

Legislative Council,

Tuesday, 24th September, 1940.

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

QUESTION—STATE IMPLEMENT WORKS.

As to Discontinuance as Trading Concern.

Hon. C. F. BAXTER asked the Chief Secretary: In view of his answer to a question asked last session why the Act to discontinue the State Implement and Engineering Works as a concern under the State Trading Concerns Act had not been proclaimed, and his statement that inquiries were being made, 1, Have such inquiries been made? 2, If so, what were the results? 3, If such inquiries have not been made, why not?

The CHIEF SECRETARY replied: From the point of view of a Labour Government, there is nothing to be gained by proclaiming the Act, and there is a strong possibility that much would be lost. The elimination Act was passed in 1932, during the period of a Government of which Mr. Baxter was a member, and it would be merely conjecture to suggest why the Act was not then proclaimed.

Hon. C. F. Baxter: Probably the Labour Government has some friends in the department.

QUESTION—HOSPITAL, NORTHAM

Hon. G. B. WOOD asked the Chief Secretary: 1, What steps have been taken to increase accommodation at the Northam Public Hospital? 2, What is the extent of the increased accommodation? 3, What is the estimated cost?

The CHIEF SECRETARY replied: 1, Preliminary consideration only so far has

been given; 2, Not yet accurately determined, being dependent on the estimated growth of Northam consequent on the vicinity of the military camps; 3, Temporary structure about £8,000. Permanent structure about £13,000-£15,000.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Introduced by Hon. E. H. H. Hall and read a first time.

BILLS (2)—THIRD READING.

1, Agricultural Products Act Amendment.
Passed.

2, Profiteering Prevention Act Amendment.

Transmitted to the Assembly.

BILL—LICENSED SURVEYORS ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th September.

HON. H. SEDDON (North-East) [4.43]: I do not intend to oppose the Bill. I secured the adjournment merely for the purpose of perusing the measure. However, I would like to ask the Honorary Minister one question, with regard to the number of people who are to constitute the board. I notice that the Bill provides for six members. That seems rather a large personnel. Perhaps there is some special reason for it. At any rate, the Minister in his reply might state whether it is necessary to have six members or whether the work could not be efficiently carried out by a smaller number. I support the measure.

THE HONORARY MINISTER (Hon E. H. Gray—West—in reply) [4.44]: In other States the provision as to membership is something similar to that proposed here. In moving the second reading I explained the measure and touched on this point. It is not considered that six members would be too many. Four of them would be licensed surveyors, and the other two appointed as under present conditions.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—RESERVES (GOVERNMENT DOMAIN).

Second Reading.

Debate resumed from the 11th September.

HON. SIR HAL COLEBATCH (Metropolitan) [4.46]: I regret that I am not able to join in the chorus of approval with which the Bill was received when the second reading stage was reached last Wednesday week. I do not think anyone is likely to underrate the importance of the measure. It is going to have an effect upon the City of Perth for all time. However, I cannot help thinking that the decision we are asked to arrive at is a wrong decision. If anyone suggests that it is an act almost of impertinence on my part to dissent from a report arrived at unanimously by a committee of both Houses representing all political parties, I can only say that the opinions I am going to express are in complete accord with the evidence that was submitted to the committee, and that not one witness who appeared before that committee gave evidence that could in any way be interpreted as supporting the proposals embodied in the Bill now before the House. The committee examined 14 witnesses. Six of these, including yourself, Mr. President, gave evidence that was in no way associated with this particular site; and consequently I make no further reference to the evidence of those six witnesses; but I have read the whole of the evidence very carefully, and of the remaining eight witnesses there was not one whose evidence was in accord with the proposals of the Bill. And in addition to those eight witnesses there were communications from the Royal Institute of Architects and from the Perth Chamber of Commerce, communications which can in no way be interpreted in support of the proposal we are now considering. To members of this Chamber who have not already committed themselves on the matter, I would repeat that the proposal as presented to us is entirely out of accord and absolutely at variance with the evidence of every one of the witnesses who expressed an opinion regarding this site. I intend to

submit that evidence to careful examination; but before I do so, there are two points to which I should like to refer briefly.

First of all, is this a suitable time to embark upon an enterprise of this kind? I do not deny for a moment the necessity for improved accommodation for our public offices; but I think it is not impossible that the present may be regarded as a time of emergency from many points of view—a time in which we may very well struggle along under the same conditions as have confronted us for a considerable period. It has always seemed to me entirely inexcusable that we should have a large number of unemployed at the present time, when so many of our men have been called up for active war service or for service in the defence of Australia. It seems to me to be an extraordinary thing that we should have a large number of unemployed, and I cannot help thinking, if we decide upon a project of this kind in order to relieve that particular unemployment difficulty, what sort of a problem are we going to face when the war is over and our soldiers are coming back and when men are being dismissed from more or less military occupations. We shall have a problem ten times as great as that which we are facing to-day, and I am not at all sure that this is not a work which might very well be reserved for that time. I am informed by practical men, men engaged in the building industry round about Perth, that in every branch of the building industry there is at the present time an acute shortage of skilled men. The starting of work of this kind can have no other effect than to accentuate that shortage. As a representative of the Metropolitan Province, I am naturally anxious that anything that can be done for the improvement of the city should be done. but I repeat that I am by no means convinced that this is the right time to start on a work of this nature. Apparently, if the Bill is passed, the work is to be commenced at once and such a course was urged by one of my esteemed colleagues in the representation of the Metropolitan Province. He expressed the hope that the work would be proceeded with straight away.

Then there is another feature. Are we going to get value for the money that we shall spend? Although this Bill is concerned with the question of sites, I take it we are entitled to consider everything that is likely to result from its passage. Refer-

ence to the Perth Hospital is made in the evidence of some of the witnesses, partly on this question of site. I want to say that I entirely agree with my friend, Mr. Holmes, in his condemnation of the site that has been selected for that building. It is an amazing thing to me that in a city like Perth, enjoying advantages greater than almost any other city in the Commonwealth—advantages comparable with almost any city in the world—we cannot find a better place for our public hospital than the site on which it is intended, I believe, to spend over half a million of money. That brings me to the question of cost. I have been told on what I regard as good authority, although I speak subject to correction, that the cost of that hospital is to be in the neighbourhood of £1,200 per bed. Mr. Wood put a question to the Chief Secretary today with regard to additions to the Northam hospital; and—again subject to correction—I understand that the cost contemplated there is upwards of £800 per bed. Sick people should have every possible attention, hospitals should be good places and all that sort of thing, but it seems to me that if our hospitals are to cost that amount per bed, we shall have fewer beds than we would otherwise have and there will be a great many people desiring and deserving of hospital accommodation who will be left out in the cold, because the cost of each bed is so tremendous.

Hon. G. W. Miles: Hear, hear!

Hon. Sir HAL COLEBATCH: We have to consider not only the point I raised at first, the necessity for conserving our labour resources for war purposes now and conserving our work for the time when our soldiers return, but also to remember that we are confronted with difficulties that I do not think the present Government has ever before experienced, in the shape of the prolonged widespread drought. We are told that the money for these public offices can be obtained from some source, this source or that, but that is a point I am not going to discuss now. I do know that if we spend money in that direction, we certainly will not have the same money to spend in helping to keep the farmer on the land. We must weigh the relative importance of works and the relative importance of public expenditure; and if I were asked now—knowing as I do what the financial position is and what the conditions of our primary in-

dustries are—whether I thought it better to spend half a million straight away in building public offices or to spend it in assisting to keep the farmer on the land, I would, as a representative of the Metropolitan Province, cast my vote emphatically in the latter direction. For those two reasons, I question very much if this is the right time to be going out of our way to find employment. I question still more if it is the time at which we can cheerfully contemplate the spending of so large a sum of money—no matter from what source it may come—with the experience of buildings in progress and buildings in contemplation, an experience which suggests that we shall not get anything like value for the money we spend.

I come now to the main question of site, and I want to repeat that the proposal set out in the Bill is in complete conflict with the evidence of every one of the witnesses who expressed any opinion regarding this site. Not one of them approved of the proposal as submitted to us in this Bill. What were the qualifications of those witnesses? Four of them were professional architects, one a surveyor, one a land resumption officer, one a town planning commissioner, and one a representative of the Perth Chamber of Commerce. In addition to those oral witnesses, there was a letter from the Royal Institute of Architects. In not one single instance can we find support by this formidable array of witnesses for the proposal embodied in the Bill. To hark back to the question of the Perth Hospital, we are told that it is being erected where it is in opposition to expert opinion. Are we again going to fly in the face of expert opinion? Personally, I think it would be a great pity if we did. I wish that arrangements could be made for members of both Houses of Parliament in a body to visit this site, to go there as a jury would go. After all, it would be a proceeding not without some precedent. It is not unusual, in cases of importance, for a jury to visit the scene on which a crime has been committed.

Hon. L. B. Bolton: Most members have inspected the proposed site.

Hon. Sir HAL COLEBATCH: Perhaps individually. I do not think it would be a bad scheme for members of Parliament, as a body, to visit the scene on which a crime is contemplated.

Hon. C. F. Baxter: Do you suggest that members should debate the question on the ground?

Hon. Sir HAL COLEBATCH: The hon. member could please himself whether he did that. I propose to examine the evidence submitted to the committee. We have first of all that of the Principal Architect, Mr. Clare. That portion I wish to quote will be found on page 16.

