

other things to which I might refer, but since the practice, initiated I believe by the present Government, of having each division dealt with at some length by the Minister in charge, has been adopted—

Hon. Sir James Mitchell: That has always been the practice.

Mr. DAVY: It appears to me that many of the matters could be dealt with better when the divisions to which they relate are under discussion.

Progress reported.

House adjourned at 9.34 p.m.

Legislative Council,

Thursday, 20th October, 1927.

Motions: Traffic Act, to disallow regulations	...	PAGE	1287
Coastal lighting and buoying	...	...	1293

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

MOTION—TRAFFIC ACT.

To disallow Regulations.

Debate resumed from the 13th October on the following motion by M. W. H. Kitson:

That Regulations Nos. 4, 5, 6, 21, and 23, and Routes 7a, 54, and 55, made under the Traffic Act, 1919-26, and laid on the Table of this House on the 11th October, be and are hereby disallowed.

THE CHIEF SECRETARY (Hon. J. M.

Drew—Central) [4.33]: When, some weeks ago, the disallowance of another set of traffic regulations was under consideration. I pointed out the diverse interests affected, and expressed the opinion that no matter how wisely these regulations might be framed in order to safeguard and protect the public, there would assuredly be a section whom they could not please, and that it would be beyond human power to pre-

pare regulations governing our public thoroughfares in such a manner as would give satisfaction to all and sundry. We have further proof of that in the action taken by Mr. Kitson for the disallowance of other regulations, which have not met with the gracious approval of the same parties who previously found champions to plead their cause successfully in this House. It may be here remarked that Mr. Kitson's attitude is unique inasmuch as the majority of the regulations he seeks to have disallowed are either those that are practically word for word with the Act itself, or cannot be disallowed owing to the effluxion of time. Take regulations 4, 5, 6, for instance. The Solicitor General informs me that the Council can disallow these regulations, simply because they are new regulations, but he points out that under Section 42 of the Traffic Act Parliament expressly authorised and intended regulations to be made in the precise terms of Regulations 4, 5 and 6 and therefore the objections of Mr. Kitson are as unreasonable as they are contrary to the intention of the Legislature. Let me read Section 42 of the Act and then read Regulations 4, 5 and 6. Section 42 reads as follows:—

(1) The Governor, by regulations made under this Act, may prescribe the routes within the metropolitan area, or in any other defined parts of the State, to be observed by omnibuses and prohibit the use of omnibuses elsewhere than along a prescribed route.

Regulation 4 reads—

The use within the metropolitan area of any vehicle as an omnibus elsewhere than along a prescribed route is hereby prohibited.

Regulation 5 reads—

The use, on and after the first day of October, 1927, within the metropolitan area of any vehicle as an omnibus is hereby prohibited—(a) unless a prescribed route is specified in or indorsed on the license for such vehicle by the Commissioner of Police as the local authority in the metropolitan area; and (b) on any route other than the route specified in or indorsed on the license.

Regulation 6 reads—

The holder of a passenger vehicle license for an omnibus in force at the commencement of these regulations, and having effect in the metropolitan area, shall surrender such license, and shall be granted in lieu thereof a passenger vehicle license for such omnibus to be issued in accordance with these regulations, subject to the payment of the prescribed fees for the current year, if and so far as such fees have not been already paid for the surrendered license.

It will be seen that those Regulations 4, 5 and 6 are in strict conformity with the Act. As regards Regulation 23, the Solicitor General informs me that this sets out the provision of Subsection 7 of Section 42 of the Act, which has the force of law and has effect whether expressed as a regulation or not. Regulation 23 reads—

Any owner of or person in charge of a vehicle who uses the vehicle or suffers or permits the vehicle to be used within the metropolitan area as an omnibus without a prescribed route being specified in or indorsed on the license, or on any route other than that specified in or indorsed on the license or in a consent granted pursuant to Regulation 7, or on any road within the metropolitan area which is not a prescribed route, is liable on conviction to a penalty not exceeding £20 or to imprisonment with or without hard labour for not exceeding one month.

Subsection 7 of Section 42, on which the regulation is founded, reads—

When routes within the metropolitan area or other defined part of the State have been prescribed under this section as the routes to be observed by omnibuses, and the use of vehicles as omnibuses has been prohibited unless a prescribed route is specified in or indorsed on the license for the vehicle, any owner of, or person in charge of, a vehicle who uses the vehicle or suffers or permits the vehicle to be used within the metropolitan area or other defined part of the State as an omnibus without a prescribed route being specified in or indorsed on the license, or on any route other than that specified in or indorsed on the license, or in a consent granted by the local authority under a regulation prescribed pursuant to Subsection 3 of this section, or on any road within the metropolitan area or such defined part of the State as aforesaid, which is not a prescribed route, shall be guilty of an offence against this Act, and shall be liable on conviction to a penalty not exceeding £20 or to imprisonment with or without hard labour for a period not exceeding one month.

