

# Legislative Assembly

Thursday, 6th December, 1951.

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The SPEAKER took the Chair at 3.30 p.m., and read prayers.

## QUESTIONS.

### KALGOORLIE MUNICIPAL COUNCIL.

*As to Adjustment of Boundaries.*

Mr. McCULLOCH asked the Chief Secretary:

(1) When is the Government likely to reach finality in connection with the adjustment of municipal boundaries in the Kalgoorlie area?

(2) Is he aware that, owing to the delay in finalising boundaries, important sewerage works are being held up in the Kalgoorlie municipal area?

The CHIEF SECRETARY replied:

(1) Adjustments between the Kalgoorlie Municipal Council and the Kalgoorlie Road Board have been deferred until the Local Government Bill has been dealt with by Parliament. This action was taken with the full concurrence of the Kalgoorlie Municipal Council: in actual fact, this authority requested the Local Government Department to so act.

(2) It is known that the Kalgoorlie Municipal Council has some plans for sewerage extension, but it is not known to what extent, if any, the delay in finalising boundaries will affect these proposals.

## ROADS.

*As to Allocation of Petrol Tax Funds.*

Mr. McCULLOCH asked the Minister for Works:

(1) Has the State Government made any grant during recent years, from petrol tax funds, to the Kalgoorlie Municipal Council?

(2) If the answer is in the negative, will he give favourable consideration to making an allocation from the petrol tax fund, whereby that municipality would be enabled to surface certain major roads in its locality?

(3) Has any local authority in this State been allocated any grant from the petrol tax fund; if so, what are the respective totals to each local authority for surfacing major roads?

The MINISTER replied:

(1) No.

(2) Requests for assistance have been received recently and these are now under consideration.

(3) (a) Yes; all Main Roads Department allocations for roads—either in road boards or in municipalities are from the petrol tax fund.

(b) To ascertain the respective totals over the years to each local authority for surfacing major roads would involve considerable research and some difficulty in defining major roads. This financial year, £139,000 has been allocated for priming or surfacing important secondary roads as distinct from gazetted main roads.

## HOSPITALS.

*As to Provision for Fremantle.*

Hon. J. B. SLEEMAN asked the Minister for Health:

(1) When does she expect to have more beds available at the Fremantle Government Hospital?

(2) When is it expected that "Woodside" will be open for maternity cases?

The MINISTER replied:

(1) The provision of additional beds on the present hospital site appears to be uneconomical and impracticable. The Health Council has recommended a new hospital instead. Meantime, pressure in the hospital will be eased by the use of "Bundi Kudja," Hudsons, "Woodside," and arrangements now being made for the continuance of "San Hedrin," and the home nursing arrangements incorporated with the Silver Chain.

(2) This will depend upon our success in securing tenders for enlargement to provide 26 beds and staff quarters.

### KINDERGARTENS.

*As to Government Assistance and Control.*

Mr. W. HEGNEY asked the Minister for Education:

(1) On what basis is the Kindergarten Union financially assisted by the Government?

(2) Of the £24,000 provided in the Estimates for the Kindergarten Union for the current year, what amount will be used for the administration of the union?

(3) What is the total number of children at present attending free kindergartens throughout the State?

(4) Does the Government intend to take over the conduct and control of free kindergartens, including the engagement and payment of teachers?

The MINISTER replied:

(1) An annual overall grant.

(2) Since the Government makes no stipulation as to the particular items on which the grant is to be expended, it is not known what proportion of the current year's payment will be used for the administration of the union.

(3) Approximately 1,350.

(4) No.

### EDUCATION.

*As to School Site, Osborne Park.*

Mr. W. HEGNEY asked the Minister for Education:

(1) Has any land yet been acquired by the Government for a school site near the junction of Dodd and Harbourne-sts., Osborne Park?

(2) If so, what is the approximate area and location.

The MINISTER replied:

(1) and (2) Approximately 10 acres have been acquired at the north-east corner of Dodd and Harbourne-sts.

### MEAT.

*As to Government Purchases and Storage.*

Mr. CORNELL asked the Minister representing the Minister for Agriculture:

(1) In reply to a question asked by me on the 28th November, as to the quantity of meat carried over from last year to this, he stated, 14 tons. Is this figure correct?

(2) Would he supply further details regarding the storage charges at Robbs Jetty said to have offset the loss incurred in the purchase and sale of meat last year?

(3) Was cool storage rented by the Government and then sublet to others?

The MINISTER FOR LANDS replied:

(1) Yes.

(2) Robbs Jetty is a Government trading concern and a charge is made on the Treasury for storing this meat.

(3) No.

### STATE HEALTH COUNCIL.

*As to Inspections and Recommendations.*

Mr. PERKINS asked the Minister for Health:

(1) Who are the members of the State Health Council?

(2) Did they all inspect all country hospitals before making the recommendations published in "The West Australian" on the 5th December, 1951, and if not, which members did?

(3) Does she agree with these recommendations?

(4) If so, does this mean that hospitals, other than those recommended for immediate extension, can expect no additional building other than maintenance for the next few years?

(5) If not, how will the implementation of the recommendations affect hospitals not recommended for extension?

The MINISTER replied:

(1) The members of the State Health Council are—

Departmental member: Dr. L. Henzell (Chairman), Mr. H. T. Stitfold.

Non-departmental members selected by the British Medical Association: Dr. G. C. Moss, Dr. J. A. Love, Dr. M. F. Williams, Dr. H. Leigh Cook, Dr. A. Gild, Dr. W. Seed, Dr. A. B. Webster, Dr. B. O. Bladen.

The council appointed a special sub-committee on hospital requirements to study the material prepared by the department and submit recommendations to the council. This sub-committee consisted of—Dr. L. Henzell, Dr. G. Moss, Dr. W. Seed, Mr. H. T. Stitfold, Dr. B. O. Bladen, Dr. A. Gild.

For this purpose, the sub-committee co-opted Dr. Hector Stewart and Dr. L. E. LeSouef, and Dr. Davidson.

(2) This was not necessary. The council advised upon requirements of beds in number, not in condition.

(3) The Government has not considered them yet.

(4) The report recommends additional beds where numbers are inadequate and allows for the eradication of major deficiencies in all hospitals. Small deficiencies will be dealt with in departmental routine as far as money and materials allow.

(5) Answered by No. 4.

I will table a copy of the report and recommendations next week.

**COAL.***As to Importations and Cost.*

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

Will he state the landed cost at Fremantle of coal per ton, now in transit to Western Australia, by the ships "River Fitzroy" and "River Hunter," as stated in "The West Australian" dated the 4th December, 1951?

The MINISTER FOR HOUSING replied:

Landed costs of New South Wales coal vary with each shipment and the cost of coal in transit by the ships mentioned will not be known until the coal is discharged and invoices for it are received.

The landed cost at Fremantle of coal received by the railways from a ship which arrived last month was £5 14s. 5d. per ton.

**ELECTRICITY SUPPLIES.***As to South Fremantle Station Load.*

Hon. J. B. SLEEMAN asked the Minister for Works:

As he stated yesterday he did not understand my question regarding the load on the South Fremantle power house, will he inform the House what was the average load on the South Fremantle power house between the hours of 6 p.m. on Wednesday, the 5th December, and 6 a.m. on Thursday, the 6th December, 1951?

The MINISTER replied:  
2,500 kilowatts.

**HOUSING.***As to Rental Homes and Restriction of Credit.*

Mr. NEEDHAM (without notice) asked the Premier:

(1) Is it a fact that the State Housing Commission has decided to cease construction of rental houses and will concentrate on the construction of workmen's homes for purchase, consequent on the restricted credit conditions established by the new Commonwealth Bank Board by order of the Commonwealth Government?