Hon. J. J. Holmes: Did he condemn the site?

Hon. Sir HAL COLEBATCH: I am going to quote his evidence; I do not say that he condemned the site, I say he condemned this proposal. He was asked by Mr. Styants (Q. 148)—

Does not the plan show an area of eight acres without including the Christian Brothers' College site?

Mr. Clare's reply was "No, including the Christian Bros. College site." Then Mr. Mann asked—

The Christian Brothers' College buildings would have to be demolished?—Not for a long time.

Mr. Styants asked the next question—

What is the area of the college site?—About three acres. I was pointing out that under the present proposal Government House could not be interfered with and the gardens would be retained. If we acquired the Christian Brothers' College buildings, we would not pull them down until this became necessary. We would use them for Government offices. It might not be necessary to pull them down for 25 or 30 years.

The Chairman asked the next question—

Would the existing college buildings be useful?—Yes. The college is quite a good building though it is of old type. It consists of big classrooms and could be used for office purposes.

Next I shall quote these questions and answers—

157. What is the approximate usable floor space in the Christian Brothers' College building?—About 25,000 square feet.

158. You could use that building for various departments for 25 or 30 years?—Yes.

170. By Mr. Patrick: Leaving out the Christian Brothers' College, could you erect a good set of buildings on Government House domain, plus the other piece you had in mind?—I think that would spoil Government House at present.

There is a further reference to that and I will come to it later.

175. By Hon. J. J. Holmes: Was not the Christian Brothers' College built for school purposes?—Yes, but the rooms would be quite suitable for offices.

Then we turn to the latter portion of Mr. Clare's evidence, when this officer was recalled. He was asked by the chairman in connection with the second likely structure whether he had any ideas regarding a site for the second building. Mr. Clare's reply was—

There are two possibilities. We might complete the other building facing St. George's terrace; that is, the one to occupy the site of the Christian Brothers' College. If the college is utilised for Government purposes, it might not be economical or desirable to interfere with that building for the time being, in which case I suggest that we start on the first half of the centre block, that is, the western half of the centre block.

Meaning by "the centre block" the block shown in a plan previously prepared.

755. By the Chairman: If there is no real objection, would it be better to encroach further into Government Domain instead of considering any resumption at all?—Only if you are prepared to consider the removal of Government House to another site at an early date.

That would be an utterly unjustifiable expense. The time may come when the building may be required for some other purpose; I do not suggest that there is anything sacrosanct about it.

771. By Mr. Styants: Assume that we built the first section, which would provide 70,000 feet, and that we purchased the Christian Brothers' College, which would provide 25,000 or 26,000 feet of suitable space, the space made available by the Titles and other transferred departments would afford reasonable accommodation for the present staff for a considerable period?—Yes.

772. In your opinion it would not be advisable to demolish the Christian Brothers' College building at once, with a view to erecting the eastern wing?—No, to do that, I think, would be an economic mistake. The college is a good and suitable building, and if it is merely a matter of obtaining extra accommodation, we can get it in another way.

On the last page of the report we get very important evidence from this witness.

791. By Mr. Patrick: The University is a nice job?—Yes. In speaking on the proposal to extend westward into Government House grounds rather than resume the Christian Brothers' College, I omitted to mention one important point. If you do not acquire Christian Brothers' College, you have always the possibility that someone will erect there a large building—flats or offices—and that you will have the rear of that building facing right on to your governmental group. You would then have a rear like the western side of Shell House, or some of the big insurance offices—windows without any order, and covered with pipes. That is a distinct possibility,

and I feel it to be highly desirable that you should have the control of the whole block right from Victoria-avenue up to Barrack-street, whether it is utilised for Government offices or whatever is done with it. You should have control of it to prevent that undesirable development which I have mentioned, and which I am sure would occur.

792. By Hon. J. J. Holmes: That would only occur if the Christian Brothers' present building were pulled down?—Yes. That building now is more or less an anachronism, and ultimately a new building will be put up there, a large building, probably flats or perhaps professional chambers. The building will be with the facades to St. George's-terrace and Victoria-avenue, and you will then get the rear facing into the governmental group. That might wreck the scheme.

Further questions on this point in no way shook the opinion of the Principal Architect.

Hon. J. J. Holmes: A road was provided.

Hon. Sir HAL COLEBATCHE: I will come to that. The next witness, whose evidence I shall quote, is Mr. Hall, Assistant Under Secretary for Works, and officer in charge of land resumption. He made one reference to the site and it is to be found on page 16, Question 224.

By Mr. McDonald: Do you consider that the Government House site, together with the Christian Brothers' College site, is the best for the public buildings?—It is the only site for a Government centre as contemplated, that is, if you are not going to have only utilitarian buildings as envisaged by the 1928 committee. Otherwise I would say there are sites that are better.

The witness was asked which other sites he thought were better and he replied that Stirling Square was calling out for selection. However, I am not going to refer to that. Then we come to the evidence given by Mr. Davidson, Town Planning Commissioner. On page 19 of the evidence in the second paragraph of his main statement he says—

Coming to the question of public hospitals, I have considered all possible sites for public use, and have done so within the last 10 years. I stressed the necessity for erecting our new £500,000 hospital on a fresh site on the Observatory Hill. By the purchase of the Hale School for £40,000 or so, that would have enabled the Hale School authorities to secure a large area elsewhere as has been done in connection with Aquinas College. Our present hospital could then be used as a traffic hospital supported out of the traffic fees. That must come in the future if the number of accidents continues to increase. My advice in that regard was not accepted.

I understand that other advice was disregarded in that instance as it is proposed to

disregard it now. Mr. Summerhayes also gave evidence.

Hon. J. J. Holmes: You are picking out the evidence that suits you. Mr. Summerhayes contradicted himself.

Hon. Sir HAL COLEBATCHE: I would like the hon. member to point out to me and to the House the evidence of one witness that was in favour of the proposal as presented in the Bill. The hon. member is silent. The simple fact is that not one witness favoured the proposal. Mr. Summerhayes was asked—

316. Have you any views about taking in the privately-owned property on the east side?—If the money is available, I should say, "Take it in." To my mind Government buildings—and this principle is generally followed in other modern development schemes—should be assigned a complete block of adequate size for the job, and for any future developments. It should be developed as a complete whole and planned as a whole to start with.

317. If that were not done, possibly someone else at some future time might erect tall buildings, with the result that privately owned buildings would practically dwarf the scheme?—Yes. I think you are referring to the Christian Brothers' College site. That site should, I consider, come in as part of the general scheme, but in saying that, I have in mind, more particularly the Supreme Court and Government House sites in respect of future development.

Then Mr. McDonald asked this question—

326. I understand that if it is decided to place the Government block on the east of Government domain, you think the Government should acquire the Christian Bros. College site, so as to round off the three streets?—Yes, to make a complete entity of that block.

Next there is a reference to the scheme—

337. Would you say that the acquisition of the Christian Brothers' College site was very desirable in that we would then have a street along the eastern boundary of the block which would improve the Government House domain site from a utilitarian point of view?—Yes, I think that is desirable.

338. You think that acquisition would be of great advantage?—Yes, definitely from a public point of view, particularly if the scheme is viewed from the standpoint of north and south lighting instead of east and west. The existence of a street along the eastern boundary would give direct access to the various buildings.

Then we have Mr. Fyfe, Surveyor-General, who e evidence has a bearing on this subject, and an important bearing—

365. By Mr. McDonald: You said that the presence of governmental buildings tends to retard the values in the retail and commercial

areas in the vicinity. Would the erection of an administrative block on the Government domain site adversely affect the values of buildings in the vicinity?—In my opinion it would definitely enhance values in that locality, and that enhancement would continue until such time as the area became developed for intense retail and commercial purposes.

It seems to me that that evidence is only commonsense. Does anyone doubt that the erection of handsome Government buildings on the Domain site will have any effect other than to considerably increase the value of property about there? So far as the college is concerned, one might well say, "What does it matter; the college was there." But what do we propose to do now? We propose to sacrifice an acre of available land in order to make a chain wide street, a street as wide as Hay-street from shop front to shop front, and to give to the college property another 600 ft. of frontage. There is not the slightest doubt that the proposal will mean increasing the value of that property by at least 50 per cent. There is another point to consider. It has been said by the witnesses, and it is a matter of general knowledge, that the college on that particular site has served its purpose. The controllers very wisely are shifting their educational activities further away from the city, a proper thing to do. What does that mean? It means two things. First, if the Government exercises its right of compulsory resumption, no claim can be made for disturbance. The owners of that property would be entitled to receive its value and I do not suppose anyone would suggest they should receive anything else; they would be entitled to nothing for disturbance. The second consideration is that the property will doubtless be turned into some form of commercial use, some rent-producing use, probably for the erection of big flats as was suggested by some witnesses. It is proposed to make the college a present of an extra 600 feet frontage by taking an acre of public land for a road that is within 100 yards of another road, a road that can serve no purpose from the traffic point of view, and can benefit no one except the owners of the property, to whom it gives this extra 600 feet of frontage.

Hon. J. J. Holmes: Will it not benefit the site?

