car, and he says that none of the great

rivers in Europe could equal the Swan River in beauty. I think we are duty bound to try to preserve the heritage we have in the Swan River for the people who now reside in this State and for generations yet unborn. The proposed line south of the river would prevent the people and their children in the Belmont area and surrounding districts from having access to the Swan River. It would destroy the beauty of the river itself and the swimming facilities that are enjoyed by all those who live close to its banks. They would be forced to swim elsewhere.

There is the question of hospitals. The only one serving the eastern suburb is St. John of God. The proposed line would cut right alongside the river bank, quite close to the hospital grounds. If no programme of embankment is undertaken on the river's edge, there would be a great deal of vibration and noise at the hospital, because it is intended that about 20 trains each way will traverse the single track.

Mr. Oldfield: That is only the estimate for the present.

Mr. J. HEGNEY: I am dealing with the case as I know it at the moment. I do it realistically. The engineers indicated that this would take place. That is very serious as affecting the metropolitan area. I would point out that the late Mr. McCallum, a former Minister for Works for many years, gave a great flip to the activities of the Public Works Department by proceeding with work on the Swan River, dredging it, building up its banks, getting rid of the Burswood Island filter beds and deepening the river channels. Members can see the result of the work started in those years. The intention was that after the Causeway had been built and the channels deepened, the dredges could go further upriver and deepen the upper reaches, thus carrying on the programme of embankment construction and beautification of the river.

Hon. A. V. R. Abbott: That was the best job he did.

Mr. J. HEGNEY: That is one of the good jobs he did. He did a great deal for this State, and the beautification of the river is a monument to his memory. I hope that the present Labour Government will follow the high ideals of Mr. McCallum in this direction, and will not mar its good record by approving the proposals submitted by Messrs. Dumas and Brisbane.

A number of reserves have been retained by the Belmont Road Board for the use of the residents in that district. If this proposal is given effect to, the line will cut across one of the reserves, and thus do untold harm to the district. A secondary aspect is that it will create a great bottleneck at the race-course intersection, where Grandstand-rd. meets the road to the race-course. On behalf of the resi-

dents of Belmont, I take this opportunity to lodge a protest. I hope it will not go unheeded, and that before a final decision is made to expend a substantial sum, the Government will take further counsel and become apprised of all the facts.

Whilst it is essential to try and get rid of the bottleneck in the City of Perth and to divert the congestion elsewhere, I submit that the question of preserving the Swan River is even superior to the importance of the Bassendean marshalling yards, where it is proposed to concentrate most of the marshalling for the metropolitan area. In support of my attitude tonight, I submit that the heritage of the Swan River should be preserved for this and future generations.

Messrs. Dumas and Brisbane submitted a comprehensive report to the Government, which contains some interesting features. When the previous Government introduced a Bill on the recommendation of its departmental committee, the main and compelling reason was the urgency to establish the Bassendean marshalling yards, and construct the Bassendean-Welshpool chord line. It desired to transfer goods traffic from the south-western line to the eastern line.

In introducing the Bill the Minister said that at least 60 per cent. of the traffic flowing from the south-west line passed through the eastern line. In the report Mr. Dumas said that 50 per cent. of the traffic coming into Perth consisted of coal and that, notwithstanding a chord line might be built, 50 per cent. of traffic would still go into East Perth. Therefore, the case against the building of the chord line becomes stronger.

Those are not the only facts against the establishment of the line. In the recommendations before us, the Minister deals with the connecting link between Midland Junction, Cannington and Kwinana. Regarding the retention of the Bassendean marshalling yards, he points out that they are needed to handle the superphosphate wagons. A perusal of the committee's report shows that these points are emphasised. The works at Cuming-Smith and Cresco are not likely to increase to any extent, because superphosphate works have been established at Albany and Picton Junction. Consequently, the superphosphate needs of the southern districts will be supplied from those two works, rather than from the metropolitan area. That being the case, some of the reasons advanced in this report by the engineers are weakened.

On the recommendation of the engineers it is intended within five years that the line between Midland Junction and Cannington, and Cannington and Kwinana will be developed, and they recommend the resumption of land immediately for this purpose, and they also recommend the resumption of the marshalling yard sites. It is stated that iron-ore coming from

Koolyanobbing will go to Midland Junction, and it is essential to retain a marshalling yard at that railway centre. From there the ore will go via Cannington to Kwinana, where it will be used in the projected B.H.P. works or shipped overseas.

The report deals with the development of the beef trade in the south-western portion of the State, and points out that the Midland Junction abattoirs would be served by the line from Cannington to Midland Junction rather than the proposed chord line into the Bassendean-Welshpool marshalling yard. This is a good portion of the traffic, especially when considered with the 50 per cent. of traffic made up of coal going to East Perth. Other traffic to the Midland Junction abattoirs is to by-pass the proposed chord line. So it indicates there is no justification, from an engineer's point of view, for that work to be proceeded with.

When we dealt with this question three years ago, I stressed the fact that not more than 50 per cent. of the members of this Chamber were fully informed of the proposals then discussed, because they were dealt with in the dying hours of Parliament, and members were not able to weigh up all the pros and cons. The scheme involved the expenditure of more than £3,000,000.

In answer to a question, the Minister stated that Mr. Dumas was not on the departmental committee which advised the previous Government. His services were not sought, consequently he now submits a report in conjunction with Mr. Brisbane, dealing with what is known as the double-track Bassendean-Welshpool chord. They estimate the cost at £1,100,000, but by amending this track and having alterations made at the Brunswick Junction marshalling yards, there would be no need to build a double-track line passing from the railway bridge at Bayswater to Bassendean and into the eastern end of Cumming-Smith's works in the locality of the marshalling yards. The amended double-track chord line would cost £759,000. So it can be seen that inside of three years there is a saving of £401,000, which is very considerable.

Evidently, if the advice of the Director of Works had been availed of and further investigations made, the Government of the day might have been better informed. Unfortunately, it was not, and it approved of that project. Yet three years later the cost of the amended chord line proposal is given at £759,000. There are times when I feel tempted to advocate the establishment of a works committee to deal with major projects, so that all aspects can be investigated by members of Parliament before making a final decision.

Mr. Nalder: The member for Beverley previously suggested that proposal to this House.

Mr. J. HEGNEY: In this report, Mr. Dumas, because of the changing development of the transport system, urges the Government to make a decision slowly. He points out that, with the introduction of diesel electric trains, we do not know what is likely to happen with the railway system during the next 20 years. He urges that £322,000 that was to be spent on shifting the East Perth running sheds to Bassendean be deferred until we see the result of the working of diesel electric locomotives. Thus, he suggests the postponement of heavy expenditure until we ascertain whether the steam locomotive will become a thing of the past in the next 10 or 20 years. If the portents are that we have struck good supplies of oil in the North-West, we may be able to face the future with more confidence. That item of £322,000 is one that will not have to be faced by the Government, in view of the report.

"The West Australian" published an article dealing with the report. Generally speaking, the newspaper endorsed it, and said that the name of Mr. Dumas would probably go down in history because of the foresight he had displayed in suggesting that helicopters might some day land at Burswood Island and become the freight carriers of the future. Towards the end of the report, the newspaper stated—

It would still be possible at some future date to abandon the present Perth-Fremantle line and to concentrate railway haulage south of the river. One possibly debatable point is whether part of Burswood Island should be reserved for a goods terminal or set aside for recreational purposes as part of a river improvement scheme.

The intention of the late Alex McCallum was to reclaim Burswood Island and utilise it as a national playground, but evidently under this proposal the needs of the Railway Department will come first, and it will be used for a goods terminal and possibly for a helicopter base in time to come.

There is no question that the Swan River should be preserved for the use and enjoyment of the people for all time. Today, I asked the Minister for Railways the following question:—

I refer him to the report of Messrs. Dumas and Brisbane on proposed new railways and ask—

Was any chord line proposal developed or investigated that would provide a connection of the railway system near the Bunbury railway bridge, East Perth, and the main line at Mt. Lawley?

According to the answer, this would be practicable from a constructional point of view but would involve operational difficulties, and the matter might be re-investigated in the near future. In connection with the proposal to connect the

line at Cannington with the line at Midland Junction, it is contended that the Midland Junction yards are of insufficient capacity to handle all the traffic. Messrs. Dumas and Brisbane state on page 1 of their report—

We had the benefit of numerous consultations with Professor Stephenson, Town Planning Consultant. The recommendations made will accord with the general main highway system tentatively outlined by him.

A question I asked the Minister today was as follows:—

(1) Can he inform the House the nature of the recommendations made by Professor Stephenson, Town Planning Consultant, relating to the transposition of certain railway facilities which he stated would almost completely wipe out the Bassendean-Welshpool chord line proposal?

The answer was—

Professor Stephenson and the Town Planning Commissioner presented to the Government a comprehensive town planning scheme, which advocated the location of the railway marshalling yard on a new site southward of and close to the Perth Airport. The scheme comprehended railway connections quite different from the Bassendean-Welshpool chord line proposals.

When the town planning consultant, on whom we are pinning our faith, has had sufficient opportunity to examine every aspect of town planning, his report should be worth having. I felt concerned when I read the report of the engineers to the effect that, after numerous consultations with Professor Stephenson, the line along the bank of the Swan River had been recommended.

Hon. Sir Ross McLarty: Do you think there is any route at all to which there would not be objections?

Mr. J. HEGNEY: I am pleased that the town planning consultant did not recommend such a proposal. I have taken an interest in town planning for many years, and if a town planner of the standing of Professor Stephenson had recommended the mutilation of the Swan River, I would, as I told the Town Planning Commissioner, be finished with town planners for all time. I am pleased to find, therefore, that the report of Messrs. Dumas and Brisbane is not substantially correct, and that, according to answers given to my questions today, Professor Stephenson has recommended other proposals. When the matter is placed in its proper perspective, I think we can safely follow Professor Stephenson's advice by running the line to Midland Junction through Bushmead, and I hope the money will be spent in the area between Cannington and Midland Junction.

As regards the super works, if members read the report a few times, I think they will find that the engineers contradict themselves in various particulars. I do not consider that the Bassendean chord line is warranted. I oppose that proposal because such a line would definitely cut into the eastern suburbs, mutilating Bassendean absolutely and creating difficult problems in Belmont.

With reference to the route along the Swan River, I appeal to the Government to investigate this suggestion carefully before adopting the proposals in toto. A searching investigation should certainly be made, and I hope that when Professor Stephenson arrives—I believe he is due to be here before Christmas—he will be consulted on every aspect of the proposals. The residents of my electorate feel greatly concerned about the proposals. The young men and women in the large and growing districts of Belmont and Rivervale should not be prevented from having access to the river by reason of a railway running along the bank. The engineers told the Minister for Works in my presence that, if the line were built along the surveyed route, there would be no swimming at that point. I enter my protest on behalf of the people I represent, and trust that the Government will take full notice of it.

HON. C. F. J. NORTH (Claremont) [8.25]: I support the second reading of the Bill and endorse the points made by the Leader of the Opposition. The hon. member was very interesting when dealing with the oil find in the North-West and its possible effect on the financial needs of the Government, and especially his suggestion that a committee should be appointed to consider that aspect.

It occurs to me that the discovery of oil in the North will also have a big effect on the question that was debated in this House a few weeks ago dealing with the Commonwealth provision for the defence of Western Australia. Let me quote a telegram from Canberra, as follows:—

An Australian aircraft-carrier and destroyer will probably exercise off the North-West coast of Western Australia next autumn..

The Minister for the Navy and Air (Mr. McMahon) disclosed this in a letter to Mr. Hamilton, M.H.R. (Canning, W.A.).

Mr. McMahon said that the warships would exercise in W.A. waters whenever possible.

It seems to me that in view of the development in the North-West, there will be even greater need for the Commonwealth Government to take an interest in the defence of this side of the continent, and I am pleased to have an opportunity during this debate to bring out these points. We have been told that so far as the international situation is concerned, the

finding of oil here will be of great interest to the free world, and it has been said that the defence of the free world will be strengthened here because of that discovery.

The other day, the Premier made some interesting remarks as to whether the interest burden on loans would prove to be too heavy for the State to bear in the event of commodity prices falling. I have given consideration to this matter for many years and have received a good education in it from active bodies and large meetings in Claremont, and I have come to the conclusion that in this, as in other matters, we shall have to fall back on experts for advice.

I recall having heard a former Prime Minister, Mr. John Curtin, say at a public meeting that he would advocate the building of a bridge in a certain place but would not ask the experts how to do it. If we are going to experience difficulty in future owing to the heavy interest burden for loans, we must always fall back on the Under Treasurer or the experts of the Commonwealth Bank, whose life work it is to study such subjects. If we have an opportunity to follow their advice, all may be well, but if they differ in their views, we may find ourselves in a stew. Experts often differ and when that happens, members have to make the choice.

Let me now revert to the subject of the defence of Western Australia. I would gladly be censured as often as the member for Blackwood likes for talking on this subject as long as we get the results which I am sure we shall obtain in the near future. Talking of censure motions, I recall two others that took place not very long ago. A certain member of this House, Mr. Seward, now Senator Seward, was going to be censured by the late Mr. Marshall. Later the present Deputy Premier was censured, but he is still happy and smiling in his seat. As I say, I am prepared to be censured as often as the member for Blackwood likes, as long as I achieve something useful for the State. A person cannot do useful things in public life without getting hurt in some way or other—changing the colour of his hair, or his pocket getting lighter, or maybe his becoming subjected to ridicule.

