

# Legislative Council

Wednesday, 31st October, 1951.

## CONTENTS.

	Page
Questions : Medical services, as to doctor for Big Bell .....	340
Local Government Bill, as to introduction .....	340
Motion : Housing, as to tabling file, O. A. Doran .....	340
Bills : Farmers' Debts Adjustment Act Amendment (Continuance), 3r., passed .....	342
Main Roads Act (Funds Appropriation), 3r., passed .....	343
Rights in Water and Irrigation Act Amendment, 1r. ....	344
Fremanile Harbour Trust Act Amendment, 1r. ....	344
Parliament House Site Permanent Reserve (A1162), Assembly's message .....	344
Country Towns Sewerage Act Amendment, 2r., Com., report .....	347
Building Operations and Building Materials Control Act Amendment and Continuance, 2r. ....	348
Road Closure (Wanneroo), 2r. ....	353
Coal Mines Regulation Act Amendment, 2r. ....	356
Optometrists Act Amendment, 2r. ....	357
Hospitals Act Amendment, 2r. ....	358

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

## QUESTIONS.

### MEDICAL SERVICES.

#### *As to Doctor for Big Bell.*

Hon. G. FRASER (for Hon. E. M. Heenan) asked the Minister for Transport:

(1) Is he aware that the doctor at Big Bell is leaving the district within the next day or two thus leaving this important mining centre, where approximately 600 men are employed, without any medical care?

(2) In view of the gravity of the situation, will he cause immediate steps to be taken with a view to providing a new doctor for Big Bell?

The MINISTER replied:

(1) Yes.

(2) This is a private practice, not a Government appointment. I am advised that the agent for medical practices is making every effort to find a doctor for Big Bell.

## LOCAL GOVERNMENT BILL.

### *As to Introduction.*

Hon. J. M. A. CUNNINGHAM asked the Minister for Transport:

In view of the growing concern expressed by several municipalities, will the Minister make a definite statement of the Government's intention in relation to bringing down the Local Government Bill?

The MINISTER replied:

The Government intends submitting such a Bill to Parliament. Heavy pressure upon the time of the Parliamentary Draftsman has delayed attention being given to it, but the Bill will shortly enter upon the drafting stage. Preparatory work has been completed. It is not the intention of the Government to introduce the Bill this session.

## MOTION—HOUSING.

### *As to Tabling File, O. A. Doran.*

HON. H. K. WATSON (Metropolitan) [4.36]: I move—

That there be laid upon the Table of the House the file relating to an application by O. A. Doran for a building operations permit, the refusal of that application, and the subsequent prosecution of Doran for carrying on those building operations without a permit.

The immediate reason for my moving this motion is that on Thursday last I asked the Minister for Transport whether he would be good enough to lay on the Table of the House that particular file, and the answer was "No." That answer was accompanied by an intimation that, if I so desired, the file would be made available to me for inspection at the office of the Housing Commission.

There were two reasons why I felt disinclined to accept the invitation of the Minister to go to the Housing Commission and peruse the file there. One was purely personal. I am under instruction by my medical adviser not to do anything which might increase my blood pressure, and when I get in the precincts of the Housing Commission, my blood pressure does increase. The second reason was that any information I might have gleaned from that file in the circumstances I have just indicated would, as Mr. Fraser mentioned in a somewhat similar case last night, have had to be treated by me as confidential. Presumably then, it would not have been competent for me to discuss in this House certain matters which at the moment I have reason to believe should be ventilated.

Therefore I felt that I and other members of this House should have an opportunity, by perusing this file, of forming a considered judgment on some facts which I shall present to the House in a

moment. I would like to see the file because I believe one should never arrive at a decision on any question without hearing both sides. I have heard Mr. Doran's side of this case—he is a constituent of mine—and from the information he has given me I feel that this House should be acquainted with the circumstances surrounding the application made by him for the permit in question, the refusal of that permit, and his subsequent prosecution.

One reason why I feel that the file should be laid on the Table of the House is that at the moment there is before the House a proposal, in the Building Operations and Building Materials Control Act Amendment and Continuance Bill, to increase penalties. In considering that proposal I believe members may be able to form a more mature judgment if they have some practical illustrations before them of how the power to prosecute has been exercised in the past. A further reason is that I would like to discover from the file—if I can—the mental processes by which officers of the State Housing Commission grant or refuse permits, and proceed to launch prosecutions.

Hon. G. Fraser: How long ago did he apply for the permit?

Hon. H. K. WATSON: The permit was applied for six months ago. I cannot give the exact date, but it was applied for in these circumstances: Doran is a master builder of considerable repute and ability. He is a man who has handled some of the biggest contracts in Western Australia and he works on the principle of one job at a time. In between jobs or during a lull in the course of a job on which he may be employed, he does a bit of building for himself.

In this case he was erecting a building at Fremantle for the International Harvester Company and it was an £86,000 contract. He had nine men, including himself, employed on that job and I might add that he, personally, works from daylight till dark. Imported steel for this job was many months late in arriving at Fremantle though that was not due to any fault on the part of Doran, because it was a subcontract that had been let by the architects. The building had reached a stage where nothing more could be done on it until the steel arrived.

That was during the months of August and September and, in order to keep his working gang together until the steel should arrive—it was expected towards the end of September—Doran applied for permission to do some reconstruction work on a house that he happened to own in Outram-st. This house had been partially condemned but, with the expenditure of approximately £2,500, it could be altered to provide accommodation for six families. It was capable of being converted into six completely self-contained flats, each containing a bathroom, living room, kitchen

and bedroom. He desired to provide accommodation for six families at a cost of £2,500, which is approximately the same cost as for one house when built by the State Housing Commission authorities.

Hon. N. E. Baxter: They could not do it for that.

Hon. H. K. WATSON: I doubt whether they could. It was in those circumstances that he applied to the State Housing Commission, so I am informed, explaining to them the peculiar circumstances of his contract at Fremantle and his desire to keep his men together until the steel arrived in September for the completion of the contract.

Hon. G. Fraser: Did you say six flats for £2,500?

Hon. H. K. WATSON: Yes. The building was already there and had been partially condemned. It required some remodelling, and that is why such a comparatively small expenditure would have contributed so far towards easing the housing position. That £2,500 figure is definite and the proposal, moreover, was to do all this work with imported material or material that was not controlled. That permit was refused, notwithstanding the circumstances, which had been placed before the Housing Commission. The application was re-submitted and was again refused and Doran then proceeded to do the work without a permit.

Hon. G. Fraser: He proceeded to break the law.

Hon. H. K. WATSON: Yes, but I would point out that in breaking the law, all he did was to build without a permit. He did not use any controlled material and he was employing four of his nine men who would otherwise have been playing cards or something else down at Fremantle. He was keeping them and himself profitably occupied.

Hon. H. L. Roche: He could not put up with the red tape.

Hon. H. K. WATSON: That was his one mistake. He went ahead with the work and in due course the Housing Commission, which is supposed to encourage housing, instructed him to stop work. I do not know whether members are familiar with the average builder, but he is a man who has come up the hard way and who, as Mr. Roche has aptly said, has not much time for red tape or bureaucrats. Doran's mind, therefore, did not quite register the extent to which he should have obeyed the command of the bureaucrats to cease providing homes for the people.

To illustrate his resourcefulness in certain cases and his desire to get things done, I will mention that during this year he executed a £40,000 contract at Fremantle for the Egg Marketing Board. The board was most anxious that the work should be completed with the least possible delay but in that case again, there was a shortage of steel. Neither the Housing Commission, Doran's suppliers, nor the

board could do anything about it, but the board said to Doran, "We want the building finished" and he took the unusual course of importing the steel by air from the Eastern States. He asked the board if it would be prepared to stand half the cost, but even before he could get the answer he had taken the risk himself, again because of his natural desire to make things move, to keep the building going and to finish the job, which he did to the extreme satisfaction of the board. Subsequently it was agreed, between the Egg Marketing Board and himself, that the air freight should be equally shared.

I mention that illustration to show the difference between a man who is accustomed to doing things and the man who wrings his hands and says, "Well, I am very sorry. The material is not here and I cannot get a permit and, therefore, the job cannot be done." As I have said, his only offence was that he proceeded to reconstruct the property with materials which were not controlled, but without a permit.

Hon. R. J. Boylen: Who owns the property?

Hon. H. K. WATSON: Doran.

Hon. R. J. Boylen: And he is sufficiently conscientious to make provision for those without homes?

Hon. H. K. WATSON: Yes. In order to give members a background to the character of the man, I may mention that he was sufficiently conscientious not to avail himself of the right to make a 20 per cent. increase on the rents of the seven properties which he has held for many years, and today he is charging only the 1939 rentals for those homes. That will show members that he is at heart a real decent citizen.

He may be a diamond in the rough and lack the refinement and elegance of some members of this House, but he is one of those who make the country tick. In return for his endeavours to provide homes, he has been prosecuted and was not only fined, but also received a gaol sentence. Incidentally, this has resulted in the disorganisation of the contract in Fremantle, which is a very important one. To give members some further idea of his background and the method and the reason for his action in this instance, I may mention that when the war broke out he was commissioned by the Army to build 45 Army huts at Northam, which he did in 43 days.

Hon. H. S. W. Parker: Yes, and they were built of green timber.

Hon. Sir Frank Gibson: Was it his fault?

Hon. H. S. W. Parker: No.

Hon. H. K. WATSON: No, it was not his fault. On the other hand, he had extreme difficulty in getting the timber from the timber merchants to finish his contract. I could tell members an interesting story of

the fight he had to get the timber, yet the fact remains that in spite of those difficulties, he built 45 huts in 43 days. He then spent most of his time working on contracts for the Government.

