

Whatever may be the result of the Minister's views on this matter, it would be sufficient if two of the persons are compulsorily selected. I therefore move—

That the amendment be amended by striking out the word "three" in lines 3 and 13 and inserting the word "two" in lieu.

The MINISTER FOR EDUCATION: In order to make progress, I am happy to accept the amendment on the amendment.

Amendment on amendment put and passed.

Amendment, as amended, put and passed.

Mr. ROSS HUTCHINSON: I move an amendment—

That after paragraph (h), page 6, the following paragraph be inserted:—

- (i) The term of tenure of office of the first occupant of the office referred to in paragraph (f) of this subsection shall be two years from the appointed day and after the expiration of that period, the term of tenure of that office from time to time shall be four years.

The office referred to is the office of the representative of the Library Association of Australia, to which we have already agreed. The term of that office is stated as being two years, initially, and then four years in order that there shall be a certain continuity in the composition of the board. As the Minister has already agreed to the earlier proposition, he can have no objection to this.

Amendment put and passed.

Mr. ROSS HUTCHINSON: I move an amendment—

That the word "two" in line 12, page 7, be struck out and the word "four" inserted in lieu.

This is apparently a mistake in the drafting. As it reads, it make no sense with regard to the terms of the tenure of office of the members.

Amendment put and passed.

Progress reported.

## BILLS (2)—RETURNED.

### 1, Honey Pool.

With an amendment.

### 2, Police Act Amendment.

Without amendment.

House adjourned at 6.11 p.m.

# Legislative Council

Tuesday, 11th October, 1955.

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

## QUESTION.

### FEDERAL AID ROADS GRANT.

#### *Expenditure of Allocation to Main Roads Department.*

Hon. A. R. JONES asked the Chief Secretary:

(1) What amount did this State receive from the Federal Government under the Federal Aid Roads Grant for the period the 1st July, 1954, to the 30th June, 1955?

(2) What amount was made available through the Main Roads Department to all local governing bodies for the same period?

(3) How much was spent by the Main Roads Department upon maintenance of roads and bridges for the same period?

(4) How much was spent by the Main Roads Department in construction of bituminous surfaced roads for the same period?

(5) How much of the total money spent was accounted for by work done on a contract basis for the same period?

(6) How many miles of roads were constructed and surfaced with a bituminous surface during the same period?

The MINISTER FOR THE NORTH-WEST (for the Chief Secretary) replied:

(1) £4,389,504.

(2) £680,000.

(3) £372,246.

(4) Precise figures are not available: approximately £820,000.

(5) The Main Roads Department did not enter into any contracts during 1954-1955 for the construction of roads. Some local authorities whose plant was inadequate employed contractors to carry out road work from funds provided by the Main Roads Department. The Main Roads Department employs over 200 motor trucks on a piecework basis; and through the Government Tender Board, road screenings for surfacing are supplied by contract.

(6) 457 miles.

### **MOTION—ROAD DISTRICTS ACT.**

#### *To Disallow Petrol Pumps By-laws.*

Debate resumed from the 6th October, on the following motion by Hon. L. A. Logan:—

That amendments to Road Districts (Petrol Pumps) By-laws, 1934, made by the Department of Local Government under the Road Districts Act, 1919-1951, published in the "Government Gazette" on the 27th May, 1955, and laid on the Table of the House on the 9th August, 1955, be and are hereby disallowed.

**HON. L. C. DIVER** (Central) [4.36]: In speaking to the debate on the disallowance of the by-laws made under the Road Districts Act relating to the restriction on building of petrol stations within half a mile of one another, one has to be particularly careful of what the position would be if the motion were agreed to. It is not just a question of whether we are going to allow petrol stations to crop up here and there. The restriction can refer to any business whatever, once a precedent is created.

It would appear that we have a surfeit of petrol stations in the metropolitan area; at any rate, that is evident to the casual observer. To say that others should not be built is very questionable. There are certain aspects relating to the building of petrol stations with which I do not agree, and I am sure that this question must give a lot of trouble to the local authorities in whose districts petrol stations are built. As I see it, the problem concerns pedestrians and the limiting of their right of way on footpaths.

The footpath, as it was known in days gone by, is vanishing rapidly, especially along major roads in the metropolitan area and in many of the suburbs in which petrol stations are set off the road a little. A considerable portion of what used to be a footpath has now become the right-of-way for motorists to drive over. If there had been some move by local authorities to prevent such a state of affairs, I would have been inclined to agree to a regulation of that nature, much as I dislike regulations. The day is fast coming when we will have to see that pedestrians and their inherent

rights are protected, and, instead of allowing the whole frontage of petrol stations to be used by motorists, there should be provision for ingress and egress of vehicles only.

There is another point which has not been discussed during this debate but which ought to be considered, and that is the question of who exactly owns the petrol stations. On the one hand, we have a limited number of private individuals owning these stations; and, on the other hand, we have the big oil companies owning the majority of them. In the former instance, we should consider whether the private individuals are becoming overcrowded; whether there are too many service stations in the metropolitan area; and whether a limit should be placed on the construction of more because the livelihood of those people in the business is at stake and their capital investment is being jeopardised by the encroachment of others. Then we have the angle of the oil companies, which claim that they are well-equipped to provide this service and that the position should be left open as it was previous to the formulation of the by-laws now under discussion.

Thus we must have regard to the conflicting viewpoints of these two sectional interests—it is almost a domestic difference of opinion—one in favour of the by-laws and the other against them. But I wish to discuss whether it is right and proper for local authorities to interfere in the matter of the number of stations of this sort that may be built. Under town planning, it is accepted that within certain limits, it is fit and proper for town planners to plan for the future by designating what types of building shall be permitted to be erected in certain areas; but even under those exacting conditions, it has not been claimed to my knowledge how the land shall be used for a given purpose. That is where I see great danger in approving of these by-laws.

Once we create such a precedent, I am afraid it will be urged that there is no reason why the number of grocers' shops or butchers' shops should not be limited to the mile, and so on right through the whole range of business. Consequently, I feel disposed to support the motion for the disallowance of these by-laws. If some restriction of this nature is to be introduced, a special measure should be brought down so that both Houses of Parliament may fully debate the pros and cons before it becomes law. The Chief Secretary told us—rightly so—that the first provision for controlling petrol stations came into operation in 1933.

I remember that occasion—I was then a member of a local authority—but I remind the House that that regulation was introduced because the bowlers at that time were placed on the kerbside, and motors would be there filling up their

tanks and the local authorities could do nothing about it. That is why the regulation was promulgated. We have not yet eliminated all of the bowsters thus placed, but most of them have been, though it has taken a long time to reach that position. Now they are being placed on private property well back from the footpath. That is understandable; it was in the interests of public safety to insist upon that being done.

Under these by-laws, we are being asked to decide whether the number of these stations shall be limited. If we agreed to that, I am afraid that we would be taking too much upon ourselves and interfering too much with the freedom of the individual. We talk of the freedom we enjoy under our system of democracy, but it is becoming more and more evident each year that the freedom we boast of is merely freedom to obey all the restrictions that are being imposed upon us. I wish to see life kept as free as possible from restrictions, while at the same time safeguarding the public interest. Therefore I shall support the motion.

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

#### MOTION—PERTH CITY COUNCIL.

##### *To Disallow Central Districts Classification By-law.*

Debate resumed from the 6th October on the following motion by Hon. H. Hearn:—

That new By-law 33 made by the City of Perth under the Municipal Corporations Act, 1906-1953, and the Town Planning Act, 1928-1953, published in the "Government Gazette" on the 18th February, 1955, and laid upon the Table of the House on the 9th August, 1955, be and is hereby disallowed.

**HON. F. R. H. LAVERY (West) [4.48]:** I commend Mr. Hearn for having brought this motion before the House and before the attention of the general public of Perth. I should like to say here and now that, until I have heard the reply to be made by the Chief Secretary, I shall not declare my attitude to the motion.

There seems to be a tendency today for town planning to command the attention of a greater number of people in all walks of life than was the case even two years ago, and I believe the main reason for this is that the McLarty-Watts Government did a very good service to the community when it conceived the idea of inviting Professor Stephenson to come here and offer guidance for the future planning of the metropolitan area. As I said when speaking to the debate on the Address-in-reply, I believe many plans such as this are brought into being and

imposed upon the community before those who are most concerned know anything about what is to take place.

Hon. C. W. D. Barker: It was—

**Hon. F. R. H. LAVERY:** Let Mr. Barker make his own speech. I wish first to make it clear that I have no bones to pick with the Lord Mayor or any member of the Perth City Council, or with any other council in the metropolitan area, but I feel that this is an opportunity for one to express one's feelings. The House may or may not agree to Mr. Hearn's motion, but I feel sure that during the debate some points will be brought out which can be put before the Perth City Council to show that we in this House are thinking not only of the council but also of the ratepayers. I believe that may give a lead to other local authorities which perhaps are proposing to put forward town-planning schemes.

It seems to me that any scheme which encroaches on the liberty of the people—no one can deny that the scheme with which we are dealing does that—should meet with opposition. I know of one person who has a thriving business in Murray-st. and who, a few months ago, bought a property in Adelaide Terrace. His idea in doing so was to move his offices and showrooms to that site and to install his factory at the rear of the premises—and I might add that his is not an obnoxious trade. He bought that property about six months ago; and the first indication he had that he could not use it for the type of business that he desired to conduct there, was when he put his plans before the Perth City Council for approval.

Hon. H. Hearn: There are many others in the same boat.

**Hon. F. R. H. LAVERY:** I am given to understand that there are a number of wealthy businesses affected, but I am perturbed about the position of the smaller businessmen with 100 or less employees, of whom there are a great number operating in the city. I do not think anyone could deny the zeal of the Lord Mayor in supporting the Stephenson plan, or his right to support it; but I feel that the Perth City Council has been a bit impetuous.

Hon. H. Hearn: A masterpiece of understatement!

**Hon. F. R. H. LAVERY:** The individual who discussed this with me found that when he wished to study the zoning plan the only copy of it that he was able to peruse was in the City Engineer's office; and that, according to the Lord Mayor's statement, as published in last Saturday's issue of "The West Australian," is the only copy available to the public. When he compared that plan with the Stephenson plan, he found that although he could

build his showrooms and offices on the site in Adelaide Terrace, he could not locate his factory there; and yet, according to the Stephenson plan, it is all a residential area. Where do we go from there? As a layman I would not be interested in this matter from the point of view of the City of Perth unless it was brought to my notice, but I feel that the members of the Perth City Council have not gone beyond their own town-planning committee in formulating this zoning scheme—

Hon. H. Hearn: It was approved by the Town Planning Commissioner.

Hon. F. R. H. LAVERY: Admittedly. But I feel that in their zeal to get on with the plan, they omitted, as Mr. Davies said the other evening, to sell the idea to the public. If anyone wants proof of what can be attained by selling an idea to the public, what better illustration could there be than the medical school appeal? For some months before that appeal was launched, the organisers gave the public all the information possible as to the objectives of the appeal, the amount of money which would be required, when the appeal was to open, and so on. So successfully was that scheme sold to the public that today there is only about £100,000 still to be found.

The Perth City Council is a body of people elected to hold office and govern for a period. I believe that members of such a body have the right to plan the city and make whatever by-laws they think necessary for the benefit of the ratepayers; but I think that, having done that, they should be prepared to let the ratepayers appeal against their decisions, just as Mr. Hearn has appealed in this House—

Hon. C. W. D. Barker: They have the right to do that.

Hon. H. Hearn: Of course they have not!

Hon. F. R. H. LAVERY: They may have the right, morally—

Hon. H. Hearn: They can ask and be refused. That is all it means.

Hon. F. R. H. LAVERY: The Lord Mayor did not hesitate to say what was done, and we have no reason to disbelieve him. He recalled that in July, 1954, the Press announced a special council meeting to form zoning by-laws. Several Press references were made from then until December last, when special emphasis was given at a meeting of the Perth City Council to five minor amendments suggested by Mr. Hepburn. The Lord Mayor declared that throughout the Perth City Council had adhered to the requirements of the Town Planning Act; and I will not say that it did not, as that would have been a foolish course to take. However,

I feel that the man in the street, the small businessman who started with limited capital and built up an asset over a few years and who now wishes to expand his business, should not be placed in the position of the gentleman I referred to earlier who, after spending his capital on a new property, now finds himself unable to use it for the purpose for which he bought it.

I do not think the Perth City Council has given its ratepayers sufficient information about a proposal of such great import as the plan with which we are dealing. It is not long since the council appeared to have very little civic pride; when it allowed thousands of verandahs and balconies to be covered in with canvas and let at exorbitant rentals. Yet, when a firm of standing attempts to provide its place of business with a better outlook it is told it cannot do so. When it compares this zoning plan with the Stephenson plan, it finds that the area in which it is interested is a residential area. So it does go to prove that the Perth City Council has been hasty in its attempt to create a zoned city.

Although this may appear to be a two-edged sword, I would like to commend the Perth City Council for having the courage to commence putting into effect its zoning plan; but do consider that it should have given the city ratepayers an opportunity to study the proposal so that they might either have agreed or disagreed with it. After all is said and done, very few Bills introduced in this House are passed in their original form. It is only after they are considered and debated by members with varying degrees of education and opinions that they meet with the approval of the general community.

Whilst I admit the Perth City Council was zealous in trying to effect its town-planning scheme I feel it was extremely impetuous in adopting the plan without making it well enough known among public and business men of the city.

A few months ago, Mr. Gardiner, of the Melbourne Businessmen's Town Planning Committee, visited this city. Although he was an excellent speaker—I followed him to three places to hear him—I could not agree with everything he said on the town planning of Perth. He was of the opinion that all business interests should be confined to one section of the city and no outside business areas should be permitted to develop. He was proud of the fact that the Melbourne City Council had at last agreed to multi-storeyed buildings rather than have the city spread out.

We do not want that type of plan. We do not want to see William-st., Barrack-st., Murray-st., and Hay-st. remaining the boundaries of the city business block. Apparently, that was the general line of

thought in Perth, because when he was the main speaker at a public meeting, only about 25 people were present; and 15 of those were city councillors, three were members of Parliament, and the remainder were members of the general public.

I want to emphasise the fact that there are many small businessmen in Perth who, prior to reading the remarks made by Mr. Hearn when introducing his motion, did not know that their businesses would be affected by the Perth City Council's zoning plan. Prior to Mr. Hearn's speech—which was made only a few days ago—no one had approached me in regard to this matter; but since then I have had seven small businessmen interview me, and they commended Mr. Hearn for making the facts known to them.

I want to make two points. I consider that the Perth City Council, or even the Fremantle City Council, in attempting to bring the Stephenson plan to fruition and not shelving it for many years will be rendering a service to the State; but not until the business people and residential people in the respective areas have been notified and the idea sold to them. As I said before, I would not like to say how I shall vote on this motion until the Chief Secretary lets us know what the Perth City Council has to say on this matter.

Hon. J. Murray: You are waiting to hear the whips crack.

Hon. F. R. H. LAVERY: Mr. President, I would ask for that remark to be withdrawn.

Hon. Sir Charles Latham: Oh, you do not want that withdrawn!

Hon. F. R. H. LAVERY: This is not a party measure. I have the right to represent those people who approach me and who have asked me to do certain things for them, no matter what their religious or political beliefs may be, and it ill becomes Mr. Murray to make such a remark.

HON. C. W. D. BARKER (North) [5.7]: I am not going to commend Mr. Hearn for moving this motion; nor will I support it. When the legislation on town planning was introduced, plans such as this were visualised and steps were taken to deal with such matters as are envisaged in the Perth City Council's zoning scheme. The Act distinctly states that the plans must be advertised in the Press and a reasonable time allowed for objections to be lodged. That has been done in this instance.