Regulation 23, therefore, gives no greater power than is given by Subsection 7 of Section 42, and even if it were disallowed the Act itself could be operated so as to punish with a penalty not exceeding £20 or imprisonment with or without hard labour for a term not exceeding one month for a breach of the law. As regards route 7A, the Solicitor General says in his statement to me that this is an existing route. Regulation 3 adopted the routes existing at the date of the gazettal, 29th September, 1927, as set out in the schedule. It does not prescribe any new route. Moreover, route 7A was gazetted on 14th January, 1927. The regulation was duly tabled, and not ob-

jected to within the specified time, and it has now the force of law and cannot by any resolution of either House cease to have effect. Routes 54 and 55 are new routes prescribed for the first time on the 29th of last month, and as to these routes it is within the power of the Council to disallow the regulation printed on page 2253 of the "Gazette." I shall have something to say on these at a later stage. Touching route 7A, which I contend the House has no power to disallow as the time within which such could be done has passed, Mr. Kitson objected only to the Fremantle terminal point, namely, Queen-street. The Solicitor General holds that this route is now law and cannot be disallowed, whether the resolution is carried in the House or not. Although Mr. Kitson is too late in the field to achieve his object, I think it advisable to make some explanation. The Routes Advisory Committee met in May, Councillors Daly and Sumpton representing the Fremantle Council, Messrs. Rae and Ridgeway representing the Fremantle Tramways, Messrs. Wauhop and Oliver representing the taxi owners, Messrs. Weir and Irvine, the metropolitan omnibus owners, and in addition to the Routes Advisory Committee, Inspector Hunter was present. The consensus of opinion at that meeting was that Queen-street was much to be preferred to William-street as a terminus. There is no denying that the alteration of the terminus at Fremantle from William-street to Queen-street is a decided improvement. That it is supported by overwhelming public opinion in Fremantle is proved by the fact that a deputation from the Fremantle Municipal Council was to have met the Minister for Works on Monday last to discuss the matter with him, but only the Mayor attended, and he expressed himself as being thoroughly in favour of the Queen-street terminus. When the alteration from William-street to Queen-street was first made the taxi men, with the spirit of lawlessness that they have been encouraged to manifest—I say that advisedly—deliberately set themselves out to obstruct the traffic and annoy the public.

Hon. W. H. Kitson: Question!

The CHIEF SECRETARY: But the police in charge of the traffic, I am pleased to say, soon straightened out things, and gave them to understand that their tactics would not be tolerated.

Hon. E. H. Gray: They are not very much straightened out.

The CHIEF SECRETARY: There has been no trouble since the first day when the alteration was effected. These taxi men had the hardihood to put their cars head on into the kerb on either side of Queen-street, and keep one or two cruising up and down the street so as to block traffic and irritate the public.

Hon. E. H. Gray: Question again!

The CHIEF SECRETARY: So emboldened had they become that they stood in groups on the footpath, and pedestrians in order to use the thoroughfare had to go around them off the footpath.

Hon. J. Cornell: Making super Bolsheviks of them.

The CHIEF SECRETARY: The police are of opinion that all this was a preconcerted plan designed to harass the public, so that pressure might be brought upon the traffic authorities to revert to the old starting point at William-street.

Hon. J. Cornell: It is like job control.

The CHIEF SECRETARY: The old terminus at William-street was a dangerous one. It necessitated the whole of the taxis crossing four lines of tramway. The Beaconsfield, Marmion-street, East Fremantle and North Fremantle trams all converge at this point, and William-street, Adelaide-street, and the busy thoroughfare of High-street also converge there. If my information is correct it is undoubtedly the most congested corner in the whole of Fremantle, and particularly when functions are taking place at the Town Hall the crowded nature of this thoroughfare, supplemented by over 100 taxis passing backwards and forwards over it, makes it a positive menace to life and limb. And be it noted Inspector Hunter submitted a lengthy report and very strongly urged that in the interests of the safety of pedestrians and vehicular traffic the terminus for taxi buses should be Queen-street, which is only 1½ minutes walk from the Town Hall. There has been marked improvement, I am told, since the change over was made to Queen-street and the public are well satisfied. There is only a protest from a small section of the community, and, to a large extent, a self-interested section of the community. At the Queen-street terminus the taxis come into Fremantle from Perth, drop their passengers, and cross into Queen-street with an empty vehicle over two lines of trams, and there is a compulsory stopping

point for the trams on either side of Queen-street. So that it is the safest street to cross tramlines in the whole of Fremantle. When they have passed down Queen-street they turn their bus, pick up their passengers, and go into Adelaide-street. In no circumstances are they required to cross the tram line whilst they have passengers aboard. Every unbiassed person admits the new starting point is in every respect a long way ahead of the old, and the police are insistent that they cannot, in any circumstances, agree that the terminus should be altered. I understand that Mr. Wauhop, the secretary of the taxi owners, has substantial interest in a garage and petrol supply base in William-street and naturally he prefers William-street. However, that terminal point is fixed, and cannot be affected by Mr. Kitson's action, no matter what the result of it may be. It is the law to-day. With regard to the North Cottesloe route, the people at Cottesloe and North Cottesloe have been given all they asked for. The route is mainly to serve the Cottesloe and North Cottesloe people, and their request has been granted in full. The mayor of Cottesloe, who is noted for his courageous public spirit, has approved of the route. He says it is eminently suitable as it provides the shortest way into Perth for the Cottesloe people. Mr. Kitson raises two objections to this route. The first is in reference to the starting point. The only change made in the starting point is that previously the taxis started on the opposite side of the railway line and went over a level crossing. Now, they merely start from the other side of the railway, and do not have to go over the rails at the level crossing. It was no advantage to the taximen to negotiate this dangerous crossing, and the continuance of such a perilous practice could scarcely be sanctioned by any one carrying the responsibility of controlling traffic and safeguarding the lives of the public.

Hon. A. J. H. Saw: What level crossing is that?

The CHIEF SECRETARY: I understand it is somewhere near Claremont.

Hon. G. W. Miles: I think it is below Cottesloe Beach.