In 1948 he started prefabrication work for the soldier settlement scheme, and in 14 months he turned out 186 four-roomed cottages and 100 machinery sheds. Further, he completed them more quickly than the soldier settlement scheme authorities could erect them. He turned them out 12 months ago and I was informed several days ago that the soldier settlement scheme has only just completed putting them up. Whilst he was engaged on that contract, he was approached by the Railways Commission to undertake a similar one.

I am informed by Doran that he was also approached by Mr. Brownlie, the chairman of the State Housing Commission, to drop this soldier settlement scheme job and take on work for the Housing Commission but he said, "I have a contract here and I am standing up to it." The Housing Commission was interested in this live wire, and it asked his permission to send three or four draftsmen or architects to his factory in Victoria Park in order to educate themselves on his principles of prefabrication work with a view, in due course, to Doran's entering into a big contract with the State Housing Commission.

Doran freely offered the Commission all the advice he could and it had these three officers at his factory for a week or two learning all his secrets and being instructed by him. That was about 18 months ago. The next thing that Doran knew, after supplying this information to the State Housing Commission and educating its officers, was that all the plans, information and data that he had given had been taken holus bolus by the State Housing Commission and given to another firm of contractors to proceed with the work.

It was in these circumstances and in the light of Doran's resentment at the treatment which he had received from the Commission, that his application was considered, refused and the prosecution lodged. I feel that the file relating to this particular case should be laid on the Table of the House so that members can see the principles—or rather the lack of them—which are employed in the refusing of permits and the launching of prosecutions.

#### THE MINISTER FOR TRANSPORT

(Hon. C. H. Simpson—Midland) [4.58]: I am sorry that Mr. Watson did not avail himself of the offer of the Minister for Housing to allow him to peruse the file, as had been suggested. I think it can be accepted by members of the House that when a file is asked to be laid on the Table of the House and the request is not immediately complied with, there are generally extremely good reasons for such action. One reason might be that it was

a live file on which work was being done and the department could not afford to be deprived of it in order that it might be laid on the Table of the House which, of course, would mean it would be absent from the department for some days at least. The second reason might be that the matters with which this file dealt were at a confidential stage and it was not desirable, in the interests of everybody, that the contents of the file, at that stage, should be made public. It could, of course, be laid on the Table of the House later on.

Hon. N. E. Baxter: Can you tell us what the real reason would be?

The MINISTER FOR TRANSPORT: I am coming to that. A third reason is that there are certain matters on this file and, in the opinion of the Minister, it was kinder to the man himself to keep the information in the department and allow any member who desired to peruse the file to do so there. There is no objection to making the file available because I have it here, but as Mr. Watson has outlined certain details of this case, I want to give some particulars of the other point of view, which may throw some light on the matter for the information of members.

I can say at once that I do not think anyone associated with the State Housing Commission is under any illusion as to the energy and capability of Mr. Doran. He has carried out a considerable quantity of work over an extended period on behalf of the Commission and, as Mr. Watson suggested, the desire of the Commission was to give him further work. That is quite true.

On the other hand, we must recognise that Mr. Doran, having been connected with the building trade and after his long contact with the Housing Commission, must have known at least as well, if not better than anyone else, what the law was—and he chose to break the law. As Mr. Craig said in his speech last night, whether we think a law is right or wrong, it must be recognised that our laws are made by Parliament and if we are to secure respect for the laws of the country we must impose penalties where those laws are deliberately broken. The facts in this particular case, as submitted to me, are as follows:—

Doran applied to convert a residence at 53 Outram-st., West Perth, into six flats. This is a two-storey building at present housing 17 adults all of whom, with the exception of the housekeeper, were given notice to quit.

In view of these circumstances, the direction was sought by the Materials Control Officer, from the full board of the State Housing Commission as to whether approval for the alteration of these premises could be given.

On the 10th May, the secretary of the State Housing Commission wrote to Mr. Doran stating that approval could not be given to the project at

the present time, as it was apparent that about the same number of persons would be accommodated if the conversion took place.

In his evidence before the court, Mr. Doran stated:—

I bought the premises in February of this year for speculation. I had jobs on at the same time for the Egg Marketing Board and the International Harvester Company and I moved the surplus labour on to the Outram-st. job. I used imported cement blocks, timber and £400 in labour and I have spent in all roughly £600 to £700 on the job.

Under cross-examination, Mr. Doran admitted that in May there were 13 adults in the premises against whom he issued notices to quit. On the 5th July there were eight adults in occupation.

He further admitted that he told the State Housing Commission that no tenants would be depossessed, but there were now only three people living in the house who were there originally.

He stated:—"I told the State Housing Commission, irrespective of what they did, I would finish the job. I said I may as well pay money in fines as anything else and I am determined to finish the place, after the stop work order, irrespective of the law. The men engaged on the job were plasterers and carpenters and I had 10 men there at one time."

Mr. Doran was charged with commencing a building operation without the consent in writing of the State Housing Commission, contrary to Section 9 of the Act and also having been served with a notice to cease building operations, continued the building operation on the said land contrary to Section 13 of the Act.

It may be remembered that Mr. Doran's legal adviser lodged an appeal, but the appeal was not proceeded with. I am given to understand that the rather impudent attitude of Mr. Doran towards the magistrate at the time of the proceedings was the cause of the fairly severe penalty which was inflicted. It is not for us to criticise what is done in a court of law. The magistrate is in possession of all the facts and he is judged to be the best situated person to arrive at a decision at the time. I have the file, which is open to perusal by members, and I now lay it on the Table of the House.

Question put and passed; the motion agreed to.

#### BILLS (2)—THIRD READING.

- 1, Farmers' Debts Adjustment Act Amendment (Continuance).
  - 2, Main Roads Act (Funds Appropriation).
- Passed.

**BILLS (2)—FIRST READING.**

- 1, Rights in Water and Irrigation Act Amendment.
- 2, Fremantle Harbour Trust Act Amendment.

Received from the Assembly.

**BILL—PARLIAMENT HOUSE SITE PERMANENT RESERVE (A1162).***Assembly's Message.*

Message from the Assembly notifying that it had agreed to the amendment made by the Council subject to a further amendment, now considered.

*In Committee.*

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

The CHAIRMAN: The Council's amendment was as follows:—

Clause 3: Delete the word "twenty-one" in line 12 and substitute the word "ten."

The Assembly's amendment to the Council's amendment is as follows:—

Line 2—Delete the word "ten" and insert the word "five" in lieu.

The MINISTER FOR TRANSPORT: I move—

That the amendment, as amended, be agreed to.

Hon. W. R. HALL: I desire to move that the Bill be laid aside.

Hon. E. M. Davies: And do you want to attend the funeral?

The CHAIRMAN: The only way I know of by which the hon. member can achieve his objective is to move the Chairman out of the Chair.

Hon. W. R. HALL: I move—

That the Chairman do now leave the Chair.

I understand I am not allowed to discuss the motion.

The CHAIRMAN: No. I draw the attention of the Committee to Standing Order No. 265 which reads—

A motion "That the Chairman do now leave the Chair" shall, if carried, supersede the proceedings of a Committee; but the Committee may, on motion after notice, be revived for a future day.

Standing Order No. 266 provides that the motion "That the Chairman do now leave the Chair" shall be moved without discussion, and be immediately put and determined.

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

Ayes	9
Noes	18

Majority against .... 9

*Ayes.*

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. G. Bennetts	Hon. H. L. Roche
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. G. Fraser
Hon. A. R. Jones	

(Teller.)

*Noes.*

Hon. L. Craig	Hon. L. A. Logan
Hon. E. M. Davies	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. E. H. Gray	Hon. J. McI. Thomson
Hon. E. M. Heenan	Hon. H. K. Watson
Hon. C. H. Hennings	Hon. F. R. Welsh
Hon. J. G. Hislop	Hon. G. B. Wood
Hon. Sir Chas. Latham	Hon. J. Cunningham

(Teller.)

Motion thus negatived.

The CHAIRMAN: The question is that the amendment, as amended, be agreed to.

Hon. Sir CHARLES LATHAM: This is probably a reasonably decent compromise between the period asked for by the Council and the amendment moved by the Assembly. I was surprised to hear the Minister make the statement he did just now about breaking the law. Here is a definite instance of the law being broken on the instructions of a Minister of the Crown.

The Minister for Transport: I think Section 32 of the Land Act would probably validate it.

Hon. Sir CHARLES LATHAM: There is a lot of probability about it. It would be the first time a ruling had been given in that direction. There was a definite ruling for other than Class A reserves, and even in connection with Class B reserves the papers had to be laid on the Tables of both Houses, and the reason given.

The Minister for Transport: It does not say so in the Act.

Hon. Sir CHARLES LATHAM: Yes, it does. I was amazed to hear the Minister castigate a private citizen for breaking the law. When the attention of officers of the Public Works Department was drawn to the fact that this was a violation of the law, they still proceeded with what they were doing.

Hon. H. S. W. Parker: The first principle of law is that the King can do no wrong.

Hon. Sir CHARLES LATHAM: If we are going to ask the public to observe the law, the departmental officers and Ministers should observe it.

Hon. G. FRASER: I hope the Committee will not agree to the amendment. It is ridiculous.

Hon. L. Craig: So is ten years.

Hon. G. FRASER: It is ridiculous to make five years the period when it will take the best part of 12 months to com-

plete the building. It does not matter what figure we put in, five, ten or 15 years—

Hon. R. M. Forrest: Why worry about it?

Hon. G. FRASER: The hon. member can put forward his side of the question in a moment. No matter what figure is inserted, the possibilities are that when the time has expired an extension will be granted. It is possible that in ten years such an extra effort will be made by the Government in the production of materials—

The Minister for Transport: That is if this Government stays in.