As far as I can see, the hon. member's main complaint was about those people who are to be affected by the Perth City Council's plan. He said that if the property of certain people was torn down to the extent of 75 per cent., a similar structure could not be rebuilt, but a block

of offices and so on must take its place. The hon. member also said that we must sell this plan to the public. Undoubtedly a plan such as this will hurt some men, but will be to the advantage of others; and if we were to consider everybody, we could never achieve town planning effectively.

Hon. L. C. Diver: Whom can they appeal to?

Hon. C. W. D. BARKER: In this case, to the Perth City Council, which would give its decision for or against. Today everyone is crying out for town planning. In this instance we have the Perth City Council going to the trouble of preparing an excellent plan, which can apparently be disallowed in this House out of hand. I do not think that is going to get us anywhere. This plan was advertised according to the law and the specified time has been allowed to elapse during which the people concerned could have lodged their objections.

No matter what plan is adopted there will be many people who will consider that it does not suit them, and there will be many who will be hurt. This planning is going to effect drastic changes in a State such as ours, which is growing and advancing all the time. Through lack of proper town planning we have chaos in our city; and yet, when the Perth City Council produces something that is practicable and feasible, apparently the by-law under which it proposes to effect its plan is to be disallowed by a motion moved by a member in this House.

Hon. L. A. Logan: What about the city traffic position?

Hon. C. W. D. BARKER: What about the building line and so on? That has a great deal to do with town planning. Mr. Hearn need not deny that.

Hon. H. Hearn: It has nothing to with the by-law.

Hon. C. W. D. BARKER: What is wrong with zoning? We must have it.

Hon. H. Hearn: You would not know.

Hon. C. W. D. BARKER: In other parts of the world where town planning is followed, there are specified shopping and business areas, and everyone in Western Australia is crying out for similar measures to be adopted. Yet, when the Perth City Council prepares a plan setting out where the business section of the city shall be, and where the residential section shall be, the hon. member lodges a complaint. The Perth City Council has prepared a plan according to the provisions of the Town Planning and Development Act. The law was passed here for such plans to be put into effect. Yet, when the Perth City Council comes up with something worthwhile, it is proposed to disallow its by-law. It is not disallowed yet, of course.

We should encourage these people to improve the city in anticipation of Perth's population reaching 1,000,000. We cannot go on willy-nilly, putting something here and something there. We must have a plan that will conform to modern standards, and one that will include the regulation of traffic, too. It is no credit to Mr. Hearn that he should try to have this by-law disallowed. Surely there must have been some other way by which he could achieve his objective! No matter what is done, someone is always hurt by progress. To such persons, of course, compensation must be paid. But we should realise that change must take place and that we must face up to it; otherwise we can never hope for Western Australia and the City of Perth to advance with the times.

On motion by Hon. W. R. Hall, debate adjourned.

### **"GOVERNMENT GAZETTE."**

#### *Removal from Table.*

The PRESIDENT: I ask the hon. member who has removed the "Government Gazette" dated the 27th May, 1955, from the Table of the House to return it. In future, will members who remove papers from the Table, please return them promptly?

### **BILL—POLICE BENEFIT FUND ABOLITION ACT AMENDMENT.**

#### *Second Reading.*

Debate resumed from the 6th October.

HON. C. H. SIMPSON (Midland) [5.13]: This is a private member's Bill introduced by Mr. Davies to cover the position of three members of the Police Force with respect to certain benefits which have accrued under the old Police Benefit Fund Abolition Act passed in 1939. In 1933, a superannuation fund was established and the members of the Police Force and all those who joined the force after that date were automatically embraced by that fund. In 1939, the then Premier, Hon. J. C. Willcock, introduced a Bill to wind up that fund, and I understand it sought to transfer all those who were beneficiaries under the old fund to within the ambit of the superannuation fund. At the time of the switch in 1933, some members of the Police Force elected to continue as members of the old fund and, as a result, did not come under the superannuation scheme. There were about 19 members concerned at that time.

I understand that all of the members did not elect to come under the 1939 Act when the old fund was abolished, but their

rights were preserved by the money being kept in the Treasury to their credit. There are only two or three still living, and the purpose of the Bill is to provide for an immediate distribution of the money so that those who are entitled to it can get their moiety in cash instead of having to wait until they are either dismissed from the force or retire by effluxion of time. Presumably death would be regarded as terminating their service with the force, in which case I assume that their dependants would be entitled to the money, though I have not been able to check the Act in that regard.

I understand that one or two members are in need of assistance from the fund, and one has made application for his moiety in order to build a house. It is not possible, however, under the Act as it stands, for the money to be returned to him. The Commissioner of Police, the Police Union, and the Police Force generally are quite happy about the money being handed back. It is being held by the Treasury and is carrying 4 per cent. interest. But though everybody is quite happy about its being distributed, a special Act of Parliament is necessary to provide authority for the distribution. That is all the Bill provides. It is rather an unusual measure; but as it only affects two or three people, and all parties concerned are quite happy about it, I see no reason to do otherwise than accept it. I support the second reading.

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—PARKS AND RESERVES ACT AMENDMENT.**

#### *Second Reading.*

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [5.19] in moving the second reading said: Before proceeding to explain the objectives of this Bill, I think it is appropriate to point out that the original Act was assented to on the 12th October, 1895, so that it has been in existence for 60 years. During that long period, only two amendments have been made. The most recent was that in last year when provision was made to preserve the greater part of King's Park as bushland until such time as Parliament agrees that it shall be otherwise. The other amendment was made in 1947, and was necessary to effect an alteration with regard to regulations. In those days Acts of this kind laid down specific powers concerning regulations.

They provided just what actions a Minister or the Governor could take under the regulations, and what rules and by-laws could from time to time be gazetted.

Hon. J. G. Hislop: We have gone wrong since then.

The MINISTER FOR THE NORTH-WEST: I mentioned that point because Sir Charles Latham has frequently told us that all Acts should contain specific regulations and not merely a phrase to the effect that regulations may be approved by the Governor that are not inconsistent with the Acts concerned. That is more or less a drag-net provision inserted to cover any emergency that might arise when an Act is being administered, but the by-laws or rules so framed must not go beyond the provisions of the Act under which they are framed.

I personally feel that at present that is a very wise provision. In the early days those responsible for the legislation were cautious enough to confine the power of regulations to a very limited degree. In dealing with vehicular traffic in those days, the only reference in the original Act was to the regulation of the admission of vehicles into public parks and reserves. Then it was found necessary to regulate the speed and weight of vehicles and the loads they carried and also to provide parking areas and limit the times of parking, and so on; and an amendment of the Act was made in 1947 for that purpose.

If every Act that came before Parliament had to have every by-law written into it, I doubt whether there would be time to have measures reprinted; certainly Parliament would be kept very busy. It would be most inconvenient. If Parliament were not in session at a time when the making of a by-law or regulation was necessary, the relevant Minister or controlling authority would have to wait perhaps for eight months before such a by-law or regulation could be agreed to. The Interpretation Act looked much farther than that. It was foreseen that with progress there would need to be alterations, so safeguards were provided against any abuses with regard to by-laws or regulations. The framers of the Interpretation Act ensured that any alterations to by-laws or regulations must come before Parliament.

There are actually two safeguards—firstly, by-laws or regulations must be approved by the Governor; and secondly, they must be approved by both Houses of Parliament. The system that operates today is certainly necessary and is useful in facilitating the affairs of government, whether by the State, or by a local authority or some board or trust.

The Bill with which I am dealing will affect the legal standing of various boards that have been appointed under the Parks and Reserves Act. At present various

persons are appointed to comprise the following boards which control reserves which, in many instances, are vested in the appointed persons:—

The State Gardens Board.

The Abrolhos Islands Board of Control.

The Albany Reserves Board.

The Emu Point Reserve Board.

The King's Park Board.

The Rottnest Board of Control.

With the growth of population and consequent need for further recreation areas, there is the possibility of additional controlling bodies being formed.

At present there are legal difficulties, which the Bill proposes to overcome. Whenever there is a change in the personnel of any board, the correct legal procedure requires the revocation of the existing vesting order and the issue of a fresh order in the names of the members comprising the board following the change. Many of the reserves are vested in the controlling board and any lease issued must be executed by all members so that any change of membership during the preparation of a lease means that the papers have to be cancelled and fresh documents prepared.

This amendment will therefore enable reserves to be vested in the corporate name of the controlling board, and changes in personnel will not affect the vesting order. This will reduce work and greatly facilitate the business of the department as well as that of the boards concerned. In the execution of documents, only officers of the board authorised to use the common seal will be involved.

The Bill proposes that any board appointed under the parent Act may be proclaimed by the Governor as a body corporate. It also gives an incorporated board the power to borrow money; and as a protection against any abuse, this can be done only with the approval of the Governor. The Solicitor General agrees that it is desirable for these boards to become bodies corporate, and has pointed out that in a High Court case a few years ago, one of the judges described the State Gardens Board as a nonentity and expressed surprise that no action had been taken to incorporate it. That case was one in which the Perth City Council sued Crystal Park for rates. The case was heard in the High Court and dismissed with costs against the council on the point that the portion of Crown land being utilised by the private business was still not rateable. However, the Perth City Council appealed to the High Court of Australia which upheld the finding made by the Supreme Court.

This is just a point which arose in connection with the rating of Crown lands that are leased for the purpose of private

business. During the hearing, the State Gardens Board, in which the land is vested, appeared as a third party. One of the judges, in his summing up, remarked that it was legally a nonentity, and he wondered why such a body was not incorporated. From time to time, proposals have been made to bring this measure before Parliament, and now it is here, and its sole object it to give the Governor power to proclaim the controlling authorities of various public parks and reserves as incorporated bodies. They will then have direct legal authority. I move—

That the Bill be now read a second time.

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

## BILL—MINING ACT AMENDMENT.

### *Second Reading.*

**THE MINISTER FOR THE NORTH-WEST** (Hon. H. C. Strickland—North) [5.32] in moving the second reading said: This minor amendment of the Mining Act is designed to facilitate prospecting for nickel on Western Australia. A geological examination of areas near the South Australian border is to be carried out; and if the results are satisfactory, it is expected that an organised effort will be made to develop this type of mining. Prospecting for nickel is a specialised proceeding which, to be carried out successfully requires the reservation of a larger amount of land than is permitted under the principal Act.

Section 277 of the Act provides that, with the exception of alkali and alluvial prospecting, approval may be given to prospecting over defined areas of a maximum size of 300 acres. This approval is called a "right of occupancy" and is granted for an original term of not more than a year, with the right of renewal for similar periods.

To be satisfactorily carried out, alkali and alluvial prospecting requires reserves of more than 300 acres. In order that this can be achieved, the principal Act provides that an area of up to 5,000 square miles with a length of not more than 100 miles may be granted for alkali prospecting. The maximum permitted for alluvial prospecting is 100 square miles and a length of not more than 10 miles.

It must be remembered that, except where alkali prospecting is concerned, a right of occupancy does not debar any person holding a miner's right from entering the reservation and prospecting for gold and other minerals. As nickel prospecting also requires a larger reserve than is permitted under the parent Act, the Bill seeks to allow for that purpose a maximum area of 3,000 square miles which must not exceed 100 miles in length. If the geological examination is successful, the next step will be a boring programme. As with

other rights of occupancy, except those for alkali prospecting, the proposal in the Bill will not prevent prospecting for gold or other minerals on the area.

In South Australia, similar action has been taken. I understand that quite a lot of interest has been displayed in an area of land on the border of South Australia and Western Australia. The company concerned is anxious to have made available to it a sufficiently large area, on the Western Australian side of the border, to enable it to carry out large-scale prospecting for nickel. In order to meet the requirements of the company, and so that it will not be hampered in its search, the Government has brought this measure forward. I move—

That the Bill be now read a second time.

**HON. C. H. SIMPSON** (Midland) [5.35]: I have examined the Bill and can commend it to the House as a commonsense measure to meet a situation which has developed because of the reasons explained by the Minister. The prospecting for nickel and the possible discovery of deposits could mean quite a lot to the mining industry in Western Australia. Moves in this direction should, therefore, be encouraged.

If I have one point of criticism to offer, it is that consideration might be given to the repeal of the section of the Act which limits a prospecting area to 300 acres, without a special Act of Parliament authorising the approval of a larger area. Obviously, 300 acres would be quite ridiculous for a proposition of this kind. Until an Act was passed to permit of a larger area, the company would find its operations considerably hampered. The only way out of the difficulty would be for the company to make application for a number of 300-acre areas, which would not be practicable.

I understand that the present provisions were included in the amendment to the Mining Act introduced by the late Mr. Marshall, when he was Minister for Mines, because there was a feeling that the Minister preceding him had been unduly generous in granting large areas to certain mining companies. But that was in connection with the exploration for gold and not, as in this case, exploration for nickel. As the Minister rightly pointed out, this does not in any way interfere with the right of the holder of a miner's right to go on to the same ground in an endeavour to prospect for gold. If the search for nickel by the company were successful, it could then apply for a lease of the specific area it required. All the Bill does is to give the company, as it were, a permit to explore in much the same way as areas are granted to the oil companies to prospect for oil. That is all there is in the Bill, which I commend to the House.

On motion by Hon. E. M. Heenan, debate adjourned.



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

Debate resumed from the 4th October.

**HON. J. G. HISLOP** (Metropolitan) [5.40]: I have read the Bill and the regulations accompanying it. The measure proposes to provide an interesting change in the method of exacting fines from those committing minor traffic offences. The principle is one that we can applaud. There has always been the difficulty in one's mind that in the countries where this principle operates—that is, where the traffic authority is allowed to collect the fine on the spot—there could be the accusation of graft. The measure does away with that possibility entirely, because the person accusing the individual will not be the person to collect the fine. The fine will be inflicted after the issuing of a notice from the Under Secretary for Law, as the prescribed person. The individual may then pay, or refuse to pay; and if he refuses, he submits to the law as it now exists. The minor offences which come under the Bill are enumerated in the regulations, and the manner in which the notice is to be sent out and the fine paid are all well defined.

The Bill contains one or two interesting features, which I think deserve a little thought. The first point that strikes me is that these are all minor offences; yet a curious provision appears in that, if the prescribed officer feels that the offender is not being fined or punished sufficiently under this provision, he can then fail to issue the order and so allow the law to take its ordinary course. This seems rather curious. We are not dealing with major offences but only minor offences.

I want the Chief Secretary to explain this: In what way could an individual, committing only a minor offence, so offend that the prescribed officer would think he should be punished more severely than would be possible under this measure? If it were a major offence, I would say there was every reason for this provision; but the major offences are all laid down, and the charges are made for first, second and subsequent offences. The prescribed officer, however, is then given power to say, "No, I will not issue an order to this man. He deserves to be punished more heavily." Under what conditions could that occur?

The Chief Secretary: It might be a recurring offence.

**Hon. J. G. HISLOP**: Then let us take out the subsequent clause. To me it seems questionable to allow one person to say that the individual who has committed a minor offence shall not be proceeded against under this heading, but shall be charged under another section. This is something we might have a look at.

Another feature that interests me is that the first offence calls for a fine of 10s.; the second, 15s.; and the third and each subsequent offence, £1. Over what period does this apply? I have been driving a motorcar for 30 years; and I suppose I am now, with regard to parking offences, in the class where all further offences will be "subsequent offences."

**Hon. L. Craig**: You would be a "habitual".

The Chief Secretary: Put him under the dog Act.

**Hon. J. G. HISLOP**: Members can see what I am driving at. A person may offend three times in a year against the parking regulations; but to offend against a parking regulation is surely not a crime! The fine for all subsequent parking offences is £1 and I am wondering whether it would not be a better idea to stipulate a period—say, one year.