The CHIEF SECRETARY: I do not know the spot. It is the level crossing they have been utilising in the past. Mr. Kitson's other objection is to the terminus in

Perth which has been fixed in Wellington-street. It is rather unfortunate for Mr. Kitson's case that this terminus was so fixed by an agreement with the Cottesloe Council the Perth City Council and the Police. The Mayor and one councillor representing Cottesloe, Councillor Howling and Inspector Hicks, representing the Perth Council, met and agreed that the terminus at Wellington-street was satisfactory. It is admitted that this corner is not all that it might be, but the police have placed a special patrol officer at the point to see that the environment is improved, and I understand the City Council is arranging for extra lighting. To show that there cannot be very much genuine objection to either the starting or terminal points, let me emphasise that the taxi men have submitted an offer to the Routes Committee to withdraw their opposition to the regulations, and to agree to both the starting point and the terminal point, under certain conditions. They will agree if they are allowed to cross over from the subway near the Claremont show grounds through which they now come, and run through to the Perth-Fremantle road. Not only that, but they want to go along this road for about half a mile, and then back again along Loch Street up to the railway line, and thence into Perth by the route now laid down. This would mean approximately another ten minutes added to the journey, and they would be traversing a route which is now served by over 100 taxis and over 20 charabancs. I understand Mr. Kitson supports this preposterous claim. Mr. Kitson complains bitterly that there are too many taxis on the Fremantle road to allow of their getting a decent living and that the road is too congested. According to his motion and his speech, he now wants the North Cottesloe and Cottesloe taxis to go off the route laid down in the regulations and run along the Fremantle route, and compete with the Fremantle taxis and further congest that road. He objects to the taxis being confined to any particular route which means, in other words, he wants the proprietors trading as buses to be permitted to compete with the taxis on the rank, and yet the taxis on the rank must not be permitted to compete with the taxis running as buses on specified routes. He says the Fremantle road is so congested that it is positively dangerous. Yet he demands that the North Cottesloe taxis be permitted to have their terminus at the corner of St. George's-terrace and Wil-

liam-street where, at the present time, there are not only 100 or more taxis trading to Fremantle and a score or more of buses trading to the same place, but all the buses trading to Claremont, Dalkeith, West Subiaco, Wembley, Leederville, Scarborough, and North Beach are congregated there. I may here remark for the information of members, that the business people at this intersection of St. George's-terrace and William-street are threatening the department with legal action for permitting such traffic congestion as is now occurring at this particular point. Under no circumstances will the police agree to add to this congestion. The Routes Advisory Committee consists of a representative of the local government branch of the Public Works Department, a representative of the police, the tramway, the railways, and local governing bodies in the metropolitan area, and the motor bus proprietors. They meet whenever there is business to do, and obviate the necessity for the Minister dealing with a lot of detail matter, and conducting investigations that he would otherwise have to carry out himself.

Hon. E. H. Gray: The taxi men are not represented on the board.

The CHIEF SECRETARY: The conduct of the taxi men towards constituted authority, and their defiance of the statute can only be explained by the encouragement they have received to flout the law. Is it generally known that for over a year these taxi-drivers have plied their calling without paying the taxes imposed by the Traffic Act? They have had a most unfair advantage over the bus owners, and at the same time the local government authorities in the metropolitan area—not the public treasury—have been deprived of thousands of pounds in taxation, which would have gone to them had the taxi owners obeyed the law.

Hon. E. H. Gray: That is the fault of the department.

The CHIEF SECRETARY: In reference to the Dalkeith service which Mr. Kitson criticised, I am surprised at his action in this matter. Before notice of this motion was given, the Minister for Works had agreed, as a result of representations made to him, that the Dalkeith route should be altered, and the alteration is about to be gazetted. It passed through Executive Council yesterday, and will be gazetted on Friday. The petition which Mr. Kitson said he had in his possession was signed to be presented to the Minister for Works, but the word of the Minister was accepted and

the petition was withdrawn. Mr. Kitson is well aware that there was no previous route through Dalkeith. There was a bus running without a license along a course not too well known, but an agreement has now been reached and everything is in smooth working order. There seems to be a misunderstanding in some quarters as to the functions of the Advisory Committee. I wish to make it clear that the Minister for Works established the Advisory Committee merely as one means of informing himself on points relating to traffic. It is an honorary board and he remits certain matters to them for investigation, but they have absolutely no power except the power to suggest, and are merely in existence to make investigations on any question he refers to them, and to advise him in reference thereto. He adopts or dismisses their opinions as his judgment dictates. Under the law the Minister is held responsible to Parliament for its administration and he fully recognises that fact.

Hon. Sir Edward Wittenoom: Their services ought to be appreciated.

The CHIEF SECRETARY: Their services are very much appreciated. The Traffic Act provides that any vehicle trading as an omnibus must pay a seating tax of 30s. per passenger the vehicle is licensed to carry. The buses have been paying this for over three years, and the taxi men have not. The buses have been confined to a route while the taxi men have gone wherever they pleased. They have been an absolute law unto themselves, they have defied the police and they have boasted that they can pull the strings and secure the disallowance of regulations. They openly brag that they will continue to do as they like, and that the Traffic Act will never be made to cover them. Only a mentally blind person would fail to see that they are out to trample under foot and treat with scorn and derision an Act of Parliament, the provisions of which were deliberately agreed to by both Houses of the Legislature. It is safe to say that Mr. Kitson would readily consent to withdraw his motion and the taxi men on the Fremantle route who have permitted him to move the motion would agree to the withdrawal, provided a monopoly of the services were given to a few proprietors.

Hon. W. H. Kitson: That is not correct.