Hon. G. FRASER: No. If there were extra production of materials it is possible there would be no necessity to make an alteration in the legislation so that it would be allowed to die. I oppose the amendment on the ground that ten years is a reasonable time in which to erect the building and have it occupied. By the end of that time, if materials were available, the Government would have had plenty of time to decide on a site, and everything else, and could go ahead and do the proper thing, and not deal with the matter in a piecemeal fashion.

I recollect a debate here some years ago when we decided on a site for Government buildings. A select committee was appointed to decide on the best site, so there should be no difficulty now on that score. If we accept the Assembly's amendment it will be necessary at the end of five years to further extend the time, so why not provide a reasonable time now. Do not let us look any more ridiculous than we do.

Hon. W. R. HALL: I oppose the amendment. I feel that five years is ridiculous.

Hon. H. S. W. Parker: Who suggested making it five years?

Hon. W. R. HALL: I did not. I think even ten years is a bit too short. My conscience is quite clear in the matter. A site should have been selected elsewhere. The House Committee, being the custodian of the Parliament House grounds, merely acted in the interests of the members it represents. The job has been hung up for a long period. I would like to see the building erected elsewhere, but as that does not seem possible I have to act now in what I consider to be the best interests of all concerned.

The money to be spent on the building could be spent to greater advantage on homes for people when there is such a shortage as exists today. In the circumstances, I am not prepared to vote for the Assembly's amendment. I would like to move a further amendment, but I do not feel inclined to do it now. The only thing that worries me is that it will take the best part of five years to complete the building, and then we will simply have continuance Bills. The building will be there for ever and a day, I suppose.

Hon. H. C. STRICKLAND: I oppose the Assembly's amendment. It is ridiculous to imagine that a building being erected at the cost of this one will have a life of only seven years. I favour a ten-year plan. I have been absent during most of the discussions on the Bill and I recorded a silent vote. I would like to give my reasons for voting that way. In the main it was because of the disregard shown, by whoever was responsible, to the warnings of the House Committee; and also the flouting of parliamentary authority.

Section 31 of the Land Act lays down clearly that Class A reserves must be used only for the purpose for which they are reserved. If Parliament is to be overruled or ignored or coerced as has happened in regard to this building, we shall only be wasting our time here in passing Acts. We have a Jekyll and Hyde procedure. The person responsible for making the decisions for the Government is not breaking the law, but if as a private man he does a bit of building which is not supposed to be carried out, he is breaking the law.

Hon. H. S. W. Parker: Find the people who put up the other buildings.

Hon. W. R. Hall: Two wrongs do not make a right.

Hon. H. C. STRICKLAND: It is rather a pity that the penalties which will come before us later in connection with another Bill do not apply all round. Why should there be fish for one and flesh for another?

The Minister for Transport: That is what we say.

The Minister for Agriculture: Would you make that retrospective to other Governments in the past?

Hon. H. C. STRICKLAND: To make it retrospective is a different proposition altogether.

The CHAIRMAN: The hon. member should confine his remarks to the question.

Hon. H. C. STRICKLAND: I conclude by opposing the five-year amendment.

Hon. E. M. HEENAN: I am sure all members of this Chamber will be glad to see the end of this measure. The best thing we can do about it is to accede to the motion.

Hon. G. Fraser: Crawl down!

Hon. E. M. HEENAN: I think we can feel satisfied that we have a very vigilant Joint House Committee. The members of the committee have made a formidable protest, and have followed it up all along the line. It seems silly that we are agreeing to a building remaining for five years, but in all the circumstances I think the best thing is to agree to the Assembly's further amendment. Probably within five years the feelings of even members of the Joint House Committee will have mellowed and at the end of the five years, if it is neces-

sary to extend the term, there will not be any trouble about it. A lot of people are being inconvenienced because the building is not proceeding, and a considerable sum of money has been spent. I hope the building will soon proceed and if, at the end of five years, a measure is brought forward to renew the term, I shall vote for it.

Hon. E. M. DAVIES: I find great difficulty in trying to keep buoyant in this great flood of crocodile tears. I can remember only a few months ago when we agreed to the alienation of portion of Stirling Square reserve for the purpose of building a town hall. That reserve is used by the people generally, and when it was alienated we took something which is used constantly by them. There is no analogy between Parliament House reserve and the Stirling Square reserve. I do not think any member of this Chamber or another place would suggest that Parliament House will be extended to any great extent in future. The amendment placed in the Bill by this Chamber was to give Parliament an opportunity to review the question from time to time.

Hon. W. R. Hall: And to see what sort of a building was put up.

Hon. E. M. DAVIES: The fact that there are a number of other buildings on the parliamentary reserve, and the fact that we intend to add another, will not make any difference so far as the Parliament House reserve is concerned. The building has been started and, while I do not criticise the members of the Joint House Committee, I feel that certain accommodation is necessary for our Civil Service. It does not look as though the Government will have an opportunity to provide any other suitable buildings for the accommodation of our civil servants and, as a certain sum of money has been spent on the structure under discussion, I think we should agree to the Assembly's amendment. There is not a great difference between five years and ten years, and the only reason why it was amended in the first place was to give Parliament an opportunity periodically to review the question.

**THE MINISTER FOR TRANSPORT:** The speeches made this afternoon have not had one iota of effect in changing the opinions of members because they have made up their minds on the question. It has been stated in debate that Parliament should be given an opportunity to review this question periodically, and the Assembly's further amendment is in line with that suggestion. We all know, whatever term might be agreed upon—even if it is for only 12 months—that the Government has power to introduce a Bill to review the question and Parliament has the right to decide upon it.

I do not know whether members have considered the effect of opposing the Assembly's further amendment. It is quite

likely, if we disagreed with the Assembly's further amendment, that the Assembly would insist on it, and a conference would then take place. The whole of Parliament would be at the mercy of one member of that conference because he might decide to stand pat and so throw the Bill out altogether. That is a risk we cannot take. Supposing that did happen, what would be the result? There would be a partially-completed building which might remain where it stands for years.

It would be a white elephant and a constant reminder to the public that the Council threw out a Bill which would have permitted the building to be completed. The Council would be blamed and not the one member who, at the conference, was the cause of it all. I am told that if this Bill is not passed it will be necessary to take over the Government House ballroom once more for the use of civil servants. That would be a first-class item of publicity, and again the Council would bear the brunt of the criticism. So I say members would be well advised to consider the possibilities which might result if we disagree to the Assembly's further amendment.

Hon. G. FRASER: I want to say my last word on this point. I cannot let the Minister get away with the suggestion that members have not changed their minds. If this motion is carried, then it will certainly mean that members have changed their minds.

**The Minister for Transport:** Not on the substance.

Hon. G. FRASER: Very definitely. Only a week or so ago we carried an amendment which limited the life of the building to ten years. If we agree to the motion now moved, it will mean that members have changed their minds and have backed down to another place. It will mean that the Assembly has pointed the bone at us and we have backed down.

**The Minister for Transport:** You must be talking with your tongue in your cheek.

Hon. G. FRASER: It will not be very long before the Minister will be asking us to disagree to amendments made to Bills by another place. He will ask us to disagree to the Assembly's amendments or, alternatively, to insist upon amendments made by this Chamber.

**The Minister for Transport:** In substance yes, but in detail no.

Hon. G. FRASER: I cannot agree with that. The Minister will be asking us to insist upon any amendments we make and, as we have already discussed the merits and demerits of this question, I hope we will insist upon our amendment and disagree to that made by the Assembly. We hear a lot from another Chamber about this place, so let us show them that we have a mind of our own.

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

Ayes	18
Noes	9
Majority for	9

*Ayes.*

Hon. L. Craig	Hon. L. A. Logan
Hon. E. M. Davies	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. E. H. Gray	Hon. J. McI. Thomson
Hon. E. M. Heenan	Hon. H. K. Watson
Hon. C. H. Henning	Hon. F. R. Welsh
Hon. J. G. Hislop	Hon. G. E. Wood
Hon. Sir Chas. Latham	Hon. J. Cunningham

(Teller.)

*Noes.*

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. G. Bennetts	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. R. J. Boylen
Hon. A. R. Jones	

(Teller.)

Question thus passed; the Assembly's amendment to the Council's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

## **BILL—COUNTRY TOWNS SEWERAGE ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the previous day.

**THE MINISTER FOR AGRICULTURE** (Hon. G. B. Wood—Central—in reply) [5.45]: In closing the debate on the second reading of this Bill I desire to reply to a number of references made by members in their speeches. Mr. Jones desired information in regard to compensation for a person who already possesses a septic tank system. I would inform the hon. member that the departmental attitude will be similar to that now applying in the metropolitan area. Rates will be charged but no insistence will be made for connection to the departmental scheme. Mr. Jones felt that persons who had installed septic systems should not be liable for rates and that there should be provision in the Bill in this regard.

In providing deep sewerage the Government has anticipated certain annual losses in all the country towns so sewered. It is not considered that it would be reasonable to accentuate these losses by relieving sewerage ratepayers of their responsibility for the rates if septic tank provision has already been made by them. There is the point that such provisions already installed do not take into account the waste water from the kitchen and the bathroom, but the Government sewerage will make that provision as it now exists in the metropolitan area where everything goes down the sewerage drain. There is, therefore, justification for connection with the sewerage scheme, even though septic tank provision has been made.

While the department will not insist on immediate connections when a scheme is available, in fairness to the rest of the community it is necessary to include such cases in the rating assessments. Mr. Logan expressed the hope that the scheme would not be restricted to towns of at least 600 houses. As I explained when introducing the Bill, the policy of providing sewerage facilities in towns limited to 600 houses or more was made primarily for economic reasons and later on the Government will not restrict it to only towns of that size. The Government is also up against it for material and various other things and one or two larger towns might have to be completed first.

