

THE MINISTER FOR AGRICULTURE: It is better that people should obtain loans in this way than that they should be forced to go to "Mr. Moses". That is the first provision of the Bill, in order to give the Rural Bank the same loaning powers as private trading banks possess, while the second provision seeks to remove an unnecessary and cumbersome procedure. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned.

House adjourned 8.53 p.m.

Legislative Assembly

Tuesday, 18th September, 1951.

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

CONDOLENCE—LETTER IN REPLY.

Mr. SPEAKER: I have received a letter from Mr. R. B. Mitchell as follows:—

I thank you very much for the resolution you conveyed to me from the Legislative Assembly in regard to my father, the late Sir James Mitchell and for your personal expression of sympathy.

(Sgd.) R. B. Mitchell.

QUESTIONS.

BRICKS.

(a) *As to Closed Yard and Clients' Priorities.*

Mr. GRAHAM asked the Minister for Housing:

(1) Is he aware that a number of people who had been on the waiting list for bricks for considerable periods at Orange Grove brickyards did not have their orders filled when these yards ceased operations?

(2) Does he know that these people, upon subsequently transferring to the waiting lists of other brick manufacturers, have now to commence another entirely new waiting period?

(3) Does he not consider it reasonable that persons in the category mentioned should be placed on the lists of these other brick manufacturing concerns in accordance with date of their original applications when lodged with the now defunct company?

(4) If not, what are his intentions in the matter?

The MINISTER replied:

(1) No.

(2) No.

(3) The company is not defunct and at the present time is in production.

(4) See (1), (2) and (3).

(b) *As to State Works, Releases and Delivery.*

Hon. J. T. TONKIN asked the Minister for Housing:

(1) Was it the State Brick Works, the cartage contractor or the builder who made the error in delivering four loads of bricks to the site in Parker-st., East Fremantle, where Ellis and Cresswell propose building a house for F. Howard?

(2) Did Ellis and Cresswell erect their sign on the site in error?

(3) On what dates respectively, were the four loads of bricks which were delivered to the site in Parker-st., made available by the State Brick Works?

(4) Against what release were the bricks issued and what was the date of the release?

(5) Where should the bricks in question have been delivered?

The MINISTER replied:

(1) The error was not made by the State Brick Works, but by either the cartage contractor or the builder.

(2) Erected by the builder as normal procedure.

(3), (4) and (5). It is understood that Ellis and Cresswell were building houses for several people, including P. W. and W. Larke. On the 23rd August, 1951 (1,750 bricks); the 24th August, 1951 (1,750 bricks); and on the 30th August, 1951 (3,000 bricks) were issued, account release dated the 22nd July, 1949, of P. W. and W. Larke. What arrangements were made by the builder with his several customers is not on record at the Commission.

(c) *As to Metropolitan Co., Release and Delivery.*

Hon. J. T. TONKIN asked the Minister for Housing:

(1) On what date was the release granted for bricks for a residence for W. T. Mansfield, Oates-st., Kewdale?

(2) On what date was the order lodged with the Metropolitan Brick Co.?

(3) When was the first load of bricks made available against this release?

(4) What is the explanation for this particular order not being subject to the "lag" in delivery which is said to exist?

The MINISTER replied:

(1) 21st November, 1950.

(2) and (3) This information is not available in the records of the Housing Commission.

(4) The matter is not directly within the knowledge of the Housing Commission, but it is understood the person concerned was under eviction from his then dwelling.

(d) *As to Applecross Building, Release and Delivery.*

Hon. J. T. TONKIN asked the Minister for Housing:

(1) On what date was the release granted for bricks for a residence to be built in Millington-st., Applecross, for J. Ruland?

(2) As J. Ruland is an owner-builder, against whose release were the bricks which have already been delivered made available?

(3) What brickyard supplied the bricks?

(4) On what date was the order for the bricks lodged?

(5) On what date was the first load of bricks for this building supplied?

The MINISTER replied:

(1) Issued on the 3rd August, 1951. Withdrawn as result of Commission decision made on the 10th September, 1951, following investigations.

(2) Answered by (1).

(3) Investigations indicated W.A. Brickworks Pty. Ltd., Orange Grove.

(4) The 9th August, 1951.

(5) The 31st August, 1951.

(e) *As to City Beach Building, Release and Delivery.*

Mr. GRAHAM asked the Minister for Housing:

(1) On what date was the release issued for bricks for a residence to be built for Mr. W. A. Zeck in Elimatta Way, City Beach?

(2) With what firm was the order lodged, and on what date?

(3) When was the first load of bricks supplied under the release?

(4) On what date was the delivery of bricks completed?

(5) What was the total number of bricks delivered for this job?

(6) What is the size of the house?

(7) Who is the contractor?

(8) What is the explanation of the quick supply of bricks, more particularly as Mr. Zeck is the owner of an adjoining residence which he recently advertised for sale for £10,750?

The MINISTER replied:

(1) The 20th March, 1951.

(2) Not known to the Commission. Releases are issued to the permit holder who is at liberty to place his order with any brickmaker.

(3) (4) and (5) Not known to the Commission.

(6) 16.34 squares.

(7) C. Jewell.

(8) No information on this subject is on record at the Commission, but inquiries are being made, and if any offence is disclosed appropriate action can be taken.

WATER SUPPLIES.

(a) *As to Amenities, West Northam Depot.*

Hon. A. R. G. HAWKE asked the Minister for Works:

When is a commencement likely to be made with the work of providing the amenities urgently needed at the Goldfields Water Supply depot at West Northam?

The MINISTER replied:

Plans have been completed. Additional land is being obtained and fencing and cleaning up of the depot will commence in about six weeks' time. The existing buildings will be renovated and temporary amenities provided.

Permanent buildings will be constructed as materials become available.

(b) *As to Northern Area, Collie.*

Mr. MAY asked the Minister for Works: Will he agree that when the main pumping station is completed at Wellington Dam

the northern area of Collie can be supplied with water, without waiting for the completion of the whole Great Southern Comprehensive Water Scheme?

The MINISTER replied:

It is proposed to do this, provided that piping is available.

SWIMMING POOLS, COUNTRY.

As to Government Assistance.

Hon. A. R. G. HAWKE asked the Premier:

(1) Has a decision yet been made regarding the question of making financial assistance available in connection with the establishment of swimming pool facilities in country towns where the population exceeds 3,000?

(2) If so, what is the nature of the decision?

(3) If not, when is a decision likely to be made?

The PREMIER replied:

(1) It is considered that country towns with populations exceeding 3,000 should be able to finance their own swimming pool facilities.

(2) and (3) answered by (1).

MINING.

As to Treatment of Sulphide Ores.

Mr. MARSHALL asked the Minister representing the Minister for Mines:

(1) What progress, if any, has been made with the instituting of a plant for the treatment of sulphide ores?

(2) If any progress has been made, at what particular centre is it considered advisable to establish such a plant?

The MINISTER FOR HOUSING replied:

(1) and (2) The advisability of erection of a treatment plant of this type has been carefully considered by the Superintendent of State Batteries, who has recently submitted a comprehensive report in regard to State Batteries. His conclusions are:—

(1) State Batteries must still try, as has always been done in the past, to handle as many different types of ore as possible in one plant.

(2) The stamp battery is still the most flexible crushing medium for this purpose on the relatively small scale at which we operate.

(3) The first condition also imposes on us the necessity for continuing with our present general methods of cyanidation which, however, can be speeded up and cheapened by further mechanisation.

(4) There is no justification either economical, technical or of production, for the erection of any form of continuous milling process, including sulphide milling.

(5) Gas engines should be replaced by diesel engines as opportunity offers.

(6) Existing housing conditions and buildings as well as plants should be improved as the occasion permits.

These conclusions are sound for the reason that if the Government is to maintain the guiding principle under which State Batteries came into being, which was that plants should be such as to give a good all-round performance on any type of ore rather than an excellent performance on a few types, continuous treatment is not possible. Apart from this, Kalgoorlie is the only centre which would be able to keep even the smallest continuous plant operating full time.

Should, however, conditions change and, say, large numbers of men again take to prospecting as in the depression period, the position would be carefully reviewed.

Meanwhile existing State Batteries are being constantly improved by installation of diesel engines and the mechanisation of tailing handling.

COLLIE POWER HOUSE.

As to Eliminating Dust Nuisance.

Mr. MAY asked the Minister for Works:

In view of the extension of the Collie power house, causing an intense increase of the dust nuisance which is a menace to the health of Collie residents, will he say whether there is any method by which this dust can be eliminated and, if so, will he cause such steps to be taken immediately to have this menace to the health of the people eliminated?

The MINISTER replied:

As additional boilers become available, it will not be necessary to overload the existing boilers, and it is not therefore anticipated that there will be an increase in the dust emission.

LIFESAVERS, SCARBOROUGH.

As to Restoring Facilities.

Mr. GRAHAM (without notice) asked the Premier:

Will he investigate what steps lie within his power to ensure that facilities are available so that the surf lifesavers at Scarborough may, without delay, resume their customary role of protecting the public?

The PREMIER replied:

I will look into this matter and see what can be done. I know the valuable work lifesaving organisations are doing, and I will let the hon. member have my reply at an early date.

SWAN RIVER.

As to Dredging, South Perth.

Mr. YATES (without notice) asked the Minister for Works:

Has any decision been reached with regard to the use of the dredge "Captain Stirling" for the pumping of silt in the South Perth area?

The MINISTER replied:

The matter is under discussion and if the hon. member will put the question on the notice paper I will secure more definite information for him.

MEAT PRICES.

As to Attorney General's Remarks on Control.

Mr. W. HEGNEY (without notice) asked the Attorney General:

I wish to preface my question, Mr. Speaker, with a brief statement which appeared in this morning's issue of "The West Australian" where, under the heading of "Benefits of Freedom in Meat Rates," there appeared the following:—

The Lord Mayor claimed that price control was making honest butchers into criminals. The butchers had to buy meat from wholesalers at a greater price than the maximum they were permitted to charge. Mr. Abbott, who administers the Prices Branch, said that he agreed with everything the Lord Mayor had said and added that the Government realised the difficulties of the meat trade.

If the Attorney General was correctly reported, has any consideration been given by the Government to the abolition of price control with respect to meat and, if not, why not?

The ATTORNEY GENERAL replied:

The paragraph quoted by the hon. member does not give a correct version of what I said. The Lord Mayor based his speech on two themes, one of which was a welcome to the guests while the other was some comment on prices. I said that I agreed with the Lord Mayor's remarks of welcome to the guests and, with regard to the other matter, I stated that price control was essential while the abnormal conditions of the cold war existed, and my remarks were reported in that way in the "Daily News."

BILL—PIG INDUSTRY COMPENSATION ACT AMENDMENT.

Message.

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

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [4.52] in moving the second reading said: This is a Bill to amend the Pig Industry Compensation Act which at present provides for three-quarters of the market value of the pig to be paid as compensation if the pig dies from swine fever, and the same compensation if a pig is destroyed on account of swine erysipelas or para-typhoid. If a destroyed pig is subsequently found to be free of disease the full market value is paid in compensation.

Hon. A. H. Panton: Do you hold a p.m. on every pig that dies?

THE MINISTER FOR LANDS: There are provisions for inspection to be made. The Act at present provides the market value of a pig as £10 and the main purposes of the Bill is to raise that value to £15.

Hon. J. B. Sleeman: Is not that a bit high?

THE MINISTER FOR LANDS: Not today. The parent Act was passed in 1942 and, as the price of pigs has risen considerably since that time, an increase in the market value to £15, as provided in this Bill, is, in my opinion, fully justified. At present compensation is payable on pigs proved to have died of swine fever, but not on pigs that have died from swine erysipelas or para-typhoid. An amendment contained in the Bill would extend the provisions of the Act to cover those two diseases.

In the definition of "disease" in the parent Act there are included swine fever, swine erysipelas and para-typhoid. Section 6 of the Act, however, separates those diseases and provides for the payment of compensation on pigs which die from swine fever and for the payment of compensation on pigs which are destroyed through swine fever, swine erysipelas or para-typhoid. I may appear to be repeating myself a little, but I wish to make the meaning of the Bill plain. As I have said, compensation is paid to owners of pigs destroyed or condemned as unfit for human consumption by a meat inspector or other authorised person or, with the consent of the Chief Veterinary Surgeon, because of erysipelas or para-typhoid, but it is inevitable that deaths will occur before a report can be submitted by the owner. It seems reasonable, therefore, to extend the payment of compensation to the diseases covered by the Bill.

As regards the "authorised person," it will be the object of the Department of Agriculture to provide for inspection by any person that it feels is competent for that purpose. Here I have in mind a person such as the health inspector of any local authority. I desire to make clear to members representing country districts that everything possible will be done to facilitate the inspection of such pigs. When an outbreak of para-typhoid occurs pigs often die within 24 hours of contracting the disease and the animal may be found dead without any symptoms being visible to the owner. With an increase in market value from £10 to £15 the maximum amount of stamp duty payable in respect of any one pig sold has been increased from 2s. 6d. to 3s. 9d. This new maximum rate bears the same proportion to £15 as 2s. 6d. does to £10, the maximum at present prescribed under the parent Act, with a market value of £10.

The parent Act provides for a rate of contribution to the compensation fund, by proclamation, of an amount not exceeding 3d. in the £. The amount of stamp duty now payable on the sale of a pig is 1d. in the £ and it is not proposed at present to increase this rate of contribution. If, however, at the end of the year it is found that the compensation payments exceed the amount received for stamp duty, consideration will have to be given to increasing the rate from 1d. to 1½d. in the £. As T.B. is not now so prevalent in pigs, the compensation payments are not very high.

Since the Act was passed, the title of the administrative head of the Department of Agriculture has been changed to that of Director of Agriculture, so provision is made in the Bill correctly to designate that position. Section 10 of the principal Act is being repealed. It deals with payment of compensation to the owners of pigs that were destroyed, or were proved to have died of swine fever after the 27th October, 1942, and before the commencement of the Act. As this is no longer applicable, it should be deleted from the legislation. The amendments proposed by the Bill are desirable in view of the changed conditions since the parent Act was passed in 1942. I move—

That the Bill be now read a second time.

On motion by Mr. Hoar, debate adjourned.

BILL—METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. D. Brand—Greenough) [4.56] in moving the second reading said: This amendment to Section 94 of the Metropolitan Water Supply, Sewerage and Drainage Act is necessary to provide for an increased rate in the pound being levied for sewerage and stormwater drainage and to increase the minimum rate chargeable for water supply, sewerage and stormwater drainage. Section 94 of the Act reads—

(1) No water rate shall in any one year exceed—

- (i) two shillings in the pound on the annual rateable value of the land rated, or
- (ii) fourpence in the pound on the capital unimproved value of the land rated, where the valuation is on the basis of the capital unimproved value of the land.

(2) The sewerage rate shall not, in any one year exceed—

- (i) one shilling and sixpence in the pound on the annual rateable value of the land rated, or

- (ii) threepence in the pound on the capital unimproved value of the land rated, where the valuation is on the basis of the capital unimproved value of the land.

(3) The storm water rate shall not in any one year exceed—

- (i) fivepence in the pound on the annual rateable value of the land rated, or
- (ii) five-sixths of a penny in the pound on the capital unimproved value of the land rated, where the valuation is on the basis of the capital unimproved value of the land.

(4) The Minister may make and levy a minimum rate on the prescribed amount upon any land, the annual rate on which would not exceed such amount, but, such prescribed amount shall not exceed, in the case of a water rate, ten shillings; in the case of a sewerage rate, seven shillings and sixpence; and in the case of a storm-water rate, two shillings and sixpence.