The CHIEF SECRETARY: They told the Minister for Works so at a deputation, the notes of which I intend to place on the Table of the House for the information of

hon. members. The whole burden of their complaint is that the Minister will not agree at this juncture to set a specified number of taxis to trade on this route. Would the Legislative Council support the action of a Minister who would prevent a person who owns a motor car from securing a license to trade on the Fremantle route more than they would support such restrictive action if it were applied to any individual who was about to open a grocer's or a butcher's shop? And if the Minister gave a monopoly to a few and cast the others into outer darkness—as Mr. Kitson and Mr. Wauhop desire—what a pandemonium would be raised in the metropolitan community. If all those who have gone on the run since 1st September, 1926, were ordered off—deprived of their means of subsistence so that a small section might thrive and prosper—would there be any guarantee of that peace and tranquility which Mr. Kitson evidently imagines would follow in the wake of a drastic limitation. Some other hon. members of this or another House would rise in their might and denounce the Government for wanton disregard of vested interests and for bringing ruin to many proprietors of taxi cars who have been pursuing their calling without hindrance on the Perth-Fremantle road during the last 12 months.

Hon. J. Cornell: I think the Government could well apply that doctrine to another place.

The CHIEF SECRETARY: The Minister is convinced that the men on this route are not all making a decent living—some of them may be making only a bare subsistence—but those who think they would benefit by a limitation, want done under the Traffic Act something it was never intended should be done.

Hon. W. H. Kitson: Why was it done in the case of the buses?

The CHIEF SECRETARY: It was never proposed that industrial conditions should be regulated by the Traffic Act. And it is certain that if limitation were applied the outcry of those who were debarred from engaging in the business—not only debarred but driven out of it—would be more pronounced and more entitled to public sympathy than the whine which is now coming from those who are looking forward by political pressure to securing a monopoly if limitation be applied.

Hon. J. Cornell: It would be doing the taxis a good turn if you put them all off to-morrow.

The CHIEF SECRETARY: I have already explained that the regulations are practically verbatim with the Act itself. There is nothing in the regulations which the Act, as passed by the Legislative Council, does not say "should be done." The whole of the regulations merely give effect to what the Legislative Council said should be done when it passed the Traffic Act. What Parliament said should be done under the Traffic Act can only be done by these regulations, and if the regulations are disallowed it is tantamount to repealing the Traffic Act.

Hon. W. H. Kitson: Not at all.

The CHIEF SECRETARY: The Legislative Council will indeed be stultifying itself if it now says that it will disallow a regulation to do what it said must be done when it passed the Traffic Act. If Mr. Kitson's motion be carried we might just as well say that the Traffic Act is a dead letter; that there shall be no routes and that there shall be open play for everybody without control of any description. The fees cannot be collected, the least remnant of control of traffic will disappear, and the position will become chaotic in the extreme. Mr. Kitson has made out no case whatever in support of his motion. He has not produced one substantial argument that would justify the Council in disallowing either one of the regulations or the routes which have been fixed after a very exhaustive investigation by experts who thoroughly understand the business.

Hon. E. H. Gray: They made a poor job of it.

The CHIEF SECRETARY: Mr. Kitson is evidently relying on the fact that the Council having disallowed one set of routes are likely to continue disallowing routes for all time without feeling that he is called upon to give the House any good reason for adopting this attitude. I have already dealt exhaustively with Mr. Kitson's speech. Now let me make a brief review of his case. In the first place he asks for the disallowance of Regulations 4, 5, 6, 21 and 23, and he gives his reason. It is a remarkable reason, in fact unique. He says "two or three of these regulations are objected to on the ground that if they are not objected to and the routes are disallowed, the men who are running this service will lay themselves open to charges of various kinds." Was ever such a request made to a branch of the Legislature which helps to make our laws and whose duty it is to uphold our laws? Mr. Kitson

admits that breaches of the law are taking place, and he solemnly asks this House to annul regulations for one reason and one reason only, namely to prevent the Government from prosecuting the law-breakers. I can scarcely conceive that this House will lend a sympathetic ear to such a proposal. Even if they did—which is inconceivable—sub-section 7 of Section 42 of the Act gives all the necessary power, and the Government will exercise it in the effort to uphold and maintain the law. Mr. Kitson's efforts to disallow Regulation 21 are put forth with the object of forcing on the traffic authorities his limitation scheme. But, even if that regulation be annulled, there is no power to compel the authorities to do what Mr. Kitson desires, and it will not be done. In striving to disallow route 7A, Mr. Kitson is striving to do something which it is impossible for him or anyone else to do as the time for legislative action has long since passed. Route 54—the Cottesloe route—may legally be disallowed—but if it be disallowed it will be disallowed without regard to the views of the local authority of Cottesloe and the Perth Council who have agreed to this route. Mr. Kitson is evidently under the impression that if route 54—the Cottesloe route—is disallowed—the taxis will have an open field and may go where they like in so far as that locality is concerned. The fact is that they will have no right to go there at all—there will be no route left for Cottesloe—and if they do go they will be liable to prosecution. Meanwhile the unfortunate residents will have to employ the ordinary motor car, with its high fares, for transport facilities. Route 55 was amended at the last meeting of the Executive Council to meet the wishes of the people concerned, and the new route will be declared in this week's "Government Gazette." Mr. Kitson's next contention is that taxi cars should be permitted to run at any time they like on a route and go off that route and take up positions on a rank competing against ordinary taxi owners. To pursue this contention to its logical conclusion, men who now make a living from the taxi stands should be able to take out licenses to run on omnibus routes and enter into competition with those who are now endeavouring to make a living with their omnibuses.

Hon. E. H. Gray: Mr. Kitson did not say that.