(2) If so, is he aware that owing to the very high cost of building, and as the average worker is not in a financial position to purchase a home, the decision of the Commission will intensify the present acute shortage of houses?

(3) Will he make an effort at the next meeting of the Loan Council to have these credit restrictions eased or removed and so help in the provision of more rental houses?

The PREMIER replied:

(1) No. The State Housing Commission will complete its programme of rental homes under its present contracts and will also erect homes under the State Housing Act.

(2) Answered by No. (1).

(3) Representations have been and are being made to obtain more loan funds for house building.

**VICTORIAN POLITICS.***As to Newspaper Report.*

Hon. J. B. SLEEMAN (without notice) asked the Premier:

(1) Has he seen in this morning's "The West Australian" an article headed "A Political Shaggy Dog in Victoria," in which Mr. Hollway said that the State will never make any progress until the Country Party is eliminated, and advocated that both the other parties combine to catch the shaggy dog and throw it over the fence?

(2) Does he agree with those sentiments?

The PREMIER replied:

(1) and (2) No such conditions apply in Western Australia, and therefore I do not think that any comment is necessary.

**BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.***Second Reading.*

**THE ATTORNEY GENERAL** (Hon. A. V. R. Abbott—Mt. Lawley) [3.44] in moving the second reading said: The proposed amendments, generally speaking, fall under two main heads which—

- (a) deal with procedural matters, and
- (b) are amendments dealing with liabilities for lock-outs and strikes.

Under the first heading, it is sought to confer certain powers of a procedural nature on the President of the Arbitration Court in case of proceedings held before him alone, and it is also sought to apply certain procedural provisions dealing with the joinder of the defendants.

Under the second heading, the amendments sought are directed at incorporating in the Act certain provisions of the New South Wales Industrial Arbitration Act for extending liability for lock-outs or strikes to the industrial union of workers or employers whose members are taking part in such lock-outs or strikes.

Mr. Brady: Will that apply to the wheat hold-up?

The ATTORNEY GENERAL: Section 31 of the present Act reads as follows:—

During the pendency of any reference to the court, no application for the cancellation of the registration of an industrial union shall be made or received, and no resignation or discharge of the membership of any industrial union or of any company, association, trade union or branch, constituting an industrial union, shall have effect.

The section appears to serve no good purpose and is open to grave abuse. Intending resignations by members of a union, or an application for cancellation of such union, can be prevented by a reference to the court whether the reference is genuine or not. A reference is pending as soon as it is filed and, during its pendency, however protracted, any action contemplated in the matters mentioned in the section is frustrated and stultified.

The President of the court has jurisdiction to deal with certain matters when sitting alone. The Act, however, confers very few powers on him when so sitting. The object of the amendment is to make it clear that, when so sitting alone, the President shall have the same incidental powers as the court has. The amendment does not extend the jurisdiction of the President, but confers on him incidental powers similar to those which the court has under Section 71. I may mention as an example that the President has no power to control the court by committing a person for contempt. This is one of the incidental powers that would be conferred upon him by the Bill. The court has that power but, through some oversight, the President, for all practical purposes, was given no power when sitting alone.

Hon. A. H. Panton: Then what is the use of having representatives of the employers and the employees on the bench?

The ATTORNEY GENERAL: The President is not to have any further jurisdiction than he exercises at present, and will not be able to deal with any more matters than he is authorised to do under the existing Act. All we propose is to give him the tools with which to exercise the authority already given to him under the Act.

Hon. A. H. Panton: It reads differently from that.

Hon. A. R. G. Hawke: I am afraid the Attorney General will have to explain the absolute limit to which that will apply.

The ATTORNEY GENERAL: I refer members to Section 71, which defines the powers. This deficiency has been pointed out to me by the President and, although on many occasions he has purported to exercise these powers, he does not actually possess them, and he feels that he should have the administrative powers necessary to enable him to exercise the jurisdiction that he has.

Mr. Brady: He has done very well in the past without those powers.

The ATTORNEY GENERAL: But he has exercised them illegally.

Mr. W. Hegney: His authority to do so has never been questioned.

The ATTORNEY GENERAL: No, but his action was illegal, and he feels that he should not be exercising the powers illegally.

Mr. Lawrence: Are all your departments exercising power illegally?

The ATTORNEY GENERAL: When employees who are actually engaged by employers suspend or discontinue work in combination, a strike may be said to have occurred. It is not absolutely clear, however, when workers who usually seek employment or work in an industry refuse in combination to offer for or accept such employment, that a strike can be said to have occurred. The object of proposed new Section 141A is to declare such refusal to be a strike if the refusal is to enforce compliance with demands. In other words, if, notwithstanding that by an agreement or award the court has fixed terms or conditions applying to an industry, employers or workers who are dissatisfied with them refuse to offer or accept employment so as to enforce acceptance of conditions different from those fixed by the court, then such parties shall be deemed to have committed an offence.

It will be noted that the section does not create an offence if workers for some other good private reason fail to offer for or accept employment, but only if such failure is designed to coerce the other parties into accepting different conditions from those fixed by the court or is designed to enforce compliance with any demands made by workers. In the event of a lock-out or strike occurring in an industry, although to all appearances the striking or locking-out members may be acting under union or association instructions or control, it is impossible to prove this as it necessitates evidence being advanced showing that the act complained of was expressly authorised by the body sought to be made liable. As I said, the Act—Section 132, Subsection (4)—contains a provision, which is an attempt to cure this difficulty, by stating that if a majority of the members of any industrial union or association are at any time parties to a strike or lock-out, the said union or association shall be deemed to have instigated the strike or lock-out.

Mr. W. Hegney: Did you say "if any member"?

The ATTORNEY GENERAL: No, if a majority of the members of any union or association is concerned.

Hon. A. R. G. Hawke: Where is the Minister quoting from now?

The ATTORNEY GENERAL: I am saying that that is a provision in the Bill.

Hon. A. R. G. Hawke: The Bill before the House?

The ATTORNEY GENERAL: Yes.

Hon. A. R. G. Hawke: All right; let it go at that.

The ATTORNEY GENERAL: It is to be noted that the provision of the Act now applies only when a majority of members of an industrial union or association are

parties to the strike or lock-out. It is of no assistance when the strike or lock-out is localised and a majority of the members of the industrial union or association are not concerned. For instance, if a union having a very large and State-wide membership instigated a strike by a small proportion of its members at a particular factory or with a particular employer, Section 132 (4) would be no use at all. I misunderstood the comment by the Leader of the Opposition just now; that is the present provision of the Act.

A new provision—proposed new Section 141B—is intended to remove the impossibility of providing technical proof of participation in a strike or lock-out by an industrial union or association, notwithstanding that such participation may in all other respects be most evident. The new subsections are copied from and follow very closely Sections 100 and 101 of the New South Wales Industrial Arbitration Act, 1940-46, except that the New South Wales Act applies only to strikes, whereas the new provision in this Bill applies to strikes and lock-outs.

Hon. A. H. Panton: What is the reason for this? Is not the Arbitration Court getting on very well?

The ATTORNEY GENERAL: The reason is that it is not fair that individual unionists should be prosecuted when the responsibility is that of the union. At present, that is what takes place. A number of men are prosecuted because it is impossible to prove the liability of the union. Individual members are prosecuted at the instigation of the registrar. That was done the other day.

Hon. A. H. Panton. You have found that out since the Full Court expressed disagreement.

The ATTORNEY GENERAL: No, previously.

Mr. Lawrence: Is that the true reason behind the provision?

The ATTORNEY GENERAL: Yes.

Mr. Lawrence: That would allow you to put one man in a union to sabotage it and then fine the lot.

The ATTORNEY GENERAL: Not at all! At present, the only action that is at all logical in view of the terms of the Act is to prosecute the individual on strike instead of prosecuting the union as a whole.