It has been found necessary in respect to sewerage and stormwater to increase the minimum rate and in regard to sewerage and stormwater to make some increase in the allowable maximum rate. Briefly, the proposal is to amend the Act to provide that the maximum and minimum rates leviable be increased as follows:—

	Maximum.	Minimum.
Water	2s. in £ on annual value. No change.	Increase from 10s. to £1.
Sewerage	Increase from 1s. 6d. to 2s. in £ on annual value.	Increase from 7s. 6d. to £1.
Storm Water drainage	Increase from 5d. to 6d. in the £ on annual value.	Increase from 2s. 6d. to 5s.

The maximum rate that can be levied under the Act is 2s. in the pound on the annual rateable value. I understand that the present rate was assented to in 1925.

Hon. J. T. Tonkin: We will soon have this flat rate.

THE MINISTER FOR WORKS: It is not necessary for me to point out that there has been a substantial increase in costs since 1925.

Mr. Marshall: Would you suggest that this is a deflationary measure on the part of the Government?

THE MINISTER FOR WORKS: I would not say that. It is a measure to meet some of the sharply increasing costs involved in public works, such as sewerage and drainage which are so essential in the metropolitan area. As I said, it is not proposed to increase the maximum rate for water. It is, however, proposed to increase the minimum rate from 10s. to £1. With the high cost of labour and materials, especially imported tubing, many proposals for extension of the water reticulation

main are unpayable. That is, the annual revenue from water rates accruing from the extension is insufficient to meet the annual charges—interest and sinking fund on capital expenditure, plus maintenance.

It generally happens that a house is to be erected on a block of land, say, five or ten chains from a reticulation main and, between the end of the existing main and the block on which the house is to be erected, are several vacant blocks on which the minimum rate of 10s. per annum is chargeable, and at this low minimum rate the revenue from water rates is insufficient to meet the annual charges. The result is that the owner of the land on which the house is to be erected is called on to guarantee payment of the annual deficiency, in addition to his water rates. This does not mean a substantial increase in revenue, because the guarantee will not be as large.

The department points out that if the minimum rate for water were increased to £1 per annum, many of these proposed extensions would be payable and no guarantee would be necessary. Furthermore, the provision of a permanent water supply passing a block increases considerably the value of the land, and the owner should contribute his fair share towards the cost of the facilities provided. The increasing of the minimum rate would not bring in much additional revenue because the amount payable as guarantees would be decreased by the amount of increased rates from these new extensions.

In respect to sewerage, the maximum rate leviable under the Act is 1s. 6d. in the pound on the annual rateable value. The sewerage rate for 1951-52 is 1s. 6d. in the pound, which is the maximum rate that can be levied under the existing legislation. The accumulated deficit on the sewerage branch at the 30th June, 1950, amounted to £25,810. The deficit for the year 1950-51 is estimated at £50,000, the sewerage rate being 1s. 4d. in the pound.

Mr. Marshall: Can you tell me what percentage of the revenue collected under these headings is paid out in interest each year?

The MINISTER FOR WORKS: No, I could not. I could possibly get the information, but I could not tell the hon. member now. The deficit for the year 1951-52, with the sewerage rate at the maximum of 1s. 6d. in the pound, is estimated at £20,000 and I am advised that to meet that deficit it would be necessary to increase the rate to 1s. 7½d. in the pound. With the present high cost of this work—it is very costly work indeed—no extension of the sewerage system to any of the built-up or new areas is possible. In fact, a heavy loss would be assured on such work. In view of the need to cut down on our loan expenditure and in face of the financial difficulties with respect to

dealing with public works, it is necessary to see some daylight before we can undertake extensions of such works.

In view of the new areas that have been opened up by the State Housing Commission, where group building takes place, our experience is that such undertakings do not return 3 per cent. on the capital expenditure and extensions to many old built-up unsewered areas, which were recently investigated, do not return 1 per cent. on the capital expenditure involved.

The department is being inundated with requests to extend sewerage facilities to unsewered areas, and we certainly recognise it is very desirable that that should be done. On account of the very large deficit confronting us under this heading, we feel that such work cannot be undertaken unless the maximum rating is increased. It is proposed, therefore, to increase the maximum rate leviable from 1s. 6d. to 2s. in the £ on the annual rateable value and to increase the minimum rate from 7s. 6d. to £1.

Mr. Marshall: Are you at the moment rating on the maximum permissible under the Act?

The MINISTER FOR WORKS: Yes, for last year.

Mr. Marshall: So you are shooting it up the full 6d.

The MINISTER FOR WORKS: No. Although we are asking for that maximum, it is not anticipated that we shall levy the full amount.

Hon. J. B. Sleeman: Generally, the minimum is made the maximum.

The MINISTER FOR WORKS: We shall require a rating of 1s. 7½d. next year if we are to cover the deficit.

Hon. J. B. Sleeman: They generally go for all they can get.

The MINISTER FOR WORKS: That is not correct. The rate in the Act has operated since 1925, and at present the rate levied is 1s. 6d. For the moment we are not proposing to rate on the basis provided for in the amendment. With respect to stormwater drainage work, of which we have carried out very little recently, the Bill provides for an increase in the maximum leviable rate from 5d. to 6d. in the £ on annual rateable values.

Hon. J. B. Sleeman: What is the maximum now?

The MINISTER FOR WORKS: The maximum is 5d. and we propose to increase it by 1d. At that figure the revenue from the stormwater drainage rate returns a small surplus over the annual charges. Because of the need to utilise all the land available in the metropolitan area, it has become necessary to drain certain parts. We are faced with that problem in districts such as Midland Junction and Midvale, and this involves very

heavy expenditure in respect of works to deal with the problem of flooding. The provision of stormwater drainage facilities for these areas, being very costly, will show a heavy annual loss, with the result that the present surplus will disappear.

It is proposed that the maximum rate leviable be increased from 5d. to 6d. in the £ so that if these further works are eventually approved—very few of them have been approved—the rate of 6d. in the £ could be levied over the whole area. I will be quite frank and say that it will be necessary to strike the rate at the maximum of 6d. It is also proposed to increase the minimum rate from 2s. 6d. to 5s. With regard to the increases proposed respecting sewerage and stormwater drainage, we do not rate on the unimproved value, and the increases proposed in the Bill have been introduced to bring the figures into line with the sections of the Act that deal with sewerage and stormwater drainage whereby the rate can be made on the annual rental or unimproved capital value.

To increase the maximum sewerage rate that can be levied to 2s. in the £ does not mean that the rate will be fixed at that figure. The Government reviews the charges annually and fixes the rate in the £ at a figure to bring in sufficient revenue to meet the annual charges. I feel sure the House will agree that the Government is not asking too much in respect of these rates in view of the need to cope with the provision of sewerage and stormwater drainage, which forces it under existing conditions to request these higher rates. I trust members will approve of this amendment to the Act. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

BILL—REAL PROPERTY (FOREIGN GOVERNMENTS).

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mount Lawley) [5.7] in moving the second reading said: The Government of the United States of America owns certain land in Western Australia, but as there is no provision for a foreign Government to be registered as the proprietor of land under the Transfer of Land Act, the property in question is at present held in the name of the Commonwealth Government, which acts as a trustee for the United States of America. The Vice Consul for the United States has requested that legislation should be passed so that his Government can hold this land in its own name. The Commonwealth Government has been communicated with in this matter, and it has no objection to the Bill which is now submitted to the House.

Mr. Graham: Are you placing any limit on the amount of property that may be owned by a foreign Government?

The ATTORNEY GENERAL: No.

Mr. Graham: Then the whole of Western Australia could be purchased by a foreign country.

The ATTORNEY GENERAL: It could be.

Mr. Marshall: It does not matter much as the Jews own it now!

The ATTORNEY GENERAL: The Bill proposes that the Government of a foreign State or a Minister or a member of any such Government shall be capable of owning, and being registered as the owner of, land in Western Australia and of conveying, transferring, mortgaging, demising and being a party to any other disposition of such land. It further provides that in any instrument which relates to land in Western Australia, the Government of a foreign State shall be described by the words "The Government of . . ." the blank space being filled by the name of the State. It also sets out that a Minister or member of a Government of a foreign State shall be described by his official title, including, or followed by, the name of that State. I move—

That the Bill be now read a second time.

On motion by Hon. E. Nulsen, debate adjourned.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

In Committee.

Resumed from the 13th September. Mr. Hill in the Chair: the Minister for Housing in charge of the Bill.

Clause 1—Short Title:

The CHAIRMAN: Progress was reported on this clause.

Clause put and passed.

Clauses 2 to 4—agreed to.

Clause 5—Section 32 repealed and re-enacted:

Mr. J. HEGNEY: As I mentioned in my second reading speech, I regard the penalties outlined in paragraph (a) of Subsection (1) of the proposed new section as too vicious altogether. It provides, in the case of a simple offence, for a fine not exceeding £500 or imprisonment for a term not exceeding 12 months, or both, or, subject to the provisions of the next subsection, a fine of not less than £100. The Act has been in operation since before the end of the last war and at various stages controls have been lifted and reimposed, so that possibly many people are not aware of exactly what they can or cannot do.

Bricks were decontrolled for a period during which many people secured supplies in the open market and stored them for future use. Although they had to get permits to build, nevertheless they secured those bricks for the purpose of building garages, fences and so on. Subsequently control was reimposed and has not been lifted since. Today many people may desire to build a garage and when they see someone putting one up, may want to do so themselves. Consequently, they do not know that they are committing an offence. Yet, under this provision, they could be penalised substantially. I thought that at this stage the tendency would be to ease controls but, instead of that, the penalties are being made more drastic. To test the feeling of the Committee, I move an amendment—

That paragraph (a) be struck out.

Hon. J. B. SLEEMAN: I support the amendment; in fact I shall oppose the several provisions in the rest of the clause. I understood that the Government was prepared to strike out of the previous clause the provision for an indictable offence. However, I shall never approve of making criminals of people under a measure of this sort.

Mr. MANN: I support the previous speakers. The provision is a dangerous one and I am surprised that the Minister should have brought it in. The member for Kalgoorlie on Thursday last cited the case of a man who had been punished for using cement to construct a path in his backyard. It is not right that a man should be made a criminal for an offence of that sort and I, too, consider that the provision for an indictable offence should be deleted.

Mr. NEEDHAM: The amendment does not go far enough. If in order, I shall move to amend the amendment by striking out also paragraph (b).

The CHAIRMAN: The amendment moved by the member for Middle Swan must first be dealt with.

Mr. NEEDHAM: While it is imperative that penalties be imposed for breaches of the Act, those penalties should be within reason. The penalty proposed in the clause is anything but reasonable, and I am satisfied that it will not act as a deterrent. I, too, object to making a criminal of a man convicted of an offence under proposed new Section 31. I hope that both paragraphs (a) and (b) will be deleted so that the Minister will have to propose other penalties.

Hon. A. R. G. HAWKE: We should keep in mind the Bill as a whole; otherwise we are apt to lose sight of the attempt to minimise the dishonesty being practised in connection with the insufficient supply of building materials available. We have heard enough this session to know that too great a volume of building materials

is going into wrong channels, because there are individuals with plenty of money who are prepared to get materials by any methods and who do not mind being convicted for an offence and fined £100 or £200.

The measure is not aimed at anyone who obtains a single bag of cement to which he is not entitled; it is not aimed at a person who gets £2 or £3 worth of timber or other material, but it is aimed at those who operate in a big way illegally to obtain large quantities of material to which they have no possible claim. The clause providing for an indictable offence contains the safeguard that no such prosecution may be launched unless it is first authorised by the Attorney General.

Hon. E. Nulsen: Do you think that is a protection?

Hon. A. R. G. HAWKE: I think it is a big protection. He would be guided largely by the advice tendered to him by the Crown Law Department. Obviously the officers in charge of the administration of the law would not recommend to the Crown Law Department the launching of a prosecution on the basis of an indictable offence unless they were convinced by the enormity of the offence that that type of prosecution was justified. The Crown Law officers in turn would have to consider the recommendation and, in turn recommend to the Attorney General that the prosecution be launched. Even then there is provision, in the case of an indictable offence, for the judge, and in the case of a simple offence, for the magistrate to deal with the matter as if there were no provision for a minimum penalty.

Mr. Styants: That makes the whole provision valueless.

Hon. A. R. G. HAWKE: On the contrary, it affords a very necessary safeguard, because the judge or magistrate, after hearing all the evidence, may decide that the minimum penalty provided by the law should not be imposed. So, if we are to give the authorities a reasonable chance of tackling the task of making materials available to those who have a just claim on them, we have to make the penalties in the existing law much more severe than they have been since the Act has been in operation. If we continue with the present penalties, or without greatly increasing them, I think that people with plenty of money, who are prepared to take the risk of being prosecuted and fined up to £200, will be encouraged to do as they have been doing for the last two or three years, namely, get hold of building materials in short supply by any means available to them. In the circumstances, I strongly hope that the Minister will stick to the Bill as printed.

Mr. TOTTERDELL: I support the member for Middle Swan, because I believe the existing penalties are severe enough. I would like to see all the controls lifted,

and the builders have a decent go. That is something I have already preached, but I am still speaking in the wilderness. The State Housing Commission and the Minister are trying to create a law of fear by making the people think that the Commission is the House of Lords and the Minister and his chairmen are little Hitlers. We shall have to go cap-in-hand to the Minister and say, "Please, sir, can I have a bag of cement? Otherwise I shall be put in gaol for three or six months or be fined £500." The present penalties are severe enough. We have an instance where a builder was fined £250 and put in gaol for a month for an offence against the building law. That is sufficient without making the penalty £500 or £600, plus three years in gaol. As the member for Avon Valley said, builders are not all criminals, but these laws encourage them to become criminals. I trust the Committee will decide to let the penalties remain as they are, and not put further impositions on the public.

Mr. STYANTS: I support the amendment for much the same reasons as those expressed by the member for West Perth, and for those I put forward on the second reading. I believe that ample penalties are at present provided if we can only prevail upon the magistrates who hear the cases to inflict somewhere near the maximum, although I go so far as to say that there would be no necessity to inflict anywhere near the maximum term of imprisonment. I think there would be no need to impose a penalty of six months' imprisonment. If a person knew he was going to get one month's or three months' imprisonment, that knowledge would be the greatest deterrent. But until quite recently, when a magistrate gaoled a man for a month, there had not been one instance of the imprisonment penalties being availed of. The proposals in the Bill are out of all proportion to the offences, and they are recognised as such. If we get a judge or magistrate with a bad liver, he can exercise the full severity of the penalties. That is provided for in the Bill by allowing a judge or a magistrate to decide when he shall inflict the maximum.

The trouble so far has been that, although ample penalties have been provided, magistrates have not been prepared to inflict anywhere near the maximum. Here we give them a let-out by saying that if they feel so disposed they can decide to do away with the minimum, which means that instead of inflicting a fine of £40 or £50 for a major offence, as they would under the present Act, they could fine a man £10. The penalties of £500 or imprisonment for 12 months, or both, etc., are ridiculous for such acts as using three or four bags of cement, or two or three sheets of asbestos. I believe the majority of these offences are committed through sheer frustration. I mentioned an instance of a man who had been fined because he

used a certain number of bags of local cement to make a path for the benefit of his wife, who had a baby in a pram and a little toddler of about 2½ years of age. This man, I might say, could not get the imported cement, although he tried everywhere he knew.