The CHIEF SECRETARY: Well, he will have an opportunity to reply. The Act provides that if a vehicle is licensed as a

bus it shall be confined to a route, and that is the end of the argument so far as concerns the right of buses to go off a route and on to a stand. Let us hear what the Secretary of the Metropolitan Taxi Owners' Association has to say on the subject. A letter appeared in the "West Australian" of the 18th October as follows:—

I desire to express the views of the Metropolitan Taxi-Owners Association in regard to the regulations framed by the Traffic Department to control the traffic between Perth and Fremantle. Regulations 4, 5, and 6 are correlated and are in conformity with the amended Traffic Act passed during the last session of Parliament. They are essential to keep the taxi-drivers on the Perth-Fremantle taxi service to that route only and should certainly be allowed to stand. Regulation 23 should also stand, as it is practically an extension of Regulation 7, as it is absolutely unfair to allow the Perth-Fremantle drivers to take taxi work all over the metropolitan area in competition with the drivers on the stationary rank, and when the job is finished return to their terminal points and again take up the running to Fremantle or Perth, which they have been doing ever since they started the Perth-Fremantle service. As the Perth-Fremantle taxi-drivers have practically a monopoly of the taxi work between these centres my association considers they should be restricted to that route and not permitted to ply for hire everywhere, as at present.—James Keegan, Secretary of the Metropolitan Taxi-Owners Association. Perth, October 17.

The sum total of Mr. Kitson's appeal is to annul regulations to prevent the punishment of law-breakers; to hinder the Traffic Act from functioning; to repeal a regulation which is already law; to force the Government to grant a monopoly to certain taxi-owners; and to alter a route that has been approved by the local authority most concerned. On the basis of such a case he asks the Legislative Council to co-operate with him in the endeavour to prevent the Government from enforcing the law of the land. I have always taken the view that the framers of our Constitution intended that the deliberations of this House should be on the broad principles of matters of State-wide concern. If they had intended otherwise, I feel sure they would have fortified this Chamber with the essential complement of Ministers to deal with the motions frequently tabled here for the disallowance of regulations that concern only a small section of the people. It seems strange also that in connection with traffic regulations action is taken in this House instead of in another place, where the Minister responsible for their gazettal would appreciate the courtesy of personal participation in the

discussion. The fact is that the taxi-bus owners proclaim from the house-tops that they can always with confidence approach the Legislative Council and secure the rejection of any regulations that do not give a free rein to their wishes.

Hon. J. Cornell: They appeal to the heart of democracy.

The CHIEF SECRETARY: It may be that they foolishly rely upon party prejudice against the Government, or perhaps they recognise that it is not possible for Ministers here to defend the position as ably as the Minister responsible to Parliament for the administration of the Traffic Act.

Hon. G. W. Miles: You are doing it well.

The CHIEF SECRETARY: Still, they feel it is much safer to come to this House, and Mr. Kitson, as one of their advisers, takes a similar view.

Hon. J. Cornell: It shows his good judgment.

The CHIEF SECRETARY: I hope, however, that on this occasion they will have reckoned without their host. I trust that nothing will be done by this House to encourage the spirit of lawlessness that prevails among the people whose cause, or fancied cause, Mr. Kitson has taken up, and that the traffic authorities, whose responsibility it is not only to serve public convenience, but to protect the public from danger may be permitted, unhampered, to carry out their duties in the manner that their experience shows is best in the interests of all parties concerned.

On motion by Hon. E. H. Gray, debate adjourned.

MOTION—COASTAL LIGHTING AND BUOYING.

Debate resumed from the 12th October on the following motion by Hon. G. W. Miles:—

That the buoying and lighting of the coast from Owen's Anchorage to Wyndham is unsatisfactory, a source of danger to navigation, and requires immediate attention.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central) [5.21]: I welcome the motion and appreciate the criticism of the functions of the Harbour and Lights Department, which plays such an important part in the activities on the North-West coast. I recognise, too, the disabilities

under which the people of the North are labouring as a result of their remoteness from the seat of government. That is one of the reasons why I have taken a keen personal interest in the departments affecting the North-West that come under my control. I can safely claim that never in the history of the State has so much consideration been given to the North as it has received in the last two or three years. I do not say that from any feeling of egotism or with any desire to boast. I understand the North and have taken advantage of every available opportunity to get into touch with the people who live there. I am in the happy position of being able to tell Mr. Miles that all the matters upon which he has touched have either been remedied or are in course of being remedied so that his criticism really has little or no foundation. This may appear to be a sweeping statement, but a few remarks from me will satisfy him that my statement is correct. A couple of years ago I accompanied the then Chief Harbour Master, Captain Winzar, as far as Broome. Through the courtesy of Captain Buckridge, then in charge of the "Bambra," I was on the bridge at every port and was able to make personal observations and discuss matters on the spot with Captain Winzar and the master of the vessel. The principal matters dealt with on that occasion were port lights, tramways and jetties. At Cossack we had to finalise arrangements for the handling of cargo owing to the destruction of the Sampson jetty and the Roebourne goods sheds. The people of Broome pressed for a new light at Entrance Point and also a light on Buccaneer Rocks. I think Mr. Miles was present and pointed out some of those requirements to me. On my return to Perth, arrangements were immediately made for the lights to be erected. In June of last year I again left Fremantle, accompanied by Mr. Ward, clerk in charge of the Harbour and Lights Department. Thanks to Captain Turner, then in charge of the "Bambra," I was able to be on the steamer's bridge at all ports from Fremantle to Darwin. Whether the boat entered the ports by day or by night, I was on the bridge and had pointed out to me various disabilities under which mariners laboured. On that trip we arrived off Cape Inscription, Shark Bay, too late to make Denham the same day and had to anchor until morning. As we proceeded through the channel