Hon. G. Bennetts: When will places of under 600 houses be considered?

**THE MINISTER FOR AGRICULTURE:** I cannot answer that. The Government had to start off on some limitation and decided that it would attend to the larger towns first. There may, of course, be instances where towns of 500 houses will be done before towns which may have 600. It depends to a large extent upon the water available.

Hon. G. Bennetts: Merredin has 550 houses.

**THE MINISTER FOR AGRICULTURE:** I would say that Merredin would have a very high priority because of the water available and it might be done before towns with more houses than it has. On the other hand, there would be towns where it would be quite impossible to install sewerage on account of the lack of water. The financing of schemes covering smaller towns would undoubtedly be a problem and would thrust a large burden on the rest of the community in financing the substantial losses likely to be sustained each year. Another most important feature concerning sewerage installation is adequate water supply for the purposes. There are many towns that have requested sewerage schemes but which have not the security of water supply necessary to cover the purposes without interfering with the consumption of water for domestic purposes.

Information about Albany was sought by Mr. Loton. I regret that I have not been able to get that information yet but I will obtain it in due course. Mr. Logan also referred to the water shortages at Geraldton, and mentioned that a long spell of hot weather might jeopardise the functioning of sewerage facilities in that centre. As he is aware, the capacity of the pump and the main from Wycherina to Geraldton is 600,000 gallons daily. The draw on this water by tomato growers varies during the season which extends from February to about November.

Their daily requirement during spells of hot weather approximates between 200,000 and 300,000 gallons, this representing one-third to one-half of the total

supplies available to the district from Wycherina. It will be appreciated that should the draw by the tomato growers become so heavy as to seriously affect domestic supplies, more especially the supplies needed to keep the septic systems going, it would be necessary to consider restricting supplies of water to the growers. The heavy draw by the tomato growers will cease about the end of November and this will, of course, release a greater quantity of water for use for domestic purposes.

Hon. L. A. Logan: They start at the end of January.

**THE MINISTER FOR AGRICULTURE:** I think the hon. member will appreciate that water for a sewerage system would have a very high priority. At the present time the Government is installing new engines and pumping plant at Wycherina. The construction of the summit tank there is well under way and Humes will have manufactured the two miles of connecting pipe within a few weeks' time. Nevertheless, with all these improvements, it is impossible to increase the supply from Wycherina to Geraldton above the 600,000 gallons per day mark because this is the full capacity of the intervening 20 odd mile main. Some success has been achieved in putting down bores at Waggrakine and a 10 inch bore there has an output of 96,000 gallons per day. This is being made available to "carting" growers, thus relieving the draw to some extent on the Chapman tanks.

Hon. A. R. Jones: It is too salty to be used.

**THE MINISTER FOR AGRICULTURE:** I got this information from the Public Works Department.

Hon. L. A. Logan: That is about six months out of date.

**THE MINISTER FOR AGRICULTURE:** The hon. member cannot expect me to know all these details. I had to get the information from the Public Works Department and I did the best I could. I obtained the information which the members required; if that is not enough, I am afraid I cannot help it.

Question put and passed.

Bill read a second time.

*In Committee.*

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

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

*Second Reading.*

Debate resumed from the previous day.

**HON. J. M. A. CUNNINGHAM** (South-East) [5.56]: I am not going to speak at any great length on this measure, but at the outset I would like to make my position quite clear. I intend to support the Minister but at the same time I reserve the right to be somewhat critical in the remarks I propose to make. First of all, I do not know whether I am one of the very few in this House who has been fairly treated at the hands of the Housing Commission. That is the actual position. Quite recently, in Kalgoorlie, we were faced with a considerable amount of trouble over the need for new houses.

Many people, I know, were on the backs of the officers of the Housing Commission when they visited the Goldfields and it would seem that we were faced with the same problem that existed everywhere else—that is, the impossibility of getting building materials and the other difficulties which attend the building of a house. However, one or two members of a local governing organisation evolved an idea which we finally presented to the Housing Commission. The plan that was decided upon was not the building of a large, elaborate home but a small house comprising a bedroom, lounge room-dining room, kitchen, bathroom, sleepout and back verandah. We proposed to make that available to any intending home-owner at a cost of less than £600. We were ridiculed.

Hon. G. Bennetts: Does that include labour and materials?

Hon. J. M. A. CUNNINGHAM: The new owner would walk into his little home for a sum which was less than £600.

Hon. A. R. Jones: Who sponsored it?

Hon. J. M. A. CUNNINGHAM: First of all, it was sponsored by the Kalgoorlie Road Board and supported by the employers, namely, the mining companies, large stores etc.; and the Housing Commission assisted in every way possible. The banks also co-operated. The scheme was simple and attractive: an employer that might have been the mining company or a large store had an employee whose services he wished to retain and of whom he thought sufficiently highly to prompt him to stand as guarantor with the bank. That was all there was in the scheme. An application was made to the road board and then the board proceeded from that point to issue a permit and to acquire land at 30s. for a block—this represented a small registration fee. The contractor who undertook to build the house was acquainted with the facts and he simply went ahead.

We send to the bank the man who has intimated that he is prepared to play ball, and the rest is done by the board. The home-seeker was required to put up one-third of the amount and the employer went guarantor for the balance. Twelve houses have been completed under those conditions and we have come to the end

of the applications; in other words, in spite of the apparent desperate shortage of housing in Kalgoorlie at that time, we are now in the strange position of there being no more takers for these homes and no considerable amount of building is going on.

Kalgoorlie at present is somewhat in the doldrums, but, in certain eventualities, the picture might change almost overnight. However, the point I wish to make is that we could not have carried that scheme to completion without the co-operation of the Housing Commission. Last night a member remarked that the Housing Commission had never built a house and that to say otherwise was wrong. It is wrong to say that a person has built a house as, in fact, a contractor has built it for him. Such arguments, however, are only splitting hairs.

I do not claim that the Housing Commission can be credited with having built homes in Kalgoorlie, but when our contractor informed us that he was held up, say, for roofing iron for two houses or for flooring boards for one house, the Commission did help us. I was acting as liaison between the contractor and the Housing Commission. I came to Perth and saw the Commission's liaison officer and, in each instance, the Commission co-operated and not one of those houses was completed behind schedule.

Hon. Sir Charles Latham: Did you get a release from the Housing Commission?

Hon. J. M. A. CUNNINGHAM: The Commission did its best to make the requisite materials available. We had to find the materials where we could. If we were short of sufficient flooring boards, say, for one house, I acquainted the Commission, and, though I do not know whether they were obtained from the State Saw Mills, a priority was given and work on the house was finished.

Hon. Sir Charles Latham: Then the commission gave you a priority permit.

Hon. J. M. A. CUNNINGHAM: The Commission certainly did help us and made it possible to carry on the scheme. Through its action, the desperate shortage that we thought existed in Kalgoorlie does not exist today. At present there is a lack of people wishing to purchase homes, though quite a few want to rent them.

Hon. W. R. Hall: That is so.

Hon. J. M. A. CUNNINGHAM: Reference was made yesterday to bricks produced in the metropolitan area and on the Goldfields, and one member stated that it was impossible to get rid of the bricks made at Kalgoorlie and that bricks were being sent from the metropolitan area. When the company first started brickmaking at Coolgardie, the product was atrocious. To make the bricks, an unsuitable pit and rubbish from various dumps were used. Then a new man took over the manage-

ment of the plant and the story today is much different. The brick being turned out now is comparable to the brick made in Coolgardie 20 or 30 years ago.

Hon. G. Bennetts: The Minister for Transport brought a sample down to Perth.

Hon. J. M. A. CUNNINGHAM: That is so. I have often seen the operations at the brickworks and have noted the change that took place in the quality of the bricks produced. So far from the company's not being able to get rid of its product, I assure members that the new brickworks at Coolgardie cannot keep pace with orders. Bricks are being sent as far distant as Albany and Bunbury and have been so sent for months past.

Hon. J. McI. Thomson: Are you certain that bricks are being sent from the Goldfields to Albany?

Hon. J. M. A. CUNNINGHAM: Quite certain. Orders have been and still are being filled for Albany. Those references are merely apropos of some remarks that were made the other night. I should like now to refer to the penalties proposed in the Bill. This is one feature of the measure about which I feel considerable concern.

Hon. Sir Charles Latham: It is the only question in the Bill.

Hon. J. M. A. CUNNINGHAM: It is the only one of any importance. No matter how distasteful we find these controls, we have little choice other than to continue them for the time being. That is unfortunate but, without the Housing Commission, I believe that people on the Goldfields and in other country centres would be in a very unhappy position when the time returns for them to require building materials urgently. I cannot say whether that applies in the metropolitan area, but it does apply on the Eastern Goldfields. The Housing Commission has helped us considerably to maintain something like a building programme.

It is not too easy for a man to get a roof over the heads of his family. As far back as the history of man extends, that has been one of the prime needs of a man with a family. In primeval days, the man took a decent waddy, went into a cave, massacred the occupants and took over. In medieval days, he used a spear or a sword. Our present-day civilisation has not made it easier for a man to acquire a home, and yet the same primitive desire resides in the mind of even the humblest family man. However, he cannot now knock a man out of his house in the neighbourhood and take possession. All he can do in any way parallel to such action is to scrounge, buy, borrow, beg or otherwise get material with which to build a home. In some instances, he cuts a little close to the law, though the impelling desire is not to break the law but to get a home.

When I built my home—and I can say that in full truth because, with my own circular saw, I cut every stick of the timber and built the place—the new material would not have cost me £100; it was salvaged from an old mining plant. To do that today would be outside the law. In my garage, I have probably 1½ or two bags of cement. I did not obtain a permit for that cement and did not buy it on the blackmarket. Am I breaking the law by having that cement in my possession? I do not know.