**Hon. L. Craig**: The officer might think it is a minor offence, but when it goes before higher authority, that authority might determine that it is not a minor offence at all.

**Hon. J. G. HISLOP**: Yes. But what I am pointing out is that once a person has three parking offences recorded against him, then, for all subsequent parking offences, irrespective of the number of years he may be driving, he will be fined £1. So I think that some limited period should be stated, because in these days I do not think a parking offence is regarded as a great crime. One sees people committing parking offences every day, and many of them are glaring cases. One might be fined for a parking offence one day, and the next day see others breaking the law much more glaringly; yet, because there is no officer of the law about, those people escape. That goes on because the traffic laws cannot be policed properly.

Since the stop-sign regulation was introduced and discussed in this House, I have made it my business to watch what happens at these signs. A number of motorists completely ignore them. Only this morning, at the corner of George-st. and Hay-st., I saw two cars pull up because they felt that a lorry coming up George-st. would stop and they would be able to proceed. But the lorry went straight across Hay-st.; and while I watched, another lorry did exactly the same thing. Neither of them stopped at the sign. Yet, because some poor citizen happens to commit a minor breach of the traffic regulations while a policeman is watching he is fined.

I do not think parking offences should be treated too harshly in these days, because at times it is almost a necessity to

park one's car in forbidden areas or under conditions that are not within the law in order to get by or carry out one's business avocation. Most motorists who offend against our parking regulations in this way do not do it with any evil intent. It has become a law which is observed more or less in the breach only.

There is one interesting regulation which, in effect, means that double parking is an offence which can be called a minor offence. It states that a vehicle is not to be stopped or parked alongside another parked vehicle. I wonder how much that regulation is enforced now; because if one travels up Hay-st., one will find that every driver of a commercial vehicle considers it his right to double park. If a citizen double parks, in order to carry out his ordinary business, he is likely to be found committing an offence; whereas the man driving the lorry or the van seems to get away with it. I feel that the whole question of double parking should be considered further; and if it is an offence for one, it should be an offence for all.

Hon. C. W. D. Barker: Surely you must allow a man to deliver his goods!

Hon. J. G. HISLOP: If one is allowed to double park, surely the other should be allowed to do the same!

Hon. L. C. Diver: One could be delivering and the other picking up goods.

Hon. J. G. HISLOP: Quite. It is a matter of conducting business, and so I think the question of parking is something that could well be looked at in a much less serious light than is sometimes the case these days.

The wording of some of these regulations is a little curious. One that interests me states that an alleged offender who has had a note sent to him may, within the specified time, send the amount of the penalty to the prescribed officer, but that officer, having received the money within the time, or an extended time, may inflict a penalty of that amount and appropriate the amount in satisfaction of the penalty, and shall thereupon issue an acknowledgment accordingly. When the officer issues the actual notice to the individual, would it not be just as easy to say that such-and-such a penalty has been inflicted?

I think these regulations are a good move and will help to solve the problem of the long queues waiting to be tried for traffic offences. But I wonder whether we might go further, and whether the department might consider that when a traffic officer places a ticket under the windscreen wiper to say that a certain offence has been committed he might state on the ticket that the fine for this offence is so much. The individual could then go straight to the office and pay the fine. The office could look up the records to see

whether the individual concerned had previously been fined and whether, as a result, the maximum fine should be paid.

This would allow a person to save time by going straight to the office to pay his fine. Under the regulations a period of six months may elapse, and even then the prescribed officer may make a further allowance. So that when one receives from the prescribed officer a statement of the offence committed, it may be many weeks before anything is done; and then the individual's memory of it has dimmed. I think this might be worthy of consideration, and the traffic officer could state on the ticket the fine for the offence committed. In other directions I commend the Bill.

HON. W. R. HALL (North-East) [5.53]: I support the Bill. I have already voiced my sentiments in regard to this matter when speaking to the Address-in-reply; but at that time I did not know that a Bill of this nature was to be introduced. It is a step in the right direction. I have previously stated that I do not see why those who commit minor breaches of the traffic regulations should be forced to go before a police magistrate to decide whether they are guilty or not guilty. A good deal of a person's time is wasted, and in many cases people have the charge hanging over their heads for a number of months. If these regulations are adopted, a good deal of time will be saved.

When I spoke on the Address-in-reply, I said I thought it would be a good idea if we adopted a set of regulations similar to those in existence in the shire council of Adelaide. I am pleased to know that the Traffic Department here has thoughts along the same lines, and that it has decided to do something about it.

Reference was made by Dr. Hislop to minor breaches of the traffic regulations, and he referred particularly to parking. When a police constable places a ticket under the windscreen wiper of a car, he sets out the regulation covering the breach committed. Dr. Hislop's idea of stating the amount of the fine on the ticket might be worthy of thought. I know that the department gives consideration to those who unavoidably commit a breach of the Traffic Act. It happens every day; and under our present set-up, many breaches of the traffic regulations are unavoidable.

While he was talking about minor breaches, Dr. Hislop mentioned double parking. Only last evening I saw a truck being unloaded in front of a certain person's premises. While the unloading was taking place, a person in another car allowed a passenger to alight and it was necessary to double park. That was a breach of the traffic regulations, although an unavoidable one. Certain of the regulations need clarification; but I believe that the department

does take into consideration an unavoidable breach, and there are many offences which come within that category.

All motorists, irrespective of how long they have been driving, commit breaches of the Traffic Act every day. One has only to follow a car to see offences being committed. Everyone does it including me. Dr. Hislop also spoke about stop signs, and there has been a good deal of argument about them. But motorists are still disregarding them. Every time one drives, one can see that some motorists observe the stop signs and others do not. While that sort of thing goes on, accidents will happen; and little can be done about it because of the human element. That must be taken into consideration; and unless the driver of a vehicle is prepared to abide by the traffic rules, accidents will not be avoided. The only way to minimise them is for drivers to be more courteous to each other.

I have much pleasure in supporting the Bill, and I hope it will be carried. Legislation such as this is of advantage to the ordinary motorists who are driving every day; and, after all, motorists are one of the greatest assets to this country, because they are all paying extra taxes. I support the measure.

**HON. G. BENNETTS** (South-East) [5.58]: I intend to support the Bill because it will save motorists a good deal of time. As Mr. Hall said, everyone makes mistakes, and one sees breaches of the Traffic Act being committed every day. Only last week I saw a taxi pull up in front of a picture theatre; and, instead of his passengers getting straight out of the car, the driver sat talking with them. In no time a line of traffic was held up, and a policeman came along and took the driver's name for obstructing the traffic. That driver will be prosecuted for committing a breach of the traffic regulations; and, after all, that is only right.

Traffic offences would be reduced if all States in the Commonwealth standardised their regulations. The method of issuing licences is different in each of the States. In this State when a person first applies for his licence he is tested by a police constable, and if he is found satisfactory, a licence is issued. It is different in South Australia where they have a book of 31 questions, and the individual has to answer 11 of them. One of the questions refers to giving way to the right. I had some copies which I intended distributing among members for their information.

When I was in Port Augusta I knew of two people who had licences: one was a railwayman, and the other was a woman. These licences were issued by the South Australian police. The railwayman had a utility, and when he came in from the line, he could not drive it away. He had

obtained his licence merely by answering these questions, although he could not drive. The same was the case with the woman. In Canberra—

**The PRESIDENT:** Order! I would remind the hon. member that we are dealing with regulations as they apply to this State, and not to Canberra.

**Hon. G. BENNETTS:** I will content myself by supporting the Bill.

**HON. L. A. LOGAN** (Midland) [6.21]: While I admit that the principles behind this measure may be good, I am not very happy about the matter. The motorist has been a sitting shot for a long time, and it looks as though he is to continue to be so. It does not matter how many regulations we have—and in my opinion there are far too many—they will not make for good motorists. We are trying to make good drivers by means of regulations, and that is impossible. Under this measure, if a motorist commits a minor offence and there happens to be a police officer about, he gets a "blister".

I see that provision is made for records to be kept, and this will mean a very large book having to be maintained by the clerk of records. I am not happy about the situation. I appreciate the fact that the Police Courts are cluttered up with untried traffic offences; but I also know that not too many motorists attend the court to defend themselves, because it would cost more to attend than it would to stay away and pay the fine. That is why they are prepared to sign the plea of guilty. In the long run it would be cheaper to pay the fine than to attend the court and defend themselves.

The same will apply under this measure. They will not attend the court, because it will cost more to do so; they will be quite prepared to pay the fine and stay away.

I am perturbed about this matter of minor offences. The motorist will again be made a revenue producer, much the same as he has been in the past. Under the minor offences set out, it is quite easy to commit a breach of the Act. Fortunately I was able to obtain a copy of the regulations in time, because what is set out in the measure does not coincide with what is in the regulations. The provisions in the measure are farcical when read by themselves; but when one reads the regulations, a little sense is intruded into the matter.

Mention was made by Dr. Hislop of a car being stopped beside a parked vehicle. He said that is not permitted in certain streets during certain times of the day. If a motorist stopped to let somebody out, it would constitute an offence. There is already provision that vehicles shall be drawn up close to the footpath.

The regulations state that wherever practical this shall be done. It may not be practical in some cases; and if a motorist happens to pull up alongside a parked car, he will be charged with a minor offence.

Too many offences are classed as minor offences. If a motorist committed a breach of the regulations that was likely to endanger the public or himself, or which could be classed as dangerous driving, by all means charge him! But I do not see why he should be placed on a charge for some minor offence that does not matter very much. Despite these charges for minor offences we still get more accidents. Regulations will not make a good driver.

I am really concerned as to what will happen when this measure becomes law. I am not opposed to the Bill. I think we should pass it for 12 months and see how its provisions work. I would like to voice my opposition, however, to what I consider the very minor breaches of the law that are being taken to the courts to be tried. That is why the courts are so cluttered up; that is why there is a six months lag in the hearing of some of these charges I have mentioned.

We could do without a lot of these regulations. The objective they seek could be achieved by educating our drivers in a different manner than through the law courts. We could educate them to be courteous and to use their commonsense. If they were courteous and used their commonsense we would not require any stop signs or rules of the road.

Hon. C. W. D. Barker: But they do not.

Hon. L. A. LOGAN: Regulations will certainly not make them do it. It has already been mentioned here tonight that motorists are not taking any notice of stop signs.

Hon. C. W. D. Barker: There should be penalties; that would make them take notice.

Hon. G. Bennetts: Take their licences away!

Hon. L. A. LOGAN: A man who commits a minor offence cannot have his licence taken away.

Hon. C. W. D. Barker: If he keeps on committing the offence, it should not be a minor offence.

Hon. L. A. LOGAN: It is still a minor offence, no matter how many times he commits it. I will not oppose the Bill, but I would like to see a time limit placed on its provisions to see how they work. If they worked satisfactorily we could increase the life of the legislation. Motorists have unfortunately been revenue producers for many years. This has been stepped up lately; and I fear that under the provisions of this Bill, it will be stepped up even more.

HON. L. CRAIG (South-West) [6.9]: I think this is an earnest attempt to ease the burden on the unfortunate motorist who commits a minor offence. It is irksome to a motorist who unknowingly commits an offence, and suddenly finds a ticket plastered on to his car, which necessitates his having to go to the Traffic office. A member of my own family got into his car and, unbeknown to him, the ticket had blown away. He did not even know it was there. He did nothing about it, and a policeman had to go to his farm to look into the matter. A great deal of trouble was involved as a result. As I have said, this is an attempt to ease the burden on the motorist.

I am perturbed, however, at the time that is allowed to the prescribed officer. Provision is made for him to take action up till six months after the offence has been committed. Six months is a long time, and one is apt to forget all about an offence in that period. I would like to see the time reduced unless the Minister can convince me that it is necessary for it to be retained.

Members can imagine a man parking his car within 2ft. of a fire hydrant, when the regulation provides that he shall not park it within 2ft. 6in. He commits an offence, and six months afterwards he receives a notice to say he is fined 10s. He would not remember the first thing about it. We ought to reduce that time. At the moment, the prescribed officer has six months within which to fine a person. He also has power to specify the time in which an offender must pay, or give reasons why he should not pay. That is the time at the discretion of the prescribed officer.

I am not sure that there should not be a set time within which the offender should pay, whether it be one, two or three months. It is quite possible that he may not be in the district, or even in the State.

Hon. F. R. H. Lavery: You will have to take out a ledger account.

Hon. L. CRAIG: It could lead to a lot of correspondence. If the offender does not pay the fine, or does not do anything about it, the prescribed officer sends the papers back to the police office and presumably the matter is followed up.

It is also dangerous to provide that where the prescribed officer feels that the offence committed is not a serious one, he can, of his own volition, take it upon himself to say that it is not worthwhile going on with the matter. He merely drops the case and his responsibility ceases.

Hon. Sir Charles Latham: In many cases Crown Law decides whether it should or should not be gone on with.

Hon. L. CRAIG: The prescribed officer may say whether or not it is worth while going on with the case, and sends it back to the police. However, the measure is

an attempt to ease the burden on the motorist, and I would not wish to suggest an amendment, other than that the period of six months be reduced, unless the Minister can give us good reasons why it should be retained. If the time were reduced, I think it would be fair to the offending motorist.

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

**HON. N. E. BAXTER** (Central) [7.30]: In the main, I agree with the principle of the Bill because I believe that the present method of dealing with minor traffic offences is rather irksome and very slow, in that all cases have to go through the Traffic Court. In some instances, three months elapse before cases are heard by the court. As mentioned by members, in those circumstances the persons concerned have forgotten the offences by the time they receive the summons. Often it is very hard to reply to a charge for an offence that occurred three months previously. This Bill will speed up the method of dealing with charges for minor traffic offences and do away with the lengthy process of court hearing.

There are one or two matters in the proposed regulations about which I am a little doubtful. I would ask the Chief Secretary to inform the House whether, if this Bill becomes law and the regulations are gazetted, there will be an all-out blitz on motorists.

The Chief Secretary: Things will go on just as they are.

**Hon. N. E. BAXTER:** That is a good assurance. The motorist today, with the licence fees he pays; with the sales tax on tyres and accessories for his vehicle; with the high cost of petrol, and with the tax he is paying on petrol, is contributing very much to the needs of Australia; and to hamper him needlessly for minor traffic offences, would not be fair.

There are other matters on which I would ask the Chief Secretary to comment. Several offences appear to me to be more than minor ones. On page 5 of the proposed regulations, it is provided that no person shall drive a motor-vehicle on a road without being duly licensed under the Act. I consider that a person driving an unlicensed vehicle is committing more than a minor offence. That is a rather serious matter.

**Hon. Sir Charles Latham:** That is already provided for in the regulations.

**Hon. N. E. BAXTER:** I admit that. It also covers the case where a person has applied for a licence and the issue of a licence has been refused. It is not a minor offence for a motor-vehicle to be driven by one who has applied for a licence which has been refused, or who has held a licence which had been cancelled or suspended. Any person driving

an unlicensed vehicle, endangers the public; and in my opinion that is not a minor offence.

Another regulation deals with vehicles not being permitted to stand within 2 ft. 6 in. of fire hydrants. Every motor driver realises his responsibility when he parks a vehicle, and that he must not park within 2 ft. 6 in. of a fire hydrant, because he knows that the fire brigades have to use it in case of a fire nearby. If a vehicle had to be moved away from a fire hydrant, the delay in fighting a fire might cause the loss of life. Such an offence is beyond a minor offence.

A further regulation refers to a vehicle on a curve or a gradient not being left unless within view from the rear at 150 ft. This is another rather serious matter, and applies particularly on roads with fairly sharp curves. A motorist might be driving reasonably safely, but finds a car parked around a curve and is not able to pull up in time. This might mean the loss of life, and the offence for parking too near a curve is a major one.