just after daybreak Captain Turner pointed out the necessity for lights on the buoys to make Denham a night port. Our experience in having to anchor overnight demonstrated that from an economic standpoint, if for no other reason, light buoys should be provided. On my return to Fremantle I arranged for the work to be put in hand immediately. Some delay ensued, but that was owing to the fact that the lights had to be imported from Sweden. On their arrival we had the buoys constructed by the State Implement Works and put in position. Later on the Minister for Works visited the North and returned on the "Koolinda." Captain Norris pointed out the necessity for three light buoys instead of two for Shark Bay. The matter was referred to me, the three light buoys were completed, and everything was done to meet the desires of the mariners and others concerned. Mr. Miles's chief complaint was that the inner light buoy at Shark Bay was reported by Captain Rose of the "Centaur" to be one mile out of the position given in the notice to mariners of the 15th August, 1927. To that, the hon. member said, Captain Rose attributed the stranding of both the "Gascoyne" and the "Koolinda." Captain Rose was in Shark Bay while the "Koolinda" was aground and while the buoy was allegedly out of position. That is well known. The Harbour and Light Department therefore obtained a report from the master of the Commonwealth steamer "Kyogle," with whose assistance the buoys had been laid. The sextant and station pointer angles given showed that the buoy was in the position advertised in the notice to mariners. That effectively disposes of the statement of Captain Rose. However, in view of the decided statements by Captain Rose that the buoy was out of position, I sent the Chief Harbour Master, Captain Harris, to Shark Bay, and he checked the position of the buoy with sextant angles and compass bearings and found that it was in the position advertised. Not only have we the information from the master of the "Kybra," who laid the buoys, but we have it from Captain Harris, who is now at Shark Bay, and who states that the buoys are in the exact position advertised.

Hon. G. W. Miles: Then the channel wants re-surveying, because it has 7ft. of water where the chart shows 21ft.

The HONORARY MINISTER: The hon. member, like a good boxer, when pinned in

one corner escapes to another. One of his contentions having been found wrong, Mr. Miles advances another. The work of checking this position was carried out by the use of the "Kybra," which vessel was on her way to Maud's Landing. It will therefore be seen how necessary it is for masters to take accurate bearings before condemning the department and putting the Government to expense. In addition, the "Koolinda" went into and came out of Shark Bay in daylight, going on the ground at 4.10 in the afternoon. Therefore no blame attaches to the department in that respect. The grounding will form the subject of investigation by a court of marine inquiry in the near future—I believe, on Monday next—and therefore it would be bad taste and improper on my part to argue the question further. The "Koolinda" grounded in daylight, and all things with regard to the buoys were as advertised, and so no blame whatever attaches to the department. Everything possible, in fact, had been done in regard to buoying and lighting the channel.

Hon. G. W. Miles: But the channel wants re-surveying.

The HONORARY MINISTER: The new class of light buoys placed at Shark Bay are similar to those used in the inner harbour at Fremantle, and as these have proved so successful there, it was considered that they would be suitable for Shark Bay. The chief Harbour Master was at Shark Bay on the "Kybra" while the "Koolinda" was aground, and both he and Captain Turner were able to pick up the outside buoy over four miles away, although it was not then ballasted. They could also see the red light buoy from the first white light buoy. Mr. Miles, who knows the locality, will appreciate what that means. Buoys were placed in Denham Channel only in order to obviate the heavy delays caused to vessels using the port; and if the buoys were not required by shipping at that port, they could be removed to other ports which have urgent need of them. Mr. Miles has mentioned the survey. It is realised that a survey of Denham Channel should be made, but the fact that many vessels have used this channel for years proves that there is sufficient water in its deeper portion for ships to be safely navigated. There are other places besides Shark Bay in urgent need of survey, and the department have been in touch with the Commonwealth with a view to obtaining a suitable vessel. The reply received from the Federal Government was to the effect that there was

more need for prompt surveys on the Queensland coast. Naturally, I am not in a position to say whether that contention is correct or otherwise. However, the result is the same—want of success up to date. From information at my disposal and from personal observation I fully realise that additional surveys are essential not only at Shark Bay, but at other ports on the North-West coast; and the matter will again be brought under the notice of the Commonwealth, in the hope that the needful surveys, for which we have been agitating so long, will at last be made. Without sounding a note of egotism I may say that probably more is being done in connection with the lighting of the North-West coast by the present Government than has ever been done before, because I have endeavoured to keep in constant touch with northern requirements. Mr. Miles also referred to the springs at Geraldton jetty. I am mindful of the heavy swell at Geraldton, of which port I have had many years' experience; but the need for springs was never brought home to me more forcibly than a few months ago, when I was on board the "Koolinda" and the vessel tried to tie up at Geraldton jetty. On that occasion every spring on the jetty, together with a hawser, was used, but the "Koolinda" could not tie up till next morning. Then I was able to get off the vessel and return to Perth by train that night. Most of the springs were broken; they were old, and privately owned. Deputations from the various shipping firms operating at Geraldton waited upon me to urge that the Government should place springs on the jetty. In Perth the same request was advanced by a deputation from the Westralian Farmers Ltd. and Dalgety & Co. The suggestion was that the springs to be provided by the Government should be hired out to the various firms. An alternative suggestion was that the firms should obtain springs of their own. I thought it was a good thing to put in springs. Mr. Miles's suggestion is already an accomplished fact, and for the first time in the history of the port of Geraldton there are ten springs in commission at its jetty. Government springs have never been on the Geraldton jetty previously. Originally four springs were suggested, later six, and still later eight; and today ten of the best springs produced in Australia are installed on the Geraldton jetty.

Hon. Sir Edward Wittenoom: What do springs cost?

The HONORARY MINISTER: Various amounts.

Hon. G. W. Miles: Those springs have been put there only during the last fortnight.