I am sure we will find that the date of the defence of the western coast of Australia will commence from the day this year when the member for Canning made his speech in the Federal Parliament. My final remark in regard to the Premier himself is that many years ago a well-known figure in the public life of the western world, Sir Winston Churchill, was at the helm in London and he had to make a great decision on the question of finance. He had to recommend the return to the gold standard, which he did on the advice of his experts.

But later this action was found to be a complete failure, and the advice, which led to untold misery in many parts of the world, was false. Very soon after having returned to the gold standard, England went off it, and things began to improve very quickly indeed. Later, Sir Winston told the House that he had taken the advice of the experts, but the advice had been found to be false and had led to disasters. On this question I say that the Under Treasurers and experts must be the ones to give advice, and it is unwise for members of Parliament to step in. On other occasions, however, it is necessary for us to come into the picture because, unfortunately, experts differ.

MR. ACKLAND (Moore) [8.34]: A perusal of the notice paper shows that there are still about 40 items on it, and this makes one diffident about talking here, especially when one realises that Christmas is only a little more than a fortnight away. Some of us hope to be able to have our New Year's dinner at home without worrying about the notice paper.

Hon. J. B. Sleeman: You can come back after the New Year.

Mr. ACKLAND: I feel I have something to say tonight. The Loan Bill provides for an amount of £17,850,000, and we find that more than half of it is to be spent on railways. None of us begrudges that because we know the necessity of making the railways fit to carry the produce of the country. Half of the balance—practically £4,000,000—is to be spent either directly or indirectly, on the Kwinana oil refinery project. Here again I have no complaint to find with the Government because it has inherited something from the previous Government, and now that we have found oil in this State the significance of the refinery becomes even more evident.

But this Parliament was good enough to send me to Canada last year and whilst I was there I inquired closely into what was going on with regard to the oil wells. This week-end I prepared something which I hoped would get into the Press. Possibly some reference will be made to it. We in Western Australia should be able to benefit from what took place in Alberta during the 1930's. Alberta is a State about a quarter the size of Western Australia. It consists of an area of 250,000 square miles with a population of 846,000 people, and more than 50 per cent. of them live in the rural areas—more than 500,000 of them.

In that State there are 70,000,000 acres of arable land, 20,000,000 acres of which were cropped annually, yet because of world depression the country was bankrupt. In 1935 the State had to repudiate at least portion of its public debt, but towards the end of the 1930's, oil was discovered there, and today it is a Province which is possibly the only purely solvent part of the British Empire.

The people of Alberta are progressive, thrifty and hardworking. The wage-earner there prefers not to sell his time, but the product of his labour. He prefers to work by piecework and contract rather than for a certain number of hours a day for no fixed return from his labour. At the time of the last census the largest town in Alberta had a population of 113,000 people. The comparison between Western Australia and Alberta is very striking. Here we have a population of 600,000 people, and there the population was 840,000, and it is more today. Here the metropolitan area consists of 330,000 people and in Alberta the largest town had a population of 113,000. Even so, that Province in 1935, through primary produce having reached such a low level in values, could not meet its commitments.

It has been said that Alberta has a peculiar monetary system. Nothing is further from the truth, although it is quite true to say that the Premier of Alberta did try hard to introduce some monetary reform. He issued what were known as dollar certificates for internal currency but they became very unpopular in Alberta because they were really a method of high taxation. Nobody could hold a dollar note unless each week he put a one-cent stamp on it in order to keep it as legal currency.

The Premier: Was not his social credit legislation overruled by the central authority?

Mr. ACKLAND: Yes, by the Dominion Government of Canada. I would like to read this extract from a speech by the Premier of Alberta, Hon. Ernest C. Manning, when delivering his Budget Speech on the 7th March, 1952. He had this to say—

The public should be fully informed as to the sources and extent of the revenue available and the purposes for which it is proposed these revenues should be expended. Particularly is this true so long as the Provincial Government is prevented by constitutional restrictions from effectively controlling their own money, and credit, and are forced to finance all public services with revenue which first must be extracted from the people themselves by various forms of taxation. We have thus far been thwarted in our efforts to secure control of our own credit resources but we have been fortunate in the very substantial sums of public revenue obtained from the development of our vast natural resources under policies which have secured for the people a generous share of the proceeds accruing from that development.

In Alberta, no oil, mineral or timber lands are sold. They are leased, but only for development, on terms which ensure that all the people of the State will get a fair share of the development. It is on

this point that I want to speak more particularly this evening. It is of interest to know that the Albertan Government policy of giving encouragement to individual enterprise—co-operative as well as private—has proved beneficial to the State and the people. The co-operative movement in Alberta is very strong.

I am told that five out of every seven people there belong to a co-operative organisation of some sort or another. The Government does not risk the taxpayer's money in speculative enterprises. There is no socialisation of any sort in Alberta. The Government encourages private enterprise, whether it be individual or collective, but does not in any shape or form enter into the running of State enterprises. It believes that this is the function of the individual, and that if revenue comes from the nation's resources, then the nation as a whole should benefit.

With reference to the production of oil, I point out that in 1947 Alberta produced 6,382,000 barrels of oil, but in 1951 the production had risen to 45,915,000 barrels. This, of course, has been increased considerably since. In 1947 there were 606 producing wells, and in 1952 there were 2,818 producing wells, with a daily capacity of 245,000 barrels. This position has been greatly extended in the meantime, but that is how it stood at the end of the financial year in 1952.

As regards revenue, in 1947 Alberta received 1,329,740 dollars as rentals and royalties from oil. But in 1950 the province received 36,260,288 dollars from the sales of leases and 13,437,042 dollars from rentals and royalties; a total of nearly 50,000,000 dollars for that one year alone. So I would like the Government of this country to study the conditions which exist in Alberta—

The Premier: I told you the other day that we had already done that.

Mr. ACKLAND: —before it makes any definite decision with the oil companies regarding their right to produce oil. It is interesting to note that in 1936 Alberta had a national debt of 157,000,000 dollars and it was in that year, or the year before, that she had been forced to repudiate some of her obligations. Yet we find that as late as the year 1951 she had reduced that debt to 98,250,000 dollars but held some 72,000,000 dollars in credits to meet obligations which had not then fallen due.

So we find that in 1951 the real debt of Alberta was some 26,000,000 or 27,000,000 dollars. I was told by those people with whom I came in close contact that by 1955 Alberta would have sufficient credits accumulated to meet the whole of her national debt, if she could persuade the stockholders to receive payment. But those stockholders are not likely to allow that to happen until the date of maturity.

Mr. Yates: Did you visit many oil wells while you were there?

Mr. ACKLAND: We had an opportunity of going all over the oil wells round Edmonton. The country is gently undulating—prairie country, really—and one could stand and see 30, 40 or perhaps 50 oil derricks, some producing oil, some in the early stages of production and some, as we saw in this morning's paper, blowing in. With some, the oil was running to waste until such time as they were ready to do the topping.

A tremendous sum of money will be required by private enterprise and a tremendous sum will have to be spent by the Government. If a quarter of our loan funds of this year are needed to make provision for the amenities, social services, water supplies and railways for a place like Kwinana, which is in the backyard of Fremantle, one can realise just how much this Government will have to provide, along with private enterprise, in the development of this country. I do not pretend to know anything about oil, but the bore in the North-West is down less than 4,000ft. and in Alberta the drills aggregate 5½ million feet. They have also more than 2,818 wells producing oil and if the discovery in the North-West is of any consequence, members can see just how important and necessary the expenditure of loan funds will be and how necessary it will be for the Commonwealth Government to make every possible arrangement, or assist this Government in the provision of harbours, roads and water supplies in those arid areas.

In Alberta last year 200,000,000 dollars were spent by private enterprise in the development of the oil industry and the Government of Alberta has done everything possible to prevent the establishment of a monopoly. It allows a person to bore for oil and the terms provided are comparatively easy. When oil is found, they survey the whole countryside in a chequer board formation—something like a draughts board—and every second lot is put up for public auction so that the companies may tender for them. I am told that it is not uncommon for an oil company to pay 5,000,000 dollars for the right to look for oil.

The Minister for Lands: There must be money in oil.

Mr. ACKLAND: Once they strike oil, the companies have to pay a royalty of 16½ per cent. on their gross returns. I understand that since 1951 the royalty paid on oil has varied from 5 to 16½ per cent., according to the outflow, and that the average for that year was 14.1 per cent. of all crude oil taken from the wells in the province.

While it will be necessary to do so much to encourage and make sure that the State does not prevent or retard the development of or the search for oil, which is the grandest thing that has ever happened in Australia, it will be equally necessary

for the Government not to lose sight of the fact that it has an obligation to other parts of the State. I do not intend to draw a comparison of the small percentage of this £17,850,000 that is to be spent for agriculture, but I wish to bring to the notice of the Premier and his Cabinet the grave need to keep a balanced economy in this State. We should ensure that agriculture, in all its phases, is not retarded because of the expenditure which will be necessary in other parts of the State.

I think the Leader of the Opposition struck a wise note tonight when he spoke about a committee which could possibly help the Government in arriving at a decision about the allocation of moneys which will become available. The responsibility, which the discovery of oil will place upon the Government, will be tremendous, but, as a representative from another industry in this State, I trust that the Premier will not forget his obligations and the necessity of keeping a balanced economy.

HON. A. V. R. ABBOTT (Mt. Lawley) [8.55]: The Premier said that this was one of the most important Bills to be introduced and that it was regrettable that more members did not join in the debate on the measure, which, unlike many other Bills introduced into this House, is not of a political nature. There is no doubt that the Loan Bill is one of great importance to the State. As the Premier said, to some extent, the Loan Bill today is governed by the decisions of the Loan Council because it is not what the State would like to spend, but a question of what money is available. Again, it is not what the Loan Council considers necessary, but what the Commonwealth can provide by creating credit, financing the States from taxation or by means of loan money. So there is a joint responsibility on the States and the Commonwealth as regards the moneys that are available.

It would be most unusual if the States, which are anxious to implement policies that they consider advisable, had free rein with regard to money. If the States could, either by the creation of credit or otherwise, spend what they thought fit, there would undoubtedly be keen competition between them for the available supplies of materials and labour. So it is necessary for the Commonwealth to arbitrate between the States and to consider the general financial position of the Commonwealth as a whole. I think the time has passed when the amount of money available to a country depends on the amount of currency that is forthcoming because it is in the hands of the Commonwealth to create what money it thinks desirable in the circumstances. That is a grave responsibility.

From the employment figures in Western Australia, I would suggest that at present there is available, by means of Government expenditure and private investment, sufficient money to keep every person in this State fully employed. If more money were available, no additional work could be carried out by the Government in this State, unless at the expense of private investment, or unless we were unable to attract labour from the Eastern States. I noticed in the paper today a suggestion that additional labour should be made available for Kwinana and I hope that the Government will realise that if the progress of this State is to be continued, it will be necessary to have increased immigration to this State.

Of course, it must be remembered that any flow of immigration puts an added load on the capital expenditure of the State. Every additional citizen means that additional public utilities have to be supplied. On the other hand, where we have a growing State, some risk has to be taken, and the public must put up with some discomfort for the ultimate good of the State. What a load Kwinana is on the State can be seen by the amount of loan money made available to the State by the Commonwealth. An amount of £2,778,530 is to be expended for Kwinana alone. That is only one amount of money that is being expended at Kwinana.

The Anglo-Iranian Oil Coy. itself is also spending a huge sum on the development of this refinery, which will ultimately be of great value to the State. If that money is to be expended, then the necessary labour will have to be made available either from within or from outside the State. Accordingly, I hope the Government will give support for the availability of employment so that this great work can be accomplished.

One of the greatest responsibilities the Government has to face is, of course, the railways. In my opinion, it is a pity we cannot make the railways a non-political matter. It is extremely difficult to decide between the various interests in the community in this regard. There is no doubt that road traffic is becoming more efficient and more economical year by year. Roads have to be built for the general convenience of the public, quite apart from the use they make of the railways.

People are demanding roads for motor-cars and for private use generally. So these roads have to be constructed and it is only a question of how much further they can be used for the transport of heavy goods. The railways are the greatest responsibility, and the most difficult responsibility, the Government has to face.

The Premier: You are quite right.

Hon. A. V. R. ABBOTT: It is a great difficulty and a great responsibility to decide whether one is going to let lie in abeyance any railway that has been open for a number of years. In these matters, the Gov-

ernment generally has intense pressure brought to bear upon it from those who reside in the district affected and that, of course, is only natural. We have transport by railways in the metropolitan area and I am doubtful if we are not perhaps expending too much money in that direction at the present moment. That, again, is a very difficult problem. In the metropolitan area I think road transport is very efficient and should be fostered.

As the Premier knows, there is an agreement to transport railway workers to Midland Junction—that is a responsibility of the Government under their industrial awards—and that means a good many crews have to be employed for that purpose alone. If they are employed only for that purpose, then there is no employment for them for the rest of the day, and that creates a difficulty in the metropolitan area. I think it is the desire of the Railways Commissioners to make some use of those men by running trains.