A man might use a few bags of cement to make a path to the clothes line in the backyard, to save his wife humping a heavy basket of clothes through the sand; or he might get two or three sheets of asbestos to partition a verandah to provide sleeping accommodation so that his boys and girls of 12 or 14 years of age should not have to sleep in one room. The proposition here is to fine a man £500 for getting a few sheets of local asbestos. The Minister knows that the imported material is not available. For the simple offence designated in the Bill more than sufficient penalty is provided in the existing legislation. I propose to vote against the proposal to make it possible to fine a man £500, or imprison him for a term not exceeding 12 months, or both or, subject to the provisions of the next subsection, inflict a fine of not less than £100, for committing what is, after all, not a criminal but a petty offence.

Mr. GRIFFITH: I propose to support the amendment. Reference to the Act shows that offences are punishable by summary jurisdiction, which means that they are dealt with by a magistrate. I cannot understand why the Minister goes out of his way to alter that provision and bring down a Bill to make the same offences indictable and those who commit them, on being convicted, criminals. I see no solid reasoning in that. As has been said, the present penalty provides for a maximum fine of £200, imprisonment for six months, or both, and confiscation of goods or materials in connection with the offence. I have no objection if it is proposed to make the monetary fine larger, but I certainly have an objection to turning into a criminal a man who commits a breach of the Act. The Leader of the Opposition said, and I almost invariably respect his views, that good and proper protection is provided in the Bill because, before a person can be indicted, the written consent of the Attorney General must be obtained. If the officers of the Crown Law Department recommended to the Attorney General that an offence is of such a nature that an offender should be indicted under the Criminal Code, is it reasonable to assume that the judge, after the person is convicted, will take advantage of the provision which says that the offence is not there? I think that is an impossible suggestion.

Let us view the position. A crime under the Act is committed, some official of the Housing Commission reports the crime and it is decided to send the matter to the Crown Law Department for investigation. The officers of the Crown Law Department will investigate these offences

and recommend to the Attorney General that the offenders be indicted under this particular section. Surely these cases would need to be of a most serious nature before they would do that. It would be most unlikely that the Judge, after convicting a man, would say, "You are guilty of this offence. I intend to let you off."

Hon. A. R. G. Hawke: If it were a case of a serious nature, and the judge thought him guilty, he would not deserve to be let off.

Mr. GRIFFITH: Then what is the purpose of giving a judge the discretionary powers? To use the words of the Leader of the Opposition, a case would not come before a judge unless it were of a serious nature. Crown Law officers would not send a case to the Attorney General with a recommendation that he indict the man for a criminal offence unless the case warranted such action. It would be too drastic to increase the term of imprisonment already provided. Surely a crime in all our laws is measured by its degree of severity. If a magistrate, in weighing the balance in his mind, finds that a crime is committed and the maximum penalty under the particular Act is six months, according to the severity of the crime so will he deliver judgment. But, if we increase that period of time from six months to two years then the magistrate, in exercising his judicial discretion, must say that instead of giving a man one month he will give him four months, and so on. I do not hold with such an idea and therefore support the amendment.

Mr. RODOREDA: Before we vote on this amendment we ought to realise that we might get into a difficult position. The mover has given no indication that he intends to substitute anything else if his amendment be agreed to. Clause 5 merely states that Section 32 is to be repealed and re-enacted. If we support the amendment and no other words are substituted, there will be no penalty in the Act for a simple offence. If we delete paragraph (a), and do not delete paragraph (b), we will have only the penalty for an indictable offence. This is an attempt by the Crown Law Department to deal with a difficult situation. At the request of the Government it has endeavoured to provide very heavy penalties, and at the same time tried to make provision for simple offences by giving the magistrate or judge discretionary powers. A judge or magistrate, simply by recording reasons, can fine a man £1. That is what the clause really states and the magistrate does not have to give good reasons for his action. Therefore, in effect, this clause is not worth the paper it is written on.

The Attorney General: There is a similar clause in the Act at present.

Mr. RODOREDA: And look how it has worked! If the judiciary imposed the penalties already permitted in the Act this

business would stop and I am certain that severe penalties will not be imposed when this Bill becomes an Act. It is a difficult situation to deal with. If we imposed a monetary fine, plus confiscation of all materials used over and above those allowed by the permit, plus demolition of the extra squarage or buildings in excess of the permit, it would go a long way towards stopping this sort of business.

Mr. Styants: That would stop it.

Mr. RODOREDA: There is provision for that in the present Act but do the magistrates take any notice of it? Can the Attorney General or the Minister for Housing tell me of one instance where that has been done? Of course not! Will the magistrates change their viewpoints simply because we make provision for heavier penalties? The Crown Law Department admits that some provision must be made for simple offences, but if we do it in this way we are giving the magistrates the same discretion as they have now. Unless the mover of the amendment is prepared to substitute other words for the words struck out, we will be in a position where Section 32 of the principal Act is repealed and there will not be any penalties in the Act except those relating to indictable offences.

Mr. J. HEGNEY: If my amendment be agreed to I propose to move for the reinsertion of what appears in Section 32 of the principal Act. The penalties provided in the amendment are most severe and that is my reason for moving the amendment.

Mr. OLDFIELD: I propose to support the provisions in this Bill. Some members have said that the penalties already provided in the Act are sufficiently severe, but I do not think they are. If they are, then the magistrates are not imposing sufficient penalties. The number of offences committed far outweigh the prosecutions, and many people are willing to take the risk of a £75 fine which seems to be the usual in cases of this kind. There was a case last week of a man who exceeded the permissible squarage by something like seven squares. He was fined £75.

Hon. J. B. Sleeman: And gaol?

Mr. OLDFIELD: No, he was not sentenced to gaol. A fine of £75 in that case meant an extra £10 a square, which is absolutely ridiculous. That extra seven squares would be sufficient to provide accommodation for a working man and his family.

Hon. J. T. Tonkin: He put 4,000 bricks into the construction of fences.

Mr. OLDFIELD: He did plenty. He was in a position to get materials; he was a wealthy man and the fine did not mean anything to him. I cannot understand some members speaking against these penalties, because this session we have heard

a lot from them about the shortage of houses and what the Government is doing and should be doing to provide homes.

Mr. Rodoreda: Move to increase the penalties and it will make it more effective still.

Mr. OLDFIELD: Members say that this Bill will make criminals out of honest men. I do not see how a Bill can make a criminal out of an honest man. He makes a criminal out of himself.

Mr. Griffith: He is not a criminal until he is convicted.

Mr. OLDFIELD: A man does not have to commit these offences. He makes a criminal out of himself and has only himself to blame if he is convicted.

Hon. J. B. Sleeman: I would like to hear you on the S.P. Bill.

Mr. OLDFIELD: Fines will not affect the wealthy man; they will simply hit the small man.

Mr. J. Hegney: It is the little man I am looking after.

Mr. OLDFIELD: As the Leader of the Opposition pointed out, the magistrate is permitted some discretion. If the wealthy man is not sent to gaol he is not affected at all. The only way to hit the wealthy person is to put him in gaol. The penalties provided in the Bill are sufficient to fit the crimes committed, and to my mind it is a crime when a person exceeds by several squares, a permit to erect a dwelling. In many instances the extra squarage is sufficient to provide homes for working people. That is a criminal offence and why should we protect such people?

Hon. J. B. SLEEMAN: Why does not the member for Maylands move to increase the penalty? There are only two things wanted to make this a perfect Bill. One is to liquidate a man if he is found guilty and the other, if he has materials in his possession, to charge him with unlawful possession and put the onus of proof on the defendant. That would make it absolutely perfect. But I am not going to agree to a man being indicted as a criminal for an offence such as this. I think the Minister should report progress and consider the position before we go any further.

Mr. BRADY: The member for Maylands is thinking along the right lines. I congratulate him for sticking to his guns even though he is a young member, and I hope he will not be bluffed out of anything he is trying to do. Some builders will take any risk to get what they want; they will abuse all the laws in the world. I have had some experience in this matter because I was chairman of the building committee of a municipal council. At that time we knew that certain builders in the district would break every by-law and regulation made. Some of them did it consistently and even now some of those contractors and builders are still in existence. They are adopting the same tactics and getting

away with it. A distinction should be drawn between builders, who should know the law, and people who merely build for themselves. That is one improvement that could be made to the Bill.

The Master Builders' Association and the Builders' Guild should know the law, or at least should make it their business to know it. A private individual cannot be expected to know the law to the same extent. Some distinction should be made between these two. I feel there should be provisos after paragraphs (a) and (b). Something along these lines might help, "Provided that no offence shall be committed unless the amount in dispute is £10," and in the case of, say, paragraph (b), "Provided there be no indictment for a criminal offence unless the extent of the building in excess of the required amount is, say, £100." That would, I think, cover the whole position. At the moment there are people who are worse than criminals in their behaviour in this matter. They are forcing women and children to put up with privation; they are sending people to the Old Men's and Old Women's Homes; they are sending some people to Claremont and some to the Fremantle gaol because people are trying to do the right thing by their families. I think the Minister is justified in trying to stamp out this illegal building.

Hon. J. T. TONKIN: The fact that the Government has brought down this amendment for the purpose of increasing penalties indicates clearly to me that those who are responsible for administering the Act are satisfied that too many breaches are being made and that they are occurring too frequently. Drastic action has to be taken, therefore, to prevent these happenings from continuing. It is obvious that the Housing Commission realises it is in a difficult position and is unable to cope with the present situation. Any member who has made an inquiry into what has been going on will know that people are just laughing at the Act at the present time.

Mr. Marshall: I would not say that. No magistrate has imposed a maximum penalty yet.

Hon. J. T. TONKIN: They are laughing at the Act and using material without any possibility of being fined. Those who have been caught from time to time say they do not mind paying the fine because it will go in income tax, anyway.

Mr. Griffith: Would you agree that we have yet to see a magistrate impose the maximum penalty?

Hon. J. T. TONKIN: I believe that the maximum penalty has not yet been imposed. The Government would not have agreed to increase the penalty unless it felt more drastic action was necessary as a deterrent. The member for Fremantle suggested that the Minister for Housing

should report progress. If this amendment is carried he will have to report progress as the Bill will be ruined. Section 32 of the Act deals with the imposition of penalties. This amendment does not seek to delete that part of the clause which intends to repeal Section 32. We will therefore, be in the position of repealing Section 32—which is the section in the Act imposing penalties—and will delete this provision in the amending Bill for the imposition of penalties. So we will have an Act without any penalty at all. Is that going to help the situation? We have not heard anything from the legal gentlemen on the Government side to indicate where we are heading if we agree to this amendment. There has been a good deal of confusion over the use of the word "simple" offence. The use of this word does not mean a trivial offence. A number of severe offences against the Act can be regarded as "trivial" for the purpose of allowing them to be brought under certain jurisdiction.

The Attorney General: They are both criminal too.

Hon. J. T. TONKIN: Yes, but they are not both indictable. So members do not want to get the idea that somebody is likely to be fined a considerable amount for taking a shovelful of cement. I have not seen a case of that nature yet under the existing Act. Cases that have come before the court have been serious breaches so far as my observations of what has been happening are concerned. It is obvious that something better than what has been done up to date should be done to check the position. When we get men like the president of the Architects Associations' stating publicly that bricks can be obtained for £2 a thousand above the specified rate, it shows the extent to which the Act has been flouted.

I have personal knowledge of many cases where bricks to build houses are obtained in a matter of days after the orders are lodged. I have had instances brought to my notice where men have been going around touting for business for the sale of bricks on the black market. Would they be likely to do that if they felt they might be subject to a severe penalty? If we are in earnest about this, something more than is in operation to-day is necessary. I had a man to see me today who has been trying to get bricks to build himself a house since the beginning of last year. He has spent a long life in the service of the Education Department in this State. He never had the opportunity of providing a home for himself because he was transferred from one district to another. He occupied a very high position in the service. When he retired he wanted to come to the metropolitan area and settle down, and wished to build a house for his declining years. I saw a letter that he received from the

Principal Architect telling him that brick firms did not supply bricks out of the proper rotation in which orders are lodged. That makes me smile!

Mr. Graham: It makes me sick!

Hon. J. T. TONKIN: This man cannot get the bricks he wants because too many people are getting them out of their turn by buying them on the black market. The Prices Minister knows of cases that have been submitted to him where so-called reputable brickmaking firms in this State have entered into arrangements to supply bricks at as high as £2 a thousand more than the fixed price. When all those things happen, surely it is obvious that something drastic has to be done. Magistrates will not impose the maximum penalty. I do not think we have anything to fear at all. We ought to have clearly in our minds that the reference to "simple" offence does not mean trivial offences. The Housing Commission will have its hands full in dealing with offences that are serious instead of bothering about shovelfuls of cement or barrow-loads of bricks. What the Commission will be chasing up, I hope, will be bricks by the thousands that are going out in the wrong way, and cement by the hundred bags which is also going out the wrong way. I hope the legal men on the Government side will inform the Committee what will happen to the Bill if the amendment that has been moved is carried.

Mr. RODOREDA: I do not think we should be very concerned as to what will happen if we carry this amendment. That is no argument at all.

Hon. J. T. Tonkin: But we will have no penalties.

Mr. RODOREDA: That is the Government's pigeon. It is no argument for retaining a clause to which we object. The Government can very easily recommit the clause if it allows us to get it into bother over this. I agree with the member for Melville that something drastic is required to deal with the position as it exists, but I do not want the Committee to delude itself into thinking that, by simply passing increased penalties, any more drastic action will be taken than there has been up to date. What is the use of putting into the Act heavy penalties if no prosecutions take place? What I want to know from the Minister for Housing is when he is going to police this Act, because it has not been policed up to date.

The Minister for Education: Dozens of prosecutions have already taken place.

Mr. RODOREDA: Some prosecutions have taken place and the Minister for Education knows that as well as I do.

The Minister for Education: Dozens have taken place, and I know nothing of the kind.

Mr. RODOREDA: We have had evidence from the member for Melville which discounts that. It is no use telling the Committee that prosecutions have taken place when they have not. We have to find out who the offenders are. What arrangements has the Minister for Housing made for tracing these offences that exist today? None at all! The Minister says, "I cannot deal with the position now but I will do so if you put heavy penalties into the Act." The discretion is still left with the magistrate to impose light penalties.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. RODOREDA: Before tea I was pointing out that we cannot, merely by passing legislation imposing heavy penalties, expect to remedy the situation. We have heard nothing from the Minister on this question. He has given us no assurance that anything will be done in the future, other than what has been done in the past, to institute prosecutions against folk contravening this Act. Admittedly there have been prosecutions; but they have not gone far enough, inasmuch as a person who has contravened the Act by building has been the only one prosecuted. Apparently the supplier of the excess material has got off scotfree and has committed no offence under this measure.

I would like the Minister to give the Committee some idea of how he proposes to police the provisions of this Bill. It is no use imposing penalties if the people who have to enforce the Act do not see that prosecutions are instituted and vigorously followed up. I would like to hear from the Attorney General, also, whether there are any legal obstacles in the way of imposing penalties in regard to confiscation, compulsory acquisition, or demolition of work done in excess of permits. That would be a far more effective way of dealing with people who flout the regulations, and disregard any fines that may be imposed as being of no consequence to them since to them money does not matter. If they were in danger of losing the extra work done, that would be a heavy penalty.