Hon. Sir HAL COLEBATCH: What it does is to make the site barely possible. It

does not make a good site or anything like the site it would be if there was an extension along to Victoria-avenue. The road is being put in because of the evidence, I take it, of the Principal Architect, who says, "You must have a road, and therefore you should go to Victoria-avenue." There is nothing in that officer's evidence to suggest that he would have been satisfied, that it would be all right if the road were constructed between the Christian Bros.' College and the new Government buildings. No one surely would have suggested building an expensive road, right up against another road, to serve no other purpose than that. I have not measured the distance, although I have been over the area, but I believe it is about $2\frac{1}{2}$ chains. The proposal is not a commonsense one. Reverting to the evidence, I turn to page 30, on which there is a letter from the secretary of the Perth Chamber of Commerce. This letter contains the following resolution—

That this conference recommends to the Parliamentary committee that the question of the site for the Government offices, having regard to the future town planning and development of the city, should be referred to a technical commission, representative of Governmental and general communal interests, for the final recommendation to the Government.

The reply of the committee to that was, "We are calling in expert evidence from architects, surveyors, etc." It did call such evidence and then submitted a report in direct conflict with that evidence, a report which is not supported by the evidence of a single one of the expert witnesses. Then we have the evidence of Mr. Parry on pages 31 and 32. He does not deal exhaustively with this site; all he does is to show strong preference for other sites. I could not find a single reference to this particular site in his evidence except his expression of opinion that it was not as good as were others. He does not advocate this particular site, otherwise his evidence has no bearing upon it. Then we have the evidence of Mr. Harold Boas, an architect. He followed the same lines, and favoured other sites.

Hon. J. J. Holmes: Where are they?

Hon. Sir HAL COLEBATCH: He also refers to this site—

In the event of the Government House domain site being chosen would you regard it as desirable that we should take in the Christian

Brothers' College area, and so give access to Victoria-avenue?—I think the acquisition of the Christian Brothers area would be a distinct advantage to any scheme there.

Then we have Mr. Richard Allingham, representative of the Chamber of Commerce. He does not go very much further than the letter from the Chamber of Commerce to which I have referred. That letter was an appeal for the appointment of an expert advisory committee, and a statement of the committee to Mr. Allingham was that expert witnesses were being called. Apparently the position of the committee was, "if we call the expert witnesses that is all we can do in the matter." The experts are called and the committee reports in direct contradiction to the evidence they give. Mr. Styants asked Mr. Allingham—

If your committee perused the list of witnesses we have already called it would be an indication that we are getting practically what your conference requires.

The witness replied to the effect that the Chamber would be glad to have such a list. The committee took the evidence of the experts, and having got it proceeded to go in direct opposition to it.

Hon. J. J. Holmes: Seventy-five per cent. of the witnesses came before the committee wedded to their own ideas.

Hon. Sir HAL COLEBATCH: I will now read an important letter written by the secretary of the Royal Institute of Architects quoted on page 47 of the report. I have made inquiries and am assured that it is the unanimous opinion of the institute that the site chosen is entirely unsuitable unless the Christian Bros. College is included. The letter is as follows:—

My council had the advantage of the Principal Architect's attendance, together with plans setting out the proposals in respect to each of the sites concerned, and after a full review I am instructed to convey to you their decision.

My council is of opinion that the proposed site of the Government Domain, including the Christian Brothers' College, is the site amongst those mentioned which best meets the requirements, taking into consideration all aspects of the proposal, not only of the present but the future needs and the possible future town planning developments of the city.

My council feels that the proposed Governmental group shall be in a setting which will provide not only for a garden treatment but of sufficient size to allow of the disposition of the various buildings so as to be free from congestion, give ample light and air and provide adequate approaches and parking space for all future traffic requirements as far as it is possible and wise to visualise.

In arriving at this decision my council was influenced to a large extent by the condition that the proposed buildings about to be erected are to form the nucleus of what is to be an ultimate complete Governmental group of offices, and open spaces between Victoria-avenue and Barrack-street and occupied by Government House, the Supreme Court and Treasury Buildings, and which will form a town planning group when completed on the river front, unrivalled by any other city in the world.

Should the committee so desire, one of my council would be pleased to attend and elaborate the main points in regard to the various sites which influenced them in arriving at the above decision.

The offer contained in the last paragraph was accepted, and a member of the Institute appeared before the committee. There is nothing to suggest that the opinion of the institute was in any way shaken or altered. It stuck to its opinion then, and sticks to it now. The institute says it is a good site if the whole area from Victoria-avenue is taken in, but not otherwise. So much for the evidence. It covers the unanimous opinions of the Royal Institute of Architects, the Principal Government Architect, the Town Planning Commissioner, the Surveyor-General and others. Amongst all those witnesses who gave evidence, not one supported the proposal in the form embodied in the Bill. Certain witnesses said that perhaps the site might be suitable if the early removal of Government House was contemplated. I do not think it is contemplated. It would be foolish at present to contemplate anything of the kind. Even if it were contemplated I do not think there is any justification for the wanton destruction of what is one of the beauty spots of Perth, represented by the land on the eastern side. If that were unavoidable I should say that the uprooting of all those magnificent trees, the destruction of that beauty spot, would be a tragedy. It is easily avoidable, and therefore it can only be characterised as an act of wanton vandalism.

Hon. J. J. Holmes: What nonsense.

Hon. Sir HAL COLEBATCH: Amongst the recommendations of the committee is the following:—

That the first building to be erected should be on the St. George's-terrace frontage and on the western end of the excised area.

If the Bill is passed the spoiling of this splendid picturesque portion of our city would be the first step taken, and once taken such a step cannot be revoked.

Hon. J. J. Holmes: Have you looked at the survey pegs?

Hon. Sir HAL COLEBATCH: I have been all over the area. If we agree that the domain site is in all the circumstances most suitable for Government offices—that is a point on which I express no opinion—then we should follow the advice of the architects and experts, who require that the Christian Brothers' College shall be taken in. There is no reason why that should not be acquired by compulsory resumption, as has been recommended, and applied to the purpose of public offices. The experts say that the building is suitable for that purpose. The Government could then proceed with the erection of additional buildings to form a symmetrical whole in accordance with a comprehensive plan. Surely that, in addition to being the advice of the experts, is a commonsense procedure. Instead of that, what is proposed? It is proposed immediately and unnecessarily to spoil one of the most attractive portions of the domain. I am indifferent whether the ground is preserved for Government House purposes or is made more openly accessible to the public. My objection is to its being despoiled. It is proposed enormously to increase the value of the Christian Brothers' College at a time when it has ceased to function in its original capacity, and may be turned to any form of commercial purpose, probably quite out of harmony with the general scheme. It is also proposed to sacrifice an acre of public land to give the owners of the college an additional frontage of 600 feet to a full chain road, a road as wide as Hay street from shop front to shop front. Apart altogether from the condemnation of architectural and other expert opinion, it seems to me there is not one sound argument in favour of such a proposal.

Hon. G. Fraser: Your speech is 12 months too late.

Hon. Sir HAL COLEBATCH: I am sorry I was not here 12 months ago to make it. In these circumstances I feel I have no choice but to vote against the second reading of the Bill. If the second reading is carried I shall move an amendment for the excision of the reference to the chain wide road, so that it may be interpreted in another place as an expression of opinion by this Chamber, that if this particular site is adopted, it should follow the advice given by the expert witnesses, and as a re-

sult embark upon a project that will eventually be entirely to the credit of the City of Perth and all those who take part in bringing it about.

HON. J. CORNELL (South) [5.29]: I listened with interest to the remarks of Sir Hal Colebatch. He will not be alone in opposing the second reading of the Bill. I contend that the site selected is not a suitable one. It is hard to understand how out-and-out opponents of this site should, because they have come under the influence of a Parliamentary committee, have now agreed to it. The only explanation of their change of opinion that I can suggest is on the score of accessibility to those likely to make use of the Government offices and the availability of cheap land. That is to say, the land is there and an Act of Parliament only is required to divert the area from its present purposes for the use outlined in the Bill. Those are the two sole grounds that I consider could have actuated those members who previously opposed the Government domain site in now agreeing to it. Let us analyse the first ground, that of accessibility to the public. The evidence indicates that some estimate was arrived at regarding the volume of traffic now and likely to arise in the future from both east and west. Recently I visited Melbourne, and the committee's report was available before I left. When I was in the Victorian capital I conjured up in my mind the situation confronting those who some 60 years ago had to determine the site for Government offices, and wondered if they had taken into consideration the question of accessibility to people who would make use of those offices. By no stretch of the imagination could anyone say that the Government offices in Melbourne comply with the requirement regarding accessibility to the public. Their situation suggests rather the reverse. The population of Melbourne is over 1,000,000, and certainly all those people are not in close proximity to the Government offices but Parliament House is.

Hon. J. A. Dimmitt: No.

Hon. J. CORNELL: Several beautiful edifices have been built with park lands surrounding them.

Hon. J. A. Dimmitt: The Law Courts are far removed from Parliament House.

Hon. J. CORNELL: At the moment I am speaking of Government offices. Looking back over my 28 years' experience, I have yet to learn that the volume of business likely to be conducted at the Government offices will ever be congested, and therefore the question of accessibility hardly enters into the consideration of this problem. Next take the question of the availability of free land. There is a site, to which I have always been wedded, one that has much in common with that provided for the Victorian Government offices and Houses of Parliament. I refer to the Observatory site.