I have been informed that unless people travel a distance of 14 miles by railway—a non-stop distance—railway traffic is not economical for passengers; unless of course, there is a very dense population, as we find in London, where there are tubes and so forth. I think a considerable sum of money could be saved in that direction. Sooner or later the Government will be faced with easing down the work on the tremendous 4,000 miles at present under the control of the Railways Commissioners. When that day will come, however, I do not know.

It is one of the most responsible and most political activities with which the Government is faced. I notice the Government proposes to spend £1,400,000 on additions and improvements to open railways; £1,900,000 was spent last year. It has been suggested that the previous Government neglected the permanent way; those figures would not, I suggest, indicate that that was so. It is well known, however, that the permanent way is in need of considerable improvement to permit the Midland rolling stock and engines to be used with maximum efficiency. If the railways cannot carry their maximum load at the maximum speed then, of course, it indicates lack of efficiency. I am sympathetic with the Government in the difficult task it faces.

The Minister for Lands: You mean you are not going to make things difficult.

Hon. A. V. R. ABBOTT: They are difficult; I agree they are. I think it is extremely difficult for the Government to decide just when and where a railway should be closed down. When I was a member of the previous Government, I mentioned the Port Hedland railway. There was considerable pressure by local people, and rightly so, to keep that railway open, but no one now would hesitate

to say that that decision was not the correct one, because it would have cost a great deal of money to rehabilitate it and to put it in proper working condition.

I am pleased to see that there is a sum of £379,500 made available for the State Housing Commission. I take it as that is a loan allocation by the State that it represents money to be made available under the workers homes and State housing schemes. I am not sufficiently familiar with that aspect, but if that is so, I am very pleased. I think the provisions contained in the Workers' Homes Act are some of the wisest we have on the statute book.

After all, one of the main objects of home life is from within. People must have an interest, and their own home creates that interest. They will work and labour in their gardens and houses to keep their home nice and in good condition; it gives them a feeling of having a stake in the country. A great many people have not got a stake in the country, and I think that is very unfortunate.

I would like to see everyone have, what I might call a capital share in the country and in its assets. One of the best means by which we can give them that capital share is, in my view, to enable them to own their homes. I would freely support any scheme that would make home-ownership possible for the maximum number of people, whether by making money available at the cheapest possible rate or whatever the scheme might be. I would give some such scheme my full support. I want to see as many people as possible have a capital interest in the State in which they live.

Unless they have that interest, they must feel that they are not getting a fair share of the national wealth. Because of the high wages in Broken Hill, I understand that of recent years a great number of the residents there have become owners of some capital asset, and the whole atmosphere of the place has changed. They are becoming what I might describe as conservative. They do not have the same number of strikes; they become interested in their own home town and in their country. I want to see as many people as possible in that position.

I think the Government is wise to provided the sum it has for home-ownership. I have made these few comments at the invitation of the Premier, because in the past it has been usual for the House to accept a Bill of this description after it has been debated by the Premier and the Leader of the Opposition; they both usually have had Treasury experience and are naturally charged with the responsibility in this matter. I appreciate the courtesy of the Premier in suggesting the Bill should be debated by those who probably do not have such experience.

The Minister for Lands: We are always pleased to listen to your views.

Hon. A. V. R. ABBOTT: I have given my views and they are largely personal; I do not regard this Bill in a political light, and I thank the Premier for his courtesy.

On motion by Mr. Johnson, debate adjourned.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th December.

HON. A. F. WATTS (Stirling) [9.14]: I think this Bill to amend the Government Railways Act is a very nasty little Bill, because it proposes to do things which I think are entirely unnecessary and completely undesirable.

The first and most important thing it intends to do is in future—although not affecting the present holders of office—to limit the tenure of office of the Commissioner of Railways to a period of seven years, and that of the Assistant Commissioners to a period of five years, although the parent Act, passed only in 1948, provides that their tenure shall be for life, subject to provisions in the Act for the bringing of that tenure to an end in certain circumstances, including misbehaviour.

In support of this alteration to the present law, the Minister indicated that he had made inquiries, not only in Australia, but also in various parts of the British Commonwealth, and had delayed bringing down the Bill in order that those inquiries might be completed. The result of his investigations, particularly so far as the Australian States were concerned, was to indicate that there was no place where the tenure of office of the commissioners was similar to that incorporated in the Act of 1948.

That may be so; I do not deny it for one moment. But I suggest that it does not matter in the slightest. I consider that it is a better scheme for persons clothed with the responsibility and authority such as that possessed by the Railway Commissioners in this State to have security of tenure rather than be subject to the whims of various Governments at intervals of seven and five years. I suggest we are likely to get far greater independence of spirit; far better management; and, in the net result, far better results, by the system of life tenure, subject to the conditions of the Act, than by a method which ensures that the Railway Commissioners shall come up every five or seven years for reappointment and re-examination by whatever Government happens to be in power.

I say that, despite the fact that it may have been the practice in the Australian States and elsewhere. It was the prac-

tice in this State for many years for the Commissioner of Railways to be appointed for a period of years only; and I never found, in the 14 years of my parliamentary life, before the passage of the 1948 measure, that we had achieved any result by it. On the contrary, I was rather of the opinion that we had done just the opposite, and I still hold that view. If we want responsible men to accept responsibility and act in an independent manner, with initiative, the best way is to give them security of tenure for a long period.

Mr. Lawrence: What about your argument in connection with the appointment of a commissioner to control the district to be excised from the Rockingham Road Board area? You wanted him to be appointed for a year.

Hon. A. F. WATTS: That is a different thing. In that case government by a commissioner is being substituted for government by a democratically elected local authority. That is different from government appointments being made to a big trading concern, which is what I am dealing with now.

The next proposal is to appoint an assistant commissioner as the direct representative of the employees of the railway system. The Minister indicated that, apparently since he took office, the late Mr. Raynor had been acting in that capacity. He certainly was not acting in that capacity before the present Minister took office. He was appointed under the provisions of Subsection (5) of Section 8 which said that—

One of the persons appointed to one of the offices of Assistant Commissioner shall have a comprehensive knowledge and experience in the conduct of commercial traffic and accounting aspects of the business of the management, maintenance and control of railways.

It was under that heading that Mr. Raynor was appointed, and during the whole time prior to the accession of the present Minister to office, that was the duty he was undertaking, and carrying out in a particularly efficient manner.

May I say at this stage that it was with the greatest regret that I heard of his untimely death, and I join with the Minister in the tribute paid to him for the work he did in connection with the railway system of Western Australia. Anybody who had any contact with him could not help realising that he had a very substantial and worthwhile knowledge of the aspects of the railway system that he was particularly supposed to deal with under Subsection (5) of Section 8 of the Act of 1948, and his loss, I believe, is a very considerable one. It was with the greatest regret that I heard of his death, and I trust someone will be found to be as worthy as he was of the position he occupied.

But the proposal is that the person who shall be the second assistant commissioner, and must therefore take the place held so worthily by Mr. Raynor, shall be one who will represent the employees of the commission and carry out such functions as are resolved by the commission. The Bill goes on to provide that if, at the end of his five years, he is not to be re-appointed for a further term, he shall return to his employment in the railway service in the same place from which he came. I can imagine several aspects of this suggested appointment that seem to be very much out of place. First of all, in an organisation such as the Railways Commission, I do not think it is desirable to have a person who is merely to represent the employees of the commission and carry out such functions as the commission shall resolve. I suggest that the provisions of the parent Act providing for the second assistant commissioner to have a knowledge of commercial traffic and the financial aspect of the railways are much more important, and we should adhere to the existing provisions.

Let me say, too, that negotiations are always going on between the Railway Commissioners and the various employees of the unions and their officials and, so far as I know, these negotiations have been carried out in a very fine spirit in the past. When there is a serious conflict between the parties, they are resolved either by the appeal boards set up under the various Acts or under awards or, alternatively, by conciliation commissioners, or the Arbitration Court itself.

The provision for a person on the Railways Commission, supposed to be managing a specific portion of that huge undertaking, at the same time being expected to be there as the advocate for the employees, strikes me as being something that would place both him and the other commissioners in a most invidious position.

That is so, because there is bound to be conflict from time to time between the representative of the employees on the commission and the other commissioners in regard to matters which should not properly be brought into the commission all of the members of which should be sitting in a judicial capacity and endeavouring to arrive, as a commission, at a satisfactory conclusion on matters, failing which there are the tribunals and authorities which are equipped to deal with such matters and which have been virtually incorporated into the law of this country in connection with employment in the Government railways.

More than that, it would be extremely difficult to get one man to represent the whole of the 13,000 employees of the railways of this State. They are divided into at least four important unions, whose outlook on various matters affecting the railways is by no means the same; and they certainly could not have representa-

tions of each one of them. I suggest the far better thing to do is to let well alone, leave this parent Act where it is, and appoint another person to the commission to take the place of Mr. Raynor on the same basis as that on which he was appointed.

That does not prevent any person employed by the commission or in the commission's service from being appointed to that post. That was Mr. Raynor's own position. Immediately prior to his appointment, he was an employee of the railways. He held a fairly high office, but he was inferior to the commissioner, being regarded as a very senior employee of the railway service. There is not the slightest objection to—in fact I would encourage—the appointment of a person from the railway service to the position of second assistant commissioner to take the place and act in the capacity of Mr. Raynor as his successor, but not, as the Bill proposes, merely as a representative of the employees, to carry out such functions as are resolved by the commission.

Again, a man picked out of the railway system, even on the basis I suggest, for a term of five years, unless at the end of that time he is bordering on the retiring age will, if he is not reappointed, be pushed back, under this Bill—instead of having a life tenure, as I want him to have—into the position he occupied at the time of his promotion. That would be a most extraordinary change of circumstances for him. Instead of being an assistant commissioner—one of the triumvirate which runs the railways, one of the highest men in the railway management—he goes back whence he came. He may have been a first-class station-master or an assistant traffic manager. Whatever he was, that is what he will go back to. Without question, that is another argument for the maintenance of the life tenure provision.

Another part of the measure deals with the validation of matters concerning what was known by the parent Act, in Section 12, as the appointed day. The Minister, in the course of his speech, said that the Act provided that the appointed day should be proclaimed, from which the Minister and the commission should assume their respective responsibilities, but that, through oversight or omission by the previous Government, the appointed day was never proclaimed. In the "Government Gazette" of the 1st July, 1949, I find a proclamation headed "Government Railways Act Amendment Act, 1948," and setting out that His Excellency the Governor, with the advice and consent of the Executive Council "does hereby proclaim that the Government Railways Act Amendment Act, 1948, shall come into operation on the 1st day of July, 1949."

So it seems incorrect to say that this particular enactment was never proclaimed, when it was, in fact, proclaimed on the

1st July, 1949, by proclamation dated the 29th June, 1949. There is, it is true, one minor error in the proclamation, as I see it, because it says "whereas it was enacted by Section 2 of the Government Railways Act," and the relevant section is Section 12 of the Government Railways Act of 1949.

The Minister for Railways: It is not a mistake. It refers to Section 2.

Hon. A. F. WATTS: I have here the reprint of the Act, and I can see nothing of Section 2 about it. I can find no reference to it in Section 2, whereas in Section 12 there are the words—and it is that which I was working on—"appointed day means a day to be fixed by proclamation." That is in Section 12. Section 2 is the definition, and if it is correctly stated as Section 2, then it is not apparent to me why the proclamation is supposed not to have been sufficient for the purpose or why the Minister should say that, through oversight or omission by the previous Government, the appointed day was never proclaimed.

Certainly there was a proclamation on the 1st July, 1949, and unless it is explained to me a great deal more clearly why we want, in those circumstances, these validating clauses in the present measure, I do not propose to support it. That is the situation in which I find myself. If the proclamation is in order, then, so far as I can see, the rest of the Bill, other than the portions to which I have made specific reference, are absolutely valueless, because there is no need to clear up anything or make valid anything which is invalid, because there can be nothing invalid, although that is what the Bill proposes to do.

As the Minister said that, through omission or oversight, it was not proclaimed and there is a proclamation on the 1st July, 1949, I want to know why—on much stronger grounds than what we have had from the Minister so far—it is necessary to do any of this validating, because my situation is a peculiar one. If it is necessary to validate these transactions, as the Minister indicates and the Bill proposes, for which at present I can see no sufficient reason, I shall have to support the second reading, because I do not want there to be a state of invalidity.

But if it is not necessary to validate these things then, so far as I am concerned, no part of the Bill is necessary because, for the reasons I have given, I do not like the operative clauses of the Bill other than those which deal with the validating of past transactions since 1949, and in that case I have to oppose the second reading and endeavour to dispose of the matter without wasting further time. Those are my views on the subject. I will support the second reading if I am convinced that this validation is neces-

sary, but other than that I am opposed to the remainder of the Bill and shall oppose it.

HON. A. V. R. ABBOTT (Mt. Lawley) [9.35]: I agree with the Leader of the Country Party that this is not a wise step. Apparently it is proposed to select someone from the railway service and appoint him a commissioner, the most senior position to be found in the railways, and if he does not suit, he is then to be sent back to his original position, which must necessarily be one subordinate and of very much less importance.

Previously, when the commissioner was appointed for a term, if his appointment was not renewed he ceased to be employed by the railways, and possibly, being customary in the past, that could be tolerated, as in those days it was usual to attempt to get engineers with high qualifications and a world-wide reputation by advertising all over the world. Many such men were prepared to accept a position for perhaps seven years, but to take a man out of the railways service, promote him to the highest position in the railways and then demote him is, to my way of thinking, impossible, although that is what the Bill seeks to do.