Hon. Sir Charles Latham: You are.

Hon. J. M. A. CUNNINGHAM: I bought it at an auction sale. If I am breaking the law, I am doing so unconsciously, just as unconsciously as the Government broke the law a hundred yards from here a while ago, but I cannot have legislation passed to justify my action. It is just as easy for an individual to break the law unconsciously as it was for the Government to do so just recently.

If the proposed penalties are enacted for unconscious offences in cases such as I have just mentioned, we are told that the magistrate will have discretionary power. I appreciate that we must respect the law, but, unfortunately, I am one of those obtuse persons who find great difficulty in reconciling law and justice. There have been cases in the courts recently where magistrates have displayed an extreme lack of discretion almost to the point of irresponsibility. Therefore, I am one who is not very happy at the thought that, in certain circumstances which might easily crop up, the magistrate will have discretionary power in imposing penalties for breaking the law.

I have heard magistrates say, "I am not interested in the justice of the case; I am only interested in whether you have broken the law, consciously or unconsciously." Therefore I consider that in many cases the penalties inflicted are by no means just. In the rent cases, members will have noticed that a magistrate has quite frankly and publicly stated that the law had been designed solely for the protection of one party, in this instance the tenant. I maintain that that was not the desire or intention of Parliament when the legislation was passed, and a magistrate could easily apply to this measure a similar ruling, declaring, "This legislation was designed solely to punish the law-breaker, irrespective of the reason actuating his breaking the law."

So I say I am not at all happy about these proposed penalties; in fact, I consider them to be extremely severe. If a man has deliberately engaged in wholesale building in defiance of the law, that is another matter, but if a man can build a house for himself and in the process harms nobody else, it is only natural for him to do so. If a man has acquired materials at a public auction and used them to improve his property by laying down paths

or in some other way, it may be held that he has committed a breach of the law. Of course, he may not have broken the law intentionally. I do not know. He could have broken the law unconsciously, and the same thing could apply in a much larger and much more serious way.

In my opinion the less we empower magistrates to exercise discretion, the better. All too often, laws and breaches of laws become a matter of geography or caste. For instance, in the case of geography, we find that the law against S.P. betting is applied far differently at Collie from what it is in Perth.

Hon. E. M. Davies: What about the licensing laws on the Goldfields?

Hon. J. M. A. CUNNINGHAM: The same applies to the licensing laws on the Goldfields; it is entirely a matter of geography. If the laws are to be elastic, as they are in those two instances where the Government considers it necessary, we can afford to be a little more generous regarding possible unconscious breaches committed by a home-builder. I have expressed my fears and doubts in the hope that the Minister will realise that there is substance in them and will do something to rectify these matters.

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

HON. W. R. HALL (North-East) [7.30]: I support the Bill, but I do so very reluctantly. I support it because it will be the means of preventing men who have plenty of cash from obtaining building materials in preference to men in a less fortunate position.

Hon. E. M. Heenan: That is a very good reason.

Hon. W. R. HALL: With all due respect to what Mr. Cunningham said about houses which have been built on the Goldfields as a result of the activity of the Kalgoorlie Road Board, in conjunction with the State Housing Commission, the banks and the individuals concerned, I would point out that the building of houses is not the only vital question confronting the Goldfields today. As a matter of fact, as has been pointed out by Mr. Cunningham, property there is fairly difficult to dispose of. There are plenty of people who desire to rent properties, but very few who wish to purchase them.

That brings me to the important point that there are hundreds of houses on the Goldfields and in surrounding districts which are in a very bad state of repair through lack of building materials. My dealings with the State Housing Commission have not been very satisfactory. The officers of the Commission are situated too far away from some centres that require consideration. Several hundred employees are established in the metropolitan area, but only periodical visits are paid by some of the chief officers to various outback

centres. I know that what I am saying is true because I was formerly chairman of a road board and I know what has happened.

At one stage the State Housing Commission began to hand the baby to the local authorities to carry. Certain powers were given to secretaries of road boards and town clerks of municipalities in connection with the granting of permits in respect of places in need of repair. The local authorities did that job very well, but much of the time of town clerks and road board secretaries was occupied inspecting buildings and ascertaining whether the material applied for was really needed. The result was that those men had to neglect a good deal of their routine office work in order to do this job for the Housing Commission. The responsibility, according to the secretary of the board with which I was associated, and in my own opinion, too, was one which those officials did not like shouldering and should not have been called upon to carry.

There is the further point that permits were issued for material required by people who sometimes were ordered, by virtue of the health regulations, to effect necessary repairs, on pain of being prosecuted. It is not so long ago that quite a number of prosecutions were pending against people who owned houses and were required to carry out repairs within a certain time. But it was well known that the people who were served with notices under the health regulations could not secure the material they required to do the work. Many permits were issued but the material was not at hand.

Hon. G. Bennetts: There are a lot in the Kalgoorlie area in that position.

Hon. W. R. HALL: I am aware of that and know that the same applies to other local authorities. I believe that the health inspector of the Kalgoorlie municipality served a lot of notices on people to repair their houses. But I myself have gone to some of the larger merchants such as Millars' Timber & Trading Co. and others in Kalgoorlie to inquire about orders and have found that the goods required were just not available. In "The Kalgoorlie Miner" of the 26th October, under the heading of "Public Notices," there appeared the following over the name of a well-known supplier of building material at Boulder:—

Owing to not being able to secure continuity of supplies of building materials, it is with regret that I have to advise my clients of Boulder and Kalgoorlie, that I must now close my business known as South-West Timber Co., of Moran-st., Boulder.

Provision will be made for the delivery of all permit orders on hand for asbestos and galvanised iron as soon as this material becomes available.

He says that he commenced business in 1936 so he must have been well established.

Hon. H. K. Watson: And you want to continue that state of affairs?

Hon. W. R. HALL: I am well aware of the facts, and I have said that I am supporting the Bill reluctantly. Nearly all the discussion that has taken place here has referred to the metropolitan area. Nothing has been said about Kalgoorlie, Boulder, Laverton, Big Bell and other out-back places. We have to be guided by what we hear from members who represent various constituencies and by what we read in the Press. I speak of what I know to be true concerning what is happening in the province I represent.

Hon. G. Bennetts: There is not enough timber there to build a fowlhouse.

Hon. W. R. HALL: There is a great shortage of galvanised iron on the Goldfields. I suppose that obtains throughout the State. There is not a great demand for brick houses on the Goldfields but there is a call for the replacement of iron which has rusted and been eaten away over a period of from 40 to 50 years.

Hon. G. Bennetts: By fumes from the mines.

Hon. W. R. HALL: Yes. All Goldfields people know that fumes eat away the iron, which has to be continually painted in order to preserve it. I know a plumber in Kalgoorlie who told me that he cannot get piping to replace that which has rusted over a period of years. The result is that he is being forced out of business. The other day I asked him what chance there was of his obtaining imported piping. He said it would be difficult, and he quoted what the cost would be. I could hardly believe what he said when he told me it would be somewhere in the vicinity of 3s. per foot. I have never heard of anything like that in my life, but that is what he told me. I do not know whether I am on the right track or not.

Hon. E. H. Gray: You are right.

Hon. W. R. HALL: How can a man afford to pay 3s. a foot to take piping to Kalgoorlie for relaying purposes? It is a great pity that there are so many employees walking around the State Housing Commission offices. If some of the staff could be transported more frequently to out-lying centres, the Commission would be able to do a much better job. I have always received civility from the State Housing Commission, but a lot of people have to queue up and there is only one answer to most of their questions. That answer is "No." The constituents I have represented, and for whom I have sought to obtain permits, have had a pretty rough spin.

This Bill is certain to be passed, but I feel that the Commission should in the near future pay more attention to places which have small populations but which urgently require building materials to

effect repairs. The housing problem at Kalgoorlie is not so acute as that in the metropolitan area. There are a few houses to let and several for sale in Kalgoorlie but that does not alter the fact that there are many hundreds of dwellings there in need of repairs and many that have not yet any bathrooms, although under the new regulations baths must be installed. When Goldfields members see all the building going on in the metropolitan area, they realise what scant consideration is being given to some parts of the State.

Hon. G. Bennetts: And it has us all worried.

Hon. W. R. HALL: The Kalgoorlie Road Board assisted some people to build houses, as was mentioned by another speaker this evening and the Boulder Council also did the same at Victory Heights. The Kalgoorlie Municipal Council was also responsible for a number of buildings being erected.

Hon. G. Bennetts: And then there was the 2/28th Battalion.

Hon. W. R. HALL: Yes, they all did a good job and put in a lot of hard work. It is not very encouraging when people like that have to battle for materials such as galvanised iron and asbestos. I cannot agree with the previous speaker's remarks on the provision for increased penalties. My impression from Press reports is that the magistrates have often been very lenient with those who have engaged in illegal building.

How many times have we read of offenders being fined only £50 or £100? A penalty such as that means nothing to the man who is building a house costing £3,000 or £4,000. Such people can be heard to say that it is far better to build what they want and pay the fine, and for that reason I would like to see the penalties increased. I do not wish to see any one persecuted, but it is necessary to have penalties severe enough to prevent certain people exploiting the present housing position and taking advantage of those who are less fortunately situated.

I know of a two-storey building consisting of 12 flats that is being erected in Mt. Lawley, and the same person who is constructing it also built another place for someone whom I know very well. There was great difficulty in obtaining the bricks and tiles for that house but, when spec building started, the spec builders did not seem to have any trouble in getting their bricks. I have heard other members relate their experiences in regard to spec buildings, for which the State Housing Commission must be giving permits and such instances are hard to reconcile with the position of the people who are trying to finance modest homes.