Mr. W. Hegney: Why the union as a whole if the union did not sanction the strike?

The ATTORNEY GENERAL: If the hon. member will read the provision, he will find the union will have sanctioned it.

The Minister for Education: If it does not sanction the strike, it will not be prosecuted.

Mr. W. Hegney: If the governing body of the union does not by resolution—

The ATTORNEY GENERAL: No. At present, the A.W.U. has members all over Western Australia, but there might be a strike in one locality, and it would not be possible to charge the union because it could not be proved that the majority approved of it.

Mr. Lawrence: They do not have to approve of it?

The ATTORNEY GENERAL: Yes.

Mr. Lawrence: The majority?

The ATTORNEY GENERAL: Yes.

Hon. A. H. Panton: You have brought this Bill down a bit late.

The ATTORNEY GENERAL: Although Section 142 of the Act makes it an offence to attempt to commit an offence, there is no provision similar to Section 601 of the Criminal Code allowing a person charged with a particular offence to be found guilty of attempting to commit that offence. This means that if a person is charged with committing an offence, and the evidence falls short of proving the actual offence, but does establish an attempt to commit it, the accused must be found not guilty on the complaint and fresh proceedings instituted charging him with an attempt to commit the offence. This tends to needless waste of time and expense as all the evidence would have to be gone over again; and there is no reason why the court, which hears the evidence in the first place, should not be allowed then and there to deal with the charge of attempting to commit the offence concerned.

In other words, if a man is charged with some criminal offence and it is found that the offence has not been actually carried into effect, he can be found guilty on that particular complaint of attempting to commit the offence; but under the Industrial Arbitration Act a man must be charged definitely either with committing a breach or attempting to do so. There are those two to select from, but if the wrong one is picked—

Hon. A. H. Panton: There is the other barrel. You have a double-barrelled gun, and if one barrel misses you fire the other.

The ATTORNEY GENERAL: That is the idea.

Mr. W. Hegney: Do you know the number of industrial disputes that have occurred in Western Australia in the last year?

The ATTORNEY GENERAL: No.

Mr. W. Hegney: Look it up and you will discover it hard to find any.

The ATTORNEY GENERAL: There are some unions which I do not think the hon. member supports and which are commo-

Hon. A. R. G. Hawke: This is a very provocative Bill.

The ATTORNEY GENERAL: I think the court should have jurisdiction to control them.

Hon. A. R. G. Hawke: This is a very provocative Bill.

Mr. W. Hegney: The unions will take this as being aimed at the lot of them.

The ATTORNEY GENERAL: It is not so. These are only suggestions for the more facile working of the court.

Hon. A. R. G. Hawke: Did you say "facile" or "Fascist?"

The ATTORNEY GENERAL: At present, although a number of persons take part in an offence, each has to be charged and dealt with separately. That means endless hearing of evidence. In most prosecutions, unless there is good reason for doing otherwise, all the parties to an offence are dealt with at once. That saves a great deal of time. At present, the same evidence is repeated in a case before the Arbitration Court, if only one incident is involved but more than one person is charged. Power is given for that purpose. I assure members that this is a genuine attempt to assist the working of the court in a proper manner. The main provisions have been for a great many years in the Industrial Arbitration Act of New South Wales, and, to the best of my information, they were inserted by a Labour Government.

Hon. A. H. Panton: That does not make them any better.

The ATTORNEY GENERAL: That is so. Apparently it is thought there is a nigger in the woodpile.

Mr. Brady: There is, too.

The ATTORNEY GENERAL: There is not. The provisions are simple and are of a procedural nature to facilitate the working of the court. They do not give the court any more jurisdiction, or provide any harsher penalties than already exist. What they do—

Mr. W. Hegney: They will aggravate the unions, that is what they will do.

The ATTORNEY GENERAL: They will not.

Hon. A. R. G. Hawke: Fancy introducing a provocative Bill of this kind at this stage of the session!

The ATTORNEY GENERAL: It is not a provocative Bill. I am sure the Leader of the Opposition has not appreciated its contents. When he has, I shall be happy to explain any provisions which he does not fully understand from my somewhat brief second reading speech; and this applies to any other hon. member. I shall, if necessary, make available any legal officer of the Crown Law Department to assist members in fully appreciating the Bill, because it is essential that it be thoroughly understood.

Hon. E. Nulsen: Why has it been brought down so late?

The ATTORNEY GENERAL: It was brought down as a result of an objection made to me that a large number of men had recently been prosecuted. I was asked "Why were the men prosecuted and not the union?"

Mr. Brady: A Federal referendum decided that the people do not want this class of legislation.

The ATTORNEY GENERAL: This is not class legislation.

Hon. A. R. G. Hawke: It is class legislation.

The ATTORNEY GENERAL: The Bill arose out of a strong supporter of the Labour Party—a member of this House—saying that it was a most objectionable practice to prosecute individual members of a union when the union itself was responsible.

Mr. Lawrence: No such thing!

Hon. A. R. G. Hawke: Who?

The ATTORNEY GENERAL: I do not intend to say.

Mr. Lawrence: I told the Minister that the Government did not have the guts to prosecute the union.

Hon. A. R. G. Hawke: I think the Attorney General has it all tangled up.

The ATTORNEY GENERAL: That is why the Bill has been introduced, and I hope before members comment on it they will make an effort to understand the full meaning of it. I move—

That the Bill be now read a second time.

Hon. A. R. G. HAWKE: I move—

That the debate be adjourned until Thursday next.

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

Ayes	19
Noes	22
Majority against	3

#### Ayes.

Mr. Brady	Mr. Moir
Mr. Graham	Mr. Needham
Mr. Guthrie	Mr. Nulsen
Mr. Hawke	Mr. Panton
Mr. J. Hegney	Mr. Read
Mr. W. Hegney	Mr. Sewell
Mr. Lawrence	Mr. Sleeman
Mr. Marshall	Mr. Tonkin
Mr. May	Mr. Kelly
Mr. McCulloch	

(Teller.)

#### Noes.

Mr. Abbott	Mr. Mann
Mr. Ackland	Mr. Manning
Mr. Brand	Mr. McLarty
Mr. Butcher	Mr. Nalder
Dame F. Cardell-Oliver	Mr. Owen
Mr. Doney	Mr. Perkins
Mr. Grayden	Mr. Thorn
Mr. Griffith	Mr. Totterdell
Mr. Hearman	Mr. Watts
Mr. Hill	Mr. Wild
Mr. Hutchinson	Mr. Oldfield

(Teller.)

## Pairs.

Ayes.	Noes.
Mr. Coverley	Mr. Corneli
Mr. Rodoreda	Mr. Nimmo
Mr. Styants	Mr. Yates
Mr. Hoar	Mr. Bovell

Motion thus negatived.

Hon. A. R. G. HAWKE: I move—  
That the debate be adjourned.

Motion put and passed.

### BILL—HOSPITAL BENEFITS AGREEMENT.

#### *In Committee.*

Resumed from the previous day. Mr. Hill in the Chair; the Minister for Health in charge of the Bill.

Clause 2—(partly considered):

The MINISTER FOR HEALTH: I would like to reply to some of the questions asked yesterday. I was in touch with Canberra this morning, and so that I may possibly curtail the debate I would like now to make a few observations in order that members will know what the conditions really are. Some members raised the question of the benefits to people, who are beyond the age at which friendly societies are willing to accept new members. The problem also applies to the period which elapses after a person joins a friendly society and before benefits become payable—generally eight weeks—and also the period of extended sickness after friendly society benefits have expired. I have ascertained that the Commonwealth has made provision for the payment of benefits in the preliminary period and during the time of extended illness.