The time has arrived when people in Government employment want security of service and the independence which it brings. The measure proposes to do away with that position, and I do not think it is a good idea. When selecting a man for such a high position as assistant commissioner, we should give him security of service. Is it suggested that we should appoint an under secretary for five years and then say that because we do not like him, we will not renew his appointment, and that he must go back to a junior job?

Mr. Lawrence: For how long were you appointed?

Hon. A. V. R. ABBOTT: I am not a public servant. A member of Parliament is not a public servant, and I am liable to be removed on political grounds and was so removed on one occasion—wrongly I think—whereas the public servant is not liable to dismissal on political grounds, and that appears in the Constitution. Elected members of Parliament and Ministers are there to serve the public as persons in touch with the public. If the people do not like the way a Government is acting, they do not have to shoot their way out, but just shoot the Government out. That is what they did to me, wrongly, I think.

Mr. Jamieson: Was not one of the three commissioners appointed on political grounds?

Hon. A. V. R. ABBOTT: No. The positions were advertised all over the world, and the most highly qualified men obtain-

able were selected on the recommendation of an outside body consisting of trained engineers.

Mr. McCulloch: They have not made a very good job of it.

Hon. A. V. R. ABBOTT: I do not know. They have a difficult job to do, and if all the money they required was made available to them, they might do much better. Instead of that, they are told by Ministers to do certain things. Time after time they point out that a particular line is not paying, but they are instructed to keep it open and to operate a service that they do not wish to continue.

The Minister for Health: The railways of Western Australia have done a wonderful job.

Hon. A. V. R. ABBOTT: They have. Had it not been for our railways, this State would not have been developed to anything like the present extent. I do not complain of any line that has been constructed.

The Minister for Health: During the war our railways did a marvellous job.

Hon. A. F. Watts: The Minister for Justice, I think, misunderstood the member for Mt. Lawley.

Mr. McCulloch: They take 17 hours to go to Kalgoorlie now, while twenty-five years ago they did it in fifteen hours.

Hon. A. V. R. ABBOTT: That is not very desirable, but is due to lack of money and the war, and the fact that the permanent way has not been maintained as it should have been. Had the permanent way been kept in good condition, the time could have been reduced considerably with the new diesel engines as, indeed, I think it will be when the permanent way is strengthened. I believe the Minister for Justice will agree that it is not advisable, when men have such great responsibility, to give them such a short term as five years. Does not that place them in the political hands of whatever Government is in power? I do not think it is advisable.

The Minister for Health: I do not think it is advisable to give a man a job for life.

Hon. A. V. R. ABBOTT: We give under-secretaries, judges and others their jobs for life. We give anyone with great responsibility, such as our magistrates, a job for life.

The Minister for Health: No.

Hon. A. V. R. ABBOTT: They have a life-job. They are civil servants.

Mr. Lawrence: Apparently the member for Mt. Lawley has not much responsibility.

Hon. A. V. R. ABBOTT: I think members will agree that the position is hardly comparable. This country is not like Argentine, where a Government has to be shot out of power. Here it is merely pushed out.

Mr. Lawrence: You are in a shooting mood tonight.

Hon. A. V. R. ABBOTT: I think this measure is a retrograde step, and I do not know what is behind the Government's move. Does it intend to appoint some low-grade officer who will serve the union for the time being?

Hon. J. B. Sleeman: Do you think it should?

Hon. A. V. R. ABBOTT: I cannot understand why the provision is for only five years.

The Minister for Health: Because he belongs to a union, it does not necessarily follow that he will be a low-grade officer. He may have plenty of intellect.

Hon. A. V. R. ABBOTT: I did not mean that he would be low-grade in ability, but in seniority in the railways.

Mr. Lawrence: You supported the member for Stirling when he wanted to give the new commissioner, who would be a public servant, only a one year's term as the Kwinana local authority.

Hon. A. V. R. ABBOTT: The hon. member knows that the two positions are not comparable. I do not approve of union secretaries being appointed for only one year. What can the unfortunate man do under those conditions?

Mr. Oldfield: He can be sacked if he is no good.

Hon. A. V. R. ABBOTT: If he does not promise the earth he is sacked.

Hon. J. B. Sleeman: If you had your way, some of them would not be elected at all.

Hon. A. V. R. ABBOTT: I will agree with that. I do not wish to delay the House—

The Minister for Health: Keep it going for a little while longer.

Hon. A. V. R. ABBOTT: I think the Minister could well give this question further consideration.

The Minister for Housing: I can allay your fears in one respect. The Government has not any particular individual in mind for the third position.

Hon. A. V. R. ABBOTT: I know that if the Minister gives that assurance, it will be so, but I think it is most inappropriate to place a man in a senior position and then demote him. It would be extremely humiliating for him. I cannot see how he could carry on an occupation in an organisation where he was No. 2 and then go back to No. 120 or No. 140 on the list. Whether members like it or not, I know enough of politics to be aware that Ministers do exercise political pressure. Everyone knows that is so.

The Minister for Health: You did not.

Hon. A. V. R. ABBOTT: Of course I did; I am honest enough to admit it. I know that a Minister cannot exercise pressure on a permanent highly placed civil servant, and I was never successful in doing so on any occasion. Many a minute was placed before me which I have preferred not to see, but nevertheless such minutes are often forwarded to Ministers. Permanent heads of departments are considered to be highly trained officials, and they place minutes on the files, and, as the Minister for Housing knows full well, he could say, "I disagree with your opinion," but in doing so, he takes a risk.

The Minister for Housing: There is no risk attached to it: it is his duty.

Hon. A. V. R. ABBOTT: I mean a political risk; not any other risk. Highly paid civil servants apply their minds to a problem—

The Minister for Housing: You do not suggest that Ministers should be mere rubber stamps.

Hon. A. V. R. ABBOTT: No, I do not; but, on the other hand, a Minister cannot lightly ignore the advice he receives.

Mr. Oldfield: Should you not be able to sack them if they are inefficient?

Hon. A. F. Watts: They can be sacked if they do not carry out the existing legislation.

Mr. Lawrence: Only for dereliction of duty.

Hon. A. V. R. ABBOTT: Yes, or if they are not performing their duties efficiently. It would be very unfortunate if our permanent senior civil servants felt that they were appointed only for a five-year term. I understand that in Canada and other countries that is the position, because the permanent heads change with the Minister.

Mr. Jamieson: It does not work too badly, either.

Hon. A. V. R. ABBOTT: I do not think it does. It does not work too well at all. It is entirely wrong. The new appointee would have strong political views in favour of the Minister, and very often he would be biased because he had been appointed by the Minister. The British system, which has been established for many years, is the best.

The Minister for Health: Mr. Ellis, who was Commissioner of Railways, was appointed for five years, and he was one of the most efficient officers we ever had. It was financial starvation that gave him the most trouble.

Hon. A. V. R. ABBOTT: That probably is so. However, it is not only the difficulty brought about by lack of finance but also Governments will not accept financial responsibility in the management of the railways, whether it be to raise freights or to establish new lines. The Railway Department is probably the most difficult to administer.

The Minister for Health: It would depend on the line to be constructed.

Hon. A. V. R. ABBOTT: A decision that is to be made on any line is most difficult.

The Minister for Health: The Norseman line could have been closed, yet today that centre is the second best mining town in the State.

Hon. A. V. R. ABBOTT: If it had been closed, it could have been reopened. The Esperance district is going to be a wonderful agricultural area, and every year the traffic along that line will increase. I hope the day will come when all supplies and produce for the Goldfields will come through Esperance. I do not think that is far distant because, as the district is put under more cultivation, greater production will result. I cannot support the Bill because I do not think the validation clauses are necessary, and there is nothing in the Bill which meets with my approval.

THE MINISTER FOR HEALTH (Hon. E. Nulsen—Eyre) [9.52]: I disagree with the member for Mt. Lawley because I think the Bill is most important. If it were not, it would not have been introduced. In the first place, it was considered very carefully by the Solicitor General, having regard to the present state of the Railways Commission. From what I can learn, after a thorough investigation, no proclamation has been made according to Section 12 of the Act. Consequently, it is doubtful whether the Minister has any control, which he is supposed to have, under the existing legislation. From that point of view alone, the Bill is necessary.

I am sure the Crown Law Department has given it every consideration, and it is only on its advice that the measure has been brought down, as was intimated by the member for Stirling. He said the Bill would not be worth supporting if it were not for the fact that the appointment of the Railways Commission had not been proclaimed under Section 12 and, according to the Crown Law Department, such is the case. I cannot see why any commissioner or commission administering the railways or other public utility should be appointed for life. It is not comparable to the appointment of a judge.

Hon. A. V. R. Abbott: It is comparable to the appointment of a permanent head.

The MINISTER FOR HEALTH: No, it is not, because these commissioners must have a thorough knowledge of railway affairs and also of commerce. Further, they must understand the psychology of those who work under them.

Hon. A. V. R. Abbott: Why should they be appointed for five years?

The MINISTER FOR HEALTH: If they are appointed for five years, there is no reason why the period should not be ten years, because the term can always be extended.

Hon. A. V. R. Abbott: It should be at the Minister's direction.

The MINISTER FOR HEALTH: They are not an independent body; they are subject to the Minister's dictation.

Hon. A. V. R. Abbott: That is all right, but they are not subject to political pressure.

The MINISTER FOR HEALTH: Prior to the legislation introduced in 1947 or 1948, the commissioner at that time had absolute control over the administration of the railways, and the Minister could not interfere. That power has now been taken from the Railways Commission.

Hon. A. V. R. Abbott: You approve of that?

The MINISTER FOR HEALTH: Yes, I do. Mr. Ellis, with whom I worked for some time, did a wonderful job. Without reflecting on the present commissioners, if they had the same understanding of railway administration and the people with whom they work, the position would be much better than it is. This Bill will extend the tenure of their appointment for two years, namely, to seven years. I do not think that strong opposition to the Bill is justified, and I support it in its entirety.

THE MINISTER FOR RAILWAYS (Hon. H. H. Styants—Kalgoorlie—in reply) [9.57]: I am not surprised that certain members of the Opposition are opposed to the main provisions of the Bill, namely, that the employees should have representation on the board of management.

Hon. A. V. R. Abbott: No one said that.

The MINISTER FOR RAILWAYS: The hon. member is speaking for himself, is he?

Hon. A. V. R. Abbott: No.

The MINISTER FOR RAILWAYS: If the Leader of the Country Party, the member for Stirling, did not say that, my hearing must be defective. Previous to the appointment of the existing commission, a single commissioner was appointed to administer the Railway Department for a fixed term, and to my knowledge, that system worked very satisfactorily, which is more than can be said of the present commission.

Hon. A. V. R. Abbott: I do not agree with that, either.

The MINISTER FOR RAILWAYS: The hon. member would not be opposed to it, but if he asked my predecessor whether he thought the previous system was a success or not, he would probably change his view.

Hon. A. V. R. Abbott: No, I would not.

The MINISTER FOR RAILWAYS: I know what my predecessor said to me when he left office, which is more than

the member for Mt. Lawley knows. It is all right for the hon. member to skirt round the outside of the question, but he knows nothing of the circumstances or the working of the commission.

Hon. A. V. R. Abbott: I know a great deal of what the Minister had to say on it, considering he was a member of Cabinet for about four years.

Mr. SPEAKER: I think the Minister should address his remarks to the Chair.

The MINISTER FOR RAILWAYS: I think it is only a figment of imagination in the minds of some people that during the many years a single commissioner was appointed for a given term, any political pressure was brought to bear upon the occupant of that position, unless, of course, it was the Government now in Opposition who dispensed with the services of the commissioner who had been in office for approximately ten years. I never heard any complaints from the occupants of that position that they were ever subjected to any duress.

Certain functions, as outlined by the provisions of the Railways Act, are within the province of the Minister, and the functions of the commissioner or the commission, as the case may be, are outlined just as distinctly. I know of no serious difference that has occurred between the Minister for Railways and the Railways Commission. To say that it is for the purpose of protecting the position of the Railway Commissioner is, to my mind, without solid foundation. According to the member for Stirling, if we are right, then everywhere else in the British Commonwealth is wrong. It was quite a recent innovation for Western Australia to have a three-man railways commission. My first objection is that salaries of over £9,000 a year are far in excess of what should be paid by taxpayers for the administration of a very small show.

Hon. A. V. R. Abbott: It is the biggest industrial enterprise in Western Australia.

The MINISTER FOR RAILWAYS: It is a very small industrial enterprise when we compare the State railways with the New South Wales railways. Their turnover is considerably greater; they have more employees, and they haul a greater tonnage. Yet in that State there is a single commissioner; Queensland has a single commissioner, so has South Australia. We are called upon to pay salaries amounting to £9,300 a year to our commissioners.

Hon. A. V. R. Abbott: That is very little.

The MINISTER FOR RAILWAYS: It is far in excess of what should be paid. Because the previous Government appointed the three commissioners with life tenure, it is difficult to get rid of them. If I had my way I would revert to the one-man

commission. That opinion is shared by some of the railway commissioners today. They are not happy about the three-man commission any more than my predecessor or I am. Nevertheless, two of the original three commissioners remain; they were very unwisely appointed to life tenure not only of employment in the Railway Department, but life tenure in their particular jobs.