The granting of permits to the spec builder is detrimental to the man who is doing his best to find housing accommodation for his family and all it does, in

reality, is to put money into the hands of the spec builders who are able to erect flats and houses. Are flats any good for those who wish to rear children?

Hon. E. H. Gray: No.

Hon. W. R. HALL: No one can rear children properly in a flat without a back-yard. We know how many people living in flats have tried their utmost to get little homes of their own in order to be able to rear their children properly. Those who are building flats are not worrying about anyone else. Their only desire is to line their own pockets, and as long as the Government allows such spec building to continue, it will be acting against the best interests of the people of this State. I would like to see all controls lifted but there would be great danger in removing controls at the present time.

It will not be safe to remove the restrictions from building until the supply of materials equals or is greater than the demand, and that will not take place for a long time to come. The only way to prevent the rot setting in is to continue building controls, though it goes against my grain to say so. It is our duty to protect the majority of the people against the selfishness of the small minority who wish to indulge in spec building from a profit motive. The person who does not already own a home should be given every assistance by the State Housing Commission.

We have heard tonight a lot about what the State Housing Commission has done, but I know a lot that it has not done. Even while the Labour Government was in power the Workers' Homes Board was building a lot of dwellings, though not as many, of course, as are being erected to-day. Nevertheless, the Workers' Homes Board did a very good job years ago with the limited means at its disposal. I hope the Government will ensure that the people who are entitled to consideration receive it.

HON. J. McI. THOMSON (South) [7.57]: The measure with which we are dealing tonight seeks to amend Section 22 of the principal Act and contains provision to extend building controls for a further 12 months, as well as an amendment with regard to penalties. I am disappointed that the Government has not seen fit to include in this measure provisions similar to those contained in the Bill of last year. I would have liked to see, in the Bill now before us, some evidence of the Government's intention to ease controls in the matter of repairs and renovations. I think that home-owners should be allowed to carry out repairs up to a cost of at any rate £350.

Hon. A. R. Jones: That has been done by regulation.

Hon. J. McI. Thomson: If that is so I need not pursue that aspect further, but I feel that the owner should be entitled to

spend up to £350 on renovations. A complete lifting of controls at the present juncture would result in chaos, particularly in country areas. On examining the figures for the permits applied for we find the total value to be in the vicinity of £9,000,000 and an analysis of the position shows that the applications for the building of flats and the conversion of houses into flats alone amount to £1,700,000 odd. The figures for hotels—we know how urgently required this expenditure is in the country—total £800,000, and for offices and banks £1,000,000, followed by service stations and theatres at a figure of £150,000.

In view of those figures members can realise what would be the effect on building activities in the country areas if controls were lifted. Admittedly there would be an effort to secure for the country districts a fair proportion of the available materials, but I would point out that the building ratio is 60 per cent. for the metropolitan area and 40 per cent. for the country, which includes the whole of the State outside the metropolitan area. It will therefore be seen that the value of building for the country would be about £3,000,000, as against about £5,000,000 for the metropolitan area.

There is still an acute shortage of bricks and of cement and I would remind members that cement, as well as being required in brick construction whether in the country or the metropolitan area, is essential for the production of asbestos sheeting which is used in more than 75 per cent. of the houses built in country districts. If controls were removed a greater proportion of the production of the cement factories would go to the metropolitan area and the rest of the State would find supplies far harder to obtain than they are now. The present is not an opportune time for the lifting of controls. It may be asked when the time will be opportune, but I think the only answer is that it will be when there is increased production. The 40-hour week contributed greatly to our present troubles and I think that if we were to return to a 44-hour week—

Hon. A. L. Loton: Or 48 hours.

Hon. J. McI. THOMSON: Yes, or 48 hours, and pay the tradesmen the corresponding rates—

Hon. A. R. Jones: £8 a day?

Hon. J. McI. THOMSON: They are not all getting £8 per day. If a man were to receive that amount of wages over and above his rate for a 40-hour week, it would be an incentive for greater production. It might sound rather optimistic, but the only way to overcome our difficulties is to increase production and we will not overcome them by increasing the number of hours because it is proved conclusively that it will not work under the present state of affairs.

I wish to refer to the penalties in the Bill. I think they should be increased to act as a deterrent to the offender, but I am greatly opposed to making a criminal of a man who commits a breach of the Act. If a man is gaoled, he becomes branded and in the eyes of the world he is a criminal. I consider that it is wrong to do that. As an alternative, it would be reasonable that a person should be fined as a punishment but the magistrate should have power to order that person to remove the materials he has used wrongfully in a structure, or to confiscate any materials that have come into the man's possession illegally.

Hon. A. R. Jones: That would be a bit silly.

Hon. J. McI. THOMSON: That is a matter of opinion. I will concede to the hon. member his opinion, just as I ask him to accept mine. I am offering that suggestion as an alternative to the clause which provides imprisonment as a penalty, and I oppose the imposition of such a punishment. I shall be pleased to see the day when we can lift controls, and I hope it is not far distant. I trust that this time next year production will be greatly improved and that we shall have overcome our difficulties so that the people in the country districts and those living outside the metropolitan area will receive an equitable share of materials when controls are lifted. I fear, however, that under the present setup, that would not be the case if controls were lifted now.

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

## **BILL—ROAD CLOSURE (WANNEROO).**

### *Second Reading.*

Debate resumed from the 25th September.

HON. L. A. LOGAN (Midland) [8.51]: One might be accused of risking being involved in a parochial fight by discussing this Bill but, in view of the excellent case put up by Mr. Baxter, it appears that there is some justification for it. From a close study of the map made available by the hon. member, it would appear that the retired road board and the Lands Department made a grave mistake, and apparently the reason why the department has not rectified it is that it does not like to admit such a mistake in so short a time. That is only assumption, but nevertheless that is how it appears to me. The members of the road board, as constituted then, who made the decision were thrown out of office and a new board was elected.

Hon. E. M. Davies: Was not the old board reappointed?

Hon. L. A. LOGAN: The members of the board were not reappointed, although they stood for election. It appears that this matter, being parochial, came in for

a great deal of discussion. One glance at the map appears to me to be sufficient to show that there is something wrong, and I would say that the hasty action of the previous road board, plus that of the Lands Department, has brought this about.

If, as a result of the efforts of Mr. Baxter in bringing this matter forward—apparently he has the backing of the members of the present board and of a good number of his electors—we can rectify the mistake, then I consider it is our duty to do so. I do not think there are any other points to discuss. One glance at the map is sufficient for me, and the case submitted by Mr. Baxter indicates that there is justification for an attempt to be made to re-open the old road and to have the new one closed.

**HON. A. R. JONES** (Midland) [8.7]: I wish to support the Bill introduced by Mr. Baxter. Having had some experience of local government and knowing full well that the local authority will not recommend the opening or closing of a road without a good and just reason, I can reasonably support the measure. We have been told of the feud which apparently did exist in this area. I am not taking the hon. member's word only for that, because I have made inquiries into the matter and there certainly was a feud in the road board at the time when this road was gazetted and thrown open.

I cannot help holding the same view as other members who have spoken, namely, that when an area of country is subdivided, as this has been, into small lots, the biggest of them being 75 acres and most of them being 25 acres, with roads running all round them, there is no need for a road to be built cutting diagonally through allotments. I believe that the present road board is trying to rectify a wrong, and we in this House should support it in its efforts. Whilst I agree with Mr. Logan that the Minister for Lands is probably not very keen to have this sort of thing brought before Parliament, especially so soon after the road has been gazetted, I think we must do justice to the people who have asked, through Mr. Baxter, to have this road closed.

For the reasons submitted, I support the Bill and ask every member of the House to give it the closest consideration with a view to supporting it because, to my mind, two people are being extremely badly treated by having their land chopped up, making the working of their properties more awkward by the taking up of land by the road which could be more suitably used for production.

**Hon. G. Bennetts:** Is the road sealed?

**Hon. A. R. JONES:** Not at the moment, but it will be bituminised, I suppose, if it remains there. I doubt if the road board at present would have sufficient money to seal it. I support Mr. Baxter in his appeal.

**HON. SIR CHARLES LATHAM** (Central) [8.10]: I may be proving difficult by speaking again, but I am greatly surprised to know that it is necessary to introduce a Bill of this sort. The Minister for Lands happens to be the representative of this district in another place and whilst, I suppose, we can claim to represent property owners, nevertheless I am careful where a feud exists. I am satisfied that in this district a feud does exist. I have been advised by some of the Wanneroo people to leave the matter alone because when the next road board elections are held it will clear itself up.

So for that reason I am going to be extremely cautious as to what I have to say. Members know very well that there will always be somebody who will complain when action is taken to open or close a road, because it is not a popular thing to do. I have had a look at this area and there are certainly roads on the east and west sides of this man's property, and because the one on the west side goes over the hill it was decided to make the grade easier and lay it closer to the swamp.

**Hon. N. E. Baxter:** You do not believe that is right?

**Hon. Sir CHARLES LATHAM:** I do not suggest that I am a surveyor and I certainly did not take a theodolite out with me. However, that is what I have been told and I have also been informed that the road board will decide the matter itself.

**Hon. N. E. Baxter:** A road board had already decided it.

**Hon. Sir CHARLES LATHAM:** It was a road board that opened this road, the incoming members then decided to close it, and later it was opened again. That is what I understand has happened. Now they say that when the next election is held in April, 1952, there will be a reversal of the number of members in favour of it and therefore, they are anxious to have this Bill put through before the election takes place.

**Hon. G. Bennetts:** That is why they want us to make a decision here.

**Hon. Sir CHARLES LATHAM:** It is an awkward question for us to decide because we have not all the facts of the case; I am quite satisfied as to that. I was told that when the survey was made, a man immediately erected a dwelling close to the route to prevent the road being put through.