Hon. J. J. Holmes: You are in conflict with all the experts.

Hon. J. CORNELL: The experts are not always right.

Hon. J. J. Holmes: And are you always right?

Hon. J. CORNELL: In all humility, I claim that the Joint Committee was not right in arriving at the decision indicated in its report. If members give consideration to the situation of Government offices in Melbourne and reflect upon the Observatory site, they will find that there is much in common. Both are picturesque. Moreover, the land available at the Observatory site would be just as free as the Government Domain area.

Hon. L. Craig: But not very accessible.

Hon. J. CORNELL: Does Mr. Craig contend that the Government offices in Melbourne are accessible from the standpoint of over 1,000,000 people?

Hon. J. J. Holmes: Do you expect the rising generation to walk uphill?

Hon. J. CORNELL: Of course I do. Members of Parliament have to do so now, just as members of Parliament in Melbourne have to do. The more I consider the site unanimously endorsed by the Joint Committee the less interested am I in it. A nursing sister said to me the other day that the Government domain site could have been availed of instead of building the new Perth Hospital down in a hole where the outlook is wholly unattractive. In many respects, she said, even ants have a better outlook than is enjoyed by the unfortunate patients in the Perth Hospital.

Hon. J. J. Holmes: I quite agree, but we were too late.

Hon. J. CORNELL: Even the site suggested by the Town Planning Commissioner would have been much better; but I still

submit that the Observatory site is ideal, even though, as Mr. Craig said, it is not very accessible to the public. If members consider the position in the capital cities of Australia and even in Canberra, which was intended to be made the outstanding garden city of the world, they will realise that even in the Federal capital the town planner did not give much consideration to the accessibility aspect, seeing that Government offices there are dotted all over the place. To my mind the accessibility factor is a bogey. I live in Claremont and if I come to Perth to transact business at Government offices, buildings erected on the Observatory site would be just as accessible as would those proposed to be built on the Government Domain site. I agree entirely with Sir Hal Colebatch's contention that the construction of a roadway between the proposed Government offices and Christian Brothers' College will enhance the value of the latter one hundredfold. Most decidedly Christian Brothers' College will then have three frontages where two only exist now. That suggests that if the site is to be adopted, it would be better to take the lot, including Christian Brothers' College. The argument that the suggested site now represents an eyesore cuts no ice with me. I can recollect the time when one of the greatest eyesores in Australia was to be found along the river frontage. I have seen Rugby and other football matches played there in a foot of water, but we have advanced since then. Reclamation works have been undertaken, and even more could be done along those lines and a suitable outlook obtained there. The suggestion that if Government offices are not constructed in that locality will be more or less a wilderness does not appeal to me for one moment.

There is another point. If we agree to the Bill we will commit future generations for all time. I understand that if the legislation is passed, the constructional work will be proceeded with almost immediately. In view of the circumstances confronting us, the obscurity of our future and the condition of many engaged in one of our most essential industries, which is facing the most severe drought in our history, the proposed erection of public offices is unjustifiable. The present drought is in no way comparable with that of 1914, for

the circumstances are totally different. The only possible comparison relates to the rainfall, because from the standpoint of stock the difference is as between the ocean and a drop of water. In view of those circumstances, are we to proceed with the expenditure of a vast sum of money for the purpose of erecting Government offices, and yet to do nothing to relieve the situation of producers whose activities make our population and the existence of our country possible? Such an expenditure at this juncture can in no way be justified. The suggestion was advanced that the trust funds held by the State Government Insurance Office and the Superannuation Board represent so much money available for investment, and those funds are to be used for the erection of the offices. I am at a loss to understand how I could possibly explain away to the real wealth producers of the State—I might be able to do so if a hospital were to be built—the expenditure of money on the erection of Government offices. I would not endeavour to justify the State entering upon a commitment involving the expenditure of £250,000 to people who do not know, from week to week, whether they will be forced to walk off their holdings and accept the dole. That is how I view the matter.

Hon. J. J. Holmes: You could not use those trust funds for the purpose of assisting farmers.

Hon. J. CORNELL: Then we will have to explain to the farmers that while we could find money for the purpose of erecting public offices, involving the expenditure of £250,000 at a time when the nation and the State face their greatest crises in history, we could not make money available to assist them. I could not do it, for I do not believe there is any justification for such an action. We are asked to provide palatial housing, during a period of stress, for the benefit of civil servants and those who patronise Government offices, and yet money cannot be made available to help the producer to keep a roof over his head. I see no reason why this legislation should be passed this session. If my vote will prevent that course, the Bill will not be passed. I have failed to discover any valid reason why we should go further with this project, and therefore I shall oppose the second reading of the Bill.

HON. G. FRASER (West) [5.46]: I intend to support the second reading. I have been rather surprised by the tone of the debate which has been similar to that of last year's discussion. We are still only at the battle of the sites. Sir Hal Colebatch dealt with the subject in a manner which caused me to interject that his speech was 12 months too late. A proposal similar to that which he made was rejected by this Chamber last session. On that occasion I supported the proposal and it is the one I should like to see given effect. Parliament, however, expressed its opinion on the matter, and the scheme was thrown overboard. A committee was appointed upon which this Chamber was represented, and whose duty was to obtain all the evidence possible from experts and others, and after having obtained that information to study it and submit a report as to what is considered to be the best site.

Hon. J. J. Holmes: The decision was unanimous.

Hon. G. FRASER: Many of the members of that committee were bitter opponents of the Government Domain site and their views did much to defeat the measure introduced last session. After having gone through the evidence submitted and seen the various sites proposed, those members were converted and agreed to the recommendation embodied in the Bill. While I would have liked to see the original proposals accepted, I intend to accept the findings of the committee and support its recommendations. I have in mind a similar battle over sites that occurred in connection with another building in this city; I refer to the Perth Town Hall. Were not arguments similar to those that have been raised by opponents of the Bill responsible for the fact that the city was robbed of a new town hall? Such a building would have been erected 25 years ago had it not been for a difference of opinion as to the most suitable site. The consequence is that the city is still without a new town hall.

Hon. J. Cornell: That is not our pigeon.

Hon. G. FRASER: I use the case of the Town Hall as an example of what can occur through a lack of argument as to a suitable site for a building.

Hon. F. H. H. Hall: Would you say that considerable inconvenience had been caused through the absence of a new town hall?

Hon. G. FRASER: I have nothing to do with the civic authorities and am therefore

not in a position to judge, but I assume that if a new town hall was desired 25 years ago, considerable inconvenience must have been occasioned through lack of it. I have in mind also the urgent need for new public buildings, particularly for the Titles Office and the Agricultural Department. I can speak authoritatively from experience regarding the Titles Office, and I fail to see how any member who has had dealings with that department can justify opposition to the erection of new premises. It is necessary for the Lands Department and the Titles Office to be housed in the one building because their business is largely interwoven. I understand the proposal is for the Titles Office accommodation to be the first section to be completed. It is always very easy for anyone who wishes to defeat some proposition to say that this is not the time for the project to be undertaken. Looking back, we find that there have been two wars and a depression in 25 years. At any moment during that period it would have been quite easy to say the time was not opportune for the erection of new public buildings.

Hon. G. B. Wood: Did you say we had a depression?

Hon. G. FRASER: We have had two wars and a depression.

Hon. G. B. Wood: Have not we still a depression?

Hon. J. Cornell: We have had only one war.

Hon. G. FRASER: It is easy to make the excuse that the time is not opportune for the erection of public buildings, but I need a stronger argument than that to induce me to oppose the measure. Mr. Cornell mentioned the state of the river many years ago and has pointed to the improvement effected. The hon. member may recall the criticism that was levelled against the Minister who persisted in endeavouring to improve the appearance of the foreshore. The proposition to beautify the foreshore was subjected to the same degree of criticism as has been levelled at the proposal to build new Government offices.

The Chief Secretary: And on the same grounds.

Hon. G. FRASER: Yes. The argument was advanced that the time was not opportune. I consider that the project is long overdue. The matter was fully debated in this Chamber, which appointed members to a committee set up to examine the evidence

of experts. That committee has made its recommendations and I am prepared to accept them. I trust that within a short period the Bill will be carried, that the new buildings will be commenced, and that the City of Perth will soon have Government offices to which the citizens will be able to point with pride.

On motion by the Hon. W. J. Mann, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT (No. 1.)

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.55] in moving the second reading said: This is a small but highly desirable Bill and I feel sure its introduction will not lead to anything like the kind of discussion that the previous measure received. The proposed amendments to the Act will doubtless be recognised by all hon. members as being not only desirable but essential.

The Bill provides for the holding of a new election should a candidate die between the declaration of nominations and the closing of the poll. It also provides for a new election should a candidate—who otherwise would have been elected—die after polling day and before the completion of the count.

If the Bill is passed it will be an offence for anyone to nominate for election to either House of Parliament if he is disqualified from sitting as a member.

Hon. J. J. Holmes: A very desirable provision!