Hon. A. V. R. Abbott: They were appointed as ordinary civil servants.

The MINISTER FOR RAILWAYS: They were not. The hon. member knows nothing about the matter. They were appointed as permanent railway employees, and those are not civil servants.

Hon. A. V. R. Abbott: To what age?

The MINISTER FOR RAILWAYS: They are Government employees appointed with a tenure of office until they reach the age of 65 years. There are other considerations for which they are liable to be dismissed. I refer to Section 8 (8) of the Railways Act, which reads—

If any member of the Commission—

- (i) is absent from his duties for a period of at least one month without the consent of the Minister;
- (ii) becomes of unsound mind, or is declared, under the provisions of any law for the time being relating to mental infirmity, incapable of managing his affairs;
- (iii) becomes bankrupt or avails himself as a debtor of any law for the relief of bankrupt debtors;
- (iv) resigns, attains the age of sixty-five years, or dies;
- (v) participates or claims to be entitled to participate in the profit of or in any commission, benefit or emolument arising from any contracts or agreements made under the provisions of this Act by or on behalf of the Government, other than such as are referred to in section thirty-five of the Constitution Acts Amendment Act, 1899;
- (vi) is guilty of misbehaviour or of incapacity,

his office on the Commission shall, subject to the succeeding paragraphs of this subsection, become vacant.

The Act also provides that the Minister has power to suspend the commissioners and that if they are to be dismissed, the reasons for their dismissal must lie on the Table of both Houses of Parliament for a given period, after which, if not challenged, the dismissals shall take place.

So it is a pretty difficult matter to get rid of them. I think it was a tragic mistake to appoint them under those terms.

I believe the three-man commission duplicates the work. The appointment of the Assistant Commissioner, Engineering, duplicates the work of the Chief Mechanical Engineer; the appointment of the Assistant Commissioner, Commercial, duplicates the work of the Commercial Agent. One man is capable of doing the job as a commissioner, with the Chief Mechanical Engineer in charge of the engineering side, the Chief Traffic Manager in charge of the traffic side, the Chief Civil Engineer in charge of the building and the laying of tracks, and the Commercial Agent in charge of the commercial side.

Hon. A. V. R. Abbott: You did not approve of that principle when you supported the Rural and Industries Bank Bill? You change your principles from day to day, according to the Bill you support.

The MINISTER FOR RAILWAYS: If I were as stable in my principles as the member for Mt. Lawley, then I would indeed be deserving of censure, because he talks in this Chamber just as the wind blows or as the motives for the time being suit him. I remember a recent occasion when he argued on a point of "lawful occasion."

Hon. A. V. R. Abbott: I was quite right.

The MINISTER FOR RAILWAYS: The member for Stirling said that the late Mr. Raynor was appointed under Section 8 (5) of the Act, and he had special qualifications, but there was nothing to say that he should not undertake other work. In my opinion, a representative of the employees should be appointed on the commission because that principle is recognised in many countries of the world. The employees form an integral part and a necessary part of any organisation; and they should receive representation.

The Premier: Is it not on the Country and Democratic League's platform?

The MINISTER FOR RAILWAYS: I would not be surprised. It is not suggested that the employees' representative shall interfere with industrial conditions or shall short-circuit the provisions of the arbitration system, which governs industrial relationships in the State. He would be appointed as the representative of the employees to put forward their point of view. In my opinion, he would be an asset on the controlling body of the Railways Commission. I see no great objection to it.

In the case of the three-man commission, no one would suggest that the late Mr. Raynor actually did the commercial work, the accounting work or the train-running work. He was the official head of that department. Today that work can be undertaken by either the Chief Traffic

Manager or, better still, by the commercial staff which carries on all the time. If a question is asked relating to the commercial side, the Assistant Commissioner, Commercial, does not give the reply. The question is sent to the commercial section, which prepares the answer. If a question is asked relating to traffic arrangements, the reply is not prepared by the Assistant Commissioner, Commercial, but the Chief Traffic Manager's branch.

I have never favoured the three-man commission. Because two of the commissioners must be employed subject to their good behaviour, no attempt is made to depose them at this stage. They are both competent officers. Mr. Clark is a competent engineer, and Mr. Hall is doing a good job in his position as Chief Commissioner. Were it not for the fact that these two men have been appointed with life tenure, it would be desirable to get back to the one-man commission. If we do not take the precaution now to alter the Act to dispense with the appointment of the third commissioner on a life tenure, the Government may be irrevocably committed to appoint the new officer for 25 years or more. If it became necessary to depose him he would have to be compensated.

Whether or not Parliament eventually decides to appoint an employees' representative, or, as suggested by the member for Stirling, to appoint some other person with the qualifications set out in Section 8 (5) of the Act, I believe it is absolutely essential to alter the provision of appointment for life tenure. I believe that the tenure of office for the commissioner should be seven years and for the two assistant commissioners five years. That is almost universal, as it is throughout Australia. As far as I know, there is no country in the British Commonwealth of Nations which appoints the directorship of their railway system on a life tenure.

Tasmania has a board which controls not only the railways but also the road transport system. It is absolutely essential that in Western Australia the provision which determines that members of the commission shall be regarded as permanent employees of the Railway Department should be altered.

It seems to me that the provision to enable a man, after having served a term of five years and not being re-appointed, to revert to the department is eminently fair. A man could have given 30 years of good service to the department and still be only 45 years of age. He might accept appointment as representative of the employees and, after having served five years, he might not be reappointed. He would then be only 50 years of age, but at that time of his life it would be difficult for him to obtain other employment, and it is not unreasonable to suggest that he should be permitted to revert to his former

classification in the department. However, I am not wedded to that proposal. If members do not think it fair and would prefer that a man, after having served 30 years in the department and another five years on the commission, should find a position elsewhere, I shall not be adamant.

As to the question of the "appointed day", I had not the slightest idea until recently that this omission had occurred. My attention was directed to it on receipt of a communication from the Solicitor-General, through the Minister for Justice, pointing out that, in his opinion, Section 12 of the Act had not been complied with as regards the duties of the Railways Commission and the Minister. Section 12 provides—

(1) For the purposes of this section—

"appointed day" means a day to be fixed by proclamation;
"function" includes power, right, benefit and obligation.

(2) On the appointed day, by force of this section, the body corporate by the name of the Commissioner constituted pursuant to the provisions of the Government Railways Act, 1904-1917, shall cease to exist, and thereafter the functions until then exercised and exercisable by that body corporate shall be transferred—

(a) as to matters of policy, to the Minister;

(b) as to matters of administration, subject to the provisions of this Act to the Commission.

(3) If anything has been commenced by or under the authority of that body corporate by the name of the Commissioner before the appointed day in relation to the functions transferred by this section, the Commission, subject to the provisions of this Act, may carry on and complete it.

When I received the communication, I mentioned the matter to the Chief Commissioner, who considered that the notice in the "Government Gazette" of the 1st July, 1949, which has been referred to by the member for Stirling, covered the position. I drew the attention of the Solicitor General to the "Gazette" notice, and he repeated his opinion that it had no relationship to this matter and that the respective duties of policy to be exercised by the Minister and administration by the commission had not been defined because the appointed day had not been proclaimed under Section 12. In addition, there was the question of the dissolution of the body corporate, which was the one-man commissioner that existed previously. I suggested that the Solicitor General should draft a letter to be forwarded to the Parliamentary Draftsman setting forth what was required to comply with Section

12, and provision accordingly is made in the Bill. We could not expect to get any higher authority than the Solicitor General to advise us, and I have given his opinion on the matter.

Hon. A. F. Watts: What is the notice of the 1st July, 1949 supposed to have done? Nothing?

The MINISTER FOR RAILWAYS: I pointed out that it mentioned Section 2 instead of Section 12, but the Solicitor-General said that was not the point. He was still of opinion that the "Gazette" notice was not the necessary notice required under Section 12. I have mislaid for the moment the letter I received from the Solicitor-General—I believe it is still in the possession of the Parliamentary Draftsman—but there is not the slightest doubt as to the Solicitor General's views.

I hope members will realise that, if we are to comply with the provisions of the Act, it is essential to appoint a third member to the commission, and that it would be undesirable to appoint a man of 40 or 45 years of age and give him a tenure as a commissioner to the retiring age of 65. As I have stated, this is not done in any other part of the British Empire to my knowledge, and certainly not in any other State of the Commonwealth.

Members will, I hope, appreciate the growing practice that has been adopted over the last 20 years of employees being entitled to representation on the managing body of large public utilities such as this one. Such an appointment, I feel sure, would bring about a better relationship and understanding between the management and its 13,000 employees. He will not occupy a seat on the commission for industrial purposes; his province will be to represent to the commission the actual conditions under which the service is being worked, very often in portions of the State at a considerable distance from the metropolitan area. By making such information available, I believe that the railways will function better and that there will be a better relationship between the commission and its employees. I hope that the Bill will be accepted without amendment.

Question put and passed.

Bill read a second time.

In Committee.

Mr. J. Hegney in the Chair; the Minister for Railways in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 8 amended:

Hon. A. F. WATTS: I do not propose to reiterate what I said on the second reading, except to say that I consider the clause will destroy the permanency of tenure of the commissioners. I cannot suggest a suitable amendment, and the only way in which to express my disapproval is to vote against the clause.

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

Ayes	.....	20
Noes	.....	20
A tie	.....	0

Ayes.

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

(Teller.)

Noes.

Mr. Abbott	Sir Ross McLarty
Mr. Ackland	Mr. Naider
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. North
Mr. Doney	Mr. Oldfield
Mr. Hearman	Mr. Owen
Mr. Hill	Mr. Perkins
Mr. Hutchinson	Mr. Watts
Mr. Mann	Mr. Wild
Mr. Manning	Mr. Yates

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Guthrie	Mr. Brand
Mr. Brady	Mr. Thorn
Mr. Nulsen	Dame F. Cardell-Oliver
Mr. Tulkin	Mr. Bovell

The CHAIRMAN: The voting being equal, my vote goes with the Ayes.

Clause thus passed.

Clauses 3 and 4, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—TRAFFIC ACT AMENDMENT.

Received from the Council and read a first time.

BILL—ABORIGINES WELFARE.

Second Reading.

Debate resumed from the 4th December.

MR. NIMMO (Wembley Beaches) [10.31: I must admit that I know very little about natives, but I would like to go back to the first World War when I had the privilege of serving for the first time with approximately 250 Indians whom we used to call lascars. They made up the crew of the ship on which I served. We were instructed that we had to treat the lascars "rough", but were not to strike them when anybody was about because if we were caught doing so we would get into trouble.

My sympathy went out to those chaps, and, as a result, I tried to assist them when they were writing home to their parents,

and so on. I gained the confidence of many of them. To show how strict we were supposed to be, I had to have my usual shave one day, and my cabin was on the after poop deck, and our bathroom was down between decks. To go to the bathroom we passed the galley where we got our hot water. I got my shaving mug, and as I was going down the companion-way I passed the skipper. He wanted to know what I was doing with the mug, and I told him. He said, "You are going to upset the tone of the white people on this ship. You must call your native boy and see that he gets your water." I said, "I was passing the place." He said, "That does not matter."

Later one of our stewards died and the problem of burying him arose. These people, because of their religion, wanted to keep the body and take it to port, but under our orders we had to bury him at sea, and the problem was how to do it. They told me that if I liked to bury him I could do so, but under one condition, namely, that there were to be no other white men in the vicinity. The body was put on the deck and the ship was stopped. The lascars made sure that there were no other white people about. The dead man was stitched up in the canvas, tilted on the hatch and tipped into the sea.

What I am trying to work around to is that these natives always feared the whites, or, as they used to say, "the big boss." When we arrived in Bombay I met a Parsee officer who said to me, "If the doctor could skin me and make me white, I would let him do it." I think every man knows what happened in India. That country has suffered from plagues, famine, etc. I spoke to a certain white doctor in Bombay and asked him whether the diseases could be cured or the famines averted, and he said, "These things provide a good way of pruning the nation." I said, "What, the loss of hundreds of thousands of lives!" He replied, "Yes".

Coming to our own natives, I feel that we in this House have to be humane and do something for them. We have nearly 21,000 full-bloods and half-castes, and it is up to all members of Parliament to do their best for them. We can pass all the Acts we like, but if we have not got the general public behind us, the legislation will never be carried out. For several nights now we have debated this question, but only a few people have come into the gallery to listen. The number, indeed, is very few when we consider that the population of the city is 300,000.

Apparently we have very few people who are interested in the native population. Between now and the next session a committee should be formed to study the native problem. This should be done whether the Bill passes or not. These people never had their choice in coming into the world. We are lucky to be born

white. These unfortunate people never had the pick. They are unfortunate to be born black.

The Minister for Housing: What is unfortunate about being born black?

Mr. NIMMO: Because most members of the general public look down on the blacks.

The Minister for Housing: I have seen more looking down by Liberal politicians.

Hon. Sir Ross McLarty: You are up to your party politics again. Your troubles about the natives! You are looking for party political advantage.

The Minister for Housing: You want to fight the battle of Pinjarra over again.

Hon. Sir Ross McLarty: I want to keep your rotten mind clean, if I can.

Mr. Rhatigan: The legislation is causing the trouble.

Mr. NIMMO: The member for Kimberley has made the point that I am getting at. Let us form a committee to go into this matter in order to try to solve the problem.