**Hon. N. E. Baxter:** That is entirely wrong. It was there before that.

**Hon. Sir CHARLES LATHAM:** Well, I was not there and I have only been told that. After all, with all the commonsense

that I have, I cannot believe that the Minister for Lands, as the member for the district, would do anything wrong for the electors in that area. I am prepared to leave the responsibility with him and I hope Mr. Baxter will not ask me to support him because I am perfectly sure that, no matter how I vote, I will meet with opposition from one section or the other.

Hon. N. E. Baxter: Does that affect your decision?

Hon. Sir CHARLES LATHAM: I should not be asked to decide. We have given these people statutory power to do as they wish with their roads subject to the approval of the Minister. So for that reason I am not prepared to override such authority. I am not going to come to Parliament every time there is a disagreement between two sections and say, "We are going to alter or amend the law for you." I think it is sound advice to let the local authority and the Minister make the decision, and for that reason I cannot support the Bill.

Hon. G. FRASER (West) [8.15]: In common with other members, I am in an absolute quandary about this matter. Generally, when dealing with a Bill of this description, we can look to members representing the district concerned for guidance. On this occasion two Upper House members for the province affected have spoken to the Bill, one having introduced the measure and the other has just announced that he will oppose it. The Assembly member for the electorate concerned is in opposition to it. To complicate the matter further, we have the local authority in favour of its provisions.

Hon. N. E. Baxter: Who should be the better judge?

Hon. G. FRASER: I am in a fog. I want to do the right thing by the people concerned. A further feature is that the present board goes out of office at the end of the year. The board favours the Bill but it is anticipated that the next board will be opposed to its provisions.

Hon. N. E. Baxter: That is only wishful thinking.

Hon. G. FRASER: These are the people to whom we should look for guidance. I am just wondering whether there is not a way out of the difficulty that will help members to appreciate the position. Could not the file dealing with this matter be laid on the Table of the House? That would enable members to peruse its contents and arrive at a proper conclusion.

Hon. Sir Charles Latham: That would be all right.

Hon. G. FRASER: Frankly, I do not know at the moment how I should vote. I cannot look to anyone here for guidance because there is no unanimity amongst those in a position to give us a lead. They are at sixes and sevens. When the Minister speaks to the debate, he will

perhaps give us information as to whether it is possible for the papers to be tabled. I am not in a position to say at the moment whether I shall vote for or oppose the Bill.

HON. L. CRAIG (South-West) [8.17]: I am sorry the Bill has come to the House. It is not a matter for consideration by Parliament. The law says that a local authority may, with the consent of the Minister, close a road. Apparently the Minister has refused to close this road, and so the matter has been brought to Parliament. In effect, this means taking the matter out of the hands of the Minister.

Hon. N. E. Baxter: Is not that the prerogative of Parliament?

Hon. L. CRAIG: It may be the prerogative, but it is not the custom. It is taking the matter out of the hands of the Government. Although the Minister himself is member for the electorate concerned, it is not a good idea for this House, without any real knowledge of the subject, to take the matter out of his hands. It is wrong in principle.

Hon. N. E. Baxter: It does not matter about the justice of the subject!

Hon. L. CRAIG: It all depends on which side one stands.

Hon. N. E. Baxter: What matters is what is just.

Hon. L. CRAIG: If Mr. Baxter can convince members that the side on which he is is the just one, I have no doubt the House will support him—but the Minister does not support the hon. member. Is the Minister not capable, with the advice of his officers who probably know all about the subject, of deciding the matter, or does Mr. Baxter say that they are not capable of administering justice? To take the whole matter out of the hands of the Government, out of the hands of the Minister and his expert advisers, is quite wrong. We do not know the merits or demerits of the issues involved.

Hon. N. E. Baxter: You will, if the file is placed on the Table of the House.

Hon. L. CRAIG: Colleagues of Mr. Baxter disagree with him and the member for the district in another place disagrees as well. Two road boards have disagreed. I am not capable of saying who is right and who is wrong, but I can say what is the right thing, which is to support the Minister in the absence of conclusive evidence that his action has been wrong.

HON. E. M. DAVIES (West) [8.20]: Like my colleagues, I am in a quandary. I understand the Minister, who represents the electorate concerned, is not prepared to close the road in question and there must be some good reason for his attitude. I have had some experience of the present Minister in dealing with road matters and have always found him most co-operative

and prepared to help in deserving cases. In view of the fact that the Minister himself is member for the district and that there is division amongst those concerned, I would like further information before I make up my mind regarding the Bill. I do not know if the Minister can give the House further information on the subject. In the meantime, I will not give any indication as to how I shall vote respecting the Bill.

On motion by the Minister for Transport, debate adjourned.

## **BILL—COAL MINES REGULATION ACT AMENDMENT.**

### *Second Reading.*

**THE MINISTER FOR MINES** (Hon. C. H. Simpson—Midland) [8.22] in moving the second reading said: Members will be aware that the object of the parent Act is to provide for safety working in, on and around coal mines. The Bill is submitted to give effect to a number of requests that have been received from the several sections of the coal industry, that is, from the managements and the unions.

Numerous conferences have been held at Collie between representatives of the Mines Department, all the coal companies, the Collie Miners' Union and the associated craft unions, and the principal Act has been reviewed section by section. This Bill is the product of these conferences, and each amendment it contains has been agreed to by all of the parties I have mentioned. The amendments, none of which is of a major nature, are designed for the purpose of thoroughly modernising safety-working practice in this State.

In recent years activity at Collie has increased greatly, operations have expanded, a considerable amount of modern mechanical equipment has been installed and there have been a number of alterations in management. These factors render it most advisable that those persons who are allied to the industry should periodically review the legislation under which mining operations are controlled, with the object of ensuring that this legislation is kept abreast of modern methods and practice.

As I have explained, most of the amendments are of a minor nature and each has been agreed to by all parties concerned in the industry. I therefore propose to deal briefly with the amendments and if further information is required on any matter I can supply it in Committee. Several new definitions are added by the Bill. These include interpretations of the terms "agent" and "superintendent" which possess similar meanings. The word "agent" appears in several places in the Act, and the companies who operate more than one mine have appointed superintendents to take charge of their entire operations.

The term "State Mining Engineer" has been amended to "State Coal Mining Engineer." This latter position is occupied by Mr. G. Morgan, who was appointed at the beginning of last year. Prior to that, the State Mining Engineer, Mr. J. S. Foxall, dealt with coal mining as well as gold and other minerals. The Bill goes on to provide for the appointment under the Public Service Act, of the State Coal Mining Engineer and of the placing under his control of the inspectors of mines at Collie.

The principal Act empowers inspectors to enter, inspect and examine any mine at all times during day and night. The Bill qualifies this to all "reasonable" times in order to preclude inspections at unreasonable times, such as week-ends, when employees are not working. In the Act inspectors are given the authority to require the compulsory attendance at an examination or inquiry of any mine official or employee. This could compel the attendance of, for example, the manager or under manager, who, at the time, might be involved in the conduct of a difficult mining operation, which should not be left. In the Bill it is proposed, in such cases, to permit the manager to appoint an employee to represent him.

The previous authority of a departmental inspector to approve of a workmen's inspector initiating and conducting prosecutions for infringements of the Act is repealed, and it is proposed that in future the approval of the State Coal Mining Engineer shall be obtained. This officer spends most of his time at Collie, and when not there is readily accessible is Perth. At present all reports on a mine by a departmental or workmen's inspectors are made in a book kept in the manager's office. Any person wishing to see a report has to obtain the permission of the manager. The Bill provides that all reports by the workmen's inspector shall be in triplicate, the original being kept in the record book by the manager, who will be required to post one copy in a conspicuous place, in order that all workmen may see it, and to forward the other copy to the senior departmental inspector.

A further amendment requires the departmental inspector to keep working operations under close observation with the object of minimising wastage of coal, and to report any infringement to the State Coal Mining Engineer. Provision is also made for the appointment of properly qualified persons to perform the duties of the manager and the under manager, when those officers are absent on leave. The Bill provides for the issue by the board of examiners, appointed under the Act, of third-class certificates of competency to persons who have qualified as colliery managers and under managers. The Act at present allows the board to grant first-class and second-class certificates. The amendment is designed to improve the

standard of technical training at Collie and to bring it to a level which will permit reciprocity with other States.

Opportunity is taken in the Bill to repeal the provision in the parent Act allowing a mine owner or manager to nominate an overman to carry out the necessary daily personal supervision in the mine on behalf of the manager. All parties considered that daily supervision should be exercised only by the manager or the under manager, who must hold at least a second-class certificate of competency. Provision is made also to ensure that at each mine there shall be persons available capable of rendering first aid. Another proposal providing uniformity with Eastern States' legislation is that no boy shall be employed in or about a mine between the hours of 10 p.m. and 8 a.m. Under the Act a boy is defined as a male under the age of 19 years. A further amendment, that in Clause 21, is for the purpose of providing that a working plan, as well as a main plan, be kept of each mine. The Act at present requires that a plan of the workings shall be kept in the office at the mine. It is customary for this plan to be kept at the main office of the company controlling the mine, where it is not always readily available when required. The amendment will ensure that an accurate working plan will always be available at the office of each mine, thus allowing the main plan to be retained at head office.

Another amendment proposes that skeleton plans of the mine shall be displayed at certain specified places around the mine for the information of inspectors and other officials. This will enable workings, intake and return airways, main haulage roads, etc., to be understood at a glance. There are certain proposals in Clause 22 in regard to standards for certificates of competency. These are for the purpose of obtaining uniformity with the legislation of the other States, and to enable the necessary reciprocity to be obtained with other States.