The CHIEF SECRETARY: At present it is possible for a candidate to nominate for election knowing full well that he is not eligible to take his seat if elected. It is possible for him to exploit the position. He can contest an election, be declared elected, receive a Parliamentary allowance for a period and take advantage of the other privileges which go with the position of a member of Parliament, and then when the time comes to take his seat, be unable to do so through ineligibility. Consequently it is proposed to penalise anyone so audacious as to nominate when he knows he is not capable of being elected. I think every hon. member will agree it is highly desirable we should terminate that state of affairs with as little delay as possible. The Bill sets out the pro-

cedure to be followed by the Returning Officer in the event of the death of a candidate, according to the circumstances. Apart from the principle providing for the failure of the election, the provisions are chiefly of a machinery nature.

The Act provides that when a candidate withdraws his nomination or dies before the election, and only one candidate remains, that candidate shall be declared elected. That provision will remain as regards the withdrawal of a nomination by any candidate. In such a case, if only one candidate remains he shall be declared elected. If more than one candidate remains the election will proceed. When a candidate dies however, it is proposed, according to the circumstances, that the election shall be deemed to have failed and a fresh election shall be held. Briefly the proposal is that no matter how many candidates there may be in an election, if one candidate dies between nomination day and polling day, or on polling day before the closing of the poll, a new election shall take place. Such an event shall also be necessary if a candidate who would otherwise have been elected should die between polling day and the completion of the count. In other words, it would not give any one of the other candidates a right to the seat simply because he was a candidate.

Hon. J. Nicholson: Are you dealing with Clause 3 of the Bill?

The CHIEF SECRETARY: Yes.

Hon. J. Nicholson: If the candidate died, there would be nothing to show what the result would be. This merely provides for something occurring before polling day.

The CHIEF SECRETARY: No, it provides for what shall be done in the event of death after the closing of the poll. These, however, are points that can better be elucidated in Committee. When a candidate voluntarily withdraws his nomination, he leaves the field open to the other candidates, but when death intervenes, the position is entirely different and different provision is necessary. The proposal in the Bill, I think, is only fair and just.

Hon. J. J. Holmes: That is equitable.

The CHIEF SECRETARY: Yes. There might be only one remaining candidate, who might not be acceptable to the people of the district, and perhaps would have no

chance whatever of winning the seat against competition. Such a fortuitous circumstance might be a deciding factor in the making of a Government, that is, in giving the necessary majority to one side or the other.

Hon. H. Tuckey: It might be an act of Providence.

The CHIEF SECRETARY: That is another point of view.

Hon. J. Cornell: Why intervene against Providence?

The CHIEF SECRETARY: There is also a consequential amendment dealing with the action to be taken in a case where no candidate is nominated for an election, or where no candidate is returned as elected. The election in such an event would be deemed to have failed and a new writ must be issued for a supplementary election.

Hon. J. Cornell: That is redundant.

The CHIEF SECRETARY: Not at all; it is a matter of putting that provision in order. In Committee I propose to move an amendment to provide for the period between the closing of the poll and midnight on polling day. Under the Bill as it came to us from another place, no provision is made for that period. The Bill states "after polling day," whereas it should say "after the close of polling on polling day."

I move—

That the Bill be now read a second time.

HON. SIR HAL COLEBATCH (Metropolitan) [6.5]: While I have no objection to the first part of the Bill, the second part savours of introducing a steam roller to crack a nut. In other words, we are asked to provide for an emergency that has never arisen in the whole course of our history. To my mind we shall be exciting the probability of a very grave emergency. I have said that such a case has never arisen. That statement is in accordance with an answer given by the Chief Secretary to a question asked some time ago, and I think it was the right answer. But there was an occasion on which, between nomination day and election day, a candidate died. He was the only candidate, and so the provisions of such a measure as this would not have come into operation at all. I remember the incident well, because a fellow townsman of mine was anxious to contest the election and was

persuaded by his wife and friends not to do so. When the only candidate died, the intending candidate accused his friend of doing him out of the seat, and when the second election was arranged, wild horses would not have prevented him from nominating. He nominated and lost his deposit.

The emergency with which we might be confronted if we pass this Bill is, I think, a grave one. I do not know that we should put into our Electoral Act any provision that is entirely unsuited and dangerous. Take the Federal election: In several constituencies a large number of candidates nominated and many of them had no chance at all of being elected. A large number of them are in danger of losing their deposits. Suppose we had an election for which half-a-dozen candidates, including independents, nominated, independents who had no earthly chance of winning, and one of the candidates died. Should all the rest be put to the expense of fighting a fresh election because of that? Is not that a more dangerous contingency than the one we are asked to provide against—one which has never arisen? I see no need for that portion of the Bill, but if it is passed one amendment should be made. In the event of an election being cancelled on polling day, the persons nominated are to be deemed to have nominated for the next election. Quite possibly, in the circumstances, some might feel inclined to withdraw, and they will be allowed to withdraw, but only on condition that they forfeit their deposits. Having borne the brunt of one election, they are to be put to the trouble of facing another through no fault of their own. They should be entitled to withdraw their nominations and withdraw their deposits and wash their hands of the whole business. I suggest that the difficulty this Bill is designed to provide against might never occur, and if it does, it will not do much harm, while the other possibility is much more likely to happen. After a campaign has been strenuously contested for weeks, a candidate—probably one with no chance of winning—might die, and the whole election has to be held over again. We would be wise to strike out the whole of the second portion of the Bill.

HON. J. CORNELL (South) [6.10]: One provision of the Bill is that a person who is ineligible to sit in Parliament shall not

nominate. That is all right. The next provision, boiled down, is that if any candidate dies between the closing of nominations and the commencement of the count, the election shall be void. The other provision deals with the position when a candidate dies after the closing of the poll. If the candidate who dies would have been elected, there is to be a fresh election, but if another candidate is declared elected, the election is not to be voided. That is satisfactory. But a candidate might die between times; there might be a multiplicity of candidates and one of them might die. Let us resurrect Percy Brunton, who was a candidate noted for losing his deposit. If such a one as he died and there were half-a-dozen candidates, there would have to be a new election. In 50 years there has never been an instance of a candidate at a contested election dying between nomination day and the declaration of the poll, and therefore I cannot see much need for the provision.

The catch in the Bill is that when an election is declared void through the death of a candidate, the new election has to be fought on the same roll. Taking the provisions of the Act, we know that when a candidate dies, at least seven days must elapse and then another fortnight before a fresh election can be held. Under this Bill, however, the Government proposes to issue a writ forthwith and not allow a new roll. If it is logical to give the candidates a chance of that sort, the electors should certainly be given the privilege of a new roll. I feel disposed to support some portions of the Bill, but not the provision stipulating that when a candidate dies between nomination day and the commencement of the count, a new election shall be held irrespective of the number of candidates nominated. I cannot see how that provision would serve any useful purpose. As regards the parties, it would cut both ways.

The Chief Secretary: This is not a party Bill.

HON. J. CORNELL: No, but on the law of averages, the provision would cut both ways, because the grim reaper is no respecter of persons.

On motion by Hon. H. Seddon, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT (No. 1.)

Second Reading.

Debate resumed from the 11th September.

HON. C. F. BAXTER (East) [7.31]: In introducing this Bill the Chief Secretary stated that it was essentially a Committee measure, which would require the earnest attention of members because it included vital changes in and improvements to the present Act. He said precisely the same thing when introducing a similar measure in the 1939 session of Parliament. It was understood that during the war period the Government would refrain from introducing legislation of a contentious nature. The present Bill, though modifying the 1939 measure, is still contentious and for that reason should be rejected by this House. The Minister will, no doubt, say that the Act needs amending, as it is out of date. My reply would be that, up to the present, everything has gone along smoothly under the existing Act. The incidence of accidents is very small, and the need for this Bill is therefore not apparent.

I propose to analyse in detail the effect of the measure. The Bill will have the effect of legalising the inspection of all steam generators, including those used for heating purposes in clubs, hotels, and even hospitals. This innovation cannot be viewed with any degree of favour. The Bill seeks to rope in hundreds of motor garages now supplying free air. At any time it is impossible to make internal inspection of air receivers used in motor garages, and the proposed amendments will not improve that position. Even if the measure is passed, it will still be impossible for an inspector to crawl inside such a plant. The plant itself is open to inspection, and the department has the power to order the fixing of safety valves on such plants if this is considered necessary. In any case, the proprietor of a garage would hardly be likely, in the interests of his own safety and of course that of his employees, to exceed the safe working pressure of the plant as declared by the manufacturer. Another onerous requirement is the submission to the Chief Inspector of certain information under Clause 5, relating to the maker's test certificate,

the date of such test, and so forth. The collation of this information in the case of second-hand refrigerating machinery would be impossible in some instances. To prepare or locate documents, if they still existed, for such second-hand machinery would be difficult and expensive, to say the least. Throughout the State a number of local governing authorities have entered into contracts covering periods of years, to supply their towns with electric power and light. In many instances, small refrigerating plants are run in connection with these undertakings. If the Bill is passed, some of these plants could no longer be operated.

Notwithstanding the Minister's denials during the debate on the 1939 Bill, regarding the increase in the number of members on the board of examiners, I still contend that this is purely a political move to find jobs for friends of the Government. The number of three has functioned satisfactorily over past years. Why cause the State more expense by increasing the personnel of the board to four? Last year's Bill sought to increase the number to five. In the circumstances one might ask what is "hoge" for this hole? The delegation of authority to others is also unsound. To my mind this would reduce efficiency and impair continuity of the board's work. Many of the proposed amendments, though they appear to be of minor importance, can only have the effect of building up the department at the expense of industry. I therefore contend that the Bill should be rejected.