The Minister for Lands: Let us pass the Bill first.

Mr. NIMMO: It does not matter whether the Bill passes or not.

The Minister for Lands: It is not a bad idea.

Mr. NIMMO: This committee should endeavour to find out whether we can do something for these people in the way of housing, education, and some kind thought. I have only had about two or three native families in my district. In one instance there was a woman who had three children. This was at North Beach. When I visited her, she poured out all her troubles. She did not have a very good opinion of the whites, and I wondered at the time whether all the native people, half-castes and full-bloods thought the same as she did about us.

That woman, who lived in a tent of about 12ft. x 14ft., had three children. There was no water or other convenience at all, yet she kept them spotless. They attended the North Beach school and were doing a marvellous job. I understand that woman now has a home, and, as far as I can find out, she is very happy and is making good. Another family was there, and I went to see them. As soon as the woman saw me coming through the bush—I suppose she thought I was a policeman or private detective or something—she went into the tent and came out with a card to say that she was a full-blood aboriginal, and her hand was trembling. I said, "What is wrong?" Then she opened her heart and said, "There is a lot wrong. You people have no time for us."

Should we tell these people whether they should have citizenship rights or not? I believe that every one of them should have citizenship rights. I know that a lot of people would abuse me for saying that, but God only knows these people are human; they have feelings; they have souls, and why should not they have citizenship rights?

The Minister for Housing: Hear, hear!

Mr. NIMMO: If the Minister selects a committee to go into the problem between now and next session, surely to goodness, with all these associations that are trying to do something for these people, we will be able to get somewhere with the problem. If we go on at the rate we have been progressing, what will happen in the next 50 or 60 years? We will be in the same position as we are today.

Members have spoken about these people boozing and about how many of them have been up before the court. If a policeman sees a native in any way affected by drink, he is arrested; but probably in the next street there are five or six Australians who show signs of having consumed a large quantity of liquor, and they are not arrested. However, I appeal to the Minister to appoint this committee to see if something cannot be done to overcome the problem.

I have been to various parts of the world, South Africa, America, and even some parts of Russia, and I could tell members about the natives in those places. I think I am about the sixteenth or seventeenth speaker on this subject and I am sure members have heard enough. I make my last appeal to the Minister to appoint this committee, because that is one way in which we will be able to help these people.

MR. HEARMAN (Blackwood) [10.47]: I am well aware, along with other members, of the public interest that has been aroused in this question; but I am afraid that many well-meaning people in this State, and a good many members of Parliament, have very little actual experience and knowledge of the native problem as it exists in Western Australia today. For that reason I think members, and the general public, should be wary in their approach. It seems rather anomalous that people who are solicitous of the welfare of our own natives, and who are suggesting that they should all be made citizens—

Mr. Ackland: They have not any experience of the problem.

Mr. HEARMAN:—are the same people who agree whole-heartedly with the White Australia policy. As I understand that policy, the idea is to keep from our shores the coloured races. Therefore, it is rather paradoxical that, on the one hand, our own half-castes should be regarded as being completely fitted for citizenship

rights, and, at the same time, the people who suggest that subscribe to the White Australia policy! I do not wish to go into the question of a comparison of our natives with those of other countries.

There are some people who say that our natives are not superior tho those of other countries, but my view is that it does not matter whether a man is black or any other colour; many of them can do things as well, or at times, better than any white person. Like the member for Wembley Beaches, I had considerable experience of coloured people during my service career, and I have no allusions in that direction. I do not know whether it is the intention of the present Minister or the present Government to modify the White Australia policy.

Mr. Norton: What is meant by the White Australia policy?

Mr. HEARMAN: I thought I mentioned that earlier. In any case, does the hon. member suggest that the White Australia policy is completely consistent with his approach in this matter?

The Minister for Housing: Absolutely.

Mr. HEARMAN: I would like the Minister to go on the hustings and say that.

The Minister for Housing: I have.

Mr. Ackland: The Minister would open the door to all Asiatics?

Mr. HEARMAN: There are not many natives in my electorate, and there is very little trouble with the few that we do have. Occasionally drink leads to a certain amount of trouble, but I think that can be laid at the feet of certain irresponsible whites just as much as the natives. The coloured people there do a certain amount of work, but, generally speaking, I do not think they are held in high regard. I have had no representation from anybody in my electorate as regards this problem of native affairs.

The Minister for Lands: You have not overlooked the fact that they were born here, have you?

Mr. HEARMAN: I have not necessarily overlooked that fact, but I do not think it has anything to do with my having received any representations from my electorate.

The Minister for Lands: I was referring to your previous statement.

Mr. HEARMAN: I said earlier that I knew that this question was in the public eye, and, while in Broome, I made some efforts to discuss with people there, who know more about natives than I do—and have had a lot more experience of them—the question of native welfare generally, and, in particular, the question of citizenship rights. I found that by and large people in that area regarded the idea of increasing citizenship rights for natives as something in the nature of a joke; they

did not accept it seriously. It was difficult to pin anybody down to a serious discussion on the matter. To their way of thinking, it seemed fantastic.

Mr. Rhatigan: How long did you spend at Broome?

Mr. HEARMAN: Not long; about 14 days, as the hon. member well knows. I am not suggesting that I am an authority on this question, but the average person in Broome is not in favour of increasing citizenship rights for natives.

Mr. Rhatigan: I would not agree with that either.

Mr. HEARMAN: I would not expect the hon. member to agree with me. He knows perfectly well—

Mr. Rhatigan: You speak for yourself; I can speak for myself.

Mr. Ackland: You will speak for your machine.

Mr. Rhatigan: I will not; I resent that remark.

Mr. HEARMAN: I express my opinions, and although the member for Kimberley does not agree with them, I shall not worry unduly about it. While I was in Broome I discussed this question with people whom I thought might know something about it, and I was very much impressed with the schools for half-castes and native children run by the Roman Catholic sisters, and particularly by the school run by Sister Ignatius. She is doing a good job for these people. The Minister for Works also visited that school and was most laudatory in his remarks.

While there, I discussed with Sister Ignatius this problem of citizenship rights, and I asked her views on the subject. She was very definite that if a person was left until he was 21 before anything was done to help him, it was too late; the dies had been cast by that time, and she suggested that if children could be put into schools at an early age—say about seven or eight—and educated and brought up in the same way as the children in her school, they could take their place as citizens of this country. But she thought there would be no advantage to the coloured population or half-castes if we merely gave them citizenship rights without their having the background to accept the responsibility associated with it.

In saying that I would suggest that her view was completely consistent with the view that is held by so many educationists; if we do not get the children at an early age, nothing can be done. Obviously, if a person is to accept the responsibilities of citizenship, he must be aware of his responsibilities and measure up to them. It is the training he has received as a child that will make or break him in that respect. I do not think it is of any great advantage to thrust citizenship rights on to anybody if he is not fitted to accept

them. The present law does provide for people to apply for citizenship rights and they can be granted. It is not restricted to half-castes or people like that, because a full-blood aboriginal can become a citizen.

The Minister for Native Welfare: Did you apply for citizenship rights?

Mr. HEARMAN: I do not think I am a full-blood aboriginal. Is the Minister trying to be insulting?

The Minister for Native Welfare: No.

Hon. A. V. R. Abbott: It might not be such a bad idea, if everyone had to apply.

Mr. HEARMAN: I am not suggesting that there should be any restrictions on coloured people or anything to prevent them from getting citizenship rights; but I do suggest that the people to whom we extend the privilege should be in a position to accept the responsibility entailed. I do not think there can be any serious quarrel with that idea, and it is consistent with the views expressed to me by people who have made a life-time study of this problem.

If a foreigner enters this country and wishes to become a citizen he must reside here for a stipulated time and, although that time has recently been reduced, it used to be 20 years. After that he must apply to the Federal Attorney General for the granting of naturalisation. He has to advertise the fact that he intends to apply for naturalisation and must give particulars of his length of residence in Australia and his place of birth. It is then open to anybody to object to the granting of naturalisation.

Mr. Norton: But he was not born in Australia.

Mr. HEARMAN: If that objection is upheld the person who applies for naturalisation is simply refused. No reason need be naturalised, and, in actual fact, it is a more arbitrary set-up than we have at present with our coloured people when they apply to a magistrate for the granting of citizenship rights. They can argue the case before a magistrate and if anybody wants to object, he can do so openly.

Mr. Norton: Only a magistrate?

Mr. HEARMAN: Certainly an amendment was passed last year to provide for certain nominees on the board and the question of whether it is more difficult for a native to obtain citizenship rights is a moot point.

Mr. Rhatigan: It is not as easy.

Mr. HEARMAN: The reason for the additional representation of the road board nominee—

The Minister for Lands: You are making hard work of this.

Mr. HEARMAN: These interjections are rather casting a slur on the nominees of the road boards. It is apparently assumed that every nominee of a road board is not in sympathy with the native, and he is put there to be difficult. All these interjections infer that every road board is unsympathetic. If that is the inference to be drawn from these interjections, then the House must take that into consideration. I suggest that the member for Kimberley, who did so much interjecting, would be very reluctant to go to any of the road boards in his electorate and tell them that they are completely opposed to the rights of the natives. I understand the hon. member has the right to make a speech if he so desires.

The idea behind the extra nomination was that in this case it is not so much a matter of a point of law being decided as a matter of judgement of the suitability or otherwise of the applicant concerned. The assumption that all these nominees of road boards are necessarily biased and unenthusiastic and, in effect, dishonest—which we may infer from those interjections—is most unfair and unworthy. I do not know why members are so ready to make these interjections and inferences.

We are a European community; we even place restrictions on other Europeans before granting them equal citizenship with ourselves. It does not seem to me that there is any particular objection to the idea of doing the same with the natives because, as I pointed out earlier, it could be doing them a disservice to thrust on them a responsibility that, in some cases, they possibly do not want, or are not able to accept.

I also point out that under our present legislation there is certain protection for a lot of these people which they would not get if they became citizens. That is an aspect that must be considered. I do not know what particular benefits a number of these coloured people will obtain, nor do I know whether they want them or not. For instance, I do not know whether they want the franchise or not. On the question of drink we are restrictive with our own people. For instance, it is possible for a lad of 18 or 19 years to join the Defence Forces and be sent overseas, but we do not give him any additional privileges with the right to enter hotels; he still has to wait until he becomes 21 years of age.

To my mind, the ultimate solution of the native problem will be one of assimilation. But we, as a community generally, are not ready to assimilate the natives as other white communities are in other countries. If we are not prepared and ready to assimilate them, then I think the step we should be taking, before going all out in extending citizenship, should be one of getting to work

on our own population and educating them in the way of assimilating the natives. I believe the problem associated with the assimilation of the Australian native is not nearly so difficult as it is with some other coloured people. That seems to be the sounder approach.

I know of a particular family in my electorate—I will not mention names—that is being assimilated into the community quite satisfactorily without any restrictions on colour. It only goes to show that where the natives can accept the responsibility, the community will accept them. If the community does not consider that the natives are fit to accept the responsibility of citizenship, then it will not accept them.

The Minister for Lands: You would not do anything in the meantime to help them.

Mr. HEARMAN: I did not say that.

The Minister for Lands: You are talking like that.

Mr. HEARMAN: The Minister for Lands is trying to put words into my mouth. I do not think that is fair, just as I do not think one or two of the interjections have been fair. We have to accept the fact that we subscribe to a White Australia policy. If we regard that policy as sound, then we must regard it as sound for all coloured people. If we do not think the principles are sound in the case of our own people, then to be logical we should say it is not sound as it relates to other coloured people.

The Minister for Lands: I think you have convinced yourself that you are wrong by this time.

Mr. HEARMAN: I do not know a great deal about the natives, but I have discussed these things with people who are in a position to know better than I do, and certainly in a better position than those members interjecting. I shall be guided by what these people have told me.

THE MINISTER FOR NATIVE WELFARE (Hon. W. Hegney—in reply) [11.7]: I do not intend to indulge in an extensive reply to all that has been said in this debate. First of all, I would like to express appreciation to those members who have so enthusiastically supported the measure and to say that I appreciate the remarks of some of those who have opposed it because of certain convictions they hold.

In some instances, however, it is difficult for me to be convinced that these convictions are genuine. I have examined the attitude expressed in the various speeches in opposition to the Bill very closely, and to make a precis of their viewpoints and to concentrate their remarks, they relate firstly to the question of drink, and, secondly, to the fact that a certain number of people born in this State will

be entitled to a vote. Summed up, those are the main points advanced by the members who opposed the Bill.

I suggest that the average person would be inclined to consider that the matter of drink that has been raised is only a red herring drawn across the path. The clause relating to the prohibition of drink has been in the Native Administration Act for many years, and although I hope it will be removed by this measure, there will still be certain restrictions in the Licensing Act. I would also like to draw the attention of members to page 219 of the Standing Orders where the provisions of Section 14 of the Interpretation Act apply. As there is no reference in the Licensing Act to the Native Administration Act, that clause in the Licensing Act, I am advised, will still continue to apply.

Hon. Sir Ross McLarty: That would not be worth the paper on which it is printed.

The MINISTER FOR NATIVE WELFARE: The Leader of the Opposition interjects; his contribution to the debate was, to my mind, a very weak one indeed.

Hon. Sir Ross McLarty: I would expect you to think that.