The MINISTER FOR HOUSING: As has been indicated to the Committee, the intention of the Government is to catch the big fish. There is such an enormous amount of building taking place that in order to find out what is happening to every building operation we would require the services of a multitude of inspectors. On numerous occasions the trivial offences to which some members have referred, such as the using of one bag or two shovelfuls of cement, have been reported. Such matters come before the Commission, and the chairman determines whether there shall be a prosecution or stop-work order. These small offences are many, but each is judged on its merits. If a man is found to have been guilty of such an offence, he is either

called in for an interview or receives a very strong letter. On the other hand, we are out to catch the big fish, and there have been from 30 to 35 prosecutions this year. On a recent occasion the offence involved an amount of £750 worth of excessive work. For that the man was fined £10.

Mr. Marshall: That might have involved more labour than material.

The MINISTER FOR HOUSING: On another occasion the amount was over £900, and the man was fined £5 and the builder £3. The situation is impossible if we do not have a penalty that will deter men from committing these offences.

Mr. Griffith: Why did not the magistrate take advantage of the maximum penalty?

The MINISTER FOR HOUSING: The idea of these heavy penalties is to impress on the magistrates that the Government takes a very dim view of the amount of building taking place in excess of permits. In this connection all similar Acts in the Commonwealth were studied, and the penalties in this Bill are those which are in operation under the Queensland Act today. I am prepared to have a further look at this clause. The member for Roebourne asked why we could not fine a man a sum equalling the value of the work done. It will be remembered that in the increase of rent Act there is a provision that if a man receives £250 as key money the magistrate is forced to impose a fine plus the £250. If progress is reported, I will give consideration to including some such provision in this measure, so that if a man exceeds his building permit by, say, £1,000, the magistrate must inflict a penalty plus the £1,000.

Progress reported.

BILL—PARLIAMENT HOUSE SITE PERMANENT RESERVE (A1162).

Second Reading.

Debate resumed from the 13th September.

MR. GRAHAM (East Perth) [7.40]: This Bill, which is essentially a non-party one, had its genesis in action taken by the Joint House Committee of this Parliament to prevent any further incursions into the Class A reserve, which is set aside for Parliamentary buildings, until such time as Parliament itself in its wisdom resolves the matter one way or the other. Unlike the position in some of the other States of the Commonwealth, there is here no Act of Parliament or close definition laying down the powers, duties and authority of the Joint House Committee, but it is generally recognised that the Committee is the trustee or the custodian of Parliament House building and the grounds upon which that building is situated.

I do not think there will be any argument about the authority of the Joint House Committee in this case. It is realised that Parliament itself is supreme; but, while that might apply and work, quite satisfactorily when Parliament is in session, it is a totally different matter when Parliament is in recess.

Mr. Needham: Parliament is still supreme.

Mr. GRAHAM: Yes, but it is a matter of impossibility for members as such to take any action to halt steps contemplated by the Government when the two Houses are not meeting. In the words of the Land Act, reserves classified as Class A reserves—

shall forever remain dedicated to the purpose declared in the notice of reservation until by an Act of Parliament it is otherwise enacted.

In this case, as the Class A reserve in dispute was dedicated for Parliamentary buildings, it is surely obvious to everyone that only by a decision of Parliament can the grounds be used for any other purpose. Perhaps I should qualify that by saying that only under that procedure can the grounds be lawfully used for any other purpose. It appears that there have always been some doubts and confusion with regard to this area of land. Apparently without any investigation being made, the belief was that the higher portion of the land, upon which the present section of Parliament House is constructed, was for Parliamentary purposes, but that the land closer to the city—that usually referred to as "the flat"—upon which the Public Works Department and Water Supply Department buildings are erected, was for a different purpose. Accordingly, from time to time new buildings have been erected on that land and extensions have been made to existing buildings. That sort of thing has gone on without question and without reference to Parliament, because those works were confined to the lower area.

I dare say that had it not been for pegs appearing on the Malcolm-st. frontage of the land and the subsequent carrying out of excavations of some considerable dimensions—which could do nothing but draw the attention of members to the work in hand—the Government could have proceeded with the project on the lower level without any concern being demonstrated by members. Of course, the procedure of gradually extending the area used for departmental buildings could not be allowed to continue indefinitely, and it is the responsibility on all of us in this House to ask ourselves for how much longer we are to tolerate a state of affairs under which public buildings are encroaching further and further in a manner which suggests that they may ultimately reach almost to the very doors of Parliament

House. Surely it is obvious that sooner or later a halt must be called. It was with that thought in mind that the Joint House Committee took the action that it did take.

I will give, chronologically, a short history of the events leading up to the action by the Joint House Committee which was finally responsible for the cessation of the work in question. I do this because there has been a suggestion that the Joint House Committee delayed somewhat in making its protest to the Government. The first indication that this new building was contemplated appeared on the 1st February last when the Minister for Works announced in the Press that he intended to construct a building in the Parliament House grounds facing Malcolm-st. On the 14th March there was a meeting of the Joint House Committee, the secretary of which was instructed to make inquiries from the Department of Lands and Surveys with the object of ascertaining what the rights of the Committee, if any, might be in regard to the land concerned. On the following day a letter was written to the Under Secretary for Lands and on the 19th April a letter was received from him setting out the details. On the 14th May the secretary of the Joint House Committee was instructed to discuss the matter with the Solicitor General and, on the 18th of that month, he put certain questions in writing to the Solicitor General.

On the 6th June a letter was received from the Solicitor General informing the Committee of his opinions and notifying it that the Attorney General had been acquainted with the circumstances. On the 13th June the President and you, Mr. Speaker, were requested by the Joint House Committee to wait on the Minister for Works or his senior officers for the purpose of discussing the whole situation. On the 18th June a letter was addressed to the Minister for Works, pointing out the position and indicating that, in the opinion of the Joint House Committee, it would be unwise to proceed further with the work.

On the same day—the 18th June—a letter was received from the Minister for Works asking the Joint House Committee to give permission to enable the work to proceed and, naturally, on the 26th June a communication was forwarded to the Minister for Works stating that the committee was unable to give permission and emphasising, once again, the fact that it viewed seriously the projected action of the Government. On the 3rd July a further letter was received from the Minister for Works, stating that the matter had again been placed before Cabinet, which had decided to proceed with the work, the protest of the committee notwithstanding.

Mr. Marshall: Bureaucrats, setting themselves above the law.

Mr. GRAHAM: On the 10th July a letter was received from the Premier giving an assurance that upon the completion of

this work no further inroads would be made on the grounds of Parliament House. As the work was at that stage proceeding apace, the Joint House Committee decided, on the 26th July, to inform the Government that unless there was a cessation of the building activity within seven days, a representative of the committee would seek an injunction to restrain the Government from having any further work performed on that site. On the following day the work ceased. On the 31st July a letter was received from the Acting Premier stating that it was the intention of the Government to introduce validating legislation which, of course, is contained in the measure we are now considering.

I believe that the Minister for Works and indeed the Government, in following a course which had been taken by their predecessors, made a genuine mistake. I repeat that on previous occasions, when new buildings were erected on the land in question, the work proceeded without any complaint at all and without any legal aspect being raised. A disquieting feature is the fact that, notwithstanding official communications from the Joint House Committee and discussions by the secretary of the committee with the Minister, as well as private or personal conversations between certain members of the committee and the Minister for Works, instead of heeding the warning and surveying the whole situation on a business-like basis, the Minister or his department apparently regarded any action contemplated by the committee as a signal and, accordingly, the work was in fact speeded up. I can vouch for that personally.

I happen to know several of the workmen who were engaged on the job—I will be a little indefinite as I do not want the men concerned to be put on a spot—and one of them stated that where there was necessity only for one or two tradesmen of a particular type there were, on occasions, eight, ten or even 12 of them on the job with little or nothing to do. They were there, en masse, for the purpose of speeding ahead with the job as rapidly as possible so that, when work of their particular class became available, they could proceed with it immediately. That was an act of bad faith on the part of the Minister, though whether he personally was responsible or whether his senior officers were I do not know. To anyone who is inclined to think that it would be a shame to prevent the completion of the building—fortunately there has not been a great deal of work done on it up to the present—I say it has proceeded as far as it has only because of a deliberate attempt by certain responsible and senior officers—

The Minister for Works: I knew nothing about that.

Mr. GRAHAM:—if not the Minister himself, to thwart the wishes of the Joint House Committee and, further than that, to confront Parliament with a fait accompli. After all, if the building were 50 per

cent. completed the great majority of members would probably be more than diffident about taking action that would preclude its being completed, but the fact that several thousand pounds—I believe £3,000 altogether—have already been spent on the work is attributable either to the Minister or certain of his senior officers. I must state here that, whilst there was nothing official or in writing, there was nevertheless a tacit understanding that until such time as the position was clarified, the actual erection of the building would not be proceeded with. But, unfortunately, there was a breach of faith somewhere.

We come now to consideration of the project itself. A temporary structure is proposed to be erected for public offices, but here let me say that the building, of which little more than the foundations has already been constructed, is the most permanent-looking temporary structure that I have ever seen.

Mr. Marshall: I'll say it is.

Mr. GRAHAM: From observation about Parliament House itself members will have an idea of what "temporary" means. Here at the very front door of Parliament House itself is a terrible-looking structure, walled and roofed with galvanised iron, and placed there as a temporary addition almost 50 years ago.

The Premier: Call it "the back-door."

Mr. GRAHAM: The Premier knows perfectly well that, when completed, Parliament House will face the city and, accordingly, the eastward aspect is the front portion of this building. This "temporary" structure of which I speak has been there for almost 50 years. As members have probably noticed, it was re-roofed only a few months ago and is therefore apparently designed to last for another half-century or so.

Mr. Nalder: It requires a willy-willy such as struck Fremantle last night to shift it.

Mr. GRAHAM: It is perhaps a pity that such a willy-willy would not hit this place, when members were absent, of course. The Minister, when introducing the Bill, stated "The structure envisaged is a temporary building, whatever that might mean." It surely becomes obvious from past experience and from the Minister's own doubts in the matter that, if a further building is allowed to be erected—

The Minister for Works: It is not likely to be pulled down before the rest.

Mr. GRAHAM:—it will probably remain for 70 or 100 years if it can remain standing for that length of time. Something must be done to call a halt to this constant eroding away of the area which rightly belongs to the people of the State, and which has been reserved for the completion of Parliament House as a place that we can be proud to show visitors, which is more than can be said at the present. We have been told that the pro-

jected building is to cost about £62,000 but I have been informed by an officer of the Public Works Department that the cost will be in excess of £70,000.

I feel that it is a wicked waste of money to erect a temporary building that will be no adornment of the city or of the grounds of Parliament House at such terrific cost, and I will have something to say about the shortage of building materials before I resume my seat. The extensions to the building occupied by the State Housing Commission are almost completed and I have no idea what that work has cost but, together with the offices of the State Housing Commission and the contemplated new building in Malcolm-st., surely all that work could have provided a substantial contribution towards the cost, materials and manpower involved in a permanent modern structure that we are told is some day to be erected in St. George's Terrace. The Government offices at present are shocking and appalling in many respects. They are widely scattered throughout the city; they are overcrowded and uneconomical to administer; they are unsatisfactory to the Government, to the employees housed in them and to the public which seeks to do business expeditiously.

To give members some idea how widely spread these offices are, I have jotted down the names of several of them and their locations. The State Saw Mills and State Brick Works have their offices in Murray-st. west; the Chief Secretary's Department and the Public Health Department are in Murray-st. east; the Public Works and Water Supply Departments are at the western end of St. George's Terrace; the Tramway Department is in central Hay-st.; the State Housing Commission, other departments and branches of departments are in Hay-st. east; the State Insurance Office is in central St. George's Terrace; on the northern side of St. George's Terrace is the Treasury block, housing many Government departments. That, of course, does not exhaust the number of departments by any means. For example, the Department of Native Affairs in Wellington-st. has not been mentioned.

Surely the time is long overdue for initial steps to be taken to lay the foundations of a permanent modern structure to provide proper facilities for the public and decent accommodation for employees of the Crown. I think it was some 13 years ago that a considerable area of land was set aside in St. George's Terrace immediately east of the Governor's residence. That is the site for the proposed establishment of centralised Government offices. If we permit this further temporary structure to be built on Parliament House grounds then, to that extent, we have delayed the building of which I have spoken. We would have allowed another makeshift building to be erected. Therefore, I consider it is a matter of urgency for the Government to undertake the

building of at least the first portion of centralised Government offices. To my mind, the Minister gave most cogent reasons why a start should be made on a permanent and properly erected building.

After quoting his examples of overcrowding, which nobody will deny, even although we argue whether the proposal is the best solution and, if a solution at all, is to be only temporary, the Minister went on to say that there are unprotected plans and documents worth millions of pounds, which are irreplaceable, and, if destroyed, would bring about a state of chaos. Having worked on plans and the like during my period as a public servant, I have some knowledge of the expense involved in, and the importance, of gathering lost information if those records were destroyed. Surely, when the Minister tells us our millions of pounds' worth of public documents are being exposed to hazards, and I suggest they will not be particularly safe in a timber-framed two-storey building, that in itself would be sufficient justification for the Government to commence the erection of new, modern offices which have been mooted for so long but about which nothing has been done to date. I will make one exception to that statement because several weeks ago the Principal Architect and his staff were instructed to set about the preparation of plans. Of course, it is a considerable step from the preparation of plans and specifications to the commencement of the job.

The Minister for Works: That has always been so, of course.

Mr. GRAHAM: The Minister spoke of the urgent need for all energies to be devoted to the task of building houses, schools and hospitals. I will give place to no one in the advocacy of every possible step being taken to solve the problem of housing the homeless people in this State, or persons living in sub-standard dwellings or in adverse conditions. Therefore, it is hardly likely that I would be advocating a course that would seriously affect the housing of those people. At the same time, I am cognisant of the fact that there are shops, showrooms and extensions to them being built throughout the metropolitan area and I daresay in other parts of the State, and this has been going on for a number of years. But let us have some regard for the type of structure to be built on what was the Government domain, if the Government were to make up its mind immediately.

Here let me suggest that temporarily the Government could acquire a building elsewhere. Only over the road from this building, in Hay-st., premises were for sale a week or two ago. If converted into offices, they would have housed a number of employees and then, at some future time when more suitable accommodation was available, the houses could

be resold. To return to the type of materials and the effect which the new structure would have on the building programme. In the first instance, let us consider the so-called temporary structure. That, as all of us can see, is to be built of bricks, cement and timber in considerable quantities, asbestos sheets and all the other materials that are essential for its completion. Every one of those commodities could be used for housing people. Indeed, the tradesmen engaged on that work could, with greater advantage, be occupying their time by building houses for the homeless. But a more permanent structure of steel and reinforced concrete, especially if imported cement were used, would be constructed of materials which are not used for building houses, and that applies particularly to the construction of the shell of the building. The type of skill required for that work differs somewhat from that needed to erect an ordinary cottage. Accordingly, it would be of advantage to the house-building programme of Western Australia. If, instead of building a number of shanties—and there are quite a number of them around the city, much to the chagrin of the Perth City Council—

Mr. Totterdell: Shame, did you say?

Mr. GRAHAM: No, I said chagrin. If the materials used on the temporary buildings were diverted to home-building, and structural steel and imported cement were used to build Government offices worthy of the name, there would be no sacrifice of the house-building programme. Therefore, I hope and trust that members of both Houses of this Parliament will, by their attitude and votes on this measure, indicate to the Government in no uncertain terms that we want no more of these makeshift buildings. We want no more conflict between the Government and the Perth City Council. It is high time we had adequate public offices worthy of this State, and I suggest to all members that if we refuse the Government permission to proceed with this monstrosity that it contemplates erecting in Malcolm-st., to that extent we shall be closer to the day when, because of circumstances, it will be compelled to build a permanent structure. Then, instead of wasted material and wasted manpower, we shall have a worth-while asset.