The HONORARY MINISTER: The first were installed six weeks ago, and the last were despatched by the "Kybra." They were ordered at least three months ago.

Hon. G. W. Miles: Has anything been done at Carnarvon?

The HONORARY MINISTER: What has been done at Geraldton is highly necessary; and, without making rash promises, I hope at a later stage to do as much for Carnarvon and other ports similarly situated. Other matters were referred to by Mr. Miles in connection with Geraldton. The width of the entrance channel is a matter entirely for the consideration of the Engineer-in-Chief and the Public Works Department, but the printed plans of the new harbour show provision for the future dredging of the channel to 400 feet. That subject is not one that can be gone into exhaustively at this juncture. As to Cossack, during the year the Chief Harbour Master, the Engineer for the North-West and the Engineer for Harbours and Rivers proceeded to that port for the purpose of inspecting likely sites, from navigation points of view, for a harbour, and the matter is receiving due consideration. The Government quite appreciate the difficulties under which the people of Cossack labour, and as the result of investigations made by me two years ago it will be possible to make provision for meeting the difficulties, at all events for the time being. Eventually the position will be wholly relieved. Port Hedland was also mentioned by Mr. Miles. A matter that arose on my last trip North was the lighting of the buoys and the concrete beacon at Port Hedland; and improvements to the system will be effected in the near future, as the necessary apparatus is already at hand. The provision of a light on Lacedpede Island, to which Mr. Miles drew attention, is purely a matter for the Commonwealth Government. From time to time they have been urged to take action for the erection of lights at various points on the coast. The matter will again be brought under their notice. I was surprised to hear Mr. Miles object to the installation of a light at Point Torment, as the want of this light has been felt by ship masters ever since they began to call at the port of Derby. I remember Captain Turner saying, on my last visit to Derby, that Point Torment was the worst place on the coast.

Hon. G. W. Miles: He has not had half as much experience as some other navigators.

The HONORARY MINISTER: I do not know what experience the other navigators have had.

Hon. G. W. Miles: They have been on that coast for years.

The HONORARY MINISTER: Captain Turner, Captain Norris, and Captain Buckridge both advocated a light at that spot.

Hon. G. W. Miles: It would be handy, but it would be more important if a light were erected on Lacedpede Island.

The HONORARY MINISTER: It is agreed that it is essential to have a light provided there, but it is a question for the Commonwealth Government to deal with. Without attempting to be critical in that regard, I am hopeful that a little more consideration will be obtained by means of co-operation. If we are able to improve matters along the coast ourselves we may influence the Commonwealth authorities to extend their cordial co-operation. As to Point Torment, it is generally recognised that the cape is difficult to make out in the dark, so as to enable a master mariner to fix his position.

Hon. G. W. Miles: A bright light is required on the Derby jetty.

The HONORARY MINISTER: That may have escaped the notice of the authorities, and if so, it is perhaps the only matter that can be placed in that category. Certainly an adequate light will be provided on the Derby jetty. Mr. Miles also mentioned the necessity for a light on Adele Island. On returning from my trip north, I dealt with that matter in a minute I sent to the Commonwealth authorities asking them to provide a light there. The hon. member also mentioned the condition of the buoys at Wyndham. I agree with him that they are in a deplorable condition and six new breast-off mooring buoys have already been constructed and would have been at Wyndham now had the State motor ship "Koolinda" not grounded where she did. These buoys, of course, cannot now be laid until next season. The hon. member's complaint in that regard was perfectly justified but the matter was rectified on the receipt of Captain Harris's report. There had been neglect in the past that had resulted in the buoys being in a serious condition.

Hon. G. W. Miles: What about the launch?

The HONORARY MINISTER: As to the motor launch "Kimberley," the vessel was built in 1924 at a cost of £1,400. She was

equipped with the best type of three-cylinder Gardner engine available, and after completion she was subjected to severe trials both on the river and in the open sea before being despatched to Wyndham. It appears that neglect in the past resulted in the condition of the launch being so deplorable. In fact, I was surprised when I saw the launch to think that a person with any sense of responsibility at all would have allowed it to get into such a state. However, we will let the dead past bury its dead and I will content myself with saying that the launch is being repaired. The engine is down here now in order to have a new cylinder installed. Those in control of the Wyndham Meat Works have undertaken the responsibility of looking after the launch, which will be under their control in future. I do not think any further trouble will be experienced regarding the launch. Thus, both the buoys and the launch to which Mr. Miles referred have been attended to.

Hon. G. W. Miles: What about Owen's Anchorage? Will that be dredged before the next cattle season?

The HONORARY MINISTER: That is a matter under the control of the Fremantle Harbour Trust Commissioners and I referred the hon. member's remarks to the Secretary of the Harbour Trust, who has submitted the following report:—

In reply to the matters raised by the Hon. G. Miles relative to the Naval Base channel across Success Bank between Gage Roads and Owen's Anchorage, Fremantle Outer Harbour, the following comments will, I think, answer Mr. Miles' statements:—Re silting of channel.—Mr. Miles is reported to have said that Captain Rose of the m.s. "Centaur" had stated that he thought "this channel is rapidly silting up." The position is that the last soundings on Success Bank have shown less water than formerly across the bank on the track taken for years by cattle steamers going to Owen's Anchorage, the Naval Base abandoned channel was tested, and it was found that the depths of water in it were considerably better than on the old track, and that there was no sign of silting on comparing the soundings taken when the Naval Base authorities were working on it, with the soundings taken this year. The Naval Base authorities abandoned work on it about 1920, and there has been practically no shallowing between that time and 1927. Prior to the channel being reverted to this year by the Fremantle Harbour Trust, it was most carefully sounded and swept with the "shallow finder" set at a depth of 20ft. 6in., and no bottom was found at that depth throughout its whole length and breadth. Captain Rose is said to have complained of his ship sheering in the channel on a draft of 16ft. 6in., whereas several ships have traversed the channel on