Another matter covered by the regulation, although not so serious, relates to defective lighting or reflectors. In this instance another danger might arise; that is, where breaches are more serious than minor offences. To a certain extent the police officer who lays such a charge would not, in an instance like defective lighting or reflectors, charge a person under this section of the Act. I support the second reading.

**HON. J. D. TEAHAN** (North-East) [7.37]: I support the second reading. The Bill tends to improve the present set-up under which delays in bringing cases for hearing react unfairly on defendants. So much time elapses that the facts are dimmed when cases are heard, and the defendants are then least able to defend themselves.

Reading through the regulations, I find that one of the faults under the new set-up is that the prescribed officer will also be given a period of six months to lay minor charges. If the fault with the existing set-up is found in the delays occasioned, then the six-months period given to the prescribed officer for laying charges is also wrong. In the Committee stage I intend to take up that point.

**THE CHIEF SECRETARY** (Hon. G. Fraser—West—in reply) [7.39]: I thank members for the support they have given to this measure. I do not intend to reply to all the points raised at present. The Committee stage of the Bill will not be taken this evening. Before that stage is reached I shall have the answers to all the points raised, and they will be given in Committee.

Question put and passed.

Bill read a second time.

# **BILL—CONSTITUTIONS ACTS AMENDMENT (No. 1).**

## *Second Reading.*

Debate resumed from the 27th September.

**HON. C. H. SIMPSON** (Midland) [7.40]: When this Bill was brought forward, I secured the adjournment of the debate for a week so that I could examine thoroughly the proposals contained therein. The hon. member who introduced the measure has, from time to time, been inclined to pass censure on this House, and I wanted to have a thoroughly good look at what might have been a very important measure. Furthermore, ample time should be allowed for the study of any measure which affects the Constitution.

However, this Bill is essentially simple, and I have no hesitation in supporting it and recommending its acceptance by the House. It will expedite the enrolment of migrants. It provides that enrolment will be applicable to those who are otherwise qualified under the Act. The same applies to natives who have enlisted in the service of the Commonwealth, and who, according to a Bill passed last year in this House, are no longer regarded as natives within the meaning of the Act. So there can be no objection to their being eligible for enrolment, provided it is specified that they are duly qualified.

I have one more comment to make on this measure. Bills originating from this House concerning the Constitution have not at times met with the favourable consideration that we hoped for from another place. In this case I trust that the Bill will be considered purely on its merits and that no attempt will be made to amend it drastically, as has occurred when attempts have been made by this House to improve its own Constitution in years past. I support the second reading.

**HON. R. F. HUTCHISON** (Suburban—in reply) [7.42]: I thank members for their reception of this Bill and for the co-operation they have given.

Question put.

The **PRESIDENT**: As the second reading of this Bill necessitates an absolute majority it will be necessary to have a division.

Bells rung; House divided.

The **PRESIDENT**: I have counted the House, and there being an absolute majority of members present and voting in favour of the motion, I declare the motion carried.

Question thus passed.

Bill read a second time.

## *In Committee.*

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

# **BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.**

## *Second Reading.*

Debate resumed from the 6th October.

**HON. J. McI. THOMSON** (South) [7.47]: When a Bill to amend the Act was before us last session, the Chief Secretary pointed out the necessity to provide by regulation for precautions and measures to be taken for securing the safety of workmen when a roof was sheathed with asbestos cement or other brittle material, the idea being that netting should be fixed under it to prevent anyone from falling through in the event of the asbestos giving way. I was under the impression that that would apply throughout the State, but to my amazement, and probably to that of the Government also, the provision covered only the area within a radius of 25 miles of the G.P.O. Certain types of building require this precautionary device, and therefore I commend the Government for bringing down this Bill to ensure the safety of workers wherever they may be employed.

Last session I was critical of the measure then before us and complained to the Chief Secretary that it did not clearly define what was intended. I am convinced of the necessity for this provision because of the accidents that have happened. A 10in. x 10in. mesh fixed on top of the purlins would prevent anyone from falling, should the asbestos give way.

**Hon. L. A. Logan**: Why not put wire netting beneath the asbestos?

**Hon. J. McI. THOMSON**: That would not be strong enough.

**Hon. L. A. Logan**: Would a roof of galvanised iron be dearer?

**Hon. J. McI. THOMSON**: No; a roof of asbestos is more expensive than one of galvanised iron. This is a very wise precaution because it applies only to certain buildings, namely, those which have a big roof span.

I wish to direct the attention of the Chief Secretary to the latter portion of the proposed amendment. The Act provides that the Governor may make regulations prescribing all forms, fees and matters required or permitted to be prescribed or convenient for carrying into operation or for facilitating the operations of the Act and in particular to make regulations. The appropriate provision, with the proposed amendment, would read—

Prescribing the precautions and measures to be taken throughout the State for securing the safety of persons where the roof of any building or

structure, whether constructed or in course of construction, is or is intended to be sheathed with asbestos cement or other brittle material, and whether gear or scaffolding of any height is or is not used in connection with the building or structure.

I cannot for the life of me understand what is intended by the words

and whether gear or scaffolding of any height is or is not used in connection with the building or structure.

Those words to my mind are very ambiguous. I can appreciate the position as stated by the Chief Secretary, but I think it a great pity that when small but important Bills of this nature are framed, the meaning is not made clearer. Such a measure as this one is important because it affects so many people engaged in the building industry. When a measure of this sort is introduced, I like to have a full understanding of its meaning. I have read and re-read the provision in the principal Act and also the proposed amendment and have written it out, and I am still in doubt as to the purpose of the last portion.

The people who are responsible for the framing of these measures should be more clear and concise in expressing what is intended. That would go a long way towards ensuring an easy passage for such measures through this House. Everyone is concerned with the safety of the employees of builders and contractors and is desirous of their receiving all possible protection. I was unable to contact the Public Works Department to get classification as I had hoped to do, rather than occupy the time of the House tonight; but perhaps the Minister will be able to give me some information. It should be incumbent on officers to give a clear and concise interpretation of what is desired so that those who have to deal with the measure may be able to grasp its intention readily. I hope that the Minister will explain the portion of the amendment to which I have referred. I support the second reading.

Question put and passed.

Bill read a second time.

## **MOTION—HOUSING COMMISSION RESUMPTIONS.**

### *Return of Land to Owners.*

Debate resumed from the 21st September on the following motion by Hon. A. F. Griffith:—

That in the opinion of this House, the fact that the Government has already returned to the owners much of the land resumed by the Housing Commission (see "Government Gazette," 8th October, 1954) in the Bentley Park, Welshpool, Morley Park, and Belmont Park, Fremantle and

other districts, indicates that prompt action should be taken by the Government similarly to deal with those others in such districts whose land has not been returned and desire to have the same; and this House strongly requests the Government to take immediate action to return such land to such persons forthwith.

**THE CHIEF SECRETARY** (Hon. G. Fraser—West) [7.57]: I have advanced this item on the notice paper because it has been on the tapis for a considerable time, and I hope we shall be able to dispose of it this evening. Before offering any general remarks on the motion, I wish to say that I have a statement covering the whole matter of resumptions and I propose to give the information to the House.

During the debate on this motion, reference has been made to a statement of mine at one stage that minor resumptions might be necessary to give effect to the proposed scheme of development. After I had made that statement, it was suggested that other large-scale resumptions had been made and that we were not sincere in making that statement to the House. The statement was quite correct. It referred only to the proposed development during 1953 of what was eventually to emerge as the Maniana project.

The Housing Commission at the time owned 34.3 acres in the area south-east of Wharf-st., and in order to obtain enough land for the erection of 300 housing units, some minor resumptions totalling approximately 22.5 acres were effected and were gazetted on the 25th September, 1953. When the Government gave a later assurance during the debate in September of that year on the extension of the commission's resumption powers for an unlimited period, the commission did not intend any large-scale resumptions and the Government gave the assurance in good faith. At the time, the commission was of the opinion that it held sufficient land for its immediate requirements, particularly as it was then intended to proceed with large-scale housing in the Wanneroo area, the bulk of which land had been resumed by the previous Government and comprised 8,250 acres. It was then intended by the commission to develop this area as a satellite city to Perth, and the housing development would have constituted a major part of the commission's programme in the metropolitan area.

Upon receiving information of the proposals for the future development of Perth under the metropolitan regional plan, which was then in the preliminary stages of preparation, the commission was faced with the urgent decision to cancel its proposals in the Wanneroo area and change the emphasis of its housing development

to areas south of the Swan River, particularly in Belmont, Welshpool, Melville and Fremantle. The housing programme for the fiscal year 1954-55, therefore, proceeded with emphasis in the eastern and southern suburban areas, and the Wanneroo programme was reduced to 250 houses.

The regional plan envisaged the establishment of large industrial zones in the Belmont-Welshpool and Fremantle-Cockburn Sound areas. Housing for the future would, therefore, be required to be located within reasonable proximity to these large work areas, and it became imperative for the S.H.C. to decide on the urgent necessity of acquiring additional land in these localities to meet the anticipated future requirements. All subdivided land held at the time by the State Housing Commission in the areas between Midland and Fremantle was anticipated to be fully utilised by December, 1956. Unless further land acquisition was proceeded with immediately, the commission would be in the position of not being able to meet the expected urgent demand for housing in the areas described above.

Arising from this position, the commission, in June, 1954, recommended to the Minister for Housing the urgent resumption of land in the Hamilton Hill, East Manning, Bentley, Welshpool, Belmont, Bassendean and Bayswater areas. It would not have been possible to obtain these areas by direct negotiation for many reasons—not the least being that, from past experience, the commission had found that owners were not prepared to sell land at reasonable prices. There were 436 owners involved in the proposed acquisition, and it would have been beyond the bounds of possibility to expect that all the land required could have been obtained by private treaty. It was vital that the commission obtain all the vacant land in the localities concerned, as it would not be possible to adequately and economically plan and resubdivide each area, if only isolated lots were acquired.

Cabinet considered the commission's request during August, 1954. It was obvious that urgent action was required to meet the position outlined by the State Housing Commission, and that the only means of effecting the acquisitions was by resumption proceedings. The events which had brought about this necessity could not have been foreseen when the Government and the commission gave the previous assurance that further large-scale resumptions would not be necessary. As stated previously, this assurance was given in good faith; but, because of the force of circumstances, and the changed position, further resumptions had become imperative. As each of the areas proposed for resumption had been selected after careful and exhaustive inquiries by the commission, Cabinet approved the State Housing Commission proposals on the 30th

August, 1954, and gazettal of the resumptions was effected on the 8th October, 1954.

Hon. A. F. Griffith: What sort of inquiries?

**THE CHIEF SECRETARY:** The resumptions referred to comprised 2,565 acres, made up of 1,733 acres of unimproved and 830 acres of improved land. However, the improved land also comprised large vacant areas. For example, a man may own 10 acres of land or more, the only improvement thereon being a house. This full 10 acres would show in the above figures as "improved" land. In the whole of the resumed area there were 245 houses, but all these dwellings were returned, except where the owner requested otherwise, within 90 days of the original gazettal. The commission had no alternative but to resume both houses and land in the first instance, as it was necessary in each case to acquire the whole of the Certificates of Title.

However, it was never intended that owners should be deprived of or disturbed in the ownership or occupation of their houses, and an undertaking was given by the Minister for Housing and the commission, at that time, that no owner would be disturbed from or lose ownership of his dwelling. Accordingly, prompt action was taken to release from resumption all houses resumed—such houses being on sufficient land to provide, at least, one residential site. The aggregate of all the areas returned in this manner was 320 acres, and the number of owners affected was 275.

The only houses not released were those situated in the centre of large blocks, and it was arranged with the owners that such houses would be returned after resubdivision—again, with sufficient land to provide at least one residential site. Some owners were also granted the release of vacant land on appeal against the resumption. These additional releases were only made to provide residential sites for dependant children or, in a very few instances, to return land upon which substantial improvements, other than dwellings, had been erected.

The action in releasing land on the above-mentioned basis was to ensure that deserving cases were not prevented from proceeding with housing plans, which they had prior to resumption; these releases, however, should not be taken as an indication that further land will be released to all and sundry, as all cases have been individually examined and treated on their merits. The commission did not, at any time, intend to acquire other than vacant land and it is the vacant land in all the areas concerned that the commission requires to retain. It is the intention to resubdivide all this vacant land into housing estates, and the maximum area is necessary to ensure that



such resubdivisions and subsequent developmental works can be effected on an economic basis.

After the gazettal of the resumption on the 8th October, 1954, the commission appealed to all those affected to visit the commission or, alternatively, request a commission officer to visit them at their homes in order to discuss the matter as it affected their individual ownerships. Most of the people concerned followed the commission's advice and were given assurance that—

- (a) the commission did not intend to retain land used for residential purposes;
- (b) they would not be disturbed from existing dwellings;
- (c) they would not be prevented from using land retained by the commission until it was required for development. No charge would be made in these instances;
- (d) fair market values as at date of resumption would be paid for all land resumed, together with additional compensation for loss of improvements, loss of income or any other justified claims;
- (e) every effort would be made to settle each case at the earliest opportunity, particularly in connection with the payment of compensation.

Although the majority of owners expressed their satisfaction with the position—many being of the opinion that the commission's action was a necessary and justified one—a minority of owners formed a resumption protest federation; and, through the Press and other means, members of this association made many untrue and distorted statements regarding the commission's intentions. As a result, many others, previously satisfied, were unduly distressed, believing that they were not to be given a fair deal by the Government particularly in respect of compensation.

Many owners lodged appeals with the Minister for Housing against the resumption of their land when, in the first instance, they had not intended to do so. As a result of the Minister's decisions, many again expressed their satisfaction; but 38 persons, mainly members of the federation, lodged appeals with the Supreme Court against the Minister's decision. The hearing of these appeals is now in progress, but the number proceeding to the court has fallen to 21. One New Australian owner who had appealed to the Supreme Court, at the last moment contacted the commission for the first time and, after discussing his case, intimated that he had been incorrectly advised and ill-informed of the commission's intentions by the resumption protest federation. As a consequence, he considered an approach

to the State Housing Commission would have proved useless. When the commission's intentions in his case had been explained to him, he expressed his satisfaction and immediately withdrew his appeal to the court.

I believe this individual was influenced by a number of people, to the effect that it was useless to go near the commission. He took their advice, and at no stage until recently did he approach the commission. I believe his case was regarded by those who made a song about this sort of thing as being No. 1, in their view; and it was listed as No. 1 in the Supreme Court hearings.

Hon. A. F. Griffith: What was his name?

The CHIEF SECRETARY: I do not know; but he was a new Australian.

Hon. A. F. Griffith: It is important.

The CHIEF SECRETARY: I do not think it is; and I do not want to bandy names around this Chamber. His case was No. 1 in the Supreme Court list, and it should be easy to find out his name. A couple of weeks ago someone in conversation with him asked had he been to the commission. He said, "No, I was told it was useless to go there." They finally induced him to go to the commission; and as a result, he was entirely satisfied and withdrew his case from the Supreme Court.

That is typical of what would have happened in most of the other cases and what did happen in a number of them. Many other owners have also expressed their regret at having listened to statements of the federation, and stated that it is their belief that political bias and opportunism have, to a great extent, motivated the federation in its actions. In the agitation through the Press and by other public statements by the federation, there are only four persons who have consistently written and criticised the resumptions.

From statements by these persons, it is obvious that their motive is of a political character and designed to direct as much criticism as possible at the Government, without any necessary regard for the facts. One of these persons has had the whole of the land released, and the other has not even been affected by the resumptions. I will give the hon. member the names of those individuals later if he wants them.