The members of the Public Service directly affected had a lunch-hour meeting to protest against the action which was designed to prevent the continuation of the building of which I am speaking. It was indicated to me that that meeting was not as spontaneous as appeared, but was in fact inspired from the Minister's own office in the hope of creating either a favourable impression with the public because of the shocking conditions under which public servants work, or

perhaps to stampede the members of the House Committee into reversing their decision.

Mr. Marshall: I heard it was the efforts of two Labour men that stopped its being continued.

Mr. GRAHAM: That would be the sort of thing that would be rumoured round the town, but I do not think I am divulging any secrets—because after all the House Committee is composed of members of Parliament from both Houses—when I say that every decision on this matter has been unanimous and without question.

Hon. A. R. G. Hawke: Hear, hear!

Mr. GRAHAM: The public servants complain, as they have a right to do. They threw bouquets, in which were concealed bricks, horseshoes and other things, at members of Parliament because they had the temerity to put a stop temporarily—and, I hope, permanently—to the work which was proceeding. I wonder if public servants have any idea of the circumstances existing in Parliament House? I wonder if they realise that there is a room, immediately across the corridor, of the size of an average sitting room which is supposed to be a commonroom to accommodate about fifty members of the Assembly?

Hon. A. R. G. Hawke: Including the member for Mount Marshall!

Mr. GRAHAM: Very true! I wonder if they realise that there is only one Strangers' Room in Parliament House in which 80 members are expected, somehow, to consult their constituents? I wonder if they have any conception of the shocking conditions under which the "Hansard" staff has to work? They have to work in a galvanised structure which is a hot box in the summer and an ice box in the winter. It is a structure which should not be tolerated—as it has been for 50 long years—in a building of the nature of Parliament House. Here let me emphasise that "Hansard" reporters, unlike public servants, are working at night when Parliament is sitting, and members can imagine how terrifically cold it is in the shabby quarters they occupy at present.

Mr. Marshall: Look at the telephone, writing and reading rooms!

Mr. GRAHAM: It is my intention in Committee to ask members to agree with me in my attempt to delete from the Bill any reference to a building under construction. The Public Works Department has had a site on this area for many years, and certain additions have been made to the departmental buildings. I suppose now that the matter has been brought officially before us there is one course only open to us, and that is to give some legal sanction to their existence on these grounds. So far as I am concerned, no

further structures are to be built on this area. I repeat that the fact of so much work having already been done on the proposed structure is the fault of the Minister and his department, because of their speeding-up tactics instead of heeding the counsels given to them, officially and unofficially.

Another comment to be made on the Bill is that instead of giving assent for a period of 21 years for the Government offices to remain there before being cleared away, as we hope they will be some day, and thus enable proper gardens and approaches to be made to the completed Parliament House, if we can allow our minds to go that far ahead—

The Minister for Works: Why worry?

Mr. GRAHAM: —the period should be far less than 21 years.

The Premier: But why worry about that?

Mr. GRAHAM: For the very good reason that in 21 years' time, it is more than likely that very few of us will still be members of Parliament.

Hon. A. H. Panton: You are getting pessimistic.

Mr. GRAHAM: I speak from experience, for during the eight-year period I have been a member of this House there has been a turnover of 50 per cent. in the membership. In another 21 years very few of us will still be members of this Assembly. Consequently, what I desire is that this matter shall be brought before Parliament periodically while there is still a reasonable number of members familiar with all the circumstances so that the Government of the day, irrespective of its political colour, shall have impressed upon it the fact that it is trespassing on Parliament House grounds, and that the duty rests upon it to take steps at the earliest possible moment to make use of the area that has already been set aside for permanent, centralised Government offices.

The Premier: There is nothing to stop a Government acting in the matter. It could act within the period of 21 years if it so wished.

Mr. GRAHAM: That is so, but if there is a measure of prompting every few years, there will be a greater prospect of success being achieved, irrespective of the duration of the period that may be included in the Bill when ultimately it is passed in some form or another by Parliament. I suppose we shall have a number of continuance Bills and they will give members an opportunity from time to time to prod the Government of the day to get something done. My advice to the Government is to press on with the architectural plans and specifications, the preparation of which has only just commenced.

The Premier: Is it your idea, with your amendment when you refer to buildings in course of erection, to prevent us from going on with the structure?

Mr. GRAHAM: Yes, very definitely and without any equivocation. I think it was a shocking state of affairs that the Government should rush on with the job for the reasons I gave earlier, hoping and trusting that the operations would reach such a stage that it would be too late to do anything about it. Fortunately within 24 hours of the Minister being informed of the intentions of the Joint House Committee, the work was stopped. At the moment, apart from the terrific hole in the side of the hill, not a great deal of constructional work has been done.

Hon. A. H. Panton: It is not usual to refer to the speeding up of Government jobs but rather the go-slow, or government stroke methods adopted.

Mr. GRAHAM: I ask the Government to do these things for the protection of the valuable documents and records of which the Minister spoke, in order to provide decent accommodation of a permanent nature for the staffs of the various Government departments, with a view to increasing the efficiency of the departments because, scattered and strewn as they are, all over the city it is impossible for them to function efficiently and satisfactorily. No one will gainsay that fact. In view of all these factors I urge the Government to push on with the first stages, at any rate, of the permanent buildings so as to give the public more convenient service than is possible today.

The Premier: Push on with the first part! The hon. member must realise that it would take years. Heaven knows we have tried to push on with the completion of the Royal Perth Hospital and it has taken years to do it.

Mr. GRAHAM: I am aware of that.

Mr. Marshall: And if you are allowed to do this now, you will never commence the public buildings.

The Premier: No, that is not so.

Mr. GRAHAM: This is the first opportunity Parliament, as a Parliament, apart from setting aside some ground, has had, shall I say, to force the hands of the Government to some extent, irrespective of its political colour, to do something that I feel all members are of the opinion should be done at the earliest possible date. Here is an opportunity that presents itself, and I trust members will take advantage of it. I ask the Government to push on with the work with the object of saving building materials that could be used for home-building and utilise other materials not ordinarily availed of for the erection of houses. Let us put an end to this hotch-potch, makeshift sort of work of which all Governments have been guilty. Either there is a depression or there is a war or a shortage of money or a shortage of materials or manpower or something else.

Hon. A. R. G. Hawke: That is capitalism.

Mr. GRAHAM: It is rather an apt description of capitalism, and we have had these tragedies in one form or another. Always there are excuses and pretexts used by all Governments to avoid doing certain essential things.

Hon. A. R. G. Hawke: You must not say anything against capitalism, or Mr. Menzies will declare you.

Mr. GRAHAM: A great number of us will come within that category, including the Premier of Victoria, according to today's Press.

Mr. Griffith: You are not losing any sleep about it.

Mr. GRAHAM: No, because of what will be the result of the referendum.

The Minister for Works: That is good propaganda.

Mr. Yates: The member for East Perth is off the beam again.

Mr. GRAHAM: If the proposed building is proceeded with, it will put back the proposals we have in mind for a period of at least 70 or 80 years.

The Premier: Good heavens!

Mr. GRAHAM: I say that because so long as the building about to be constructed is serviceable, I cannot imagine any Government demolishing it.

The Premier: It is a wild guess to talk about 70 or 80 years.

Mr. GRAHAM: I do not know that it is, seeing that here at Parliament House we have a temporary structure that has lasted for 50 years or more and only recently the Premier, in his capacity as Treasurer, approved of expenditure to put an entirely new roof upon it. Let it not be supposed that this building, which the Minister for Works is so anxious about, will be there for 10 or 15 years only or for some other short period.

Mr. Griffith: What type of material would you suggest could be used in building the new government offices?

Mr. GRAHAM: If the hon. member had been awake 30 minutes earlier, he would know that I referred to the materials.

Mr. Griffith: That is characteristic of the hon. member, who is rude when I ask a civil question.

Hon. A. H. Panton: He said something about Donnybrook stone.

Mr. GRAHAM: I will let the remark of the member for Canning pass.

Mr. Griffith: You had better do so.

Mr. GRAHAM: I appreciate the attitude of the Perth City Council respecting the type of structure under discussion. I believe that the City Council has suffered in silence because of an undertaking given by this Government—one that will not necessarily be adhered to by a succeeding Government—that the temporary building under construction at present will be the

last to be undertaken in the Perth city area. On account of changed circumstances later on or because of an altered personnel of the Government in power, that particular undertaking might prove valueless.

Hon. A. R. G. Hawke: And we might also have a new Lord Mayor after November.

Mr. Marshall: That is almost a certainty.

Mr. J. Hegney: The new Lord Mayor is on his way out now.

Mr. Totterdell: That is a funny story.

Mr. GRAHAM: I do not want to embarrass the Lord Mayor.

Mr. J. Hegney: He is under a threat now.

Mr. GRAHAM: I remind members of the beautiful approach to Perth along King's Park-rd. with the lawns and gardens cultivated there. It will be the approach next year by which we hope Their Majesties will proceed in state, with King's Park-rd. aflame with beautiful gardens and well-kept lawns. Then Their Majesties will reach the brow of the hill and they will there be confronted with this timber-framed, asbestos structure that the Minister is so keen about.

The Minister for Works: It will be very different from the end of the present building.

Mr. GRAHAM: I am aware that at the present moment the spectacle is not a pretty one at the end of the Public Works building.

The Premier: The new building will improve the appearance.

Mr. GRAHAM: It is not suggested that the structure will present an attractive appearance.

The Premier: It will be an improvement.

Mr. GRAHAM: I wish the Minister would exercise a little more of his own discretion in these matters instead of being so easily influenced by his departmental officers. That is a weakness in our governmental setup. We have very efficient public servants, highly skilled and trained along certain lines. The fact is that, whether it be the site for a hospital or the extension of the Fremantle harbour or some other important public work, the Government officers responsible regard those propositions from their own point of view, but I would emphasise that matters of public interest and also aesthetics are involved.

Mr. Mann: This is where you require a public works committee. If we had passed the Bill dealing with that matter, it would have saved a lot of trouble.

Hon. A. H. Panton: Like the Town Hall question!

Mr. GRAHAM: If there is any validity in the interjection of the member for Avon Valley, I suggest that here is a Heaven-sent opportunity, because this is one public work, at any rate, upon which private members and all members of this Chamber will have an opportunity to express their point of view and ultimately to arrive at a decision with regard to the matters of which I have spoken.

Mr. Mann: It would have saved much additional waste.

Mr. GRAHAM: I have indicated my viewpoint which is one of unqualified hostility to the erection of any further temporary structures. I again ask members whether it is possible to assess the cost over the last few years of the temporary structures that have been erected. If we reckon the cost of the one at present contemplated at £70,000, I think it will be found that in the last two or three years the cost of these temporary buildings has been about a quarter of a million pounds.

Mr. Totterdell: More than that.

Mr. GRAHAM: Well, at least a quarter of a million, and yet not one sod has been turned in preparation for the erection of the permanent buildings. All the arguments and excuses the Minister may use with regard to the time factor and the over-crowded nature of his offices could equally be used on a later occasion. Anyone would think this was a question of recent vintage. The Premier knows well, just as I know, that ten years ago the Titles Office was over-crowded—employees working in a semi-basement.

Mr. Marshall: And you might mention the Department of Agriculture.

Mr. GRAHAM: While it might take several years to get the first instalment of a permanent block of buildings to the stage when it could be occupied by some departments, we must bear in mind that this work has to be undertaken as a long-range policy sooner or later and without delaying longer than is necessary. It is a shame that these temporary buildings have been permitted in the past. However, we cannot do anything about that, but we can call a halt at the present moment.

Now is our opportunity and I say to the Government, "Forget about the plans you have in mind for the Malcolm-st. building! Leave Parliament House grounds alone! Leave other open areas alone! Start without delay on the buildings that have been talked about for the last 13 years! If necessary provide temporary accommodation, possibly by purchasing or leasing premises in the city!" I know that departments at present are scattered far and wide, but a little more of that sort of thing can be

suffered by the Public Service, and would be suffered willingly if it were known that definite steps were being taken to provide centralised modern Government buildings in conformity with the dignity and importance of the State.

I see no objection whatever to agreeing to the second reading of the Bill for the purpose of validating the action of the Government to the extent of allowing the original buildings to remain and to legalise the extensions made by a variety of Governments. The greatest extensions incidentally were made by Governments of the party political complexion that I support. A mistake was made then, but the attention of the Government of the day was not drawn to it. Attention has been drawn to it on this occasion, and this is our glorious opportunity. I ask members to survey the question impartially and deal with it in a public fashion and avoid any party spirit.

MR. TOTTERDELL (West Perth) [8.34]: The proposed building in Malcolm-st. happens to be in my electorate and naturally I am interested in what is likely to happen to the Bill. I may mention that a few months ago at the direction of the Minister for Works, the Director of Works and the Chief Architect of the "Universe" came to see me to ascertain my views about erecting a temporary building on this site. After a lot of discussion we, as the City Council, agreed with Mr. Dumas and Mr. Clare not to protest against the two buildings then contemplated—the additions to the quarters of the State Housing Commission and the additions at Malcolm-st.

The Minister gave us a guarantee that the Government would not erect any other temporary buildings within the City of Perth. That guarantee has already been broken, because the Railway Department is suggesting erecting a building of wood and asbestos in Wellington-st. I cannot believe that the Minister for Works would be other than a truthful man, but he should know if the Railway Department is contemplating erecting a wood and asbestos building in Wellington-st. and, if he does know, then he has broken faith with and his word to the City Council.

Reverting to the Malcolm-st. building, I am hoping that approval will be given for its completion if only because of the beautiful picture of King's Park-rd. and the Royal Family driving down it drawn for us by the member for East Perth. This temporary building will hide a lot of little huts located at the rear of the site and so we shall have a Queen Anne front with a Mary Ann back, and a lot of the rubbish erected by previous Governments will be effectively hidden.

I should like to see some provision in the Bill that this will definitely be the last temporary building permitted to be erected

on a Class A reserve. I feel that to prevent the Government from proceeding with the project would be a waste of good money—public money at that—and the time is very inopportune to consider erecting permanent public buildings. Therefore, for the time being, I am supporting the measure and hope it will be passed.

MR. YATES (South Perth) [8.38]: I listened with interest to the remarks of the member for West Perth and must confess that I was greatly surprised at some of his statements. In his concluding remarks, he suggested that the time was not opportune for the Government to expand. That statement was certainly surprising because, unless the Government expands, the activities of the State cannot expand proportionately.

The Lord Mayor of Perth, who presides over a number of councillors, has in the past told the people of the large amount of money to be spent by the council, when it has cash reserves, not only to beautify the city, but also to remove unsightly buildings. The council also had in mind, of course, the building of a new town hall. The Perth City Council, however, is only one small body in this State. The Government controls many more activities than does the Perth City Council, and the Public Works Department controls the greatest of all the Government's activities and therefore is entitled to extend its buildings and various premises required for its staff and machinery.