Those provisions are contained in the statutory rules already issued. I have not those rules with me, but I believe they are published and that there is a copy which can be made available for perusal by members. One of the friendly societies has no limitation as to age; others have a limitation of 65 years and I believe that one has a still lower age limit. The Commonwealth has not yet made provision for the older class who are not members of a friendly society, but I am assured by the Commonwealth Department of Health that active efforts are being made to work out a scheme to cover those people. The Commonwealth recognises the necessity to cover all classes, and it must be pointed out that the Commonwealth Government is in a position to dictate the nature of the scheme. It is providing the money and the State has no choice.

Hon. A. H. Panton: It is providing some of the money.

The MINISTER FOR HEALTH: I must recognise the realities of the position. If the State rejected the scheme we would receive from the Commonwealth at most 8s. per day and perhaps not even that, as it need not give anything. The State would then have to find all the money

required for the conducting of its hospitals. I am convinced that the Commonwealth Government will be honest and will help all States to meet these commitments. It is certain that the Grants Commission would not increase the amount of the Commonwealth grant to a State to meet deficiencies arising from the State's having refused to accept the Commonwealth's hospital benefits plan.

Hon. A. H. Panton: But this Bill does not cover the hospital benefits plan.

The MINISTER FOR HEALTH: It does to a certain extent.

The Minister for Education: I suppose it must be on the basis of whatever plan they put up.

The MINISTER FOR HEALTH: I do not think it would be possible for the State to finance the hospitals without this help from the Commonwealth. I ask members to pass the measure as otherwise we will be placed in an impossible position.

Mr. GRAHAM: I am afraid the Minister does not understand fully the health service scheme of the friendly societies, because it is not necessary for a person to join a friendly society in the ordinary way. He can become an honorary member of any friendly society he chooses and, on paying a contribution, becomes entitled to hospital and perhaps other benefits. The friendly societies as a whole have combined to bring down a scheme which provides that persons who are not members of any friendly society must be under the age of 55 years. The Commonwealth Government cannot compel any friendly society to admit as members persons other than it is prepared to admit.

The Minister for Health: But they are willing to agree.

Mr. GRAHAM: That is not a statement of fact. I am on the board of directors of the Australian Natives Association and we had a meeting recently. There has not been this conference or, at least, the organisation with which I am associated is unaware of it. The scheme which the societies are operating was formulated in recent months and only a percentage of friendly society members—let alone any new members—have at this juncture indicated their willingness to participate in the scheme. I therefore have grave doubts as to whether the Commonwealth Government can impose conditions on the societies and make them accept members when they have determined otherwise. The same thing applies to the other schemes of which I have spoken.

We must assume that the Commonwealth Government would make some arrangement to cover the position by guaranteeing the funds of these societies or paying any benefits that might be drawn, rather than that the benefits should be a drain on the funds. The person concerned, of course, would make his own contribu-

tion. Be that as it may, the matter must be ironed out, or there will be a percentage of the population that has no opportunity to get the additional coverage of 4s. My chief objection to this clause is that the Premier will be charged with the responsibility—and granted the power—of terminating at any time the existing agreement, and will be empowered to sign on behalf of the State.

Hon. A. H. Panton: But it will be terminated by the Prime Minister.

Mr. GRAHAM: Under the Bill it would be possible by agreement between the Commonwealth and the Premier of the State for the existing agreement to be terminated at any time. That could happen in January next, whereas it may be the opinion of Parliament that the existing scheme should continue until August of next year. We will have no opportunity of giving any direction or of passing judgment on what the Premier might propose. No-one knows what sort of scheme Sir Earle Page will seek to impose on the States.

Mr. J. Hegney: Even he does not know.

Mr. GRAHAM: That is so. The Commonwealth Act is so vague that it stipulates nothing but the power to make regulations. It could so happen that if we pass this Bill and a conference is called in January next, Sir Earle Page could say to our Premier and the Premiers of the other States, "Henceforth there shall be a benefit of 4s. a day only. You have already agreed to the scrapping of the 8s. a day subsidy and I am sorry that, on account of the international situation or our defence programme, and the heavy commitments of the Government, we regrettably now find it impossible to continue with our additional proposal of granting an additional 4s."

Under the Act which has been recently passed by the Commonwealth Government, it is possible for the hospital benefits scheme, as we know it, to be altered completely in every single respect. So, before we and the people of this State have what may prove to be an entirely unsatisfactory scheme foisted upon us, we as a Parliament should have the right to say yea or nay.

The Premier: What are we going to do in the meantime?

Mr. GRAHAM: If there is an indication by our own Premier—and I think a similar position obtains in at least some of the other States of the Commonwealth where they have either gone into recess or are just about to do so—surely it would be possible to prevail upon the Commonwealth Government not to terminate the existing agreement before August of next year. The Commonwealth has no power to do that; it can be done only with the consent of the States. Therefore, I think that we should be cautious and hesitant before we sell our birthright in this matter.

We have had an experience—and the member for Avon Valley will agree with me in this respect—in recent weeks of a representative of this Government, a Minister, going to the Eastern States and agreeing to certain propositions that were ultimately unacceptable to this Parliament. If it had not been necessary to come to Parliament after the event the Wheat Industry Stabilisation Bill would have been passed the other night and would have had the effect of law; or, rather to put it another way, if it had not been necessary to come to Parliament it would have had effect merely because the Minister for Agriculture in this State agreed to it. We are attempting to do the same thing without having any idea of what the new proposal will be.

It is intended under this Bill that the Premier shall be given authority to sign away the existing hospital benefits scheme, and to sign an entirely new agreement about which not a single one of us knows anything of certainty. Of course, if he has the authority contained in this Bill it will be too late for Parliament to do anything about it. Accordingly this will require several alterations to cover the position and I move an amendment—

That in line 4, after the word "State", the words "and subject to the approval of Parliament" be inserted.

The effect of my amendment will be that the Premier may negotiate an agreement with the Commonwealth, but before it has effect it will have to be accepted by the Parliament of this State. I realise, as I said last evening, that it may be necessary for our Parliament to meet a little earlier in order to deal with the position. At the same time, I think that if the circumstances were explained to the Federal Minister he would agree to an extension; in other words, not to take advantage of the notice that he has given to terminate the scheme in August next but perhaps allow it to continue until, say, October of next year.

That would give the Parliament of Western Australia, and of several of the other States, an opportunity to resolve the whole matter. If we do not insert a provision along the lines I have indicated it will mean that we are going into this scheme completely blindfolded, having no idea what is intended because there is no indication in the Federal enactment, and the scheme may be something which may be entirely unsatisfactory to the people of the State. I believe in this matter, as was revealed in connection with the wheat problem, that Parliament should be consulted and that is the reason for my amendment.

The MINISTER FOR HEALTH: I intend to oppose this amendment. The hon. member was in touch with my department this morning and the reason why we definitely could not agree to such an amendment was explained to him.



Mr. Graham: That is not so. I was in touch with your department but nobody explained to me definitely why it could not be done.

The MINISTER FOR HEALTH: The point is that in January what the Commonwealth intends to do will become law. The agreement between the Commonwealth and our State does not expire until the end of July, and if the hon. member would care to move that Parliament should meet in July there would be no necessity for the amendment.

The Premier: What is the good of that?

The MINISTER FOR HEALTH: If he wants to do it, let him do it. There would then be no necessity for the Bill being passed today. It is just futile to talk like this. I consider the Commonwealth is most generous in this matter; it is giving us the 8s. which we now have, and has told us that we can have an extra 4s. if we have an insurance. The hon. member is trying to move something which in my opinion is futile and against the best interests of Western Australia. I oppose it.