The present Bill practically agrees, word for word, with the measure rejected last session, except that the provision for an engineer's certificate of two grades has been expunged therefrom. The arguments used then against what is now put forward apply with greater force today, under the conditions of war and drought. Clause 2 does not alter the position from that in last session's Bill. Paragraph (a) of the clause is designed to lower the existing exemption of five cubic feet capacity for a receiver. As a line had to be drawn somewhere when the principal Act was before Parliament in 1921, the exemption is reasonable and should not be interfered with. The real object is to squeeze more revenue out of garage proprietors who already pay inspec-

tion fees on motor-driven compressors supplying air to a receiver. As the receiver is part of the machinery, ample power is provided in Section 19 of the principal Act to insist upon essential safeguards, if and when necessary. Similarly is the position so with refrigerating machinery dealt with in the same clause, paragraphs (b) and (c). Refrigerating machinery driven by a steam engine or motor of one horsepower or over is subject to the Act and regularly inspected.

The need for the clause is beyond understanding in view of the wide powers conferred by Section 19 of the principal Act. That section reads—

Faulty or defective machinery. Where any machinery subject to the provisions of this Act, or any appliance or contrivance connected or used with such machinery, or any part thereof, is or appears to an inspector to be faulty or defective in any particular, or so dangerous as to be likely to cause loss of life or bodily injury to any person, or where the ventilation of any engine-room where any steam or internal combustion engine is erected and used is defective, he may serve notice in writing to that effect upon the owner of such machinery, and such notice may require the owner to—

do certain things.

The Chief Secretary: But that has nothing to do with inspection of mines. Inspection of mining machinery is not inspection of mines.

Hon. C. F. BAXTER: An inspector of machinery can be an inspector of mines as well, under the two Acts.

Hon. H. Seddon: Do you suggest that an inspector of mines can do the work of an inspector of machinery?

Hon. C. F. BAXTER: In 1911, and again in 1921, Parliament declared that those two positions could be amalgamated. Mr. Kitson dealt trenchantly with a suggestion I made that consideration might be given to amalgamating the position of inspector of mines and inspector of machinery, and in his usual egotistical and caustic manner referred to such a suggestion as ridiculous. For his information, I will draw attention to a far greater authority than he or myself, namely, Parliament. In 1911 Parliament placed an Act on the Statute Book making a provision for the amalgamation of the positions of inspector of mines and inspector of machinery. That Act has not only not been repealed, but has been supplemented by the Inspection of Machinery Act,

1921—showing that after ten years it was found advisable to insert it in another Act. Sub-section 5 of Section 6 of the Inspection of Machinery Act, 1921, reads—

Any duly appointed inspector of machinery may exercise any or all of the powers of an inspector of mines under the Mines Regulation Act of 1906, or any amendments thereof, subject to such conditions or restrictions as the Governor may think fit to impose.

Yet I was pointed at as being ridiculous when I put the case up here! Section 5 compels persons to supply plans and also furnish particulars of pipes, coils, etc., before erecting, altering or adding to refrigerating machinery. It would be impossible to submit plans showing pipelines, for these—in the case of low pressure or “electric” refrigeration installations—are of copper tubing and bent around existing fixtures, etc., and often cannot be run without having bends at every few feet. Very often a firm is called upon to alter a system which was originally supplied by another firm, perhaps by a firm that has since gone out of business or by a firm that has fallen out of favour with the user. In this case it would be impossible for the firm making the installation to supply particulars of “pipes, coils, shell condensers, liquid receivers or other parts” as required by the Bill. This means that a user cannot have his plant altered or extended, except by the original supplier. That places a trader in an impossible position. Considerable expense would be incurred in attempting to comply with this section, and the expense would have to be passed on to the client. In addition, it would place users outside the metropolitan area in an impossible position. All refrigerating machines sold in Western Australia are manufactured outside the State. If manufacturers are to supply test certificates, blue prints, etc., for machines supplied to this State, the cost of such machines will be increased and it will have to be borne by the user. Only a very small percentage of machines made by, say, Eastern States manufacturers comes to this State; and when machines are required for Western Australian users they are usually ordered by telegram to be shipped by the first available steamer. It would be impossible, in this limited time, to make the test and furnish a test certificate as required by the proposed amendment. The cost of preparing a test certificate for every machine made, so as to be able to supply test certificates with the

small number of machines supplied to this State, would obviously be very high and it would have to be borne by the Western Australian users.

The proposed amendment also calls for a hydraulic test of "shell condensers, liquid receivers or other vessels over one cubic foot capacity," but in the manufacture of refrigerating plants it is necessary to keep all moisture out of the system and all equipment; even the lubricating oil to be used in the system is dehydrated under vacuum, thus making a hydraulic test of liquid receivers, etc., a very costly process: such cost would have to be borne by the Western Australian users. It is safe to say that this is attempting an impossibility, and no doubt these provisions have been inserted in the Bill by someone without a full knowledge of the matter.

Under Section 63 of the Act provision is made to grant, without examination, a first-class engine driver's certificate to the holder of a first or second-class marine engineer's certificate, and a third-class engine driver's certificate to the holder of a third-class marine driver's certificate. The Bill seeks to delete both these privileges and re-insert them with slight alteration, also to add an extension to include a second-class certificate. Thus first-class, second-class and third-class certificates could be obtained by marine engineers without examination. This is merely a modification of the proposal contained in last year's Bill to grant a marine engineer, without modification, every engine driver's certificate in the calendar, except winding and locomotive. As previously stated, the Act already provides for the granting of first and third-class engine driver's certificates. Then why attempt to interfere with the Act merely to extend privileges and add to the multiplicity of certificates? With war and drought conditions to occupy us on more serious matters, why keep introducing measures so as to create burdens on industry by enforcing more pin-pricking legislation? Should Parliament at this period give consideration to two sections of engineers both of whom show that they are prepared to exploit the country's unfortunate position to secure personal gain? The marine engineers have held up two ships—urgently needed for war purposes—so as to take advantage of the existing state of affairs to gain more money. One of these ships is a hospital ship. And this

at a time when Australia is being bled white to carry on the war! Another section of engineers—the munition workers—have been threatening hold-up meetings, but finally decided not to go as far as that. It shows their spirit, however, and this House should not for one moment consider any amendment that will grant them further gains.

Hon. J. Cornell: But that is only a re-draft of an existing provision.

Hon. C. F. BAXTER: What is it?

Hon. J. Cornell: The provision with regard to marine engineers.

Hon. C. F. BAXTER: No. It is sought to add a provision that marine engineers may obtain a second-class certificate.

Hon. J. Cornell: A third-class certificate.

Hon. C. F. BAXTER: Provision is made for first and third-class certificates. The amendment proposes that marine engineers can obtain first, second and third-class certificates. While engineers in Australia are contemplating stop-work meetings to gain personal advantage, their fellow tradesmen in England are risking everything they hold dear to keep the army fed with munitions. I say advisedly that this House should therefore not give any consideration whatever to such an unpatriotic body of men, whose personal gain appears of more importance to them than the crying demand for all sections of the community to give full support to all war efforts.

The mining industry has carried on for over 40 years without the requirement of Subclause 5 (a), which is not necessary in this period of the existence of that industry. There is ample provision in the principal Act and the regulations thereunder to ensure the safety of winding engines. In Clause 19 the proposal is to remove the words "good repair" or "sufficiently guarded" from the boiler or machinery certificate. This would reduce either certificate to the value of scrap paper. The department should accept some responsibility. If a boiler is not in good repair or machinery is not sufficiently guarded at the time of inspection, surely the department would refuse to issue a certificate until it was satisfied that all safeguards had been provided. The words "proposed to be rejected" were not lightly placed in the principal Act.

Generally there is stagnation in industry and we are suffering from the effects of a drought far more serious and far more ex-

tensive than was the drought of 1914. Exports and imports have been considerably reduced within the last 12 months, and the position will most assuredly grow worse while the war lasts and we are attempting to overcome the ravages of the drought.

Is the garage proprietor supplying free air in any better position to-day to afford more inspection fees? Is the proprietor of a refrigerating plant in a country centre doing so well that he can afford to employ additional labour? While he enjoys exemption from certificated control of his internal combustion engine, he would not be able to escape if his refrigerator were in excess of five tons capacity, that is, if Clauses 10 and 11 of the Bill become law. I desire members to realise that there are refrigerating plants in the country of 5½, 6, and 6½ tons capacity. Surely this is not the time to interfere with them! If the Bill provided for one grade of refrigerating machinery driver's certificate only, limited to a refrigerator in excess of 10 tons capacity, little objection could perhaps be raised. Many refrigerators with steam and internal combustion engines as prime movers are under certificated control. The object of all present-day legislation should be to relieve industry as much as possible, not to add to its troubles. The Minister referred to an explosion at the Ayrshire dairy. That explosion was referred to last session, but why I do not know. The Bill is not concerned with that occurrence, because the Ayrshire dairy came under inspection under the present Act. I have a faint recollection about an air receiver exploding, but it happened some years ago when receivers were used only on the goldfields.

Hon. H. Seddon: It was not an air receiver. It was a cylinder that contained gas.