I am afraid that we today are losing vision. We have not the vision possessed by the early politicians. Let us go back 50 years and see what took place when this land was acquired and made a Class A reserve. I have before me a volume of the Votes and Proceedings of the first session of the fourth Parliament, 1901-1902. In that session the House Committee came into being; it was called the Joint Parliamentary Committee and was formed on the recommendation of a Select Committee appointed to investigate the possibility of building a new House of Parliament so that the Legislative Council and the Legislative Assembly could be accommodated under one roof. I quote from page 3 as follows:—

The Legislative Assembly having on the 27th November, 1900, approved of the recommendation of the Select Committee which was appointed to inquire and report as to the necessary additional accommodation required for the proper performance of the business of the Legislative Assembly and of the convenience of the members thereof, a Joint Parliamentary Committee was appointed to take such steps as they might deem expedient to give effect to the recommendations contained in such report.

The Joint Parliamentary Committee met on several occasions and invited the various architects of Australia to submit plans and designs for building on this Class A reserve a Parliament House to cater for the future and not for the then present. In all, 17 designs were submitted from all over Australia. The names of those who submitted designs were kept secret and were locked in the safe. When the final adjudication had been made, it was found that the architects attached to the Public Works Department of Western Australia had submitted the No. 1 plan, which is now displayed in the corridor. Two others were chosen in order of merit, and the three were submitted to the Joint Parliamentary Committee. The various designs may be seen in this volume of Votes and Proceedings. I mention this to show the wonderful vision displayed by those early members of Parliament when they were prepared to erect such a fine building as they envisaged and which they considered would be needed for the future of the State.

Hon. A. H. Panton: But they did not envisage the Commonwealth's taking over so much.

Mr. YATES: Irrespective of that, the facilities would still be there. One of the plans proposed to have the Premier's Department and other departments housed in the Parliament building, and so it was to be not only a House of Parliament, but also a building to house Government departments. The original idea was that the building should not exceed in cost £100,000, but as the plans and specifications submitted did not comply with the intention of the Committee, neither the first, second nor third design was recommended to receive what was called a grant for the winning design.

To give an idea of what the architects—or the authors of the plan as they are called in the Votes and Proceedings—estimated as the cost, a price of £104,046 was submitted and was later corrected by the Public Works Department to £296,640. So the Committee recommended that, as the cost would be prohibitive, it would go into the question of building something smaller, but with a plan attached that would allow for the extension of the building. So, plans for the present structure were drawn, submitted and finally approved at a cost not to exceed £20,000.

I believe the cost of this building, including both Chambers, was £27,000 which is a reasonable figure according to present-day standards. Since then nothing has been done in connection with the proposal to add to Parliament House. The matter went on for so long that few members of either House realised it was the House Committee of the time that went into the full details and had many discussions on the proposals to build a Parliament House on this Class A reserve which was vested in Parliament, and not the House Committee. Through the years it was

even forgotten by Parliament that the land was vested in it, because various Ministers of different Governments have built on this reserve, breaking every known rule and getting away with it, because there was no one to say they were doing wrong. Unfortunately a Minister of my Government was the one to be pulled up, but he was no more to blame than any of the previous Ministers who had built on this particular land.

But now we know that the land is vested in Parliament, for parliamentary buildings, and not Public Works Department buildings, and we informed the Government of this fact and that a different course of action should be taken. We had many meetings of the House Committee to decide what should be done. As a Joint House Committee, we acted in what we thought was the best interests of all members of both Houses. We felt that a halt should be called to the erection of temporary buildings, not only on Class A reserves, but on others.

The Premier: You will never get some of your requirements met if you do not let us get on with some temporary buildings. It will have to go on with schools, hospitals and suchlike.

Mr. YATES: I agree, but the time has arrived when we should do something about the facilities for members. Every request made to the Premier in this regard has not exactly been refused, but he has pointed out the difficulties in connection with schools and other buildings. But we will have to do something in the near future if members are to have adequate meeting places in which to discuss important matters affecting their electorates.

The Premier: How has all this arisen? For 50 years we have had 80 members in this Parliament. What is the pressing need today? Why has this become so urgent?

Hon. A. H. Panton: We have bigger men in Parliament.

Mr. YATES: We will find ourselves completely shut in, as has happened in Victoria. When the Victorian Parliament House was first built, it had vast grounds.

Mr. Griffith: Has not the Government given an undertaking not to erect any more buildings?

The Premier: Yes.

Mr. Griffith: How are you going to be hemmed in?

Mr. YATES: Because four temporary structures have been built on this reserve in the last 20 years. This is the first halt to be called, and it is the first opportunity that members have had to discuss the matter; which is what I am attempting to do now. The Bill has been brought down to validate an unlawful act. The question is: Are we going to allow the act to be validated or not? Are we going to stop operations on a temporary structure, on which the small sum of £3,000 has been spent, or

are we going to allow the Government to carry on and spend £70,000 on a building which, according to the measure before us, will stay for only 21 years? The difficulties are immense.

The Public Works Department naturally requires further accommodation. The Minister in his wisdom placed this matter before Cabinet for approval, so the blame is not entirely on his shoulders. All members of Cabinet must share the responsibility for the temporary structure. The building is going up alongside the old Barracks that have been there for at least 100 years, so there will be a great difference between the two types of buildings. The new one will show up the old as an eyesore.

Hon. A. H. Panton: I think the old Barracks building looks the best of the lot, architecturally.

Mr. YATES: The Minister is not building a new structure to hide the old one. The idea of the new building is to make further accommodation available for his officers and staff, and further room for records. But the House Committee, in its wisdom, has decided that it does not like temporary structures, or buildings being erected on this reserve because it has plans in mind for future extensions of Parliament House, and encroachment on the grounds in Malcolm-st. will interfere with them.

The Premier: Does the House Committee object to any temporary additions being made to Parliament House to provide this additional accommodation?

Mr. YATES: We have not discussed any temporary structures for Parliament House. We envisage we will get some sort of a building, of a solid nature, which will be part of the over-all plan, and that it will be built gradually. When that will take place, we do not know.

The Premier: You are very optimistic to assume that.

Mr. YATES: Yes. We must keep this before members, because we have to stay here and perform our public duties in this building.

Hon. A. H. Panton: You do not have to stay here.

Mr. YATES: It is all very well for members to complain to the House Committee but, when that body tries to do something for them, it gets kicked. The members of the House Committee are there only as representatives of members and as such they are trying not only to make accommodation available for the electors who come here, but also to iron out differences we have had with other people who use the House and complain they are not able to use certain portions of it. The House Committee is doing its best, not only for members, but for the staff as well.

Mr. J. Hegney: You are doing a good job.

Mr. YATES: During the many meetings we have had in the past few months we have gone into the matter fully and carefully, and we consider that temporary structures should not be allowed, and that the present one should not be proceeded with.

MR. STYANTS (Kalgoorlie) [8.53]: I expected that someone on the other side of the House in addition to the Minister—although this is not a party measure—would have endeavoured to justify the Government's action in attempting to erect a building on a Class A reserve, which had been dedicated to a purpose entirely different from that of public works buildings. I probably make a somewhat different approach to this matter from that of some other members of the House Committee. The committee regards itself as having certain powers delegated to it by Parliament. When it had brought under its notice that an illegal action was being done—by having a building erected on a Class A reserve which had been dedicated for all time to parliamentary purposes—it deemed it its duty to hold up the erection of the building until such time as the legal course had been taken, namely, that of consulting members of Parliament, because that is what is required in the case of a Class A reserve being used for any purpose other than that to which it is dedicated.

The Minister went to some pains the other night, when introducing the measure, to inform us that we, as a Joint House Committee, had no jurisdiction in the matter, and that the Parliamentary grounds were not vested in the committee. With what he said then, I entirely agree, but, if the Minister was so conversant with the lack of jurisdiction of the Joint House Committee I wonder why he wrote to the committee requesting it to agree to the erection of this building.

The Joint House Committee informed the Minister that it had no authority to agree to his proposal. I doubt whether, as the House Committee, it has a legal right to object. The Minister had Crown Law opinion on the matter, and even had the Joint House Committee not decided to threaten to seek an injunction against the continuance of the building, any individual had the right to ask for an injunction against the Government proceeding with it, because it was an illegal action. The Minister should be particularly grateful to the House Committee for pointing out to him and his department that a breach of the law was taking place.

I think it did not reflect great credit on the Minister or the Government to decide, after it was pointed out that an illegal act was being persisted in, to continue with the building. I believe that

previous Governments who committed the same mistake as did the Minister and his department—an honest mistake in the first place—did not give any consideration to whether they were carrying out a legal or illegal action. The members of the present Government had probably remembered, as members of the House, that no validating measure had been brought before Parliament in connection with other buildings that had been erected in close proximity to the site of the one in question, and so it did not occur to them that possibly it was illegal, without the consent of Parliament, to use the parliamentary reserve for other than parliamentary purposes. But that was not the case after the position had been pointed out to the Government, and it had a Crown Law ruling on the matter.

The Joint House Committee never did propose to dictate to the Government where this building should or should not be erected. What it pointed out to the Government was that the reserve was dedicated to parliamentary purposes and that, until such time as the legal course of consulting members was taken, it objected to the erection of the building. From my point of view the subject of the erection of the building is now in the position that it should have been when the Government decided upon it or, at the very latest, when it was brought under the notice of the Government that it was not legally permissible to proceed with the erection of that building. The members of the Joint House Committee realise that they have no authority to tell the Government whether it shall erect a building or not. But the Joint House Committee has certain powers delegated to it; its members are the custodians of the parliamentary building grounds, and we deemed it our duty to bring this question under the notice of the Government, and to tell it that it was breaking the law by the erection of these buildings without some measure having been passed through both Houses of Parliament to validate the action.

Some years ago, two measures were brought before Parliament for the excision of certain portions of the Class A reserve—the parliamentary reserve—for the purposes of widening Hay-st. and Malcolm-st. If members are sufficiently interested to peruse the wording of those particular Acts they will see that in both of them mention is made particularly that "with the permission of the Joint House Committee, these lands shall be excised from the reserve." While the grounds are not legally vested in the Joint House Committee, the Governments of those days must have considered that the Joint House Committee had some jurisdiction over this Class A reserve which is set aside for parliamentary purposes.

I was not surprised, when the member for South Perth suggested that some permanent additions may be made to Parliament House, to hear the Premier say that the hon. member was unduly optimistic. It has not surprised me that no additions have been made to Parliament House or for the convenience of private members. Perhaps this is because the Premier has a sumptuous office in the city where he can interview those people who desire to see him, whether they be his constituents or other members of the public. Each Minister is similarly equipped so far as accommodation is concerned.

The Premier: The less he sees, the better he is pleased, too.

Mr. STYANTS: If either the Premier's constituents, or some other members of the public, want to interview him at Parliament House there is a room set aside for his exclusive use. The Premier can take people there and discuss whatever business he has with them. That applies also to Ministers despite the very limited accommodation available to private members. A special room is set aside at Parliament House for the use of Ministers and yet there is only one room available to some 40 odd private members.

Recently the Joint House Committee got itself into bad odour in regard to certain alterations in the disposal of the limited accommodation available. Members of the House Committee do appreciate the fact that no retaliatory measures have been taken by the Public Works Department in connection with this matter. Such was not the case with the Press, however, when it was decided that there should be an alteration in the disposal of limited accommodation available at Parliament House. The reporters took an entirely different view. If the Public Works Department had refused to give us any service it would have been much more serious than having the bone pointed at us by the Press reporters.

Mr. Griffith: Do you think the Government would be entitled to make extensions to Parliament House at the expense of people who wanted houses?

Mr. STYANTS: No one realises, more than I do, just how serious the housing position is today, but I think this question is very often used as a Trojan horse—it is used in the same way as the old Trojan horse was used in warfare many years ago. That cry is a sort of stalking horse; used as a sort of excuse. If anybody should respect the law, it is the Government. We, as members, make the laws and I repeat that I am quite prepared to believe that the Government was not aware that it was committing a breach of the law by the erection of these buildings. But, after this fact was pointed out to the Government, Cabinet decided to pur-

sue the project and erect the buildings. That does not reflect very great credit upon Cabinet.

Someone interjected tonight that two Labour members were responsible for the action taken by the Joint House Committee. As one of the Labour members on the Joint House Committee I do not claim any credit for being sufficiently discerning to realise that a breach of the law was taking place. If anyone had asked me the limits of Parliament House grounds, I would have said along the embankment on this side of the Public Works buildings. Someone else, who had a great deal more experience than I have had in the administration of the laws of this State, realised that a breach of the law was taking place and when this question was brought up before the Joint House Committee, the Committee, as a body of law-abiding citizens, decided that it would draw the Government's attention to the fact that the grounds were being used for a purpose for which they were not intended.

As far as I am concerned, there is no connection between the erection of these buildings and the completion of Parliament House. I know that there is a great scarcity of accommodation at Parliament House and I also realise that the Public Service, particularly the Public Works Department, is overcrowded. The Public Works is not the only department working under most unfavourable conditions. Those people working in the Lands and Titles office, to my mind, are working under worse conditions. Even on bright, sunny days, electric lights have to be turned on at that department; many of the employees have to work in crowded conditions, most of the offices being underground and for all the world like rabbit warrens.

I do not want members to think that I desire Parliament House to be completed to the exclusion of those buildings. My reason for being concerned is that I was a member of the Joint House Committee and when it was brought under my notice that the Class A reserve, which had been dedicated for parliamentary purposes, was being used for another purpose, I considered it my duty, as a duly elected member of the Committee, to see the legal course was taken and that the matter was brought before the Committee to get its decision on the matter. This so-called temporary structure is estimated to cost £62,000 and, if the usual inaccuracies that are made in estimates for public works are any indication, it will cost in the vicinity of £80,000.

The Premier: Do you think it is fair to say the "usual inaccuracies"?

Mr. STYANTS: Yes, I do not know of any Government contract that has been completed within its estimated cost. I understand that every Government project has greatly exceeded its estimate. If the

Premier can tell me of any such work which was built at a cost below its estimate, it will be of some interest.

Mr. Marshall: I think the Canning Dam was.

Mr. STYANTS: Of course, the Canning Dam was built with cheap labour at a time when everyone was seeking work; when men were working on a part-time basis. Even under those conditions I would not be certain that Canning Dam was built at a cost below that estimated.

Hon. A. H. Panton: King Edward Memorial Hospital was one.

Mr. STYANTS: This structure is supposed to have a temporary life of 21 years. Do not let any member be fooled as to that. If the building is completed, then in 21 years it will be only seasoned and I feel sure it will be there for a period nearer to 121 years. If it is completed we can rest assured it will be there, as a permanent structure, for at least the greater portion of the century, at any rate. In 1938 the Government moved for the appointment of a Joint Select Committee, of which I had the honour to be a member from this House, for the purpose of selecting a site for the erection of permanent Government offices.

After considerable negotiation, and after excising something like $5\frac{1}{2}$ acres from Government House grounds, the site in St. George's Terrace was decided upon. If the sum, considerably in excess of £250,000, which has been spent by the Government on the erection of temporary structures, had been spent in erecting the nucleus of a building for permanent Government offices, it would have provided better facilities for the public and more decent accommodation for the Government employees than they could ever hope to obtain from the erection of this temporary structure. I do not question the requirements of the public servants. I know that the amount of work, with which they have to contend, has increased considerably over the last few years. As a matter of fact, the representatives of the Public Service invited the members of the Joint House Committee to inspect the crowded conditions under which they work.

From time to time, most members have to go to the Public Works Department on business and they realise, without inspecting that building, that the offices for the staff are over-crowded. In turn, the Public Service representatives could very easily make an inspection of the crowded conditions under which the staff of Parliament House work and also be acquainted with the inadequacy of accommodation for private members.