Mr. BRADY: The member for East Perth is on the right track and I would be failing the industrial workers in my electorate if I did not support him. I have read the Commonwealth Bill and Sir Earle Page's speech, and there is no doubt that we are giving the Commonwealth Government a blank cheque. The workers are getting it in the neck from all quarters at the moment, and hospitalisation costs have gone up considerably, even since last year. The charges in private hospitals today are round about £7 7s. or £8 8s. and, with all the benefits the worker is supposed to be going to receive from the Commonwealth Government and the friendly societies, he will still have to pay £3 3s., £4 4s. or £5 5s. to liquidate his hospital debts. The average working man today is paying considerably for the benefits he is going to receive. He is paying in for social services, for friendly societies; he is paying indirectly through sales tax, and he also pays every time he buys a lottery ticket in this State. So I feel the workers are going to get very little benefit.

To my mind, the Commonwealth Government is very niggardly in the amount it proposes to subscribe when a worker goes into hospital. No worker will remain in hospital month in and month out. The member for East Perth is quite right when he says the Government should be reluctant to rush into this matter without making some protest. I would like to see the Minister for Health advocate to the Commonwealth Government that it should make greater benefits available to the man who goes into hospital and belongs to a friendly society. I have not much regard for the man who is not prepared to protect himself, but when he is it is a different matter.

If I wanted to get the best benefits, I would have to pay £2 2s. I may be able to do that, but the working man certainly cannot. His taxes are going up, the cost of living is going up, and he is paying for these benefits in half-a-dozen different ways already. I voted for the second reading in order that sick people might get some protection. I do not think the Commonwealth Government is being fair; the amount it is offering is not enough.

Hon. A. H. PANTON: Whilst I can agree with much of what has been said by the two previous speakers, I do not think it would help the position at all, and if I did I would certainly support the member for Guildford-Midland. We have to remember that the proposal put forward by the Commonwealth Parliament is for a contributory scheme. This was also the case ever since Sir Earle Page proposed to amend the Health Act. We should get that into our heads. This is now on the statute book and provides for a contributory scheme, and I do not think the amendment of the member for East Perth that it shall be subject to the will of Parliament or to the ratification of Parliament—

Mr. Marshall: Approval.

Hon. A. H. PANTON: I am grateful for the correction; I do not think that this amendment is going to get us out of the difficulty. If the Premier or his representative goes to the Eastern States with that amendment inserted in the Bill, all he could say when he got there would be, "I can accept this provided it is confirmed by my Parliament when I get back." I have had a little experience of the Commonwealth Parliament in health and civil defence matters, and I know that, once that Parliament makes up its mind, there is nothing more to be said.

The Premier: Is it not the position that we have to negotiate with the Commonwealth because neither in this Bill nor the Commonwealth Bill is there any obligation to find free beds?

Hon. A. H. PANTON: That is so. I have read Sir Earle Page's speech very carefully, and my reading of the Commonwealth Bill is that it is prepared to grant a person 8s., plus 4s. as stated by the Minister for Health, plus 6s. which one obtains from the friendly society to which one belongs. It is necessary to belong to a friendly society. The Commonwealth is prepared to make these payments provided we sign an agreement to that effect. If we do not sign an agreement of some sort, we shall go back to where we started before we got the 6s., and the State will then have to find the £2 2s. per bed that it is costing us today. I am not saying the Commonwealth Government is generous in any way. At the moment, a person can get 6s. from the friendly society and 12s. from the Commonwealth, which is 18s., but that does not constitute £2 2s.,

which is what a bed costs per day in this State. So for a start the State Government has to make up that difference.

I do not know what will happen to the hospitalisation scheme in Western Australia if we have to find the lot. When the Premier or his representative goes to the Eastern States, he should tell the Commonwealth that he has been sent to protest against the scheme and do his best to get something better, though I cannot see how we are likely to get anything better. Whoever represents the State will find himself up against a brick wall, namely, the Commonwealth Government. What we have most to complain about is the lack of action by our representatives in the Commonwealth Parliament, by whom little was said by way of protest. The measure was passed during the last few hours of the session. I cannot favour the amendment, because I do not believe it will do any good, though the sentiment behind it is sound.

Mr. J. HEGNEY: I support the amendment because it will empower the Premier to negotiate on our behalf. When speaking in the Commonwealth Parliament, Sir Earle Page was most evasive as to his intentions. He is really trying to induce the friendly societies to become active agents in collecting revenue for hospital purposes. Sir Earle Page was Minister for Health in a previous administration and the Prime Minister walked out on him, and that sabotaged the scheme then proposed.

For the most part, the membership of friendly societies has been static, due to the fact that the Commonwealth introduced its hospital scheme and the sick and benefit funds, and extended them to the great mass of the people. The people then relied upon the Commonwealth scheme rather than depend upon the friendly societies from which they could draw £1 a week in the event of sickness. Reference has been made to an agreement, but there has been no agreement because we are told that we have either to accept or to reject the Commonwealth proposal. Knowing Sir Earle Page's background, I despair of anything worthwhile being done while he is Minister for Health. All he is trying to do is to throw the responsibility for the financing of hospitals on to the people.

Hon. A. H. Panton: There is no doubt about that.

Mr. J. HEGNEY: The Commonwealth has the funds to finance the hospital services and should do so. The amendment is a reasonable one because, under it, the responsibility for any agreement will devolve upon this Parliament and not on the Premier.

Hon. E. NULSEN: I do not like the Bill and voted for the second reading rather reluctantly. Still, we have to get all we can from the Commonwealth, and I am

inclined to agree with the member for Leederville. Otherwise, it will be impossible for us to finance our hospitals. The Commonwealth will offer us certain terms and, if we do not agree with the rest of the States and accept them, we shall probably be left out of the scheme. To a great extent, I approve of the amendment, because I do not like to see this Parliament being deprived of its power. As the Commonwealth has power in regard to finance, I cannot see any advantage in agreeing to the amendment of the member for East Perth. If our representative does not agree with the majority of representatives of other States, there is a possibility that we will get nothing for the hospitals in Western Australia.

Mr. GRAHAM: I am afraid there are some misconceptions. No one is proposing that we should refuse to sign an agreement, or suggesting that the State is going to be a loser in any respect. Until next August the 8s. per day will be made available to all people. That can only be prevented by the Premier giving it away at an earlier period without consulting Parliament.

Hon. E. Nulsen: Is that likely?

Mr. GRAHAM: I do not know. We, on this side of the House, feel that the Minister sold out the people of Western Australia on the question of butter, and that the Government did the same thing, through a single Minister, in connection with wheat. Some Government supporters agreed with us there. It is possible that the same sort of thing could be done by an individual Minister in this instance. How do we know that the Premier might not sign an agreement to terminate the existing one early in the new year and replace it by something not nearly so satisfactory? The individual citizen would be denied the benefit, and our hospitals would receive a lesser amount than they do at present.

Hon. A. H. Panton: Less than 8s.?

Mr. GRAHAM: Yes. It is not a question of 8s.

Hon. A. H. Panton: The amount we would receive would be less than that sum.

Mr. GRAHAM: Yes, if the present scheme went overboard. We would feel just as indignant as the wheatgrowers felt over the wheat stabilisation legislation. It is no use speaking of 8s. plus 6s. plus 4s., because no amount is mentioned in the Commonwealth Act. We are told we are confronted with the position that we must sign the agreement, but what will happen if the Federal Minister decided that a person who had taken part in an industrial strike or lock-out should be denied the right to participate in the scheme? That would be grossly unfair, but we would not be able to do anything about it.

The Attorney General: That would only last until August.

Mr. GRAHAM: No.

The Attorney General: In August you would get nothing at all.

Mr. GRAHAM: Unless Parliament has some say, we can be assured of getting 8s. until August.

The Attorney General: What about after August?

Mr. GRAHAM: It will then depend on the generosity, or lack of it, of the Commonwealth Government.