Hon. C. F. BAXTER: I am not referring to that accident. The one I am recalling happened years before that. How long is it since the accident occurred to which the hon. member refers?

Hon. H. Seddon: Ten years.

Hon. C. F. BAXTER: That is not the accident I had in mind. There was some explosion; I think it was of an air receiver and it must have occurred on the goldfields. There have been occasional happenings of this nature, very occasional indeed,

over a period of years. But they do not justify the introduction of this type of legislation, especially under existing conditions. Take Clause 15: This gives the chief inspector power to insist upon there being more than one driver on a plant, which in all likelihood will affect the economic aspect. In addition, it establishes the principle of one person sitting as a judge and jury. Surely we are not going to legislate on those lines.

Hon. J. Cornell: To which clause are you referring?

Hon. C. F. BAXTER: Clause 15. Under Clause 16, stringent conditions are set out regarding the removal and/or the re-erection of a boiler. Such additional conditions will make the position very costly and difficult for those who are located long distances from established centres and apparently will mean two visits by inspectors. Look at the time that would involve. Again, there would be the holding up of industry. Where is the evidence that we must now legislate on such lines? Why not take our hands off industry and give it a chance to operate? Heaven knows, industry is having a hard enough time as it is. The unions and Trades Hall, if they are not checked, will continue to impose these harsh conditions. Section 70, which the Bill seeks to repeal, now provides that notice of removal of any boiler or machinery must be given to the inspector. Surely that is sufficient for present purposes. I urge the House to reject the Bill for the reasons I have given. With the exception of the excision of the provision of two grades of engineers' certificates, the Bill is practically the same as the Bill that was submitted to this House last session and rejected by us by a substantial majority.

Hon. J. Cornell: There is quite a lot out of this Bill.

Hon. C. F. BAXTER: There is not, and I have made a close study of it. The existing Act is working smoothly and provides ample power to control and safeguard industry, and it has been doing that for years. The Bill if passed will add further burdens on the already overburdened State industries; it will harass hospitals, hotels, and clubs by legalising the inspection of steam generators, including those used for

heating purposes; it will bring under registration and inspection hundreds of small garages now supplying free air; it will also inflict grave disabilities and add to the cost of all matters concerning refrigeration, more especially in country districts. Some local authorities who supply electricity and refrigeration will, if the Bill be passed, be forced to impose charges, or, more probably, will have to cease to operate. A move is being made under the Bill to provide another Government political friend with a position by increasing the personnel of the board of examiners from three to four, thereby wasting further funds.

Hon. J. Cornell: That is not necessary.

Hon. C. F. BAXTER: Of course not. The Bill will give autocratic power to inspectors to override employers by being empowered to appoint an additional driver. It will add further vexatious delays and burdens in regard to the handling of machinery to those who may be situated some distance from townships. It will also give too much power to do certain acts by regulation. More important than the disabilities to which I have referred is the fact that there is not the slightest need nor justification for such a Bill during the war crisis when all our attention should be given to matters concerning our most serious position. Above everything the State is facing a drought which, in my opinion, will be more serious and far-reaching than that of 1914. The financial outlook of the State is daily becoming worse, and I ask why does the Government persist in submitting unnecessary legislation when more important matters should claim their attention? I shall oppose the second reading of the Bill.

HON. J. CORNELL (South) [8.9]: All I wish to say is that the proposed amendments will not affect the mining industry very much. With regard to the domestic side, the items enumerated by Mr. Baxter will need attention and I enjoin upon country members carefully to peruse the Bill and see how far it will affect refrigerating plants. Personally I see no necessity for the Bill, none at all, and if Country Party members think the Bill will affect the interests of some of their constituents, they can count upon my support if they wish to oppose it.

On motion by Hon. J. Nicholson, debate adjourned.

BILL—RURAL RELIEF FUND ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th September.

HON. C. F. BAXTER (East) [8.11]: This Bill is the outcome of a Country Party decision, and, as one of the members of that party, it will have my support. I do not consider there was any necessity to cast any reflection on members of the Country Party, as some of the members of this House have done, because of the stand they have taken on this question; nor was there any need for the display of heat. Perhaps the Bill is not all that is desired and may give rise to some comment on that account. If it does not meet with general approval, it can be amended and made a workable measure. No one can deny the necessity for it and, much as we may dislike legislation of this nature, I declare that action on the lines suggested in the Bill must eventually be taken. Several hon. members have stated that the time is not opportune for the presentation of such legislation. My reply is that not only is the time opportune but the period for its presentation has long since passed. In the course of his remarks, Sir Hal Colebatch said—

These defects of detail might be adjusted in Committee if the underlying principle of the Bill was sound and the time opportune for its consideration.

If the time is passed, then when will the time be opportune?

Hon. W. J. Mann: To repudiate just debts?

Hon. C. F. BAXTER: Repudiation has been going on all over the world.

Member: That does not justify legislation on these lines.

Hon. L. Craig interjected.

Hon. C. F. BAXTER: Mr. Craig has vigorously protected the views of two large financial concerns which are vitally interested in mortgages and of which companies he is a director. If one takes a mortgage for £10,000 on a property the value of which does not exceed £6,000 what will this Bill provide? That the excess money shall be laid aside and not bear interest for a term of years. Whether that term of years is long enough or not, I do not know. Probably it is not. What with

the war, the changes consequent upon the world-wide trouble, and possible world conditions after the war is over, the process of rehabilitation may be such that some of the money may be recovered. Let us hope that will be so. If £4,000 has been advanced in excess of a £6,000 security, of what use is it to debit interest against the £4,000 when such interest cannot be paid.

Hon. A. Thomson: Compound interest.

Hon. C. F. BAXTER: The person holding the property cannot possibly carry on.

Hon. H. S. W. Parker: Of what use is it to go on with such properties?

Hon. C. F. BAXTER: The hon. member represents the metropolitan area, which lives upon the producers. Does he contend that every property, on which more money has been borrowed than it is worth today, should be thrown aside, and the people on it told to walk off? If such a policy were followed very few producers would be left in Australia.

Hon. H. S. W. Parker: Bunkum!

Hon. C. F. BAXTER: The hon. member does not know what he is talking about. He is familiar with St. George's-terrace but knows nothing beyond it. I do not know why more voluntary action has not been taken. A Bill of this nature does not give me any pleasure. In all the circumstances properties will eventually have to be written down in value. The policy of some institutions of pushing a man off his holding, rather than that of reducing the debt against it, and then placing someone else in charge of it at a much reduced value is a foolish one from their own point of view. I am sorry Sir Hal Colebatch is not in the Chamber. I am not responsible for his absence.

Hon. H. S. W. Parker: I think you are!

Hon. C. F. BAXTER: I wish to correct a statement he made. He said—

I understand that a feature of the Victorian Act is that it is possible for any borrower to contract himself out of the Act. There is special provision in this Bill that will prevent anyone contracting himself out of the measure when it becomes an Act. So long as that difference exists between the Victorian Act and the Bill before the House, I do not think it is right to claim that there is any very striking similarity between them. The difference is fundamental. The right of anyone who wishes to contract himself out of the Act, makes the Victorian Act entirely different from the Bill we are considering.

A lot has been said both in this Chamber and in the Press about contracting out of Acts. Such a thing cannot be done under the Acts of Victoria, New South Wales or New Zealand. Section 50 of the Victorian Farmers' Debts Adjustment Act reads—

Subject to Section 13 and the next succeeding section—

(a) no provision in any agreement shall operate so as to prevent a farmer from obtaining or seeking to obtain the benefit of the provisions of this part.

(b) any provision in any agreement to the extent to which such provision—

(i) prevents or purports to prevent any farmer from obtaining or seeking to obtain the benefit of the provisions of this part; or

(ii) imposes or purports to impose any burden on or detriment to any farmer in the event of this Act being passed or in the event of the farmer obtaining or seeking to obtain the benefit of the provisions of this part—

shall be void and of no effect.

Where now is all this talk about the Victorian Act?

The Chief Secretary: Will you read Section 51?

Hon. C. F. BAXTER: The marginal note to Section 51 reads:—

"Non-application of Act to any debt incurred after commencement of Act where farmer expressly negatives operation of Act in relation to such debt."

Does the Minister desire me to read the Section?

The Chief Secretary: No.

Hon. C. F. BAXTER: The marginal note to Section 50 reads—"No agreement to prevent farmer from obtaining benefit of this Part." This Bill should not operate in connection with any transaction after the date of the passing of the Act.

Hon. J. Cornell: No new transaction.

Hon. C. F. BAXTER: No.

Hon. J. J. Holmes: Would you expect a financial institution to continue lending money on a property that no longer had any equity?

Hon. C. F. BAXTER: If the hon. member had a mortgage over a property worth £6,070, and £2,000 had to be frozen, would he not be prepared to put more money into it so that the £4,000 equity might be protected?

Hon. J. J. Holmes: I never had a £6,000 property.

Hon. C. F. BAXTER: Banks and financial institutions have done a great deal to help primary producers and have given them extensive credit. I would not do anything to injure them. I know of one firm that has written off a great deal of the money that was owing on a property, and it has not closed down on the borrower. All we ask is that the excess amounts involved be frozen for a certain period to allow of a rehabilitation.