The MINISTER FOR NATIVE WELFARE: I am not concerned with what the hon. member expects me to think; I am merely expressing my opinion. But since the hon. member has interjected, I would like to invite any member to examine the remarks of the Leader of the Opposition. I feel sure he will come to the conclusion that most of his remarks refer to a certain men being able to get a drink. I will not quote in toto the remarks of the Leader of the Opposition, but will refer to one of them a little later on. The restrictions in the Licensing Act will continue to apply.

Hon. A. V. R. Abbott: They are very embarrassing.

The MINISTER FOR NATIVE WELFARE: I am merely saying what is a fact, and what I have been advised, namely, that the provisions in the Licensing Act will still continue to apply. If this Parliament is to impose any restrictions on any class in the community, then the Aborigines Welfare Bill is not the place in which to do it. That is what has prompted me and the Government to remove those restrictions in connection with the Licensing Act and the prohibition of drink from a measure like the Aborigines Welfare Bill.

Hon. A. V. R. Abbott: Do you think any restrictions should go into any other Acts?

The MINISTER FOR NATIVE WELFARE: Yes, if any are imposed, and there is one in the Health Act. There are certain restrictions in the Native Administration Act which it is proposed to remove; these concern the compulsory

examination of natives, because there is ample power in the Health Act to deal with the position. The difference between the Electoral Act and the Licensing Act is that all those people over 21 years of age will, under this Bill, if it is passed, no longer be regarded as aborigines under the law.

They will be entitled to the franchise, because under Section 18 of the Electoral Act, in regard to claims for enrolments, reference is made to the Native Administration Act. If we turn to Section 14 of the Interpretation Act it will be seen that automatically the altered definition of aborigine will apply to the Electoral Act. So there is a difference between the Licensing Act and the Electoral Act. I was astounded by one remark, amongst others, that I heard. I think it was made by the member for Maylands. He said that this Bill will give certain people of the State the right to vote, that is all.

Hon. A. V. R. Abbott: I did not say that.

The MINISTER FOR NATIVE WELFARE: I did not say the hon. member; I said it was the member for Maylands who made that remark. Anybody who has read the history of Britain or the history of any part of the British Isles, or of our own Australian Commonwealth, will realise the struggles and the fights put up for the right to vote. Have members not heard of the Reform Bill of 1832, or of the history of the Scottish miners where, in the last century, they were regarded as slaves and treated as dogs? Does not the member for Maylands realise what the vote symbolises?

Suppose the right to vote were taken away from the member for Maylands and those who oppose the Bill. What would they think? They would begin to realise the value of citizenship, and the value of the vote. Men have been gaoled for demanding the right to vote; men have been victimised in this country for demanding that right. We have heard of the work that has been done by the missions. They have been doing a good job of work and have been educating the people for many years; they have been educating the half-castes and the full-bloods, and many have reached the ages of 21, 31 and 41 years. But they are not entitled to the rights of citizenship unless they make some application and are approved by a magistrate and a member of a road board.

The member for Harvey was very forthright—and quite rightly; I agree with his remarks—with regard to the valuable work of the missions. He said they were doing a wonderful job in educating these people. The logical question that arises from that is this: If they have been educating the natives and raising their spiritual and moral standard, why debar the natives from the rights of citizenship? Why not

extend to them the same right as the hon. member enjoys; the same right as every person born of white parents possesses in this country? Is that illogical? Is it extravagant to ask that that should be done?

Hon. A. V. R. Abbott: Do you not have to do that economically as well?

The MINISTER FOR NATIVE WELFARE: We will turn to that later.

Hon. A. V. R. Abbott: You will by-pass it.

The MINISTER FOR NATIVE WELFARE: We will turn to it later.

Hon. A. V. R. Abbott: I do not think you will.

The MINISTER FOR NATIVE WELFARE: I am dealing with the question of citizenship. I was amazed to hear speakers against this Bill say that all these people will get will be the right to vote.

Mr. Manning: And get fined if they do not.

The MINISTER FOR NATIVE WELFARE: I reiterate what I said some time ago—that throughout the Commonwealth there are laws on our statute books making it compulsory for the white people of Australia to exercise the rights of citizenship. Compare the percentage of votes in a Legislative Council election in this State with those of a Legislative Assembly election.

Because there is compulsory voting for the Legislative Assembly, 91 per cent. of the people on the roll vote, and I think I am right in saying that the percentage in regard to the Legislative Council is nearer 35 to 50 per cent. Yet we have people criticising those whom we are trying to uplift, and to whom we are endeavouring to extend the rights of citizenship; we have people saying that the natives do not realise their obligations and responsibilities!

We have to make a start somewhere. The member for Stirling did not say it himself, but he stated that somebody else had said I was theatrical in my speech. I do not think I was. I was not theatrical, either. I tried to be practical and will try to be so all through in this business. I am not so idealistic as to believe that no matter what legislation is placed on the statute book, the problem will be solved tomorrow; but I do think that the people to whom I am referring should have extended to them the same rights as we possess. That is all we are asking.

So far as the drink aspect is concerned, I think that in some instances that has been exaggerated. I will not say that every person who is regarded as a native today would sign a temperance pledge tomorrow; but I believe that if these people were given the right to drink, without having to rush it down, or to drink behind corners or in lavatories, the evil

might be minimised. Do not forget that there is an old saying that nothing so badly needs reforming as other people's habits. These natives have had their example from the whites over a long period of years.

The Leader of the Opposition said they are thriftless people. It is true that they were nomads when the first whites landed in this country, but they have not had a fair spin over a long period of years because, as the member for Wembley Beaches said, of the existence of a colour prejudice all the time. I invite every member closely to examine his conscience, and ask himself whether he has looked at this problem from a humanitarian and Christian point of view, or from the angle that he is so much superior to these people. Has he adopted the attitude of the Pharisee rather than that of the Samaritan? That is what we have look at. As I have said before. I am not going to say that the problem will be solved overnight, but I certainly think we should bring a little christian outlook to bear on the question.

Let us deal with the matter of the missions. The member for Katanning and the member for Harvey, and all those who spoke against the Bill, and those who spoke in favour of it, indicated that missions had done a wonderful job. I said that when I introduced the Bill, and I have some knowledge of what the missions of all denominations have done for this sub-economic and weak section of the community. The member for Harvey made a statement that if the Bill were passed the missions would be wiped out. He was solicitous for the welfare of the missions and was afraid that if this Bill became law the boys and girls for whom the missions care would no longer be regarded as natives, and consequently there would be no subsidy for them from the Government.

He mentioned that some of the missions were rather perturbed about the position. I want to assure the hon. member that he and they need have no fears whatsoever; because these children will still be the same boys and girls, and the Government will have the same obligation and will face up to it to care for and protect these folk, and will see that the missions are helped and encouraged to the fullest extent.

I put it to the hon. member that we should do something from the humanitarian point of view; and at any cost I will try to keep politics out of this debate. Recently the matter of increased subsidies to the missions was discussed by the Government and increases were granted. The missions are receiving them now, and the amount they are getting is the average being paid by the various State Governments to white children. The member for Stirling knows that he was instrumental in having the subsidy for white children in this State increased to 30s. 9d.

I have no hesitation in saying I think that if children are not to be regarded as black, they should get that 30s. 9d. the same as white children. That is honest enough. I will say further that we will continue to help the missions in every possible way.

Mr. Manning: Which department?

The MINISTER FOR NATIVE WELFARE: Either the Child Welfare Department, or that department in liaison with the Native Affairs Department. That is a matter of minor administration. The same applies to the point raised that if tomorrow the responsibilities of citizenship are thrust on a number of coloured people they will pass through a transition period. That is a matter the Government will face up to and if necessary, more protection will be granted to them. So there will be no danger whatsoever. I want to reiterate to the hon. member, and to those others who have misgivings with regard to the attitude of the Government towards missions, that there are no grounds for their fears.

The matter of the native medical fund was mentioned by the member for Nedlands. A reference to the Bill will show that it is proposed to bring these people under the provisions of the Workers' Compensation Act. From inquiries I have made, I have discovered that there is an officer of the department who does nothing else but keep accounts in connection with the native medical fund, and travelling welfare officers spend a lot of time on this matter.

There has been reference to the difficulty chemists and doctors have in securing payment for their services to natives. Employers pay into the medical fund to provide for natives. The natives leave in a couple of months' time and fall sick, and there is nobody obliged to pay their medical and hospital expenses. That has been a rather unsatisfactory aspect of the administration of the Native Affairs Department. I have found that out since I took over this portfolio. It is suggested that if these people come under the provisions of the Workers' Compensation Act, it will be the responsibility of the Government to see that indigent or unemployed natives receive necessary medical and hospital attention.

Hon. A. V. R. Abbott: Do you intend to amend the Workers' Compensation Act?

The MINISTER FOR NATIVE WELFARE: No. Under Section 37 of the Native Administration Act, if an employer of native labour pays so much per head into the native medical fund, he is absolutely absolved from the provisions of the Workers' Compensation Act. With regard to the permit system, there was a case the other day of a well-educated young fellow of 19 who refused to be employed under a permit. His prospective employer could not engage him unless he got a permit,

because, if he had done so, he would have breached the provisions of the Native Administration Act. That sort of thing may have been all right 50 years ago, but it is absolutely outmoded today. Following these provisions of the Bill, members will see the need for repealing a number of the sections of the present Act, such as those relating to permits.

I will not be personal, but I regret to say that I think the member for Moore demonstrated almost unbridled hostility to the provisions of the Bill, instead of approaching the matter in a rational way, and making some effective contribution to the debate. It took him all his time to prevent himself from decrying our native race to the greatest possible extent.

Mr. Ackland: There is nothing further from the truth.

The MINISTER FOR NATIVE WELFARE: He began by asking why the Minister had not introduced a completely new Bill instead of repealing and amending sections of the present Act. He said members did not know where they were. Suffice it to say that we gave very serious consideration to the question of whether the Act should be amended or whether a completely new measure should be introduced. The matter was referred to the Crown Law authorities, but Cabinet made the decision and it is Cabinet's responsibility. I do not want to place the responsibility on the Parliamentary Draftsman, the Crown Solicitor, or anybody else.

This measure was decided on because so much of the present Act has been retained, and because it suits members better to read the proposed alterations in conjunction with the existing Act. The historical growth and development of the legislation is preserved in the one measure. I suggest that it is much easier for members to get the amending Bill and read it in conjunction with the present Act than have a completely new measure and have to refer to the Native Administration Act. That is the explanation for introducing these amendments to the Act instead of a completely new Bill.

The member for Moore said drunkenness would be prevalent and that the police force would have to be doubled. I have examined closely the records of convictions of natives and a copy of the report of the Department of Native Affairs is available to members. It will be found that 80 per cent. or more of the misdemeanours for which these people have been convicted involved the receiving of liquor or supplying it. I suggest that this crime—if it can be called a crime—is a minor one in comparison with many offences committed by white people. Where a native is charged with receiving liquor he is often sentenced to a month's gaol, but what sentence does a white man get?

Mr. Ackland: He should get two months.

The MINISTER FOR NATIVE WELFARE: But he does not. How many educated white people are charged with drunken driving, stealing and many other crimes? When a man who has not had a fair start in life, because of his colour, commits some misdemeanour, it is blazoned forth in the Press and we are told that, as a general rule, such people are not entitled to be regarded as citizens. I know that occasionally the same man commits the offence more than once but no one can tell me that these misdemeanours are very serious compared with offences committed by certain other sections of the community.

All this measure does—with all its weaknesses—is to make a start at removing some of the more repugnant provisions of the Act and the restrictions that have been imposed on these people over many years, in an endeavour to uplift them and help them to be assimilated into the community. I realise that education and instruction in hygiene and health matters are necessary, as is housing also.

Since being appointed to this important portfolio I have been in constant touch with the Minister for Housing. I do not intend to make wild promises, but I think I can say, with a fair degree of accuracy, that we propose in the next six months to build no less than 20 homes in which we intend to place selected native families, to begin with. As time goes by, if it is practicable, as I think it should be, the number of such homes will be increased progressively.

Mr. Yates: In the metropolitan area?

The MINISTER FOR NATIVE WELFARE: We hope to build a few in various parts of the State.

Mr. Ackland: Build some in Mt. Hawthorn, for goodness sake.

The MINISTER FOR NATIVE WELFARE: I would not mind doing that. I think anyone who tries to do something for his fellow-man whose skin may be darker than the average is endeavouring to do a reasonably good job.

Mr. Hutchinson: On what basis will you select those to go into these houses?

The MINISTER FOR NATIVE WELFARE: On the basis of family and comparative desirability. There are certain features adopted by the State Housing Commission, and attention will be given to various aspects of the matter.

Hon. Sir Ross McLarty: You are to be commended for that.

The MINISTER FOR NATIVE WELFARE: The Housing Commission does not give every white applicant a dwelling.

Mr. Hutchinson: Will there be a priority list?

THE MINISTER FOR NATIVE WELFARE: Yes. Members will appreciate that a number of homes will be required. I think members opposite who spoke either for or against the Bill recognise that a start must be made so that the younger generation of these people will have a better chance than did those who preceded them.

Hon. V. Doney: On what basis will the houses be given to them?

THE MINISTER FOR NATIVE WELFARE: Probably on a rental basis such as applies to most Housing Commission homes.

Mr. Bovell: If you provide houses and have these people trained in the right way, it may be successful.