Hon. Sir Charles Latham: And that of the new Australian too?

The CHIEF SECRETARY: I do not know it, but can get it.

Hon. Sir Charles Latham: I think we should have it.

The CHIEF SECRETARY: In several cases, poultry farmers have approached the commission to take over the whole of their properties, and satisfactory prices have been agreed upon. Other owners,

who have had their businesses disturbed, have also asked the commission to purchase back the areas released to them, and this has been arranged at current market values to the satisfaction of all parties concerned.

In general, all these people who have dealt with the commission have invariably expressed their surprise at the considerate treatment received, as they had been led to believe that they could expect no such sympathy if they approached the commission with their difficulties. In respect of the manner in which land has been released, it is not correct to state that this has been done in a haphazard and irresponsible way.

Hon. A. F. Griffith: Who said it had?

The CHIEF SECRETARY: It is a fact that some owners have had more land returned than others.

Hon. A. F. Griffith: Who said it was haphazard?

The CHIEF SECRETARY: It has been said in the Press. I did not say the hon. member had said it.

Hon. F. R. H. Lavery: The resumption protest federation body said it several times.

The CHIEF SECRETARY: It has been published in the Press and mentioned elsewhere. In some cases, the owner may not have received any land back because his request for its return could not be justified. In another case, an owner may have received enough land for his house and—if he had a large family—replacement lots for his children. A disparity in the release of land to one owner as against another was, therefore, inevitable.

In all cases, land was released with a view to later resubdivisions; and where it was not possible to release land before resubdivision, replacement lots were promised to deserving cases—for release after planning and surveying had been completed. Plans have been prepared for the Hamilton Hill, Manning, Bentley, Welshpool, and Belmont areas, and no difficulty has been experienced in subdividing the areas retained by the commission.

Furthermore, it will be possible for owners who have had land returned, to subdivide their land in the future to conform with the commission's design, if they so desire. We have heard quite a song since these resumptions took place. No one could say it was the first time that any Government had resumed land—

Hon. N. E. Baxter: The song appears to have done a lot of good.

The CHIEF SECRETARY: I expected that statement to be made; and to show that it did not do any good, I will read a Press statement which appeared on the

Sunday before the gazettal of the resumptions. It will show that it was not the song and dance which made the difference in the treatment of these individuals. This Press statement was published before the gazettal of the land resumptions. It reads as follows:—

S.H.C. (Getting Short of Land) Is Acquiring 3,260 Acres:

Hon. A. F. Griffith: What is the date of that Press report?

The CHIEF SECRETARY: This cutting is taken from an issue of the "Sunday Times" published on the Sunday before the gazettal of the land resumptions. The gazettal took place on the 8th October, so this issue of the "Sunday Times" would be dated about the 3rd October. Continuing—

State Housing Commission is taking action to acquire 8 areas—about 3,260 acres.

This will provide for 11,750 house building lots with roads, open spaces, business sites, etc. Cost is estimated at £500,000. Housing Minister, H. E. Graham, said this yesterday.

To obtain suitable land to meet the urgent requirements of the commission's greatly increased housing programme, it has become necessary to resume land in parts of the metropolitan area, said Mr. Graham.

Areas resumed were recommended to the State Housing Commission as most suitable from the point of view of availability of essential services, such as water supplies and power.

Only alternative was to extend housing development beyond the metropolitan area, which, besides being uneconomic, would not be in the best interests of town planning.

It was necessary to arrest the sprawling growth of the residential areas and the commission was expected to play a leading part in utilising land in close proximity to existing amenities.

Then the number of acres to be acquired in the various localities was mentioned. Further down it reads—

It has been necessary to resume some improved properties, i.e. areas in excess of a quarter acre upon which a dwelling had been erected.

In every case it is intended to return these improvements to the owners, together with at least sufficient land to provide a normal residential site.

This action to return resumed houses would be completed as an emergency measure to reduce to a minimum any inconvenience caused to the owners who naturally will not be disturbed from the occupancy of their homes.

Compensation will be paid to those dispossessed. Compensation is to be assessed at the market value at July 1, 1954, by an authority independent of the commission.

Mr. Graham said that if the present house building rate continued, the S.H.C. will in two years have no land for homes in the metropolitan area, except in the quadrant north-west of Perth (Yokine-Wanneroo).

Here a large area was acquired several years ago for long-term planning and development as a satellite city. Obviously all building cannot be carried out in one region.

In the Fremantle area the position is particularly acute as December 1955 will see the last of the land in that locality built on.

The same situation will confront the S.H.C. north of the river between Perth and Midland, said Mr. Graham.

In view of the fact that that statement was published in the Press before the gazettal of these resumptions, all this criticism and the taking of credit for the agitation that was started and the motions that were moved in Parliament on the subject is so much poppycock. That Press statement was definitely published before the resumptions took place; and it was made at the direction of Cabinet because when the matter of resuming this land was considered, emphasis was laid on the fact that only land that was absolutely required by the State Housing Commission was to be resumed, and all those people who were to be dispossessed were to be treated generously.

Hon. A. F. Griffith: Do you know how many days elapse between the time a decision is made to resume land and the gazettal of such resumption takes place?

The CHIEF SECRETARY: I will deal with the hon. member later. I want the members of this House to know the true position. It is amazing that all this agitation has been brought about as a result of the resumptions made last year, when not a word was heard about any federation being formed or from any hon. member in either House as a result of the resumption that took place during the term of the previous Government. Let us see how unfair all this criticism is. Let us make a comparison between what was done last year by the Hawke Government and what was done by the McLarty-Watts Government three years ago.

Hon. L. A. Logan: That is no excuse.

The CHIEF SECRETARY: It is an excuse if the hon. member cannot explain why he has complained about this Government resuming land when his own Government took similar action three years ago. I emphasise this to illustrate how

unjust is all this criticism about land resumption. When the McLarty-Watts Government was in office it resumed 9,604 acres for housing, of which 135 acres was returned to the owners, the net resumption for housing being 9,469 acres.

Hon. C. H. Simpson: Was that not a special area at Wanneroo for a developmental project?

The CHIEF SECRETARY: Were not these resumptions for a special area?

Hon. C. H. Simpson: I do not know.

The CHIEF SECRETARY: Of course they were! I am giving the actual figures. The net resumptions by the McLarty-Watts Government for housing totalled 9,469 acres.

Hon. N. E. Baxter: Who was the largest owner of that land?

The CHIEF SECRETARY: I will give the hon. member all that information. I will not shirk anything. I want the truth to be placed before this House. Also, after the truth is given, I want just treatment from members in connection with the matter. Here is the comparison: The total acreage affected by the resumptions made by the Hawke Government for housing was 2,565 acres, compared with 9,469 acres resumed by the McLarty-Watts Government.

Hon. Sir Charles Latham: That is about the same proportion resumed by the previous Government, which was six years in office.

The CHIEF SECRETARY: The resumptions made by the Hawke Government represent only 25 per cent. of those made by the previous Government. How much criticism did we hear about the 9,469 acres resumed by the McLarty-Watts Government? None at all! Of the 2,565 acres resumed by the Hawke Government, 320 acres was returned to the owners. Note the comparison: 9,469 acres as against 2,245 acres!

I will now deal with the number of owners affected. As a result of the resumptions made by the McLarty-Watts Government, 2,764 owners were affected; but under the Hawke Government resumptions only 420 were affected. Therefore, the number of owners that were affected by the resumptions made by the McLarty-Watts Government represented nearly seven times as many as those that were affected by the resumptions made by the Hawke Government. The grand totals of resumptions for all purposes, including housing, were as follows:—

McLarty-Watts Government	16,986 acres
Hawke Government	2,988 acres

That is almost 17,000 acres resumed by the McLarty-Watts Government as against almost 3,000 resumed by the present Government. The total number of affected

owners was 3,258 under the McLarty-Watts Government resumptions, and 500 under the Hawke Government resumptions. Yet we have heard all this fuss about these resumptions and we are told that there is nothing political about the criticism that has been made.

I want to read to members the remarks made by a member when dealing with another subject, which I have not dealt with yet. I have not even mentioned the Kwinana resumptions; they were exclusive of the figures I have quoted.

Hon. Sir Charles Latham: Those resumptions were made by an Act of Parliament.

The CHIEF SECRETARY: It does not matter how they were made.

Hon. N. E. Baxter: You agreed with them.

The CHIEF SECRETARY: Of course I did, the same as I expect the hon. member to agree with the resumptions that are now under review. The hon. member agreed with the Kwinana resumptions; but when the present Government resumes only about a quarter of the acreage that was resumed when his Government was in office, he raises a protest. I will now quote a statement which was made by a member during the debate on the Bill dealing with the Kwinana resumption. I will then read what I had to say on the matter.

Hon. Sir Charles Latham: We do not want to hear too much.

The CHIEF SECRETARY: No; I will not read too much, because I did not have very much to say. This what a member in another place said when speaking on the Bill dealing with the resumptions in the Kwinana area—

The member for Melville describes this Bill as a soviet-like measure. I would like to point out to him that all land resumption Acts could perhaps be referred to as soviet-like in their action because their effect in many cases is harsh. Sometimes one could say their effect would be unconscionable. The existing land resumption Acts have that effect, but I am certain that the hon. member will agree that for a government to have power of land resumption, although it could be harsh, is very necessary; and with the experience I have had of listening to the member for Melville, I think he would be the first person to criticise any government which did not in this instance protect the taxpayers' money by introducing a Bill to prevent wholesale land speculation.

Hon. A. F. Griffith: What is the date of that reference?

The CHIEF SECRETARY: That is taken from page 1984 of vol. 3 of the 1951-1952 Parliamentary Debates. I do not know

whether members have recognised who made that statement, but it was made by Mr. Griffith.

Hon. A. F. Griffith: You do not think it was made by anybody else, when you are quoting it, do you?

The CHIEF SECRETARY: Here is what I had to say in Committee on that same Bill, because I did not have a chance to speak on the second reading. I was dealing with Clause 3, which referred to the application of the Act—

I was so engrossed in studying the Bill that I did not notice the second reading going through. However, I can get over the point now. I would like to inquire of the Minister the area that comes under this clause. I know the powers given to the Minister are pretty drastic and that the prices are controlled as at the 1st January, 1952. Included in the map is a vast area which covers all the Spearwood district and portion of Hamilton Hill. Particularly would I like to refer to the Spearwood area which is well settled with market gardeners and fruitgrowers and I must ask the Minister what the position of these people will be. They are subject to the usual commitments of outgoings and incomings, and perhaps the Minister will explain what their position will be. I know that if the Minister desires he can say, "I want certain land." Once the Minister has said that, any person purchasing that land will do so knowing that he is limited to the price at the 1st January, 1952. There is another portion which says any mortgage raised can only be with the permission of the Minister.

I am not sure whether this condition is limited only to land required by the Minister or whether it refers to all the land inside the area under that blanket. It is vital that the large number of the electors in my district should be given a clear explanation as to how they stand. I am rather worried about that phase.

The Minister for Agriculture then said—

This provision is only a cover until the 31st December next year.

They had this blanketed up for only two years. Continuing—

It is not indefinite. The blanket cover is only for that period which will enable the company and the Government to determine what area will be required. It does look a little formidable, but that is what it amounts to. It will be some time before the plant will be established, and I do not anticipate that this will cover anything except the area necessary for the industry.

People with cultivable areas will not be interfered with unless they are close to where the plant will be established.

Later on I raised another point. The Minister had not explained about mortgages and so forth, and I inquired about that matter. I said—

I do not disagree with what is proposed, but I must remark that the Liberal Government is outsocialising the socialists.

The Minister for Agriculture: Because its members have been mixing with you for so long.

Hon. G. Fraser: Will it be necessary for persons in the blanketed area, if they desire to mortgage their land, to apply to the Minister up to the end of next year?

The Minister for Agriculture: Yes.

Hon. G. Fraser: Not only the land the Government says it requires, but all land in that area?

The Minister for Agriculture: Yes.

That is something that was done and there was no protest.

Hon. Sir Charles Latham: It was sanctioned by two Houses of Parliament, which is totally different from its being done under the lap outside of Parliament.

The CHIEF SECRETARY: What is being done under the lap?

Hon. Sir Charles Latham: The Minister goes out and does it.

The CHIEF SECRETARY: Has not the Housing Commission worked under Acts agreed to by Parliament?

Hon. A. F. Griffith: Did you vote against that Bill?

The CHIEF SECRETARY: No.

Hon. A. F. Griffith: Of course you did not!

The CHIEF SECRETARY: I was prepared to play fair with the Government of the day. I realised and raised the point that it was unfair to tie up from Hamilton Hill land which was required for a refinery at Kwinana so that for two years the people concerned could not traffic in any way in that land without the permission of the Minister. That was the point I raised. That blanket cover was the most vicious thing I have seen imposed in this State. It was most vicious. Land was closed from Hamilton Hill right down to the other side of Kwinana, a distance of approximately 15 miles.

Hon. A. F. Griffith: It was so vicious that you slept while the second reading went through!

The CHIEF SECRETARY: I did not.

Hon. A. F. Griffith: It seems like it.

The CHIEF SECRETARY: The hon. member will not deal with facts.

Hon. A. F. Griffith: You said you did not know the second reading had gone through.

The CHIEF SECRETARY: The hon. member refers only to the latter portion of my remarks.

Hon. A. F. Griffith: You quoted your own speech.

The CHIEF SECRETARY: I told the hon. member that the Bill was rushed through so quickly—

Hon. A. F. Griffith: Nonsense!

The PRESIDENT: Order!

The CHIEF SECRETARY: That is a fact.

Hon. A. F. Griffith: Do you remember the special sitting of Parliament?

The CHIEF SECRETARY: Yes.

Hon. A. F. Griffith: Then how can you say the Bill was rushed through?

The CHIEF SECRETARY: Let the hon. member look at the records, and he will find that before members had time to examine the Bill the second reading had gone through, and I spoke at the Committee stage. However, I approved of the Bill at the time, though it was vicious, because the Government of the day said, "It is something we require to carry out the job". Being a good oppositionist, I agreed with the Government and gave it the power.

Hon. Sir Charles Latham: I wish I could speak when you have finished!

The CHIEF SECRETARY: The hon. member can do so.

Hon. Sir Charles Latham: The rules do not allow me to.

The CHIEF SECRETARY: They do unless the hon. member has already spoken. I have dealt with the history of resumptions. Much has been said about the latest resumptions, and we have been accused of being black sheep because of what we have done. That is why I thought I would remind members opposite of what their own Government had done, and would point out to them that they were as silent as the tomb on that occasion. Yet because a Labour Government does the same thing, members say, "We must create a stir about this." Is that a fair attitude for any elected representative of the people to adopt? Is it fair treatment for any Government to receive? All I am asking of hon. members is that they will give to this Government the same generous treatment as was given to their Government by me; and that is a fair deal. Could anyone ask for anything fairer?

Hon. L. A. Logan: We have given you more than we gave our own Government, and you know it.

The CHIEF SECRETARY: A lot of these resumptions have taken place in my own area. Some of my electors, whose land was involved, came to see me. I took up their case in the right quarter, and slight adjustments were effected. I was not very successful but I did have some slight adjustments made. That is the only way in which anything can be done. If they had suggested to me that I should move a motion in Parliament about the matter, I would have told them, "No," because if I had done that, I would have considered that I was politically dishonest, since to move a motion in this House on such a subject is to give a false impression to the people. What does such a motion in this House amount to?

Hon. A. F. Griffith: Nothing, with your Government.