The Premier: Well, we will have a look.

Mr. STYANTS: From the viewpoint of the public servants, and taking a long-range view, it would still be much better if the nucleus of a permanent Government building were commenced instead of our

going on with this hotch-potch business of building a temporary structure here and a temporary structure there, and ultimately having the Government offices strewn over the metropolitan area. As a member of the Joint House Committee, I think we have now arrived at that point at which the Government should have arrived when it first decided to erect the building or, at the latest, when it was aware that it was breaking the law by commencing its construction.

When the House Committee drew the attention of the Government to its breach and obtained the opinion of the Crown Law Department on the matter, which confirmed that the Joint House Committee was right in its attitude, it was at that stage that the Government should have realised that the only means by which this building could be constructed legally was to pass a validating measure through both Houses of Parliament. It is now for the members of both Houses to decide whether they will agree to the completion of this building.

I do not think there is any doubt as to the necessity for the passing of a validating measure in relation to the buildings already erected and which have been used for many years, and the proposed construction of a further temporary structure. It seems to me that there has been a greater number of measures brought forward by the Government to validate actions which were wrong, or to validate those that were not taken and should have been taken as, for example, the validation of payments for public buildings, than ever before in the history of this Parliament. This legislation appears to be another of those validating measures. However, I will leave it to the judgment of members of both Houses as to whether they will permit the Government to proceed with the completion of this building and, in any event, I think it has been proved that the Joint House Committee has executed its duty in a proper manner.

MR. MARSHALL (Murchison) [19.18]: Members of the Joint House Committee deserve every appreciation from members because they have brought to our notice something that has been going on right down through the ages, namely, that Governments have evidently been trespassing or erecting buildings unlawfully upon grounds which have been dedicated for the use of Parliament only. You, Sir, will remember as well as I do that right through our public life each and every Government in turn, irrespective of the banner under which it travelled, stressed the urgent necessity of building centralised Government offices. All of them agreed upon it; all were enthusiastic about it; all of them, without doubt, were most desirous that the project should be effected. In the 30 years that I have been here and right up to 1938, the great difficulty was to get Parliament to decide upon a suitable site for the purpose.

Hon. A. H. Panton: The same as the town hall?

Mr. MARSHALL: Yes, the same as the town hall. It did not matter what site the Government might have chosen for the erection of this building. There was always a section of Parliament that objected to it, either on a legitimate ground or otherwise, but, nevertheless, such action was instrumental in retarding the Government of the day from proceeding towards its objective. When I first came here the old Barracks were to be removed almost immediately. Parliament House was to be completed and the city beautiful was to be given first consideration. The glorious spectacle that would be seen from the eastern end of St. George's Terrace gazing west, as shown on the architectural plans of the building when completed would be a picture worth seeing. Then to my amazement a brick structure was erected there in lieu of the Barracks being demolished and removed. Later on we had another building on the northern side, we had another one stuck in the back of these ramshackle buildings and finally the Government has started to run up this one on the south side of the area.

Mr. Graham: That is to celebrate the Jubilee.

Mr. MARSHALL: It is a remarkable thing. In 1937 the Government of the day decided to raise funds for the purpose of erecting a building in which all Government offices would be centralised. It made a sincere endeavour to start doing this, but of course the trouble was the Government could not get a site to which Parliament would agree. So the effects of that legislation were left in abeyance until finally we repealed it. In speaking to that measure I asked the Premier if he had abandoned all hope of giving effect to this very worthy objective of centralising Government offices and he said "No." I do not know whether he believes that this measure with which we are dealing tonight is an indication that the Government is full of hope of commencing it.

I subscribe to the argument advanced by members of this House that unless the Government is forced into the position of commencing this building, it will never start. That is the position. For years and years all Governments, both Labour and anti-Labour, have stressed the importance, the urgency and the necessity of commencing and completing this building, but none has had the courage to do so and the time has never been opportune to commence it. The time is not opportune now! I ask when will the time be opportune? A beautiful site was decided upon by Parliament in 1938 when it resumed some of the foreshore near the Christian Bros. College, I think, centred from there to the eastern side of Government House. That is a spectacular site and a glorious opportunity for a well-

defined building to be erected and I sincerely hope that if this Government is going to start it, and if there is any truth in the statement that the architect has been requested to draw up plans and specifications for this building, that will not be all that this or any other Government will do in the matter.

I would like to see architects from the Eastern States invited to submit plans for this building. It is a glorious site, and it would be an unpardonable offence to put up a building merely for the purpose of centralising Government administrative offices and perhaps help to destroy that which we hope in course of time would be the city beautiful. I am surprised at the Lord Mayor, the member for West Perth, the civic father of the city, who, simply because he wants to support the Government, will agree to the continuation and erection of the unsightly edifice referred to in this Bill, because it will cover up some of the objectionable sights that lie in the interior portions of this area. This is the excuse he gives, and yet along with other city fathers he would prevent the ordinary individual from erecting a small home because it does not come up to the specifications of the city beautiful. When it comes to the unfortunate struggler who has got to make his plans according to the depth of his pocket, then they sit in judgment on him.

The Premier: Are not you getting away from the Bill?

Mr. MARSHALL: No, I am drawing a comparison between the attitude of the member for West Perth on this Bill and his attitude on other matters. He does not subscribe to this but he wants to protect the Government. That is what he is doing now, and he tries to make out that it will lend something that will beautify the situation—the ghastly situation we see on the western side of this block. His attitude is not consistent when it comes to adjudicating upon the erection of a home when the unfortunate individual's plans and specifications are measured by the depth of his pocket. Then it does not conform to the policy of the city beautiful. But this ghastly thing—

The Premier: There is nothing ghastly about it.

Mr. MARSHALL: Would the Premier say there is any building there, apart from the brick building adjacent to the old Barracks, that is not ghastly to gaze upon from the point of view of the city beautiful?

The Premier: I do not find it ghastly.

Mr. MARSHALL: The Premier would not say that the old Barracks lend anything to the city beautiful.

The Premier: Many people tell us that that and the Town Hall are amongst our best architecture.

Mr. MARSHALL: In my judgment the sooner it is demolished the better. It puts me in mind of the Town Hall with the broad arrows, and the ropes to remind us of the days of the lags. Let us forget them; they are not worthy of any further consideration. I do not know whether this was inspired by the Minister or not, but I think there was something in what the member for East Perth said. If these civil servants want to get good office accommodation and conditions under which to work, they will not find them in this improvised building. They will find themselves in the same position as the "Hansard" staff are—perishing in the winter and roasting in the summer.

The Premier: I doubt it.

Mr. MARSHALL: I know the Premier will doubt it. He has never suffered from the chill or over-heating. In wintertime he is wrapped up in a rug and travels in a luxurious car, and in the summertime he makes himself comfortable and is cool at all times.

The Premier: I know modern architecture makes provision for all these things you are talking about.

Mr. MARSHALL: I know it attempts to.

The Premier: And they always succeed.

Mr. MARSHALL: Oh no, they do not.

The Premier: Yes, they do.

Mr. MARSHALL: The comfort which the civil servants are so anxious to experience will not be found in this improvised building. What struck me as so remarkable was that I was told that only two Labour men did this. See how snidely someone can whisper in somebody else's ear and he runs away with it as though he got it straight from the horse's mouth. There are seven anti-Labour men on the Joint Committee.

Mr. Graham: Seven to three.

Mr. MARSHALL: I do not know who the third Labour man is or how he escaped criticism.

The Premier: Let us get on with the Bill!

Mr. MARSHALL: So long as I am a member of the House, I shall vote against any proposal to erect an additional building on this site. I agree with the member for Kalgoorlie and the member for East Perth that possibly it is necessary to validate what has been done in past years because, irrespective of whether we validate past actions, the buildings are there and, do what we will, they will remain. Now that I know what the legal position is, I shall vote against any interference with this Class A reserve.

THE MINISTER FOR WORKS (Hon. D. Brand—Greenough—in reply) [9.32]: There is not much that I can add to my remarks in moving the second reading, except to emphasise that we urgently need

this accommodation, that we must get it expeditiously, and that many years must elapse before it can be provided in a permanent building on the St. George's Terrace site.

Mr. Marshall: That has been argued for 30 years.

THE MINISTER FOR WORKS: Apparently quite successfully, because no progress has been made. The proposed building is required to house certain officers closely associated with those already located on the site in the drawing, designing and planning rooms, and it is foolish at this stage to talk of providing the requisite accommodation immediately in a permanent building. We have the Royal Perth Hospital and the King Edward Memorial Hospital and similar places to which we are prepared to give No. 1 priority in respect to building in the metropolitan area, and it will be a considerable time before those structures are completed.

It is a fact that the Principal Architect has been asked to draw up plans, after discussion with the Public Service Commissioner, for the first block of permanent buildings to be erected on the chosen site. No matter how quickly those plans may be prepared, it will be years before a reasonable block can be completed. Parliament House was built and left incomplete, with straps of bond iron hanging loosely all round it—an ugly sight on what was intended to be the front of the building, and it might easily happen that a hurried attempt to erect portion of the proposed public buildings would result in its being left in a similar condition.

Mr. Graham: No, those buildings would be erected in separate blocks.

THE MINISTER FOR WORKS: A complete block with the requisite services would take many years to complete. Although we as the Government may have breached the law by putting another building on a Class A reserve, I feel that, in view of the precedents, the facts before us and the investigations made, Parliament should validate not only the erection of the existing buildings but also the one under construction. It has been suggested that support will be forthcoming for the validating provisions, but that resistance will be offered to the provision for the building under construction. I earnestly hope that members will exercise their commonsense, will appreciate the difficulties, and will keep their feet on the ground instead of talking of providing immediate accommodation in the proposed public buildings. I appeal to members to give the Bill their full support, and do all in their power to influence those in another place to pass the measure in its entirety.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Mr. GRAHAM: I move an amendment—

That in the definition of "departmental buildings" the words "or are in course of erection and intended for use" be struck out.

No elaboration is required to explain my objection to additional buildings being erected on the site, because every new structure must further delay the ultimate demolition of the buildings already there. The Minister has stressed the urgency of the situation. I realise that the present building is overcrowded, but I point out that the Titles Office has been overcrowded for the last 15 years. It is only in the last two or three years that the Public Works Department has started to feel the pinch. If the Minister has any regard for the state of affairs developing in Victoria, as reported in this evening's paper—and that is only the first instalment—where many thousands of Government employees are being dismissed and important public works are being closed down, I suggest that he will discover, more especially when the rearmament programme gets really under way, that he will have a surfeit of accommodation in the Public Works buildings.

The Premier: I do not think that is likely to happen.

Mr. GRAHAM: The clearest example of what is happening is to be seen in Victoria today where projects such as the enormous open-cut for coal at Morwell, costing millions of pounds, is to be practically closed down, together with a whole lot of other important enterprises enumerated in the Press. Surely that indicates there is going to be some recession in public works activities by the State. Sooner or later we have to call a halt to the Government.

Up to date £3,000 has been spent on the project under consideration, and I should say that a fair proportion of that was expended on excavations. That could be a very handy contribution to the drive which ultimately is to be constructed to approach Parliament House when the building is completed! Far less would have been spent but for the persistency of the Minister's department in pressing along with indecent haste to defeat Parliament and prevent us from discussing the matter dispassionately, because the hope was that the building would practically be completed before we reached the stage of being able to protest, or discuss the matter, or curtail the operations. I hope members will forget

Party affiliations and will look at this matter realistically so as to prevent further desecration of the area which many years ago was set aside for and dedicated to the purpose of Parliament House buildings.

The MINISTER FOR WORKS: If this amendment is carried, the Bill might as well have been thrown out at the second reading. While it was desirable to validate the existence of buildings on class A reserves, in the main the object of the Government in introducing this Bill was to obtain the permission of Parliament to proceed with the Public Works building. On two occasions I have outlined the urgency for this building. We have admitted our breach in respect to building on a class A reserve. While the member for East Perth has talked airily about the sacking of 5,000 civil servants in Victoria, I feel his remarks have no bearing on this matter. There is no indication that anything of the kind will happen in this State. On the contrary, the work which the Public Works Department has undertaken can be closely associated with the rearmament programme. I urge the Committee to defeat the amendment.

Mr. GRIFFITH: If the Committee prohibits the continuance of the building operations on this reserve the people employed by the Public Works Department will not have necessary office accommodation. If that building is completed, and it is decided in the very near future to carry on with the extensions to Parliament House, would anybody suggest that those extensions would reach as far as the present Public Works building? Would the member for East Perth suggest that such extensions would interfere with the temporary structure in course of erection? It is not possible, however, for building operations in connection with Parliament House to be undertaken at present. It is necessary for the temporary structure which is being erected to be completed to enable the department to fulfil obligations to its employees.

Hon. J. B. SLEEMAN: I cannot see any logical argument in the hon. member's remarks. He says that if this building is stopped, all is lost; the Government will go on with no other; the public servants in the department will be without a home.

Mr. Griffith: I did not say that at all.

Hon. J. B. SLEEMAN: The hon member said there would be no other, and people would suffer. What is to prevent the Government from erecting a building in another part of the city and starting on a proper basis? I have been here since 1924, and I have not seen one temporary building put up that has not become permanent. I was told that the "Hansard"

building would be done away with in a year or two but it is still here. A block of land has been given to the Government on which to build offices, and centralise them. When will it commence to erect those buildings? We were told years ago that the money was not available, but that as soon as it was a start would be made. The Government has the money now.

The Minister for Lands: We have not the bricks.

Hon. J. B. SLEEMAN: The Government has the money and materials to build here so why cannot it transfer the venue and do the job properly? I hope the Government will not persevere with the Bill but will say, "We will do the right thing and commence building where the Government offices should be. We will start on one block, and every year or two add so much to it so that in the years to come we will have all the buildings we require."

Mr. STYANTS: This question does not resolve itself, so far as I am concerned, into whether this building is proceeded with or additions to Parliament House are carried out. I am not particularly concerned as to whether additions are made to Parliament House, or not. A more desirable course, instead of erecting this particular building, would be for the Government to erect permanent offices on the site in St. George's Terrace. One would imagine, to hear the Minister, that there were no building materials or labour involved in the erection of the temporary structure which is estimated to cost £62,000, and probably will cost considerably more.

Every piece of material used in the building is of the type that would be used in a dwellinghouse whereas, the iron and steel which would be used in a building to provide the nucleus of the permanent block of Government offices, would not be suitable for dwellinghouses. It would be better to carry out the intention of Parliament in 1938 when a Joint Select Committee of both Houses decided on a site for the public buildings. Yet, after 13 years, there is not a blueprint available. A start was not made to get out drawings for the new Government offices until this controversy took place. I venture to say that the plans and blueprints are only in the initial stages now. The Minister admits that even if the plans were complete it would be many years before the materials and labour would be available. So long as the leaders of the Government are in that frame of mind, the Government employees, whether in the Public Works Department in the Lands and Titles office, where they work under deplorable conditions, will have a poor look-out with respect to decent accommodation.

Mr. J. HEGNEY: I look at this proposal from a point of view different from that of other members who have spoken.

When I saw the bricks and mortar on the site here I thought it a shame that we should deface the entrance to our city. For years past we have been talking of town planning, and preparing the city for posterity, but here the Government will be defacing an entrance to the city, and so doing a great disservice to the generations to come. The Perth City Council makes certain plans, but then capitulates. It talks a lot about town planning, but when we come down to tin tacks we find it gives only lip service. We have had an oversea visitor who has given some advice on town planning. Whilst he said that, generally speaking, Perth had been fairly well laid out, Nature has helped us a great deal. There is no doubt that with the increasing development of transport, this entrance to the city will, in the years to come, be congested. From the town planning aspect, I was disappointed at the Government's action because I felt that a great disservice was being done to Western Australia.