The Attorney General: So we are only facing the situation until August, anyway.

Mr. GRAHAM: That is so. Up to then, what I have suggested would be reasonable. If the Commonwealth Government agreed to an extension, it would be possible for this Parliament to determine the issue.

The Attorney General: It must be determined by the Commonwealth Parliament.

Mr. GRAHAM: The agreement might then contain all sorts of unacceptable provisions.

The Attorney General: And what happens if it contains them after August?

Mr. GRAHAM: Members will recall that in connection with age pensions, a provision was introduced by the Commonwealth Parliament by which the Attorney General became responsible for refunding to the Commonwealth Government moneys that might have been paid out to his parents. The Premier, at a Federal gathering, might sign on the dotted line if there were an obnoxious provision in the scheme brought down by Sir Earle Page and we would find ourselves in the position of not being able to do anything. We cannot afford to take a risk in connection with this matter.

The Attorney General: I cannot see you taking any risks.

Mr. GRAHAM: There are plenty of risks. Never have I seen drafting such as there is in the Bill introduced by the Federal Minister for Health.

The Attorney General: You have no control over that Bill.

Mr. GRAHAM: That is so. I am suspicious of it because it makes no provision for anything at all other than to make regulations.

The Attorney General: Can you alter it?

Mr. GRAHAM: No, but I can, if the Committee will agree with me, allow this Parliament to say yes or no with respect to objectionable features, if there are any.

The Attorney General: How can we say "no" after August?

Mr. GRAHAM: We can if we agree to my amendment. If it is found that the scheme is unsatisfactory, Parliament will refuse the Premier the authority to sign the agreement.

The Premier: If there is no signing, there will be no money at all.

Mr. GRAHAM: In the Commonwealth scheme there is no provision for a single penny to be paid to anyone.

Hon. A. H. Panton: Let us assume that what we have been talking about will be paid but the Premier will not sign, what happens then?

Mr. GRAHAM: We cannot help that, but as there is no specific provision in the Commonwealth legislation it may contain anything at all, no matter how objectionable. Surely then this Parliament should have the right to deal with the matter!

The Premier: Surely the provisions of the agreement will cause the Commonwealth to make some payment! What would be the use of the agreement otherwise?

Mr. GRAHAM: Suppose the Commonwealth decided to pay 3d. per day!

The Premier: Oh!

Mr. GRAHAM: It is all very well for the Premier to shrug his shoulders, but in recent weeks we have had two examples of Ministers going to the Eastern States and rendering, from my point of view, a disservice to the people of Western Australia, and in one case only was it possible for us to do anything. Surely there is nothing basically wrong or undemocratic in requesting that Parliament should be given the opportunity to protect the position of our people!

Mr. MANN: The member for East Perth mentioned the position that arose in connection with the wheat stabilisation legislation. The present question is not on all fours with the Bill that we dealt with the other night. That measure was concerned with the farmers' own property, and that is why we voted as we did. Here the Commonwealth Government is saying what it will do in connection with a Commonwealth Bill entirely. It is saying, "We will finance your hospitals. Take it or not."

Mr. Graham: It has not said that. Read the Commonwealth Act.

Mr. MANN: I am taking notice of two members of the Opposition who have had long years of experience. There is no parallel between the two Bills. I cannot agree with the member for East Perth.

Mr. Graham: You have had your pound of flesh, and so do not care.

Mr. MANN: That remark is entirely wrong.

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

Ayes	12
Noes	30
Majority against	18

**Ayes.**

Mr. Brady	Mr. McCulloch
Mr. Graham	Mr. Molr
Mr. Guthrie	Mr. Needham
Mr. J. Hegney	Mr. Sawoll
Mr. Hoar	Mr. Sleeman
Mr. Lawrence	Mr. Kelly

(Teller.)

**Noes.**

Mr. Abbott	Mr. May
Mr. Ackland	Mr. McLarty
Mr. Brand	Mr. Nalder
Mr. Butcher	Mr. Nulsen
Dame F. Cardell-Oliver	Mr. Oldfield
Mr. Doney	Mr. Owen
Mr. Grayden	Mr. Fanton
Mr. Griffith	Mr. Perkins
Mr. Hawke	Mr. Road
Mr. Hearman	Mr. Thorn
Mr. W. Hegney	Mr. Tonkin
Mr. Hutchinson	Mr. Totterdell
Mr. Mann	Mr. Watts
Mr. Manning	Mr. Wild
Mr. Marshall	Mr. Yates

(Teller.)

Amendment thus negatived.

Clause put and passed.

Preamble, Title—agreed to.

Bill reported without amendment and the report adopted.

*Third Reading.*

Bill read a third time and transmitted to the Council.

**BILL—FACTORIES AND SHOPS ACT  
AMENDMENT.**

*In Committee.*

Mr. Hill in the Chair; the Minister for Labour in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 138 amended:

%
40
50
60
70
83.5
91.5

**THE MINISTER FOR LABOUR:** During the second reading debate, and in reply to the Leader of the Opposition, I stated I would go into the points he raised and make certain there were no reductions in the rates of pay to junior females. This position is guaranteed by the amendments now sought. There will now be no necessity for the proviso for no reduction in female rates. Shop assistants in the metropolitan area recently came under a new award into which is written a "rise and fall" clause in the case of junior female workers; this "rise and fall" clause ensures that their present total rates are not disturbed. It was placed in all awards as the result of the Arbitration Court's amending the female basic wage percentage to 65 per cent. of the male basic wage.

Seniors in the metropolitan area received an increase, but junior males and females remained at their old rates.

The present rate of pay for female junior shop assistants at 15 years of age is £2 12s. 4d., and prior to the recent increase in the female percentage of the male basic wage had represented 45 per cent. As from the 1st of this month this junior's percentage has been lowered in the award to 39.1 per cent. of the new basic wage as she still receives £2 12s. 4d. per week. The percentages of the female basic wage which applied to female junior shop assistants under the shop assistants' award, and those not covered by awards or agreements are as follows:—

	Per cent.
Between 14 and 15 years of age	—
Between 15 and 16 years of age	39.1
Between 16 and 17 years of age	45.2
Between 17 and 18 years of age	56.5
Between 18 and 19 years of age	69.5
Between 19 and 20 years of age	83.4
Between 20 and 21 years of age	91.4

This amendment will slightly increase those percentages. In the case of the junior female the "rise and fall" clause lowered the percentage of the basic wage although it did not reduce the wages they received.

I hope the Committee will accept an amendment because the junior female shop assistants not covered by an award or agreement will operate at slightly higher percentages than at the moment and will automatically receive a small increase in wages. Therefore, I propose to move an amendment which will delete the percentages as shown in the table appearing under the heading "Females. Percentage of Female Basic Wage" and insert in lieu the following:—

**Mr. W. HEGNEY:** Before the Minister moves his amendment I have a small amendment earlier in the clause. I want to insert the words "and varied" after the word "declared" in line 6. There is nothing contentious about this amendment, and under the Industrial Arbitration Act the court declares the basic wage annually but variations take place quarterly. This will make the position clear and the people who will be served by this clause will receive the variations in the basic wage in the same way as those who come under awards or agreements. I move an amendment—

That in line 6, after the word "declared" the words "and varied" be inserted.

Amendment put and passed.

The MINISTER FOR LABOUR: I move an amendment—

That in the second column of the table, headed, "Females. Percentage of Female Basic Wage," the following figures be struck out with a view to inserting other figures:—

%  
40  
50  
60  
70  
80  
90

Hon. A. R. G. HAWKE: It might be remembered, when we discussed this Bill previously, that I indicated it was my intention to move to increase the percentages as set out in the Bill by 10 per cent. in each instance. Since that date the Arbitration Court has raised the female basic wage considerably and, as a result, the percentages which are in the Bill will bring the amounts to be paid to junior female workers not covered by an award to somewhere near where they would have been had the amendment I suggested been moved and accepted.