The CHIEF SECRETARY: It amounts to nothing with any Government. I would have been honest with my people, and would have told them the true facts. I would have pointed out that such a motion would be purely a pious resolution. The only way in which this sort of thing can be tackled correctly is by a Bill which must run the gauntlet in both Houses. Members know that a motion such as the one which has been moved is not worth the paper it is written on. If passed, it would be purely an expression of opinion of this House, and would have no binding effect on anyone. Whether a motion is moved to appoint a Royal Commission or for any other reason, it is still left to the Government of the day to say whether any notice shall be taken of it. So I would have told my people that I would not be so politically dishonest as to move a motion of that description, which would give false hopes to those concerned.

I realise the position these people are in. If I were in such a position, I would not like my land to be taken away from me and would fight as hard as I could. The angle of fighting is well defined. Persons concerned have a right of appeal to the Minister. If he refuses, they have recourse to the court; and, as I have already mentioned, a number of people are already exercising that right. What more can be done than that? Certainly no more can be done by a motion carried by this House.

I once read in the Good Book these words, "Let him who is without sin cast the first stone." I would say that any member who records a vote for this motion but allowed previous Governments to resume properties in the manner I have outlined, without protest, is not being honest to himself or anybody else. I oppose the motion.

HON. SIR CHARLES LATHAM (Central) [8.39]: I want to reply to some of the remarks made by the Chief Secretary in his impassioned appeal. Let us, for once, examine this matter non-politically. When the war finished, there was a great growth of population and industry in this State, and it was found necessary to make provision for additional housing.

Hon. C. W. D. Barker: That necessity has continued to the present day.

Hon. Sir CHARLES LATHAM: If the hon. member wishes to speak after I have finished I will have no objection, but I do not want him to interrupt me. The position was that housing was very difficult to obtain, and labour was scarce; and the Government of the day—a Labour Government—knew that it had to acquire a considerable quantity of land. It was only to be expected that the Government would pay only a fair price for the land that had to be acquired. In some instances there were thousands of acres belonging to one person and situated not many miles from the centre of the city. Had it been left to the owners to dispose of, fortunes would have been made. That would not have mattered so much to me as would the cost to the individuals having to acquire the land.

Members know that today the cost of building homes in comparison with the cost then is much greater. But costs were high even then, and those purchasing land would have had, in addition, to pay the high prices that would have been demanded by those who would have withheld it and demanded a big sum for it. In the circumstances there was nothing else which any Government could have done—whether it be a Labour Government, or a Liberal-Country Party Government—but resume land.

So a good deal of land was acquired. The incoming Government found that there was a pressure for still more homes to be built and had to provide them by mass production because there was no other means of handling the situation. There were not many people competent to carry out the work. During the six years that Government was in office, a good deal of land was acquired.

At this stage I want to refer to the fact that legislation was introduced concerning land resumptions, and that is totally different from a Minister acquiring land, sometimes with the approval of Cabinet and sometimes without it. On occasions, a Minister's fellow-Ministers have not found out that land has been acquired except through a statement in the Press by some aggrieved person. The Chief Secretary knows that has happened.

Reverting to the Kwinana project, members know what would have happened immediately it was announced that the Kwinana refinery was to be established.

The price of land in that area would have risen terrifically. In the circumstances, there was only one commonsense thing to do, and that was to ask Parliament for authority to resume land, and not for a Minister or Cabinet to decide upon resumption. That, in fact, was what was done, and the two Houses of Parliament had an opportunity to deal with the Bill that was introduced in that connection.

I cannot take seriously the statement of the Chief Secretary that he did not know the second reading had been passed; that, like a snake in the grass, the Bill quickly slipped through this House. The Minister has always been too keen, whether he has been on this side or that side of the House, to miss a point. I have never known him to be asleep. He may have appeared to be, but I do not remember his ever having missed a point that he could pick up. So he has not persuaded me or misled me into believing that the passage of the Bill was so surreptitious that he did not know what had happened.

It is true that the Chief Secretary was very interested in that area. He knows it; and in consequence he did not raise any objection to the resumption of the land, because he knew, as we all knew, that the right action was being taken. But the point I make is that that was done by Act of Parliament, and there were no regulations. I believe that the Bill went through each House without a division; and if there is any responsibility to be taken, it must be taken by every member who was in the House at the time the matter was discussed.

Let us not mix up the resumptions made by an Act of Parliament and those made by an act of a Minister. When the Government of which I was a member went out of power and the Labour Government came in, the commission had on hand a great deal of land; and the Minister knows that. It had a lot of land at the north end of the city and at the south-east end, and it had many other smaller pieces in the outer suburban areas, and in Belmont.

Hon. C. W. D. Barker: They are all covered with houses now.

Hon. Sir CHARLES LATHAM: With that land the Government has become the biggest householder of the city, because it has built houses on it. Even with all that land, the Government raced out to get the best of the land still further out; and I would say that now it has far too much land on its hands, and some of it should be returned to the owners. We have reached the stage where we have acquired a great deal of land at a fair price.

I am not going to condemn this Government, or any other Government, for the action taken to maintain a fair value. I opposed the Government of which I was

a member, when I was sitting on the cross-benches here. I could not very well oppose it while I was on the other side, because I had committed myself to the matter when I was in the Cabinet. But I criticised the Government for acquiring the land. I did not want to give it the power to do that. I do not think it is the function of a Government to deal in land, except Crown land which, of course, belongs to the people. The Government has the right to sell that land, which it does.

All the land which has been acquired was once Crown land, and it was sold to individuals and paid for by them. Many a block of land was acquired by the Crown at a lesser sum of money than was paid for it, or than was paid out in rates and taxes. I related the instance of 10 acres of land for which £400 was paid on acquisition; yet when the lady who had owned the land asked for some blocks back she was told, "You can have two quarter-acre blocks, but you have to pay for the survey." That is all she got out of it. That was a very unfair deal. We should be fair in these things.

I have not heard the Minister make many passionate appeals, such as he made on this occasion. He worked himself up, but did not impress too many members. After all, there is a distinction between acquiring land by ministerial action and by the responsibility of the representatives of the people in this House or in another place. I want members, and those people who are listening from the gallery, to appreciate that Parliament itself is all-powerful. I do not say that Parliament does not make mistakes on occasions, but here we decide by a majority; and I believe, out of my years of experience, that Parliament, with rare exceptions, is fair in its representations to the people, and members do the best they can for those who send them here.

HON. F. R. H. LAVERY (West) [8.50]: I rise because of a remark passed by Sir Charles Latham a few moments ago. I know he did not make it in any disparaging way, although he used the term, "under the lap." I would like members to know that, despite all the criticism that has been levelled at the present Labour Administration for the resumption of these 2,000—nearly 3,000—acres of land, at no time was the land resumed except under powers conferred by Parliament. Sir Charles knows that is so better than any member sitting here. He knows that the resumption was made under the Public Works Act through the power given to the Minister under the State Housing Act.

Hon. Sir Charles Latham: I did not question that right. I knew that was so.

Hon. F. R. H. LAVERY: All I want to tell the Press—

Hon. Sir Charles Latham: You will not get any publicity from the Press; I know them too well!

Hon. F. R. H. LAVERY: I know; but I will have a clear conscience. No one in this Chamber, no matter how long he has been here, or what ministerial knowledge he has, will frighten me. I am not being passionate. I have listened for several months to all kinds of disparaging remarks about the Government in regard to this land resumption. Let me tell Mr. Griffith something! Again, I am not questioning his integrity.

Hon. A. F. Griffith: You had better not do that!

Hon. F. R. H. LAVERY: Will the hon. member listen? I am not questioning his integrity or the manner in which he has brought the matter forward; but he has been misinformed as to the attitude adopted by other members of Parliament.

On the 8th October last year notice was published in the "Government Gazette" that certain land was resumed in the area which I have the honour to represent. I am now going to mention a name—I am sure the gentleman concerned will not mind—that of Mr. Wills Johnson. This gentleman gave me a questionnaire and asked me to take it to the Minister for Housing and see whether he would give me the answers for the people of Hamilton Hill-Bibra Lake district.

Within three or four days of the publicising of the actual resumption, a public meeting was held in the Hamilton Hill hall. Accompanied by Mr. Davies, I attended this meeting, and because Mr. Johnson—throughout the negotiations he was the spokesman for these people—had given me this questionnaire, I was given precedence by the chairman, and I outlined the Government's reasons for the resumption. I quoted the Act under which the Minister or the Housing Commission had operated.

Here let me clear the point, so that members may know the procedure. The Minister for Housing, under the Public Works Act, notifies the Public Works Department that he requires some land. In this instance it was the Public Works Department that resumed the land, and members know that. The final deliberations were made through the Public Works Department.

After some considerable time spent at the meeting in explaining the difficulty that the Government found in acquiring more land in the Fremantle area—I was only concerned with my own province—I spoke on behalf of myself and Mr. Davies, who supported what I said, and told those present that we were back-bench members in a Government which we supported. Having given the reasons why the Government found it necessary to resume this land, I said I was personally, and I suggested Mr. Davies was, too—this was quite correct—in the hands of our constituents to carry out their wishes in the matter.

I explained to them that they had 60 days in which to appeal to the commission to see how much of this land would be returned to them, and that they then had two years in which to make application for compensation. I also explained to them that, contrary to the Act of Parliament which gave the people of Kwinana a rotten deal so far as valuation was concerned—

Hon. J. McI. Thomson: That was done by Act of Parliament.

Hon. F. R. H. LAVERY: Yes; and the prices those people got were despicable. Some of those landholders received as little as £4 an acre for their land. Not one person in the Hamilton Hill area got less than £130 an acre for his land, and one individual received £1,000 per acre because, unfortunately for the Housing Commission, just a few weeks before not only had he had his land subdivided, but the roads had been put through and he had to be compensated.

Hon. Sir Charles Latham: You know that the Act says he shall have a proper valuation paid to him.

Hon. F. R. H. LAVERY: The Minister publicised this particular resumption in the Press; and we, as back-bench members, confronted him and asked him what the actual valuation would be that these people would get. We were told that it was to be the valuation as at the 31st July, 1954—right up to the minute. The Fremantle Road Board secretary, Mr. Edwards, was able to tell the meeting about the valuations and sales that had taken place during the few months preceding the resumption. As a result, a number of people felt that they were going to get a good valuation for the land that would be resumed from them.

I am sorry to say that I was not able to get any land back for one man. The Chief Secretary has said that Mr. Davies, Mr. Lawrence and I each had different ones that we looked after, and some were more successful than others. All the landholders, with the exception of one, who applied to get land returned to them, were successful in getting a portion back. One man was not living on the property but somewhere in Melville. I believe that, as a result, the commission decided that he had sufficient land for his personal needs, and he would be paid reasonable compensation for it.

A number applied for compensation, and a number have been paid. If members read this week's "Coastal Star" they will see where one of the biggest poultry farmers at Hamilton Hill had a big send-off prior to going to Mandurah. He received a much larger sum of money than he would have earned had he stayed there.

Hon. A. F. Griffith: More than the land was worth?

Hon. F. R. H. LAVERY: Much more.



Hon. A. F. Griffith: Why?

Hon. F. R. H. LAVERY: Who created the value of the land? The people living in the area, including the gentleman who had the land subdivided and the roads made. They created the value for the people on the outer edges. Who will create the value of the land that is returned to the people? The Housing Commission, of course do not let us sidetrack the issue. Each and every one of the people who had land resumed had a right to have it returned if possible. Did not we stay to the bitter end and fight this thing out, block by block, with the Housing Commission as to what would be returned to them, because we did not agree with the subdivision or resumptions? But does not the Public Works Act give the Government the right to make the resumption? Of course it does! It is of no use Sir Charles shaking his head; the land was resumed under the Public Works Act.

Hon. Sir Charles Latham: No; it was not. It was taken under the State Housing Act.

Hon. F. R. H. LAVERY: If I had the papers with me I could prove that my remarks are correct.

Hon. Sir Charles Latham: They made the resumption for the State Housing Commission.

Hon. F. R. H. LAVERY: That is correct; the land was resumed under the Public Works Act.

Hon. N. E. Baxter: The State Housing Act.

Hon. F. R. H. LAVERY: Because a number of these people have not yet received their compensation, this Government has been castigated for what is called its unfair treatment of them. It is all very well for Mr. Griffith to make a game of it. I am giving him some information that he probably did not have before; and if he listens to me, it will be of interest to him.

Hon. A. F. Griffith: Mr. President, on a point of order, I think I am entitled to make a private remark to Sir Charles Latham without Mr. Lavery saying anything about it. It was purely a private remark.

Hon. F. R. H. LAVERY: The people in my district about whom I am concerned, and who have not yet received their compensation are in a group, while others around that group have been paid. The people to whom I have referred have not yet received their compensation because the Minister for Works, who controls the Public Works Act, is not satisfied with the valuation by the land resumption officer. The Minister brought in two independent valuers to assess it, and I believe that they completed their work about a fortnight ago.

Hon. N. E. Baxter: Does that apply to all the area or only that particular area?

Hon. F. R. H. LAVERY: So far as I know, it applies to that particular area. It is up to every member to see what has happened in his own district. In this case I am referring to my district.

Hon. A. F. Griffith: Do you mean that a special favour has been granted to your district?

Hon. F. R. H. LAVERY: I am not suggesting anything of the kind. I am trying to tell members that the reason a number of these people have not yet received their compensation—there are only four of these people—is that the valuation by the land resumption officer has not been accepted by the Minister for Works. I speak with authority when I say that, because the land resumption officer informed me of the fact, and everyone in this Chamber knows him. Two independent valuers from the city of Perth have been engaged to do the job because one of the best known valuers in Fremantle has some land in the area concerned and refused to value it.

I know that if my land were taken away, I would not be too happy about it, because I think everyone has the right to the title of his own land. But when a department, under an Act of Parliament, resumes land, it ill-behoves members of Parliament who, above all, should uphold Acts of Parliament, to castigate the Government and say that it should not have resumed the land under that particular Act. I feel that the lives of a number of these people have been broken up because they have lost their properties; but on the other hand, others have benefited. One particular person met my wife and me in the street and said, "We have just received our money and we have bought a big caravan park, with six caravans, at Rockingham. We are going on a trip to Singapore and it has been pennies from heaven to us." Some people have benefited from these resumptions and others have not.

But the Act provides that these people can go to the court, and the court will treat them fairly. What land can be given back is returned to them. At no time have I felt that this Government has done anything other than what another Government would have done in the same circumstances. So far as the other side of the river is concerned, I think that only a small portion of Willagee Park remains to be built on. There is space for about 12 or 14 houses in Hamilton Hill, and only a few blocks are available for building of war service homes—only 16 blocks in Fremantle—and the position has become desperate. I was never happy, either from a political or personal point of view, about the resumptions, because I know only too well, as a working man, how hard it is

for these people to get a property together. However, I have never had a guilty conscience in regard to this Government's actions, because it did not resume the land until it was forced to do so. So anybody who says that the Government resumed the land under the lap is not correct.

I hope that the publicity given to the hon. member's motion will assist people who are trying to get their land back. But I do not think the Government should be castigated for what it has done.

**HON. L. CRAIG** (South-West) [9.6]: I regret the turn the debate has taken, because the motion deals solely with the return of land that has been resumed and has nothing whatever to do with valuations or what previous Governments paid for certain land, or what areas they resumed. It appears to me that the debate has got a little out of hand. I believe that the action taken by the previous Government in regard to resumptions, on the advice of its officers, would have been taken by this Government had it been in power; and I believe that the action taken by this Government, on the advice of its officers, would have been taken by the previous Government had it been in power. I do not think the action of either Government is in any way different. It was decided, for the purpose of providing land for closer settlement, to resume land so that new suburbs could be properly planned and houses built in accordance with modern planning ideas. In order to do that, one has to be more or less cruel. I believe that, whatever Government had been in power, it would have carried out those intentions.