The last amendment provides, firstly, that regulations may be made in regard to electrical machines and locomotives which are among the modern equipment now in use at Collie. Secondly, it repeals the provision that regulations made under the Act shall be laid before both Houses of Parliament. This provision is redundant, the necessary requirement being contained in the Interpretation Act; and it is also in conflict with that in the latter Act which was amended in 1948. Similar provisions in other Acts are being deleted as opportunity provides. Thirdly, it proposes to insert a new subsection in the Act ensuring that electrical regulations made under the Act shall not be overriden by any other legislation. This has been agreed to by the State Electricity Commission which is of the opinion that the specialised nature of electrical work in mining should be controlled by electrical authorities experienced in mining practice.

This last matter has been thoroughly examined by the officials of the State Electricity Commission, and they are quite happy, once the current is brought to the pit mouth, to allow the work in connection with the installations from then on to be done by competent electricians under the control of the mine owner. I move—

That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

## **BILL—OPTOMETRISTS ACT AMENDMENT.**

### *Second Reading.*

**THE MINISTER FOR TRANSPORT** (Hon. C. H. Simpson—Midland) [8.33] in moving the second reading said: This Bill contains two small amendments to the principal Act, these having been requested by the Optometrists Registration Board. Subsequent to the end of the war a four-year course in optometry was inaugurated at the University of W.A., Professor Ross, who is a member of the Optometrists Registration Board, taking a leading part in the establishment of the course.

The University has intimated that as it has no faculty of optometry it is unable to issue a degree to students who pass the course. As all of the subjects are not under the supervision of the university, these being lectures on the mechanical aspect of optometry which are given by qualified optical mechanics appointed by the board, the university also cannot issue a diploma. The board is therefore desirous itself of granting diplomas to successful students. It does not think it actually requires an amendment to the Act to enable this to be done, but it would prefer that it be included in the Act so that its power to do so is specifically set out, and for this reason it has asked for the amendment. The University is agreeable to this procedure.

Students possessing this diploma would not be able to practise in the Eastern States at present, but may be able to do so later, as consideration is being given to reciprocity between the States. To this end the courses of all States are being examined in the interests of uniformity.

The second amendment provides that the annual license fee paid to the board shall not exceed six guineas. The present limit of three guineas is being found insufficient to finance the optometry course I have referred to and to meet the administrative costs of the board. All optometrists in the State have agreed to this increase, and for that reason I trust it will be approved by this House. I move—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

**BILL—HOSPITALS ACT AMENDMENT.***Second Reading.*

**THE MINISTER FOR TRANSPORT** (Hon. C. H. Simpson—Midland) [8.36] in moving the second reading said: The purpose of this small Bill is to require hospital boards to consult the Minister for Health prior to their appointing or terminating the appointments of managers, secretaries, matrons or medical superintendents.

As members are aware, the principal Act provides that a hospital board may be appointed by the Governor to manage and control a hospital classified as a public hospital under the Act. The term "public hospital" denotes any hospital, maternity home or convalescent home, except those carried on for the purpose of private gain or those not in receipt of a Government subsidy. It is provided, however, that any one of these latter institutions, at its own request and on the recommendation of the Commissioner of Public Health, may be declared a public hospital. Lunacy and prison hospitals are not classified as "public hospitals."

The Act gives the Governor power to close any public hospital, abolish any board and, at any time, to remove all or any of the members. A hospital board possesses considerable powers under the Act, having the authority to sell, lease or exchange the land vested in it, the right to appoint officers and servants, to control its finances, make bylaws, and generally maintain and manage the hospital under its control. There are 55 hospitals in Western Australia administered by boards. With the exceptions of the Royal Perth, Fremantle and Princess Margaret hospitals, and possibly the Armadale hospital, these are country hospitals.

On an average Government subsidies and patients' fees, during 1950-51, amounted to 98 per cent. of the revenue of these 55 hospitals, whose own collections represented 2 per cent. only of their revenue. Some 10 of the hospitals, these being the largest hospitals in the State, collected nothing. The collections of 14 amounted to from .1 per cent. to 2 per cent., 10 others from 2 per cent. to 4 per cent., 11 from 4 per cent. to 8 per cent., five from 8 per cent. to 15 per cent., and the other five from 15 per cent. to 25 per cent. It is an indication of the amount raised from these sources that the five hospitals that earned up to 25 per cent. of their total revenue, collected a total of only £1,348 between them.

After the passing in 1927 of the principal Act, hospital boards for some time were able, by their own efforts, to raise the bulk of the money required to build, equip and maintain their hospitals. It is rather unfortunate that with the effluxion of time these circumstances have changed. The State Government's contribution to the maintenance of hospitals has, since

1927, multiplied more than 24 times, and its assistance towards construction and equipment has increased over 10 times.

The officers mentioned in the Bill, that is, secretary manager, matron and medical superintendent, are those principally responsible for the administration of expenditure in their particular hospitals. As the bulk of hospital revenue is made available by the Government it is felt that, for this reason and for another that I will explain in a moment, the Government should be able to advise a board as to the wisdom or otherwise of a prospective appointment. The other reason I have just referred to is the more important. It has occurred that appointments of an undesirable nature have been made by hospital boards. By undesirable, I refer to the character or past conduct of the person appointed. Eventually, as can be imagined, the boards have had to terminate these appointments.

I am sure members will agree that only persons of the highest integrity and character should receive senior appointments to hospitals, and that it would be in the interests of the sick if the Minister was able to advise boards whether an applicant was suitable for the position. This would obviate the possibility of an undesirable person, such as a drug addict, causing harm and perhaps danger at a hospital. I am afraid I cannot give the House details of the undesirable appointments I have referred to, as this would entail the throwing of a spotlight on persons' private lives, and would constitute a serious breach of confidence.

The Public Health Department is aware of the history of most persons in this State who might apply for the positions specified in the Bill and whose past conduct has rendered them unfitted for appointment. This information, of course, is not possessed by hospital boards, and this is the reason why some unsuitable appointments have been made. If, as is proposed in the Bill, it was incumbent on boards to consult the Minister before making an appointment, it would assist to obviate such a contretemps.

Hon. J. G. Hislop: That leaves a nasty stigma on people who have held responsible positions in hospitals.

**THE MINISTER FOR TRANSPORT:** It is a matter of consultation.

Hon. J. G. Hislop: It is a nasty stigma, is it not?

**THE MINISTER FOR TRANSPORT:** These cases have occurred and the purpose of the Bill is to afford an opportunity of consultation.

Hon. J. G. Hislop: Of veto.

**THE MINISTER FOR TRANSPORT:** It does not say, veto. The Minister, however, would be able to warn boards only in general terms, as it would not be in the in-

# Legislative Assembly

Wednesday, 31st October, 1951.

## CONTENTS.

	Page
Questions : Tram and bus services, as to removal and re-erection of waiting sheds .....	359
Metropolitan Market, as to checks by Weights and Measures Branch .....	360
Timber, as to experiments with hybrid pines .....	360
Forests, as to report of Royal Commission .....	360
Rent legislation, as to introduction .....	360
State Brick Works, (a) as to report by Dr. Hueber .....	360
(b) as to report of Royal Commission .....	360
Bills : Totalisator Duty Act Amendment, 1r. Parliamentary Superannuation Act Amendment, 1r. ....	361
Rights in Water and Irrigation Act Amendment, 3r. ....	361
Fremantle Harbour Trust Act Amendment, 3r. ....	361
War Service Land Settlement Agreement, reports .....	361
Prices Control Act Amendment (No. 2), 2r., Com. ....	361
Constitution Acts Amendment, 2r., Com. ....	362
Farmers' Debts Adjustment Act Amendment (Continuance), returned .....	382
Main Roads (Funds Appropriation), returned .....	382
Parliament House Site Permanent Reserve (A1162), Council's message .....	382
Gas Undertakings Act Amendment, 2r., Com., report .....	382
Nurses Registration Act Amendment, 2r. ....	389
Motion : Sitting hours, as to day-time sessions, defeated .....	382

terests of personal confidence to divulge all the information possessed by the department, of a person's character. I would like to point out that the proposal in the Bill does not go nearly as far as the provisions relating to road board secretaries and health inspectors.

Under the Road Districts Act the appointment of road board secretaries has to be referred for the consideration of the Minister. In fact, secretaries without previous experience are placed on a probationary period of six months. No local governing authority is permitted under the Health Act to appoint a health inspector without the approval of the Commissioner of Public Health.

Hon. N. E. Baxter: That is only because they must have the qualifications.

The MINISTER FOR TRANSPORT: That is so. It will thus be seen that road boards are required to seek ministerial approval for the appointment of two of their senior officers, and road boards do not receive the amount of financial assistance that the Government extends to hospital boards. In order to ensure that only persons of good repute receive senior appointments to hospitals, and in view of the fact that the bulk of hospital revenue is made available by the Government, I would ask the House to agree that, before making senior appointments, boards be required to obtain the advice of the Minister. I move—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

House adjourned at 8.43 p.m.

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

## QUESTIONS.

### TRAM AND BUS SERVICES.

#### *As to Removal and Re-erection of Waiting Sheds.*

Mr. GRAHAM asked the Minister representing the Minister for Transport:

(1) How many public waiting sheds which are the property of the Tramway Department are there on the old Nedlands and south-of-the-river tram routes?

(2) In view of the fact that the department no longer conducts a service along the route, has any decision been made regarding their removal and re-erection at places to suit the convenience of its patrons and staff?

(3) If so, will he give consideration to the re-erection of such shelters—

(a) at the corner of Plain-st. and Adelaide Terrace in order to serve the pupils of Perth Girls' High School and local residents;