The amendment moved by the Minister, therefore, is one I can support, that support being based entirely upon the fact that in recent days the female basic wage in Western Australia has been substantially increased. Consequently, these junior female workers will automatically, on the coming into operation of this Bill, receive higher amounts than they would otherwise have been entitled to receive had the female basic wage remained at the old level.

Mr. W. HEGNEY: I desire to indicate that, after reading the Minister's second reading speech, I took the opportunity of making reference to it when I spoke on the Estimates and the Premier interjected that it was an inappropriate time to discuss the Bill. I told the Premier and you, too, Sir, that I was not discussing the Bill, but that I was drawing the Minister's attention to the grave statement he made as to the court's refusal to give its consent award until the Act was amended. By way of interjection the Minister assured me that the court did not enter into the picture at all. I was of the definite opinion that the court, particularly the President, would not step outside its function and endeavour to dictate to Parliament.

The Minister for Labour: No, he did not.

Mr. W. HEGNEY: I knew that would not be the case, but when the Minister introduced the Bill he made certain statements and he must have obtained the information from some source, and I take it that it would be the Employers' Federation. That being the case, I take strong objection to whatever authority gave the

information in an attempt to mislead this Chamber. The inference that one must have obtained from the Minister's speech was that the Arbitration Court would refuse to grant the consent award unless the Act was amended. It is important that no industry or body should dictate to Parliament—although I have stated that the President was not dictating—but the Minister's information was misleading. However, I am pleased that the Committee was not misled, although it was done quite innocently as far as I know.

The MINISTER FOR LABOUR: When the hon. member made that statement I checked my notes. I did not say what he said I did, but I take full responsibility for the statement because I did not check the copy of my speech. Nevertheless, the fact is I did not make the statement.

Hon. J. T. Tonkin: Did you not say what was in your notes?

The MINISTER FOR LABOUR: No, I departed from them, and does not that indicate very plainly how one should stick to his notes when dealing with such an important subject?

Amendment (to strike out figures) put and passed.

The MINISTER FOR LABOUR: I move—

That the following figures be inserted in lieu of those struck out:—

—  
40  
50  
60  
70  
83.5  
91.5

Amendment (to insert figures) put and passed.

The MINISTER FOR LABOUR: I move an amendment—

That the proviso be struck out.

Amendment put and passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with amendments and the report adopted.

## BILL—LICENSING ACT AMENDMENT (No. 2).

### Second Reading.

Debate resumed from the 29th November.

HON. A. R. G. HAWKE (Northam) [5.20]: When the prohibition referendum campaign was under way last year, at a most opportune period of it the Premier made a statement to the Press. In that statement he appealed to the people, in effect, to reject the referendum. He also assured them that his Government would

set up a Royal Commission, or the equivalent of it, for the purpose of investigating thoroughly the liquor trade in Western Australia so that the Government might be expertly informed as to the legislative and other steps which should be taken to bring about necessary and worthwhile reforms.

That statement was made by the Premier almost exactly one year ago. No Royal Commission has been appointed, and no inquiry which could be comparable to one carried out by a Royal Commission has been put into operation. It is true that the Government approached the opposition at one stage and asked whether it would be represented upon a committee of inquiry to investigate certain phases of the liquor trade, and the existing legislation which controls it. As the proposed tribunal of inquiry would have been almost entirely of an advisory character, and as it would have had no worthwhile legal standing thoroughly to investigate the liquor trade, we on the Opposition side of the House had to refuse to be associated with such a move.

I think the Premier owes an explanation to the House and to the people of the State as to the statement he made during the referendum campaign last year, and his subsequent failure to take any action along the lines he then promised. If he and the Government had carried out that undertaking to the people I am sure we would not have had before us at present a Bill of this nature. There can be no doubt that the statement the Premier issued was calculated to cause people to vote against the referendum and was doubtless issued to achieve that effect.

The Premier: I do not think they needed much persuasion to vote against the referendum.

Hon. A. R. G. HAWKE: It is not a question at all of whether the people at that time needed much persuasion. The important thing is that the Premier officially, and on behalf of the Government, issued a public statement calculated to have no other effect than to persuade people to vote against the referendum. To add to the persuasive effect of the statement the Premier seriously and solemnly undertook to appoint a Royal Commission, or its equivalent, thoroughly to investigate the liquor trade as a whole in this State, and all the legislation in operation which controls it.

I think the Premier was thoroughly justified in giving an undertaking of that description, because there are many aspects of the liquor trade, from the point of view of liquor production to the various points where liquor is consumed, which ought to be thoroughly investigated. There are major reforms required from the first point I mentioned to the various last points to which I referred. There is, therefore, in my view, a strong responsibility upon the shoulders of the Gov-

ernment to explain to the House at this stage why the undertaking given by the Premier on behalf of the Government has not been carried out.

The Bill, in many respects, is a strange one. Indeed, the manner of its birth is remarkable. One cannot but congratulate the Attorney General very fully for the methods, skill and science he used in his activities in having the measure drawn to contain the proposal it does contain. The Attorney General, because of his great worldly experience, knew very well that a Bill dealing with the liquor trade would be a risky piece of legislation to bring before Parliament. He therefore decided, very shrewdly, to see if it were not possible to get those within the State, who might be regarded as the opponents of the liquor trade, to appoint a representative, and those whose interests are allied with the liquor trade to appoint a representative, to confer with him. The Attorney General succeeded, and prevailed upon the churches and the temperance organisations to appoint a person—a very estimable person, too—in the Rev. Mr. Jenkins. He also prevailed upon the liquor trade to appoint an individual—a very estimable one, so far as I am aware—in the person of Mr. Sydney Johnston. The Minister, in my opinion, performed a miracle in prevailing upon the Rev. Mr. Jenkins to approve of the Bill.

The Attorney General: I do not think I said he approved of the Bill as a whole. He said it was better than the existing legislation.

Hon. A. R. G. HAWKE: I will read something from the Attorney General's second reading speech that will prove my point and disprove what the Minister says. However, at this stage that is not tremendously important. The fact is that the Attorney General was able to prevail upon the Rev. Mr. Jenkins to approve of the Bill. That was a tremendous achievement on his part. But the Minister achieved far more than that. He prevailed upon the Rev. Mr. Jenkins to write a letter to him approving of the Bill in the name of the several organisations which he, Mr. Jenkins, represented. As the Attorney General seems a bit inclined to dispute that—

The Attorney General: I think you should read his letter.

Hon. A. R. G. HAWKE: I intend to do so.

The Attorney General: In my speech I tried to convey what he said in that letter. If I did not do that, I am afraid—

Hon. A. R. G. HAWKE: As a matter of fact, during his speech the Attorney General read the letter.

The Attorney General: That is what I mean.

Hon. A. R. G. HAWKE: It is included in "Hansard."

The Attorney General: That is so, and that is what I intended to convey.

Hon. A. R. G. HAWKE: I intend to read the letter almost immediately. Before doing so, I want to quote from the speech delivered by the Attorney General. He said—

This Bill is submitted with the approval and recommendation of the representative of the churches and temperance organisations, namely, the Rev. Mr. Jenkins.

There is no qualification in that statement—none whatever. The Attorney General did not say that the Rev. Mr. Jenkins approved of some portions of the Bill. He said very clearly, beyond any shadow of doubt, that the Bill was submitted with the approval and recommendation of the representative of the churches and the temperance organisations, namely, the Rev. Mr. Jenkins.

The Attorney General: If I went further than what is stated in the letter, I made a mistake; that is the point.