**Hon. F. R. H. Lavery**: The matter should not be political.

**Hon. L. CRAIG**: The method of resuming land—other than that resumed at Kwinana—is the same, whether the land is resumed by this Government or any other Government. But this question is one of returning to owners some of the land which has been resumed and which they want to have back; it does not deal with anything else. If a group of people feel they have been unduly ill-treated—even harshly treated—and they come to Mr. Griffith as their representative and request him to put up a fight in Parliament, I think he is perfectly entitled to do so. He would probably be lacking in his duty if he did not do it.

**Hon. F. R. H. Lavery**: Nobody denies that.

**Hon. L. CRAIG**: This is the only Chamber in which he can take action by putting up a case and asking the Government to take similar action—not any other action—to that taken on previous resumptions and to return to these people not all the land but some of the land which has been resumed. Personally, I see very little to cavil

at in the motion as it is set out on the notice paper. I will read it with emphasis on the portion to be dealt with—

That in the opinion of this House the fact that the Government has already returned to the owners much of the land resumed by the Housing Commission (see "Government Gazette," the 8th October, 1954) in the Bentley Park, Welshpool, Morley Park, and Belmont Park, Fremantle and other districts, indicates that prompt action should be taken by the Government similarly—

It says "similarly" and that means in the same manner—

to deal with those others in such districts whose land has not been returned and desire to have the same; and this House strongly requests the Government to take immediate action to return such land to such persons forthwith.

The point is that the motion uses the words "similar action"; in other words, to return as much of the land as the Government feels justified in returning. The motion does not say "all the land." It says that the Government should take action similar to that which has been taken in other districts. The whole House could support that motion, because all it asks is that the Government shall treat all districts alike, and that it shall not discriminate between districts. I see nothing very harmful about that; I see nothing unreasonable about it. But the point is that Mr. Griffith, as would any other member doing his duty, has brought up this matter because he has been requested to do so by a group of people who have felt aggrieved about it. This motion is not a condemnation of the Government or of the resumptions.

**Hon. F. R. H. Lavery**: It was a funny way to word it.

**Hon. L. CRAIG**: Then let the hon. member read it for himself. I have read it to the hon. member and, as he said himself, some of these people were well treated.

**Hon. F. R. H. Lavery**: That is quite correct.

**Hon. L. CRAIG**: The Chief Secretary seemed to get het up about the subject. When he was a private member he was quite sedate; but as a Minister, he sometimes gets excited. However, he makes a good speech; and what people say in debate is said in the heat of the moment. But it does not alter the text of the motion. The motion clearly asks that all districts be treated in the same way.

The Chief Secretary: That has already been done.

**Hon. L. CRAIG**: The hon. member is just emphasising it by his motion; and perhaps he feels that that has not been

done. But the Minister must not feel aggrieved; nor must the House, nor any member feel aggrieved about it, because the motion means only what it says. One cannot get out of it something that is not there.

Hon. H. Hearn: The Chief Secretary must have a guilty conscience.

The Chief Secretary: I had already turned both cheeks; I had to do something else.

Hon. L. CRAIG: We have had some impassioned speeches in the debate, and members telling us what happened many years ago. But it does not alter the text of the motion, which this House could easily carry. All it indicates is that the hon. member is doing his duty.

Hon. C. W. D. Barker: You know the purpose behind the motion.

Hon. L. CRAIG: If the hon. member sees purposes that are not there, then I am afraid that my eyes are not focussed properly or in the same way as are his. I can see only things that are there; but perhaps the hon. member and I see things differently. If the hon. member reads the motion, and not the impassioned speeches made by the Minister and some other members, I think he will agree with me. I do not think much harm would be done by agreeing to the motion, and I regret the time that has been spent in recriminations.

The Chief Secretary: You think I should take everything that has been said about these resumptions and not reply to them.

Hon. L. CRAIG: No. I do not.

The PRESIDENT: Order!

The Chief Secretary: The man who would do that has not yet been born.

Hon. L. CRAIG: I think the Minister is perfectly justified, on all occasions, in defending his Government; and any Minister would be lacking in his duty if he did not do so. The Chief Secretary has done his duty very well indeed. But he weakened his case by incriminating the previous Government, and pointing the finger of scorn and saying, "Look what you did!" instead of saying, "Of course we have done this; we have done the right thing and followed the previous Government's example."

The Chief Secretary: That is what I did.

Hon. L. CRAIG: The Minister became neat and castigated the previous Government for doing exactly what this Government is doing, instead of acknowledging that he was doing what the previous Government had done.

The Chief Secretary: I castigated the man who said nothing when this was done by the previous Government but protested when this Government did the same thing.

Hon. L. CRAIG: This does not get us anywhere.

The Chief Secretary: Nor does the motion.

Hon. L. CRAIG: The motion is simple, and it does not matter whether it is carried or not. Whether it is lost or carried, it at least indicates that the hon. member has done his best to bring the matter before the public and Parliament in the only way he can. He is asking that the Government will do the same for these particular districts as it has done for other districts. Without any recriminations against any Government, I support the motion.

HON. N. E. BAXTER (Central) [9.16]: I did not intend to speak to this motion until I heard the remarks made by the Chief Secretary and by Mr. Lavery. They tried to sidetrack the whole issue. The Chief Secretary and Mr. Lavery used the fact that Parliament had agreed to throw a blanket over the area round Kwinana district for a certain period, and treated that as though the previous Government had made large-scale resumptions in that area.

The Chief Secretary: I never said that at all.

Hon. F. R. H. Lavery: Nor did I.

Hon. N. E. BAXTER: Although it was not specifically mentioned, why bring the question of the blanket area in? That was merely an endeavour to throw a red herring across the trail and to besmirch the action taken by the previous Government. The Chief Secretary also used the resumptions at Mt. Yokine to illustrate what the previous Government had done.

The PRESIDENT: Order! If the hon. member reads the motion he will see that Kwinana is not mentioned.

Hon. N. E. BAXTER: I was referring to resumptions made by this Government and the previous Government, to which the Chief Secretary referred at great length when speaking to the motion. I can see no other way of answering the bogies raised by the Chief Secretary. I was getting to the point of his reference to the resumptions at Mt. Yokine as being the bone of contention in this House when it agreed to an extension under the State Housing Act and gave the State Housing Commission, through the Public Works Department, the right to resume land. The Chief Secretary will remember that that was brought up at the time and an assurance was given by the Chief Secretary that no resumptions would be made under the Act. That is one of the reasons why motions like this are brought before the House.

The Chief Secretary: It had nothing to do with Mt. Yokine.

**Hon. N. E. BAXTER:** The Chief Secretary knows very well that the Mt. Yokine resumption was a pointer to resumptions that would take place in the future.

The Chief Secretary: Mt. Yokine was resumed by the previous Government.

**Hon. N. E. BAXTER:** The Chief Secretary will recall that a question was put to him, and he was asked whether this would mean wholesale resumptions. It was done with regard to resumptions under the State Housing Act, and this House was not prepared to see wholesale resumptions carried out again by a similar method. The Chief Secretary has castigated members on this side because they did not protest at the time.

The Chief Secretary: I like people to run true to form.

**Hon. N. E. BAXTER:** The land held by the State Housing Commission at that time was small, and we were assured at the time, when we did not protest, that it was badly needed for State housing. What has happened since? Let us look at the overall picture. What was done with the land resumed at Mt. Yokine during the regime of the present Government? Very few houses had been built on the 8,000 acres that were resumed. Let us now turn our attention south of the river and see the difference in development there.

From Redcliffe to Fremantle houses have been built; the whole area has been exploited. It has all been planned and put under roads, and water systems and electricity have been installed. But we were told by the Chief Secretary that the reason the Government did not use the Mt. Yokine area was that it was not planned. It was possible for the Government to do the planning elsewhere.

The Chief Secretary: That is not what I said.

**Hon. N. E. BAXTER:** That is what the Chief Secretary told us on another occasion. He said the resumptions at Mt. Yokine had not been used because they had not been planned.

The Chief Secretary: It was not in the regional plan.

**Hon. N. E. BAXTER:** Were all the others planned under the regional plan? Was Medina planned under the regional plan?

**Hon. F. R. H. Lavery:** Under Act of Parliament.

**Hon. N. E. BAXTER:** It was not. The Chief Secretary makes the excuse that the Mt. Yokine resumption was not in the regional plan, and that is why the Government did not go on with it. It seems strange to me that all this development can go on south of the river; and yet, when we compare it with the development north of the river, we find that the Housing Commission has not made any use

of the land that was resumed for it. It makes one suspicious as to why the Housing Commission has taken the action it has in developing areas along those lines.

**HON. A. F. GRIFFITH** (Suburban—in reply) [9.23]: First, I would like to sincerely thank all members for their comments and contributions to the debate. I would particularly like to thank Mr. Craig for the remarks he made, because, including the Chief Secretary, I think he was the only member who was anywhere near the mark. When replying to this debate, I think the first question I should dispose of is the statement by the Chief Secretary to the effect that I was politically dishonest.

The Chief Secretary: I did not say that.

**Hon. A. F. GRIFFITH:** What did the Chief Secretary say?

The Chief Secretary: I said I would have been politically dishonest.

**Hon. A. F. GRIFFITH:** I give the Chief Secretary the benefit of the doubt because all those who heard him inferred, as I did that the Chief Secretary criticised the fact that I had brought this motion before the House. He would not deny that.

The Chief Secretary: No.

**Hon. A. F. GRIFFITH:** That is the first issue to be decided. During the remarks that were being made by other members, I asked Mr. Brown to get me three or four "Hansards." I have them here on the floor. They are full of contributions made by the Chief Secretary when he was a private member on all sorts of matters that came before this House. There are motions that he himself moved, and there are contributions to debates that he thought fit to make during second reading and Committee stages, and the like. Yet the Chief Secretary has the temerity to expect members to listen to and receive from him a statement to the effect that I have no right to bring a motion of this description before the House.

The Chief Secretary: I did not say that.

**Hon. A. F. GRIFFITH:** I think I have every right to bring before this House anything which I think will be of interest. I have every right, if I think it should be debated, and if I think members should be given an opportunity to air their views on it.

**Hon. F. R. H. Lavery:** I used the expression that you should be commended for it.

**Hon. A. F. GRIFFITH:** I thank the hon. member very much; but he also said other things which were not commendable in their implications. I defy any member of this House, particularly those on the Government side, to refute my right to bring this matter before the House.

The Chief Secretary: No one denies you that.

Hon. A. F. GRIFFITH: Why did the Chief Secretary say it should not have been brought here?

The Chief Secretary: I said you were misleading your people.

Hon. A. F. GRIFFITH: It would have been more to the point had the Chief Secretary said that my people were misleading me, because the information I bring to this House is not concocted in my own mind; it has come to me on paper from people who still feel aggrieved at the actions taken by the Housing Commission, a copy of which I laid on the Table of the House, and which stayed there for five days without the Chief Secretary looking at it. I said to the Minister that he had not taken the names that I had given, and he replied that it would not be necessary. Would the Chief Secretary deny that?

The Chief Secretary: I did not want the names.

Hon. A. F. GRIFFITH: The Chief Secretary did not want the names. He did not take them off the Table of the House in order to pass them to the Housing Commission so that the Minister for Housing could examine them and see if there was any merit in what I was putting forward on behalf of the people who had appended their names to the complaint.

Hon. F. R. H. Lavery: The Minister would have all those names.

Hon. A. F. GRIFFITH: If Mr. Lavery cannot do better than that by way of interjection, I would suggest he keep quiet.

Hon. F. R. H. Lavery: You know it is a fact.

Hon. A. F. GRIFFITH: I know as well as Mr. Lavery does that all the names contained in the "Government Gazette" would be known to the Minister for Housing.

Hon. F. R. H. Lavery: I said they appealed to the Minister.

Hon. A. F. GRIFFITH: Dear, oh dear! I would also know, like the Minister for Housing, the names of the people who had their land returned to them, because they are indicated on this plan. The point is that, in order that the Minister for Housing could investigate the claims of those people who wanted their land back—and you yourself will remember Mr. President, that I nearly got into hot water for doing so—I stepped out of my seat to pick up the plans to help me to present my case. I almost did what you, Sir, would consider a breach in moving towards the Table to give these names to the "Hansard" reporter.

I repeat that they lay on the Table of the House for five days; and to the best of my knowledge, they are still there.

I took another copy to the Chief Secretary and said, "You had better have these so that the Housing Commission can look at the claims I am making on behalf of the people who have appended their names to this document." He said, "I do not want the list to answer this case." The reason he did not want the list to answer the case was that it was obviously not intended to do anything about it. He said, "What good will be achieved if the House carries this motion?" He said it was a pious resolution. I do not care what the Chief Secretary says, I will nevertheless proceed with my intentions in the hope that the Government will take some notice of what is expressed in this House.

We know that the Chief Secretary is a very astute person. He has had a lot of time to consider the implications of this motion. It has appeared well down on the notice paper for a couple of weeks. I do not think I should say this in case I commit a breach of confidence; but suffice to say that he wanted to be prepared to have a statement presented to members of this House regarding this motion. He did give me an undertaking that the motion would be dealt with in full this evening, and I thank him for honouring it.

But what do we see? When the Chief Secretary replies to the case, he does so in written verbiage, well prepared obviously not by him, but by his colleague the Minister for Housing, and he reads to us a well-considered document, 95 per cent. of which is a rebuttal in form of what the previous Government had done, and the other five per cent. of which is an attack on myself.

The Chief Secretary: No; reverse that!

Hon. A. F. GRIFFITH: On the last occasion it was reversed. I was very grateful tonight to see the Chief Secretary reversing the procedure, because members will recall the awful gruelling he gave me on the last occasion, telling me how dishonest I was politically.

The Chief Secretary: I never said that.

Hon. A. F. GRIFFITH: And telling me what awful things I had done to the people I represented. Some of his colleagues assisted him to castigate me. I say, in all sincerity, that when the Chief Secretary has a good case to put up, he bounces out of his seat, looking at you, Sir, with confidence, and speaking as confidently as I am speaking now, concerning the case he has to put before the House. I have also seen that when he has not been so sure he has adopted a meeker attitude. That was what he did tonight.

Hon. L. A. Logan: He might be changing his tactics.

Hon. A. F. GRIFFITH: It is too late for the Chief Secretary to change his tactics, because I have the right of reply. That was his response—meekness and mildness when reading a well-prepared statement.

The Chief Secretary: You would not expect me to give the House anything else but a well-prepared statement!

Hon. A. F. GRIFFITH: When he has a good case, he prepares well; but in this instance, he had no case. In view of the weakness of the case he put up, I suggest that the whole thing has fallen to the ground. The Chief Secretary raked up from an old copy of "Hansard" something I said when I was a member of another place. Of course, one cannot deny what is recorded in "Hansard", and one would not attempt to do that.

The Chief Secretary: I was giving your ideas regarding resummptions.

Hon. A. F. GRIFFITH: My ideas on resummptions have not changed since then. I still consider that resummptions are harsh and unconscionable; and in the hands of some Governments they are more harsh and more unconscionable than in those of others. That is principally the basis of my complaint.

Hon. F. R. H. Lavery: You say you are not political.

Hon. A. F. GRIFFITH: Is it political to make comparisons? If it is, then the Chief Secretary's case tonight was political, because he made comparisons. He suggested to us that the second reading of a Bill slipped through because he was so engrossed in perusing the Bill. It is worthwhile to refute the second statement of the Chief Secretary before going on to my really important issue. Members will be astounded, as I am, that the Chief Secretary had the temerity to suggest that he, a responsible Minister, let a Bill slip through because he was so engrossed in it.