The following is an extract from the Farmers' Relief Act, 1932-37, New South Wales, Division 3, under the heading of "Management and Administration of Estates":—

26 (1). As soon as practicable after the granting of a stay order the board shall as at the date thereof assess the value of the farmer's lands, plant, machinery and other property and assets and ascertain the amount of his debts and liabilities both secured and unsecured, including all interest accrued at or accruing to such date.

Any such assessment or subsequent variation thereof shall be notified by the board to every creditor of the farmer of whose debt the board had notice within 14 days from the making thereof.

This brings in the secured creditor. The legislation has done wonderful service in New South Wales. Although under the Victorian Act excellent service has been rendered, under the New South Wales Act the financial institutions have been working in with the Rural Bank, and excellent service has been done to the State, and the farmers.

Hon. J. Cornell: I found three months ago that the farmers in New South Wales were practically bankrupt.

Hon. C. F. BAXTER: There has not been an exodus from farms in New South Wales, although some of the farmers have had to leave their holdings. Men who have gone right through the fight for the last 10 years must be the right type of persons, and ought to be kept on their properties.

Hon. L. Craig: Are not the financial institutions looking after such people?

Hon. C. F. BAXTER: Yes, but the load of debt is killing them. Institutions which in New South Wales are re-establishing the farmer object to following a similar method here. Why should Western Australia not be considered in the same light as is New South Wales? Whilst in some of the Eastern States and in New Zealand Labour Governments are in office, and supporting the re-establishment of farmers on the basis of

the Acts to which I have referred, the Labour Government of Western Australia is opposed to adopting a similar attitude. A Bill did go through the Assembly, but received its quietus here largely because of the attitude of the Government representatives in this Chamber. The Chief Secretary spoke on the Bill this session, and as he is the Leader of the House his opposition indicates the attitude of the Government to which he belongs. Seeing that legislation similar to this is doing good service in the Eastern States, why should it not do similar service here?

Hon. J. J. Holmes: This is not similar legislation to that existing in the other States.

Hon. C. F. BAXTER: If the hon. member would go through the Acts he would find the New Zealand legislation was more drastic than this, and the Eastern States Acts very much more drastic. Those who control big financial institutions in this State should feel pleased that there is some way by which the responsibility is taken from their shoulders of handling these extraordinary debts that can never be repaid.

Hon. J. J. Holmes: In other words let the banks and outside bodies manage the business.

Hon. C. F. BAXTER: Throughout his life the hon. member has stuck to his code. I admire him for doing so. I know he is not supporting this Bill, but that does not lessen my respect for him, or my admiration for the fact that he lives up to his ideals. Financial institutions should be pleased that some authority was created whereby they themselves would have power to take such action as was necessary. They are in an unfortunate position. They have to handle the money placed in their care and these large volumes of debt. They are in a very invidious position. They cannot go too far in wiping out debts over and above the sound value of the property.

Hon. A. Thomson: And some people say the only thing they can do is to push the owners off their properties, and hand them over at a cheaper rate to other people.

Hon. C. F. BAXTER: At times institutions are forced to do that sort of thing. I do not wish it to be understood that I am not taking off my hat to financial institutions for all the good work they have done in Western Australia for our primary producing industries. It is unfortunate that we

have had a run of bad seasons, and it is more unfortunate for the man on the land than for most people. The point is that sound common sense urges one course and that is to get down to a solid basis of a system governing the valuation of property. The excess amount involved may be set aside for as many years as may be deemed requisite to admit of rehabilitation. That is but reasonable. By adopting such a course the industry would again be placed on a sound footing and heart would be given to the primary producers where to-day they are desolate. Nevertheless their record shows they are the most optimistic and dogged of people. They struggle on hoping for something to turn up and they certainly deserve encouragement.

HON. J. M. DREW (Central) [8.31]: A Bill similar to that under discussion, was introduced in this Chamber by Mr. Thomson in the dying hours of last session. Though opposed in the Legislative Assembly by the Minister for Lands and the Leader of the National Party, it was passed by that House without a division. That fact entitled the measure to some respect in this Chamber, and I supported the second reading so that the Bill could be examined carefully in Committee and its merits determined. There is no doubt whatever that a great number of farmers, through no fault of their own, are in a parlous position to-day. Many may be forced to abandon their properties before long, and already some have done so. There have been bad seasons and low prices, and meanwhile the farmer has been burdened with interest and compound interest, as Mr. Thomson pointed out. After a very careful examination of the measure—I have had ample time since last session to look into the legislation as I had come to the conclusion that the matter would crop up again—I am very doubtful whether the Bill in its present form will provide the satisfactory remedy that Mr. Thomson suggests. It seeks to give the trustees appointed under the Rural Relief Act power to write down every form of security, whether legal or equitable, over a farmer's property. It takes in hire purchase agreements and includes trust funds invested under mortgages, funds that may have been lent to bring in money for the maintenance of widows and children. It has been contended by critics of the Bill that it will damage the credit of

the farmers generally, and I sincerely believe its passage would have that effect. I am afraid it would strike at farmers who have no need of assistance at the present time. The Government has made it perfectly clear that it is not in a position to finance the whole of the agricultural industry of the State, nor yet to finance the farmers who would be thrown off their properties in consequence of action taken under this legislation.

My opinion is that in order to secure a measure that would receive general acceptance, the Bill should be allowed to pass the second reading and should then be referred to a select committee or, better still, to a joint committee representative of both Houses of Parliament. That would enable its merits to be thoroughly investigated. The importance of the issues make the measure worthy of the latter course, namely, reference to a joint committee. One of the first steps to be taken should be to ascertain the total amount of the secured debts owing by farmers, not including the Agricultural Bank. Representatives of the Associated Banks and other institutions affected should be called upon to formulate a scheme for the voluntary reduction of portion of the debts owing to them by farmers. Efforts should be made to secure substantial help from the Commonwealth Government to assist the scheme. Most decidedly it is up to the Commonwealth to come to the aid of the agricultural industry once again. It has done so before. The industry has largely helped to find funds abroad with which the Commonwealth Government has been able to meet the interest bill. Moreover, the farmers suffer severely from the effects of the high Federal tariff, which is admittedly necessary to make Australia self-contained. Besides that, when the agricultural industry is prosperous and farmers are making good profits, taxation, both State and Federal, is swollen proportionately. With the co-operation of the banks and other institutions concerned, and with liberal concessions from them, it should be possible, with Commonwealth aid, to place the agricultural industry on a satisfactory footing, without danger to the credit of everyone in that industry. There is a precedent for the course I have suggested, and, strange to say, it can be drawn from Victoria, to

which State Mr. Thomson and other members have alluded. This is what was done in Victoria: An agricultural land boom extended over a few years when the price of wheat was very high. During that period agricultural land was sold at extravagant prices and re-sold at still increased figures. Ultimately the industry reached a stage at which it was impossible for the farmers to carry on profitably. Their liabilities exceeded assets by £3,000,000. With the advantage of £2,500,000 that Victoria received from the Commonwealth for farmers' debt adjustment purposes, the board handling the work was able to make bargains with financial institutions which agreed to the payment of two-thirds of the indebtedness and to wipe off one-third. The banks did that voluntarily.

Hon. L. Craig: Did they pay that in cash?

Hon. J. M. DREW: Yes. The receipt of £2,500,000 from the Commonwealth meant that there was £500,000 short. That was repaid in cash and the banks were well satisfied. In some instances wheat land had been sold for as much as £20 an acre.

Hon. L. Craig: I should think the banks would be satisfied.

Hon. J. M. DREW: With regard to New Zealand, there had been a general land boom in the Dominion. Prices went up enormously and the prosperity of the country was threatened. The Government passed legislation with the object not only of reducing debts on agricultural land, but on all other forms of land used for every possible purpose. Then there was a measure along similar lines of principle passed by Australia in 1931.

Hon. J. Cornell: That was in an emergency.

Hon. J. M. DREW: Yes, a financial emergency, the effect of which was to repudiate.

Hon. J. Cornell: Interest on bonds was reduced by 22½ per cent.

Hon. J. M. DREW: To ensure the passage of a satisfactory measure, it appears to me that a select committee—I would prefer a joint committee representative of both Houses—should investigate the whole question, otherwise we shall have this legislation presented every session. While the manger is empty, the steed will be starving.

I support the second reading, and I trust members will recognise the seriousness of the situation. They should allow the Bill to go to a select committee in order to secure all the necessary information and to ascertain how the State stands with regard to the liabilities of the farmers.

On motion by Hon. H. L. Roche, debate adjourned.

House adjourned at 3.42 p.m.

Legislative Assembly.

Tuesday, 24th September, 1940.

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

MOTION—URGENCY.

Agriculture Industry and Drought Conditions.

The DEPUTY SPEAKER: I have received the following letter, dated the 24th September, 1940, from the Leader of the Opposition:—

Sir,—I desire to inform you that it is my intention at the sitting of the House today to move under Standing Order 47A that the House do now adjourn to call attention to a matter of the utmost urgency, namely, the position arising as a result of the drought conditions throughout the greater part of the agricultural areas of Western Australia, particularly in regard to failure of crops, absence of stock feed, shortage of water, and the consequent financial problems of those engaged in agriculture. (Signed) C. G. Latham.

It will be necessary for seven members to rise in their places to support the proposal.

Seven members having risen in their places,