greater drafts without any sheer being experienced. For instance, s.s. "Gascoyne" on one occasion drew 18ft., and the "Koolinda" traversed the channel on 18ft. 7in. The deeper water in the channel has greatly facilitated the work of cattle steamers, which often previously were obliged to come into the Inner Harbour and lighten up to a draft enabling them to cross the bank on the old track, whereas they now can go direct from sea to Owen's Anchorage without lightening, thus saving very considerable time and cost. Before the commencement of the cattle season of 1928, the channel will be again carefully sounded in accordance with the practice of the Harbour Trust to check its soundings in all navigable channels annually. Widening of channel.—There is no provision made for any widening to be done, nor is it considered justified. One of the Fremantle pilots, who has navigated steamers through the channel on several occasions in fine and also moderately rough weather, reports that he experienced no trouble, and noted no tendency of any of the vessels to sheer in the channel. Improvements in marking channel.—The Trust has in hand a slight improvement in the marking of the channel by raising the height of the transit leads at the southern end to make them more easily discernible in bad weather. The channel is well marked with buoys and beacons, but some shipmasters have asked for the transit leads at the southern end to be made somewhat more prominent, and this is being done. Landing stock at North Quay.—Some years ago a cattle track and lauding existed at North Quay, but it was soon discontinued and demolished. The Trust does not prevent cattle steamers landing their bullocks into cattle trucks in the Inner Harbour, but the owners of the cattle, and often the shipping companies, seriously object to this as the process is slow and costly. There is not considered to be any undue risk in steamers going to Owen's Anchorage stock jetty, and it is preferred by the owners of cattle and steamers that cattle should be expeditiously landed there rather than slowly into cattle trucks in the Inner Harbour, involving likely damage to the cattle and a costly haul to Owen's Anchorage slaughter yards.

I have dealt as briefly as possible with the various matters referred to by Mr. Miles. Much more could be said regarding the activities of the department along the North-West coast, but I think it better to keep to the points raised by Mr. Miles, and I believe I have given a reasonably effective reply to the points he raised. Everything he mentioned has been dealt with as far as possible. I can assure Mr. Miles that the Government are most anxious to do what is right not only for the North, but for every part of the State. It is their duty to see that those in charge of vessels trading along the coast are protected, because it must be borne in mind that the prosperity of the North depends upon the activities along the coastline just as in other parts of the State

they depend upon railway facilities. Thus it is that every attention should be paid to navigation matters, for the North depends entirely upon our sea-borne trade. Having perhaps more knowledge of the North than any other member of Parliament, apart from those who directly represent northern electorates, and the views and requirements of the people there, I can assure Mr. Miles that I am very sympathetically inclined towards the North. Even apart from my official duties, I entertain those feelings and I have been able to keep in touch with the people concerned. Naturally one is sympathetically disposed towards them when the disabilities they experience in being so far away from the seat of Government are realised. Perhaps that is why members representing that part of the State have to be a little more watchful and active than those whose interests are closer to the metropolis. I know that the people of the North are not, to use a colloquialism, "squealers" in any sense of the word. They appreciate the difficulties confronting the Government generally, but they also appreciate anything that is done for their benefit. That is why I say we are anxious to do what we can for the North, particularly in regard to the lighting of the coast from Wyndham to Fremantle. Although something has been done in the past, much remains to be undertaken yet. If we can secure the co-operation of the Federal authorities, I am sure we shall be able to make the conditions far better than they have been up to the present.

Hon. G. W. Miles The department was starved in past years before you took charge.

The HONORARY MINISTER: I know that and no better illustration of the fact could be advanced than the condition of the buoys at Wyndham. They are a standing disgrace to those responsible, but we can let that go. We have been able to do something since the present Government has been in power, and we may be able to do more in the future.

On motion by Hon. W. H. Kitson, debate adjourned.

House adjourned at 5.58 p.m.

Legislative Assembly,

Thursday, 20th October, 1927.

Bill: Traffic Act Amendment, Report	...	...	PAGE 1298
Annual Estimates: General debate concluded—Votes and items discussed—	...	...
Legislative Council, Legislative Assembly, Joint House Committee, Joint Printing Committee, Joint Library Committee	...	...	1298

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

BILL—TRAFFIC ACT AMENDMENT.

Report of Committee adopted.

ANNUAL ESTIMATES, 1927-28.

In Committee of Supply.

Debate resumed from the previous day on the Treasurer's Financial Statement and on the Annual Estimates; Mr. Lutey in the Chair.

Vote—Legislative Council, £1,667 :

MR. BROWN (Pingelly) [4.34]: It is not my intention to delay the Committee very long. Three or four months ago during the debate on the Address-in-reply, we discussed most of the important questions confronting the State, but developments since then call for some comment. It is gratifying to find that the State is on the up grade and that the Treasurer is budgeting for a surplus of £34,199. If the Financial Agreement is ratified the Treasurer anticipates saving another £350,000, making a total surplus for the year of £384,199. I do not wish to discuss the Financial Agreement at this stage. It will be brought before Parliament later on and doubtless will receive serious consideration. It is admitted that the flourishing condition of the State is due to the prosperity of the agricultural industry. This season we expect a harvest of 35,000,000 bushels, and so far there is every indication that the estimate will be realised. In some districts the returns will not be so high as were expected, but taking the State as a whole I think we shall get the 35,000,000 bushels. If that proves to be so, the