Hon. A. R. G. HAWKE: The Government, in dealing with the matter of additional office accommodation for civil servants, might not have handled it in the best way possible by commencing to build on the site with which the amendment now before the Committee deals. The Government could very well have decided to remove the Government garage from the site on which it stands.

The Minister for Works: The Principal Architect tells me he investigated that possibility before putting forward the proposal.

Hon. A. R. G. HAWKE: Why did he turn it down?

The Minister for Works: He said it was uneconomic.

Hon. A. R. G. HAWKE: I have considerable respect for the opinion of the Principal Architect but, offhand, would not be inclined to agree with the conclusion that the Minister tells the Committee the Principal Architect reached in that regard.

Hon. J. T. Tonkin: The Government disregards the advice of the Principal Architect when it finds it convenient to do so.

Hon. A. R. G. HAWKE: It might have been a better move on the part of the Government to have decided to remove the present Government Garage building to some other part of the city, and erect on the present site of the garage the building that the Government now proposes to erect on the Malcolm-st. frontage. The departments or sections housed in the existing Public Works Department buildings are not all of such a character as would necessitate their being housed within the existing buildings, or even close to them. There is no necessity for the Transport Board, for instance, to be

housed anywhere near the building in which it is at present located. I can see no necessity for the Main Roads Department to be housed in or even close to the existing Public Works Department buildings. Both departments could be as well or even better administered in buildings some distance removed from their present locations.

The Premier: The job is to find the buildings.

Hon. A. R. G. HAWKE: Not necessarily; it might have been better to have had constructed a new building in some other part of the city or even in a part of the metropolitan area outside of the city—a building perhaps not as expensive as that in the course of construction in Malcolm-st. There are some vitally important sections of the Public Works Department organisation that must be housed centrally, and which should if possible be housed under better conditions than have been available to them for many years. Neither the Minister nor anyone representing the Government has told the Committee why the Government decided, on a Cabinet determination, to proceed in haste with the further construction of the still uncompleted building after the Minister had been advised by the Joint House Committee that his action, or that of his department, in commencing to construct the building, was outside the law. I was surprised and disappointed to learn that the Government had acted in that way. The Government had no warrant at all to make that decision or act upon it subsequently.

Members are entitled to an explanation from the Minister or the Premier as to why the Government took that course. On being advised of the legal position and having received a warning about it from the Joint House Committee, acting on behalf of members of Parliament generally, the Government decided deliberately to flout the law by reaching a Cabinet decision to go ahead—with all possible speed—in the further construction of the building which at that stage had only just been commenced. I am not happy about opposing the amendment, as I intend to do, but in all the circumstances I feel called upon to do so. Over the years I have had a lot of association with the Public Works Department, and realise that this building has now proceeded so far that in the circumstances it would be difficult to do other than complete it.

I think the judgment of the public generally in this matter would be that all we might say as to the ultimate completion of Parliament House would be something in the clouds—a proposal that might never come to fruition owing to the great change in circumstances since the original plan for Parliament House

was first put forward. Circumstances have changed greatly since that time with the tremendous development of the Commonwealth Parliament and Commonwealth departments. It is clear that there might not be in future years be any necessity to complete Parliament House as visualised some 50 years ago.

The completion of the partly constructed building might not prejudice to any extent additions to be made in future to this Parliament House. There is still within this Class A reserve a considerable amount of ground apart from the site upon which the partly-constructed building is being erected, and I do not think there is sufficient justification for me to support this amendment which, if agreed to, would mean the demolition of the work already done in connection with the new building. I must therefore vote against the amendment.

The PREMIER: The Leader of the Opposition asked why the Government went on with this work, knowing that objection had been taken to it.

Hon. A. R. G. Hawke: When the Government knew that its action was illegal.

The PREMIER: When the Government knew that an injunction was threatened to prevent the work proceeding. I had a letter from the Joint House Committee, pointing out that it objected to this work being carried out, asking for assurance that no further buildings would be erected in future on the land in question, and indicating that there would be no further encroachment on this particular reserve. I wrote to the Joint House Committee and gave that assurance on behalf of the Government. I said that we had acted in good faith, as we thought we had, and that there would be no further encroachment. I thought, and the Government thought, that that would satisfy the House Committee and that we could go ahead with this building which has now been stopped.

If this amendment is carried it will put the Government and the Public Works Department in a most difficult position. Members are aware that the department is becoming busier every year and that its work must go on and expand for many years to come. This State is still in the early stages of its development and the work of the department must grow. It is no use members saying that we should commence the public buildings on the reserve near Government House. We have a number of most important buildings that are urgently required, but are not able to be completed because of the material supply position and the shortage of labour. By way of interjection I instanced the Royal Perth Hospital.

Members know the difficulty we are up against with steel, cement and brick supplies. So it would be out of the question

to commence building on the reserve near Government House. As the Minister pointed out, if we had had any idea that this amendment would be carried we would not have brought this Bill to Parliament. We knew it was easy to get a Bill through Parliament to validate the existing buildings and the only reason for bringing this one before members was to validate the work now in hand. So I hope the Committee will not agree to this amendment but will let us go ahead with the work which we will do so as soon as we are permitted.

Mr. GRAHAM: I do not think the Premier has given us a very lucid account of what transpired. He has not yet given any reason why there was an acceleration in the rate of building of this new structure.

The Minister for Works: There was no acceleration as far as I was concerned.

Mr. GRAHAM: Perhaps the Minister is innocent but I am speaking of his department. Apart from what the Joint House Committee said, in the first week in June the Solicitor General informed the Attorney General that what was being proposed and undertaken was a breach of the law. Yet the Government ignored its senior legal adviser and proceeded with the work. It was not until the 27th July, two months later, that the work ceased and then only because of the threat of action being taken. The Government stopped then because it knew that legally it did not have a leg to stand on.

So far as the Premier's letter is concerned, it stated that he would give an undertaking that no further buildings would be erected on the Parliament House site. But that was not of any particular interest or concern to the Joint House Committee because what was being proposed was illegal, and the Committee could not give consent to something that was counter to the Land Act.

The Premier: We have asked for Parliament to agree to this validating Bill.

Mr. GRAHAM: Immediately the position was known, surely the straightforward and honest thing to do would have been, at the beginning of June, to stop work until such time as Parliament had dealt with the matter instead of anticipating its approval. I know that a Minister, a Government or even a private member, becomes wedded to his own Bill and is very loath to depart from it, irrespective of any arguments that are adduced. Might I ask all members to reflect on some of the tragedies of the past—a street like Hay-street, from memory only 60 links wide; the Royal Perth Hospital, still being proceeded with. That institution is to have a main artery like Wellington-street running through the middle of it.

Hon. A. H. Panton: Where would you have put it?

The CHAIRMAN: The Royal Perth Hospital is not under consideration.

Mr. GRAHAM: What I am seeking to do is not to elaborate this point, but merely to—

Hon. A. H. Panton: There would have been no Perth Hospital if it had been started somewhere else.

Mr. GRAHAM:—indicate that mistakes had been made in the past. I could quote other examples where things are being attempted against the wishes of the people. In this case, I should say that it is against the wishes of 99 per cent. of the people in this State. I know what the Perth City Council thinks about it and I am confident of the opinion of the Town Planning Commissioner. I also know from my own experience the attitude of members of the public generally. Nowhere, other than on the Treasury bench, can we find persons who are supporting this proposition.

I have already dealt with the idea that because a certain amount has been done we must allow the whole fell deed to be committed. But surely in a building that is going to cost £70,000 or £80,000, a mere £3,000, is nothing especially when that amount has been spent wilfully, in defiance of the law, by a Government department. I realise that the amendment I have moved is the crucial part of the Bill. But surely because a mistake has been made we should not give legal sanction to it. What is the reason and the justification for saying this thing is wrong; we realise it is wrong, but we will do better tomorrow? I emphasise to the Minister—he called my statements airy—the seriousness of the situation and the falling off in public works programmes which must of course affect the Public Works Department. With your indulgence, Mr. Chairman, I can be more specific because there is an all-Australian trend towards this end.

The Victorian Premier has said that except for one power station all work will halt at the Klewa Hydro-Electric Scheme, the largest project of its type in the Southern Hemisphere. He has said that the entire day labour force is to be sacked at Morwell, the State's £38,000,000 open-cut brown coal project. Work is to be cut to half speed at all other power projects, including the £12,000,000 Eildon Weir. The Victorian housing programme is to be cut by one-third which means that 5,000 to 6,000 Government employees will be sacked. Surely the Minister for Works, or the Premier, is not asking me in all seriousness to believe that this is not the first instalment of the Menzies re-arma-

ment programme, and that the effect it is having on Victoria will not be felt in Western Australia!

What is the necessity for providing this extra accommodation for the Public Works Department staff when we have that spectacle confronting us? Why all this sudden solicitude for one section of the Public Service when we know that so many of them for so many years have been working in the most deplorable conditions? To my mind, this debate is most unreal. I can appreciate the attitude of Ministers because it has been pointed out to them by their advisers that they have committed an illegal act. The whole tenor of public opinion is against them in attaining their objective. Accordingly, all these pretexts are submitted in the hope of drawing support from this side of the Chamber and calling upon the loyalty of those on the other side.

Calls have been made by Government members for the appointment of public works committees so that all of us can impartially scrutinise the expenditure of public money in excess of a certain amount. This will be the test and if members, on the ground of expediency, are to allow a scandalous proposition such as this to pass, then this is only the commencement. This shrieks to high Heaven for something to be done. Future generations will heap scorn on us for what has already been done but now, in 1951, we appear to have learned nothing. There are certain members who know in their own minds that this is a scandal and that—

The Premier: That is an extravagant thing to say! There is no scandal about it.

Mr. GRAHAM: Surely the Premier will not suggest that he or any other member of his Government is proud of the extensions made in recent years, or that he will be proud of the building that will shortly be erected if this amendment is not agreed to.

The Attorney General: We have had a couple of wars, you know, old man.

Hon. J. T. Tonkin: You have just realised that, have you? You did not appear to have done so in 1947.

Mr. GRAHAM: Of course, the war has been over for five years. For the benefit of those members who are determined to follow a certain course of action, or who are prepared to save their consciences with sufficient excuses, whether it be wars in progress, wars just concluded or anything else, I would say pretexts can always be found. I have fought against this sincerely and I am certain that members know I am right in the action I am taking, and it will be on their consciences if this amendment is unsuccessful.

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

Ayes	13
Noes	27

Majority against	14
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Ayes.

Mr. Brady	Mr. Nalder
Mr. Cornell	Mr. Needham
Mr. Graham	Mr. Sleeman
Mr. Guthrie	Mr. Styants
Mr. J. Hegney	Mr. Yates
Mr. Hoar	Mr. Kelly
Mr. Marshall	

(Teller.)

Noes.

Mr. Abbott	Mr. McCulloch
Mr. Ackland	Mr. McLarty
Mr. Brand	Mr. Nimmo
Dame F. Cardell-Oliver	Mr. Nulsen
Mr. Doney	Mr. Oldfield
Mr. Grayden	Mr. Fanton
Mr. Griffith	Mr. Sewell
Mr. Hawke	Mr. Thorpe
Mr. Hearman	Mr. Tonkin
Mr. Hill	Mr. Totterdell
Mr. Hutchinson	Mr. Watts
Mr. Lawrence	Mr. Wild
Mr. Manning	Mr. Bovell
Mr. May	

(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 3—Modification of purpose of dedication:

Mr. GRAHAM: I desire some information from the Minister regarding this clause. I had intended moving an amendment to it but, in view of the previous amendment not being agreed to, I will not do so. In the latter portion of the clause, the words, "pursuant to the provisions of paragraph (b) of Section twenty-nine of the Land Act, 1933-1950" appear. I was wondering what the reason is for their inclusion. It appears to me that the clause is quite explicit without them and it should conclude after the word "Government." I will read the words that have application. It says "The Governor may reserve to His Majesty any lands vested in the Crown that may be required for the use and requirements of the Government." I am not looking for tricks in the clause but it occurs to me that it is a duplication of the same thing, and surely there must be some reason for its being inserted there. Upon reflection I think the Minister will agree that if there is a full stop after the word "Government" it will serve the purpose he desires.

The ATTORNEY GENERAL: I think the Parliamentary Draftsman may have used excessive caution. It will be remembered that the Land Act provides that Class A reserves shall be used only for the purpose to which they are dedicated unless otherwise specified by Act of Parliament. The draftsman is referring to the Land Act to make it quite clear that this is the Act. It is not an amendment to the ordinary Parks and Reserve Act. He has taken the precaution to see that this links up with the Land Act.

Mr. GRAHAM: Can the Attorney General give me an assurance that because it is linked up it is not claiming to go a little beyond what I am certain the great majority of the members believe is the intention of the Bill before the House?

The Attorney General: I can give that assurance.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.33 p.m.

It appears that he wants to have control taken from himself and given to departmental officers which, in turn, means that power to deal with the Minister will be taken from members of Parliament. If departmental officers make a mistake, they can possibly get away with it, but if the Minister does so, we have power to deal with him. It seems to me that he is departing from a principle when he seeks to transfer power into the hands of departmental officers.

Another amendment takes from the measure reference to the Agricultural Department and substitutes the Agriculture Protection Board. I consider that the board is part and parcel of the department, and I do not see any reason for making the alteration. If the Minister is able to answer my criticism satisfactorily, I shall be happy to support the second reading of the Bill.

Legislative Council

Wednesday, 19th September, 1951.

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THE MINISTER FOR AGRICULTURE

(Hon. G. B. Wood—Central—in reply) [4.38]: In its wisdom, Parliament set up the Agriculture Protection Board, to which it rightly gave very wide powers. On that board are a number of departmental experts and three very highly placed members of the agricultural community. It contains two representatives of road boards and one representative of farmers. The members of the board receive advice from the emu and grasshopper advisory committee. Practically all the members of that body are farmers. For the hon. member to say that the Agriculture Protection Board is part and parcel of the Agricultural Department makes me think that he does not quite understand the powers that Parliament gave to that board.

The whole object of the measure was to take the administration of the Noxious Weeds Act and the Vermin Act from one officer of the department and the Minister and transfer it to the board. Surely that board should be able to delegate power to one of its officers to do certain things! I do not agree that the Agriculture Protection Board is still part and parcel of the department. It was never intended to be so. The Minister has a certain control, but not very much; and I do not believe that any Minister worthy of the name would want to interfere with the board. Surely that board, with the combined knowledge of its members, should have an open go, if I might put it that way, rather than have one or two officers of the Agricultural Department doing the job. I have every faith in the Agriculture Protection Board's ability to do a good job and that is the only answer I can give Mr. Logan.

Question put and passed.

Bill read a second time.

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

BILLS (2)—THIRD READING.

1. Feeding Stuffs Act Amendment.
 2. Potato Growing Industry Trust Fund Act Amendment.
- Transmitted to the Assembly.

BILL—NOXIOUS WEEDS ACT AMENDMENT.

Second Reading.

Debate resumed from the 12th September.

HON. L. A. LOGAN (Midland) [4.35]: I obtained the adjournment of the debate in order to study the amendments in this Bill. Having done so, I cannot follow exactly what the Minister requires.