The Chief Secretary: I was trying to understand it.

Hon. A. F. GRIFFITH: I realise the Chief Secretary might have had difficulty. There was not one Bill before Parliament at that time, but two. A special session was called in April of the year 1952, and two Bills were introduced—the Industrial Development (Kwinana Area) Bill, and the Oil Refinery Industry (Anglo-Iranian Oil Company Limited) Bill. It is interesting to know that during the debate on the latter, which was the first one dealt with before this House—

The Chief Secretary: I was dealing with the second one.

Hon. A. F. GRIFFITH: I know. The Chief Secretary made interjections during the debate, and asked questions like these: What would happen to properties or businessmen already in the district? What about ordinary transactions between individuals? Then we come to the other Bill, in the course of which the Chief

Secretary also made interjections. Now he turns around and says the Bill slipped through because he was engrossed in it. In connection with the other Bill he said this: "I move the adjournment of the debate because I want to have a thorough examination"—

The Chief Secretary: Of that Bill.

Hon. A. F. GRIFFITH:—"of the proposals that are before us." Surely members would not be expected to believe that a responsible Minister could then suggest that a Bill slipped through, after he had made interjections during the course of the second reading!

The Chief Secretary: I did not have a chance to get the Bill until the second reading.

Hon. A. F. GRIFFITH: I leave it to members to judge for themselves.

The Chief Secretary: How many speeches were made after the introduction?

Hon. A. F. GRIFFITH: In conclusion on that point, may I say this: My experience in this House is very limited in comparison with that of the Minister, but my experience has been—and we saw it the other night during the debate on another Bill—that when any member of this House requires an adjournment, and a division is called for, whatever the political thought, all the members opposite vote for the motion for the adjournment, giving the member ample time to consider the matter fully. If the Chief Secretary was not aware then, he could have secured an adjournment. But no! Did he say anything at all? No. Did he say anything on the third reading of the Bill, which is the right of every member? No. Did he put forward to this House such statements as those as a defence to the motion I introduced regarding the ownership of land?

The Chief Secretary: Nothing of the kind. I merely told you what occurred.

Hon. A. F. GRIFFITH: Members have listened to the Minister's remarks as I have, and I leave it to them to judge. The next point in the Chief Secretary's speech to which I draw attention is the question of land resumed by the previous Government. He stated, but I am not sure whether I am accurate in this figure because I am expressing it from memory, that the area was in the vicinity of 9,500 acres.

The Chief Secretary: Somewhere around that figure.

Hon. A. F. GRIFFITH: It is interesting to note that when I asked a question on this very matter on the 19th August, 1953, as to how much land the commission owned, the Chief Secretary said that the land owned included 9,000 acres in the Wanneroo district. Nine thousand acres

of land resumed by the previous administration in that district! Members who know that part of the metropolitan area will be aware that even today, not when the land was resumed, the amount of building activity in that area is very small, and that the Government at the time of resuming that land did, in the words of the Chief Secretary, set out to create a satellite city, not to disturb people in small holdings. It set out to go right out and create a satellite city, to provide all the amenities to create a city of that size, and not to disturb small holders.

But when the present Administration came into office in 1953, it did not go on with the plans of the previous Government. It set them aside. After our being told by the Chief Secretary in this House that the Government had sufficient land to last it for a number of years, it resumed 3,260 acres without any notice whatsoever, apart from the statement that appeared in "The Sunday Times" on the 3rd October. By way of interjection, I asked the Chief Secretary how long a time elapsed between the gazettal of resumptions in the "Government Gazette" and the notification of the people concerned. His reply was, "I shall deal with you later."

The Chief Secretary: And did I?

Hon. A. F. GRIFFITH: No.

The Chief Secretary: Then I neglected my duty.

Hon. A. F. GRIFFITH: Not on that point. The Chief Secretary is most astute in evading interjections when he does not want to hear them; but I suggest in all sincerity, that the fact that the people were advised by a newspaper article in the "Sunday Times" on the 3rd October, was not any sort of warning at all of what was to take place. I venture to suggest that the compilation and the printing of the "Government Gazette" was well under way by the 3rd October. It came out on the 8th October, but people were not advised until well after the publication of that issue of the gazette that their land had been seized.

Hon. F. R. H. Lavery: They were advised on the Monday following.

Hon. A. F. GRIFFITH: I believe some of those people were advised as late as the 19th October.

Hon. F. R. H. Lavery: You are right.

Hon. A. F. GRIFFITH: That is the fourth point of the Chief Secretary's case against my motion which has fallen to the ground.

Now I come to the real basis of the motion. The Chief Secretary has said that people have gone down to the Housing Commission and have gone away satisfied with the reports that have been given to them and the treatment they were to get. I would like to read one letter

which I received. It is signed by "A. K. Rumble", Uranium-st., Cloverdale. It is addressed to me. He says—

The Land Resumption Protest Federation have asked me to place before you the following information, as it may be handy to you in your proposal to the present Government to return the land to the original owners.

(1) Now I think you know the details of this.

Mr. J. Duncan's property in May-st., Cloverdale, the S.H.C., went out of line to resume this well-developed poultry farm, of 25 years work by the owner. After Mr. Duncan getting legal advice which cost a considerable sum, and loss of his own time, which on a whole estimates at £50, his place was handed back complete, but he was never recouped for his loss.

Within the last fortnight the following information has been brought to Federation regarding a client in the name of Mr. Hiel. Mr. Hiel bought an  $\frac{1}{2}$ -acre of land from Mr. Stanwix in Keymer-st., Cloverdale;  $\frac{1}{4}$  acre of this  $\frac{1}{4}$  acre was resumed by the S.H.C. at the time he was just beginning to build his home.

He rang them up on 26th September and spoke to Mr. Jarvis asking him what the S.H.C. intended to do as he wanted to get on with his building programme, and he (Mr. Jarvis) informed him that the P.W.D. would fix him up and pay him £250 for the  $\frac{1}{4}$  acre. The following day Mr. Jarvis informed them that they would only give them £100 for the same piece of land.

The following day they received a letter from the Public Works Department saying that the claim they had lodged on the prescribed form would be paid and this was £340.

The Chief Secretary: See how generous we were.

Hon. A. F. GRIFFITH: The Minister makes a statement like that! However, I am reading a letter which members will judge for themselves. To complete the letter—

This letter bore the date which was before any telephone conversation took place.

In the first place it seems strange that a person cannot own an  $\frac{1}{4}$  acre of land, and if the S.H.C. cannot manage without these pieces of land, surely they can give people a reliable answer to their claims!

The Federation are very pleased with your efforts regarding your appeal for real sanity with legislators.

Then I received a letter from Mr. Simmonds, of 137 Churchill Avenue, Subiaco, who at this stage has asked that his name be added to the list of people who want their land returned. Whether at this stage I can add his name to the list, I do not know, but I should like to do so.

When I presented this case to the House, I did so after taking a good deal of trouble to prepare it. I should like members to appreciate that this information has been supplied to me through the body of people calling themselves the Land Resumption Protest Federation. I did not go to those people and request them to supply the information, and I do not think it necessary at this stage to assure members that that is so. I did not go to them and say, "Look, for the purpose of making political capital, please tell me about the land that has been resumed and not returned to you because, by golly, I am going to make a stir about it." That is not what happened. Those people wrote to me and asked me to attend their meeting.

Hon. F. R. H. Lavery: They did the same with regard to Mr. Davies and me.

Hon. A. F. GRIFFITH: Why did not the hon. member go to the meeting? He has not been to any meeting that I attended.

The Chief Secretary: I have been to two or three meetings.

Hon. A. F. GRIFFITH: It is remarkable that Mr. Lavery did not speak more sympathetically, because these people say they have not received the treatment they consider they deserve. When moving the motion, I showed members the plan that I now hold in my hand and nearly got into trouble with you, Mr. President. Here is a plan showing the resumptions that took place. I explained the colours in detail. Some of that land has been returned. Here is a second plan showing that some of the land has been returned. Here is a third plan showing that some of the land has been returned. The Minister stated that where it was possible to return the land to the owners, the land had been returned, but could he answer this question?

The Chief Secretary: The President will not allow me to do so.

Hon. A. F. GRIFFITH: May I put it to the Chief Secretary through you, Mr. President, and if he remains silent after what I say, I think he must have no answer. Lot 287 in George-st.—I do not know who owns it but that does not matter—has been returned in full to the man concerned. There it is on the plan in blue. Lot 286 with a house on it has not been returned. Why?

The Chief Secretary: I do not know.

Hon. A. F. GRIFFITH: Of course not! Neither does the Chief Secretary endeavour to answer the terms of the motion.

He simply castigated me for bringing it forward, and said that all the people who deserved fair treatment had received it, and that was that. In effect he said, "Griffith, you can go to Hong Kong in your attempts to do something for those people. You should not have brought this motion forward because it is only political. You went around your district whipping up trouble, telling the people that if they gave you the information, you would give the Government what-oh." The Chief Secretary knows as truly as he breathes God's fresh air that that is a lie and that nothing of the sort was done by me.

The Chief Secretary: Explain why you did not take action when your Government made resumptions and why you now take action when we are resuming only a quarter of the area.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: That is only side-stepping the issue. The Chief Secretary, when it suits him, says he cannot interject, but he interjects when he wants to. Let anyone pick up "Hansard," and he will find "Fraser" interjections all the way through it.

Hon. H. Hearn: "Chief Secretary" interjections.

Hon. A. F. GRIFFITH: I am referring to the time when he was a private member. The reason why I brought this motion forward is expressed in the very words of the motion itself. The Government has seen fit to return the land marked blue on the plan to the people in the districts the names of which were read out by Mr. Craig.

The Chief Secretary: You have not answered my question.

Hon. A. F. GRIFFITH: The motion says that this House requests the Government to treat these people similarly. That is all I am asking, but the attitude of the Chief Secretary is that no good can be achieved by passing the motion.

The Chief Secretary: That is true.

Hon. A. F. GRIFFITH: The Chief Secretary said it is a pious motion.

The Chief Secretary: And the hon. member knows it.

Hon. A. F. GRIFFITH: If anything I have endeavoured to do for the people I represent can be described as pious, then I suggest that the whole Parliamentary set-up is completely futile.

The Chief Secretary: The hon. member knows that a motion passed by either House has no effect at all.

Hon. Sir Charles Latham: I would not agree with that.

Hon. A. F. GRIFFITH: The Chief Secretary has told me the effect because, when I asked him what action the Government



intended to take, he replied, "None". He demonstrated the effect again by saying that the Government would take no action on this motion. The people in the gallery tonight—at least some of them—have come here to listen to this debate. They still have a hope—a pious hope, in the words of the Chief Secretary—that their land might be returned to them.

The Chief Secretary: That is why I castigated you—for misleading the people.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: I will be content for the people whose land is still in the hands of the commission to judge whether I have misled them. Mr. Clark rang me this morning asking when the motion would be discussed, saying that he wanted to listen to the debate, and I told him that to the best of my knowledge it would come on tonight. I wish to assure members that the moving of the motion was no pious action or political move such as I have been accused of. It is simply a motion asking the House to resolve that the Government should reconsider the resumptions it has made in the terms expressed in the "Sunday Times" of the 3rd October, 1954, that reconsideration would be given to any resumptions. Because the Government has done that, I ask it to do this.

The Chief Secretary: We have already done it. I have told you that.

Hon. A. F. GRIFFITH: Then I take it that, in spite of the fact that this House might pass the motion, none of these people can expect to get an inch of their land returned to them. Those people in the gallery who listened to the statement by the Chief Secretary tonight will not rest as easily as I had hoped they might. I can see that it is utterly futile to proceed in any way in the hope of persuading the Government because it is determined to stand fast by what it has done for some people and not for others.

The Chief Secretary: Just as the Government you supported returned some land to the owners.

Hon. A. F. GRIFFITH: Why not return it to the other people?

The Chief Secretary: It was returned because it was not required.

Hon. A. F. GRIFFITH: Then I go back to this matter of Lot 287, George-st. The Chief Secretary says that land is not required so it is returned to the owner. Lot 286 next door is required and so it is not returned to the owner. How can an effective plan be made of an area like that? Apparently it is sufficient for the Government to say to the owner of Lot 286, "You do not get your land back and that is that". It is sufficient to adopt that attitude without bothering to take to the Housing Commission the list which has lain on the table for five solid days.

The Chief Secretary: The case had been considered long before you put the list on the table.

Hon. A. F. GRIFFITH: I am positively astounded at the Chief Secretary's attitude to this matter.

The Chief Secretary: You have not answered the question I asked.

Hon. A. F. GRIFFITH: Ask it again.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: I want to answer the question.

The PRESIDENT: The hon. member can answer it tomorrow.

Hon. A. F. GRIFFITH: Tomorrow all this will have gone from the mind of the Government. It will be just a scrap of paper and will not mean a thing tomorrow. The Chief Secretary will look at the notice paper and say, "Thank goodness that is over. We have at least got that off the notice paper;" but that will not be my attitude. The Chief Secretary accuses me of being unjust and misleading my people, but the injustice lies here in the fact that the Government is not prepared to listen to this motion, and had already made up its mind long before I introduced the motion to the House. In spite of that I am castigated by the Chief Secretary, who says I should not have brought it here—

The Chief Secretary: Neither you should. You know it can have no effect at all.

Hon. A. F. GRIFFITH: I hope members who support the Government will vote in favour of this motion and demonstrate that they have that feeling which they so often tell us they have for the working man.

The Chief Secretary: Why did you not move this motion when your Government was in power?

Hon. A. F. GRIFFITH: Because my Government did not resume land in this manner.

The Chief Secretary: It was done under the same Act.

Hon. A. F. GRIFFITH: Yes; but those resumptions did not bring forth the protests that these resumptions did. The Chief Secretary knows he would not have had the power to seize this land except for the undertaking he gave members of this House in regard to that section of the State Housing Act which permitted the power of resumption to continue. As appears in "Hansard," I debated that question here and I was perturbed that the big landlord, the State Housing Commission, might be tempted to become a greater landlord. The Chief Secretary said, "No, that is not the Government's intention. It has land sufficient to last it

for years. All it wants is the power to continue this provision so that it can clean up certain areas, but it has no intention of resuming any further large tracts of land."

The Chief Secretary: That was quite true at the time.

Hon. A. F. GRIFFITH: Over-night the Government changed its policy and its mind; and when I ask it to return certain land because some land has already been returned, it says, through the Chief Secretary, "That will be of no avail and there is no purpose in doing it. Your motion is a pious one." I ask members to demonstrate whether they have any feeling for the working man and those who have lost their land and want it back. They will never have any greater opportunity to express that feeling than that which is now before them.

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

Ayes	14
Noes	9
Majority for	5

**Ayes.**

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. Sir Chas. Latham	Hon. A. F. Griffith

(Teller.)

**Noes.**

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. R. Hall
Hon. E. M. Heenan	

(Teller.)

**Pairs.**

Hon. Sir Frank Gibson	Hon. F. R. H. Lavery
Hon. H. K. Watson	Hon. C. W. D. Barker
Hon. J. Cunningham	Hon. W. F. Willesee

**Noes.**

Question thus passed.

House adjourned at 10.7 p.m.

# Legislative Assembly

Tuesday, 11th October, 1955.

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

## QUESTIONS.

### D. W. McLEOD, MINING VENTURE.

(a) *Liabilities and Security, Tabling of Files, etc.*

Mr. HEARMAN asked the Minister for Mines:

(1) Have any of the liabilities to the Government incurred by the company of which D. W. McLeod was the managing director, and which operated in the Pilbara district, been met. If so, to what extent?

(2) What security was taken by the Government against obligations incurred to the Government by this company?