THE MINISTER FOR NATIVE WELFARE: I think the member for Stirling will agree that the time to do something is not in 10 or 15 years, as he said, but now. I hope members will approach the Committee stage of this measure in all sincerity. If later it is found that some aspects of the legislation need modification, I think the Government will be found receptive enough to consider making any necessary amendments.

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

Ayes	.....	32
Noes	.....	10
Majority for	.....	22

Ayes.

Mr. Abbott	Mr. Ross McLarty
Mr. Andrew	Mr. Molr
Mr. Doney	Mr. Nimmo
Mr. Graham	Mr. North
Mr. Hawke	Mr. Norton
Mr. Heal	Mr. O'Brien
Mr. J. Hegney	Mr. Oldfield
Mr. W. Hegney	Mr. Rbatigan
Mr. Hoar	Mr. Sewell
Mr. Hutchinson	Mr. Sleeman
Mr. Jamieson	Mr. Styants
Mr. Johnson	Mr. Tonkin
Mr. Kelly	Mr. Watts
Mr. Lapham	Mr. Wild
Mr. Lawrence	Mr. Yates
Mr. McCulloch	Mr. May

(Teller.)

Noes.

Mr. Ackland	Mr. Manning
Mr. Court	Mr. Nalder
Mr. Hearman	Mr. Owen
Mr. Hill	Mr. Perkins
Mr. Mann	Mr. Bovell

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Guthrie	Mr. Brand
Mr. Brady	Mr. Thorn
Mr. Nulsen	Dame F. Cardell-Oliver

Question thus passed.

Bill read a second time.

To Refer to Select Committee.

HON. A. F. WATTS (Stirling) [11.40]: I move—

That the Bill be referred to a select committee.

I voted for the second reading just now, believing that the provisions of the measure require a great deal more examination and that under the Standing Orders and practices of this House, it was both desirable and necessary that the second reading should be supported in order that further inquiry might be made.

In the course of his reply, the Minister stated that I had said during the debate on the second reading that we should do nothing in this matter for 10 or 15 years, but I said nothing of the kind. I said we should do things in the intervening 10 or 15 years, by which time the provisions of this Bill might be satisfactory in their operation, but that there were a number of things which should be done in the interim. The situation is that there are many matters which, in my opinion, are necessary to be inquired into but which have not been referred to the Minister or anyone else, though they are to be found in the Bill.

It is well known that there is a limited time within which one must express one's views on these subjects, and all I dealt with on the second reading was the three problems of the definition of "aborigine", the question of the repeal of the provisions concerning the supply of liquor as they appeared in the Native Administration Act heretofore, and the desirability of extending the provisions of this Bill not only to full-blooded natives but also to the coloured people of less than half-blood, insofar as the Minister by this Bill is allowed to acquire land and develop it for the occupation and use of aborigines, as they will be known if the Bill becomes an Act.

I still think those three matters are all of major importance and I believe that as this Bill is worded it would, if it came into operation, at one swoop take from under the supervision and protection of the Native Welfare Department all those of less than full-blood, which is at least 90 per cent. of the total in the South-West Land Division of this State. I thought it was not desirable in that hasty way and without any transition period, for that to be done, even if one were to admit the genuineness and desirability of the ultimate intentions of this measure. I thought that neither the white people nor the coloured people of the South-West Land Division, in particular—I said I could not judge the position in the North because I had little or no experience of it—were ready for this sudden transition from the existing state of affairs to an entirely different state of affairs, without certain essential actions having been taken in the meantime.

Those essential actions include the provision of suitable habitations to a number of people which, as I said, have been delayed on account of the unprecedented demand for accommodation because of the very rapid increase in the population of the State in the last five or six years, and which accommodation could not meet the demand of the people who are accustomed to dwelling in established houses.

Then again, I introduced the question of the necessity for the establishment of more missions where these people congregated in the South-West Land Division before this complete transition from one state of affairs to another could take place. I think I concluded by observing that I hoped the Minister would consent to postponing this measure in order that further consideration might be given to it. Further consideration should be given to it by the best brains in both Houses of Parliament so that we might finally reach a state of affairs and introduce a piece of legislation to which everybody could agree; to which there could be no objection by any responsible section of the community and which would, in the ultimate, solve the problem which I have no doubt the Minister desires to solve.

In matters of this kind, when one has a genuine desire to do something of service and yet is unable to specify, of his own knowledge, exactly the best method by which that service may be rendered, it has been for years past the practice to refer such things to a select committee because there are opportunities for bringing before members entrusted with the inquiry the most knowledgeable persons in the community, who are not only departmental officers but also those outside the department; not only those who are in favour of immediate action such as is now contemplated by this Bill, but also people who consider that such action should be postponed or delayed, as the case may be.

Every aspect of the problem and every point of view could be closely investigated by a committee representing both sides of the House, and I have no doubt, as very often has been the case in the past, that something would be introduced and recommendations would arise from the inquiry which finally would probably receive the unanimous, or almost unanimous, support of members in both Houses of Parliament. I submit the suggestion for the reference of this proposal to a select committee with the best possible intentions, not with the idea of preventing any alteration in the existing law; far from it, but with the idea of ascertaining what amendments are most desirable and when they should become desirable; what are the right things to do in order to better both the understanding of the white population on the really important aspects of this problem, and also to educate and improve the standards of

the other sections of the population concerned in this matter so that they might be ready in a short space of time to accept the place in the community which the Minister apparently thinks should now be suddenly thrust upon them.

Those are the reasons why I suggest the appointment of a select committee, because I am certain that in the ultimate result Parliament will not think, nor will the people of the State think, that this Bill is a satisfactory solution of the problem. They want a solution of it, which is just as intricate as any other which has been the subject of a conscientious inquiry by a select committee and which I think members of a select committee, if appointed, would certainly make.

There are one or two comments I would like to make in addition to those which have been well ventilated and to which in the last few minutes I have made only slight reference, and on which we should also make some inquiry. These are some of the matters to which the Minister in his two speeches on the subject has not referred. Yet they are, I would suggest, considerably important particularly in the absence of any sound explanation of why they are included in this measure.

In the Bill there is a proposal to abolish what are known as native courts. The provision for native courts was inserted in this legislation by Section 64 of the Act no longer ago than 1936. That would be in the days when either Mr. Collier or Mr. Willcock was Premier of this State, and therefore, I believe, when Mr. Coverley was Minister for Native Affairs. That section provided for a native court and, among other things it was supposed to take notice of was this—

Every such court shall have exclusive jurisdiction in connection with the trial of any native for any such offence and may, in considering any charge which is made against a native, take into account in mitigation of punishment any tribal custom which may be set up and proved as the reason for the commission of the offence.

If it becomes an Act, the Bill will limit the operation of the Act to full-blood aborigines, and in consequence will control only them, among whom are included to-day the substantial number of tribal natives who still remain in the outer areas of the State.

Yet the Bill proposes to abolish the native court which is asked, in coming to its judgment, to take into consideration the tribal customs, if any, in mitigation of the offence. I ask myself, as I am sure everybody in this House this evening will ask himself, that if this measure is to become an Act and its operation is to be confined to the full-blood native, why should Section 64 of the Native Administration Act be repealed by this measure? That is one question I should like to have answered, because I doubt very much its wisdom.

Certainly the reason for the section when it was passed, and as far as I can see up to the present, is completely obvious.

There is another provision which this Bill proposes to repeal; that is Section 40 of the Act, which provides—

It shall not be lawful for any person, other than a superintendent or protector, or a person acting under the direction of a superintendent, or under a written permit of a protector, without lawful excuse, to enter or remain or be within or upon any place where natives are camped or where any natives may be congregated or in the course of travelling in pursuance of any native custom.

Once again I ask myself why Section 40 should be removed from the Act in view of the fact that the Bill is intended to bring the law into a state where it will apply only to full-blood natives? I take it that in the outer areas of the State, where natives congregate in the manner referred to in that section, it still will not be desirable for any white person to frequent promiscuously the places where natives are, because the results might be detrimental to the native population in the first place as well as to the white people in the second, particularly if the white people concerned were of a type who should not be encouraged; which is quite possible.

Yet we have been given no reason why that section should be repealed, especially in view of the circumstances that, while its repeal might be desirable in the South-West Land Division where there are practically no full-blood or tribal natives, it does not appear to me to be desirable in areas where those people are more likely to abound.

I would like to have expert information on this subject, not only from officers of the Native Welfare Department but also from others, on the reason why this proposal should be more worthwhile than the existing provision which is to be excluded from the Act. Presumably, the provision in the Bill proposes to abolish the embargo on the sale of liquor to natives provided under the Native Administration Act and leave this aspect to be covered by Sections 150 and 152 of the Licensing Act.

We find that while the Native Administration Act refers to these people as natives, the Minister's Bill refers to them as aborigines and the Licensing Act refers to them as aboriginal natives, so they are neither one thing nor the other in the two measures we are supposed to be considering tonight. Proceeding to Section 152 of the Licensing Act it is found that it reads as follows:—

... and the court adjudicating upon any complaint may, in the absence of other sufficient evidence, decide on its own view and judgment whether any person, with reference

to whom proceedings are taken under the Act is or is not an aboriginal native.

Despite the definition that is in the Bill, or despite the definition in the Native Administration Act, if it remains the same as it is today, neither of those will affect the definition in the Licensing Act as to who is a native. It will be left to the decision of the court that happens to have the case brought before it.

The proper way to have gone about this would have been to have introduced amendments to the Licensing Act coincidental to this measure so that they might have been dovetailed and a reasonable piece of legislation, which would be quite clear to everybody and, above all, clear to the courts, would have been placed upon the statute, but that has not been done. As I said earlier in this debate, I am satisfied that the Minister in his haste to bring down a Bill has not spent sufficient time in considering the various facets of this measure. I suggest there are many more facets than he or I have spoken on, which are worthy of examination by a select committee.

I have no objection to the abolition of permits for employment—quite on the contrary—for to my mind they have been a thorn in the side of the employer and employee ever since they were invented. They were not a product of mine or of anybody sitting on the parliamentary benches today. They were the subject of more controversy and attempts at disallowance of regulations, as the record would show, than any other piece of legislation which has come before the House.

The Minister of the day, of the same political persuasion as the gentlemen opposite me, was adamant in his determination to have those regulations. No amount of attempts of disallowance by Mr. Boyle, the then member for Avon, would shift him from his base. I have no objection to those regulations for permits being abolished by this Bill. What I do want to know is this: Why are being repealed the provisions in the Act requiring a justice of the peace to certify an agreement that is made between an aborigine and an employer for contract work, to ensure that the native knows what he is doing?

I should have thought that, as the Bill if it becomes law, is going to affect only full-blooded aborigines, it would have been desirable to retain such a provision for a longer period for their protection so that advantage could not be taken of them by an unscrupulous employer making a contract with them. This provision seeks to remove that protection from the law altogether. There are sound reasons why it should remain.

There are a number of other matters to which I could make reference. The major thought in my mind in moving this

motion is to achieve something which would be acceptable to all sections of the community, and which could be put into operation gracefully and satisfactorily even if it took years to bring to fruition. In the meantime, the right method might be employed and improved, and the right teaching availed of and opportunities inculcated in these people. Under the present circumstances, with many of these folk in the South-West Land Division, under the Child Welfare Act many of their children can be put into institutions, being charged as neglected children.

Looking at the Child Welfare Act, there are a number of headings under which an application may be made for an order in respect of a neglected child. One of them is a child who wanders about or frequents any public place, or sleeps in the open air or does not satisfy the court that he or she has a home or set place of abode. Another reason under which an application may be made is that a child is living under such conditions as to indicate that the mental and physical state of the child is likely to be in jeopardy. If natives are withdrawn from the supervision and care of the Native Welfare Department, their children could come under the Child Welfare Act.

If this Bill becomes law, they are going to have absolute equality, so I suggest it should be taken in top gear as well as in reverse. It cannot apply only one way. I believe the Bill is premature and that there is much to be done before it can be brought into operation successfully. I mentioned that the best brains of this Parliament should be assembled to consider, not only in their own knowledge, but also with expert and other evidence that should be sought and tendered, a proper solution of this problem and to place on the statute book something which will be to the credit of the State, unanimously or so virtually accepted by the great bulk of the community.

Without labouring the question, I hope the Minister will concede the suggestion and allow this investigation. If he does I am sure members of the select committee will do their best to render worthwhile service to Western Australia.

On motion by the Minister for Native Affairs, debate adjourned.

House adjourned at 12.7 a.m. (Wednesday).

Legislative Council

Wednesday, 9th December, 1953.

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

ASSENT TO BILLS.

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

- 1, Public Trustee Act Amendment.
- 2, Bank Holidays Act Amendment.
- 3, Returned Servicemen's Badges.
- 4, Declarations and Attestations Act Amendment.
- 5, Fertilisers Act Amendment.
- 6, Companies Act Amendment (No. 1).

QUESTIONS.

ROADS.

As to Federal Assistance for Highway, Northampton-Wyndham.

Hon. C. W. D. BARKER asked the Chief Secretary:

Now that oil has been discovered in the North, will the Government give consideration to making a request to the Federal Government for financial aid for the purpose of constructing a sealed all-weather road from Northampton to Wyndham?

The CHIEF SECRETARY replied:

The position will be examined in relation to the new developments, in order that consideration may be given to making further representations to the Federal Government for additional financial aid to improve road facilities in the North.