Hon. A. R. G. HAWKE: The Attorney General went further by saying that the Rev. Mr. Jenkins not only approved of the Bill but recommended it. Presumably he recommended it to the Government and Parliament. This is what the Rev. Mr. Jenkins said in his letter to the Minister.

The Attorney General: That will be correct.

Hon. A. R. G. HAWKE: Here is the letter—

Perth,

27th November, 1951.

Hon. A. V. R. Abbott, M.L.A.,  
Attorney General,  
Perth.

Dear Sir,

I have perused the Bill, which was drafted as a result of conferences. While the Bill does not reflect the views of the opposing factions as to what the licensing laws should be, the Bill would, in my opinion, if passed by Parliament, represent a substantial improvement on the existing law, and I recommend that the Bill be introduced as drafted.

Yours faithfully,

(Representing — West Australian Temperance Alliance, Church of England, Methodist, Presbyterian, Congregational and Baptist Churches, Church of Christ, Salvation Army.)

Hon. A. H. Panton: Some of them are kicking against it now.

Hon. A. R. G. HAWKE: We know there have been disclaimers from several of the organisations that Mr. Jenkins represents, since the Attorney General made his second reading speech on the Bill. As a matter of fact, the representative of the

Presbyterian Church, the Rev. Mr. McMaster, went so far in his disclaimer as to send a letter to me and, presumably, also to every member of both Houses of Parliament.

The Attorney General: He may have objected, but definitely his representative at the deputation had some of the contents of the Bill explained to him, and he agreed to the appointment of the Rev. Mr. Jenkins. They all agreed. It was done in my presence, and I know.

Hon. A. R. G. HAWKE: There is no argument or disputation about the organisations being unanimous in appointing Mr. Jenkins as their representative. The argument and disputation have arisen since these other churches organisations have realised the extent to which the Rev. Mr. Jenkins committed them to the Government's proposals.

The Attorney General: That is another matter.

Hon. A. R. G. HAWKE: Yes, and a tremendously important matter. As we look at some of the provisions in the Bill, we could not be otherwise than astonished when we are told, which we were at the time, that they had been approved by churches, for instance, such as the Church of Christ and the Presbyterian Church, or by an organisation such as the Salvation Army.

The Attorney General: I did not mean to convey that.

Hon. A. R. G. HAWKE: The Minister did not convey that altogether, but he did say that the representative of those organisations, the Rev. Mr. Jenkins, had approved of the Bill and had recommended it.

The Attorney General: Had recommended its submission.

Hon. A. R. G. HAWKE: There was only one conclusion to draw from the Minister's statement, and that was that the Rev. Mr. Jenkins was speaking on behalf of all the organisations he represented.

The Attorney General: That is correct.

Hon. A. R. G. HAWKE: I think the Minister is a bit confused. The organisations that Mr. Jenkins represented agreed that he should represent them.

The Attorney General: Yes.

Hon. A. R. G. HAWKE: But I am sure not all of them, if any at all, agreed that they should be committed up to the hilt to the Government in connection with the matters that were finally included in the Bill. I am sure the Attorney General, if he thinks about it—

The Attorney General: I agree with that.

Hon. A. R. G. HAWKE: —even for a moment or two will agree with me—

The Attorney General: I do.

Hon. A. R. G. HAWKE: —that he indicated—

The Attorney General: Yes.

Hon. A. R. G. HAWKE: —that some of the organisations which Mr. Jenkins represented would agree to the Bill as a whole.

The Attorney General: I cannot agree with that.

Hon. A. R. G. HAWKE: That is satisfactory, and we are making some progress. In this morning's issue of "The West Australian," a statement appeared from the Rev. Mr. Jenkins, under the heading, "Liquor Proposals Commended," including the following:—

Although the social questions department of the Methodist Church opposed some clauses in the Government's proposals to amend the Liquor Act, it commended the Government on its realistic attempt to face the problem.

I propose to read most of the balance of that statement, because it disproves almost entirely what Mr. Jenkins had to say at the beginning. It appears to me that the Rev. Mr. Jenkins now finds himself in considerable difficulty. He finds that he has too easily surrendered, as it were, to the skill and science and all the what-have-you that the Attorney General must have used.

The Attorney General: Oh no! Mr. Jenkins is a very able man.

Hon. A. R. G. HAWKE: I am not doubting the ability of Mr. Jenkins in any shape or form.

The Attorney General: Far be it for you to suggest I would be able to persuade him.

Hon. A. R. G. HAWKE: I have very great respect for the powers of persuasion of the Attorney General.

The Attorney General: I do not agree with you.

Hon. A. R. G. HAWKE: On odd occasions he has almost persuaded me.

Hon. A. H. Panton: And that is saying a mouthful!

Hon. A. R. G. HAWKE: Let me proceed to read the statement by Mr. Jenkins—

The department opposed the clause which provided for the serving of liquor within certain hours on Sunday.

The department referred to is the social service department of the Methodist Church.

The Attorney General: They would prefer to have no drink served on Sundays.

Hon. A. R. G. HAWKE: Yes. I am trying to analyse the attitude of the Rev. Mr. Jenkins and the social service department of the Methodist Church, for the purpose of comparing their attitude now with what the Attorney General gave us to

understand was the attitude of the Rev. Mr. Jenkins when the Attorney General gave him the very great privilege of seeing the Bill before it was introduced in Parliament.

The Attorney General: He had a lot to do with its composition.

Hon. A. R. G. HAWKE: Yes, and I have already congratulated the Minister upon the skill and science displayed in dealing with this matter, and inducing the Rev. Mr. Jenkins to become, in effect, the father of the Bill.

The Attorney General: The majority of the proposals were put before the deputation and agreed upon. They knew what was to be put in the Bill, even if not all of it.

Hon. A. R. G. HAWKE: I very much doubt that.

The Attorney General: I have the notes of the deputation.

Hon. A. R. G. HAWKE: The Attorney General may have them, but I would like to see what the Minister put forward at the deputation at that time, and compare what was submitted then with the contents of the Bill.

The Attorney General: They are very much the same—not the details, of course, but the principles. They recognise that trading took place on Sundays, and that was put before the deputation.

Hon. A. R. G. HAWKE: Would the Attorney General lead the House to believe that the deputation to which he refers agreed, in fact, to the principle of Sunday trading by hotels?

The Attorney General: Yes, I do definitely say it was explained to them that a realistic point of view would have to be taken; otherwise nothing could be done.

Hon. A. R. G. HAWKE: The Minister, in reply to my question, said that a deputation representing all these religious organisations agreed at the deputation in question to trading by hotels on Sundays for limited periods.

The Attorney General: I did not say that.

Hon. A. R. G. HAWKE: The Minister did.

The Attorney General: I said I explained that if the Bill were introduced it would contain that point.

Hon. A. R. G. HAWKE: The Attorney General is now all over the place. I was trying to pin him down to whether these organisations agreed to legalise Sunday trading by hotels for limited periods as contained in the proposal in the Bill.

The Attorney General: They knew such provisions were to be contained in the Bill, and agreed to appoint a representative to discuss their nature.



Hon. A. R. G. HAWKE: There is no question at all as to whether they were told or not that those provisions would be put in the Bill.

The Attorney General: And they agreed to negotiate on the actual terms that should go in the Bill.

Hon. A. R. G. HAWKE: I ask the Attorney General straight out and plainly: Did the organisations concerned at the deputation in question approve of the principle that there should be legalised Sunday trading by hotels in this State?

The Attorney General: The deputation made itself very clear that they did not want Sunday trading at all, but they did prefer that, if there was to be Sunday trading, it should be legal.

Hon. A. R. G. HAWKE: Now, after considerable difficulty, we have been able to nail the Attorney General down specifically on that point. First of all, he said to me, in reply to a question, that the deputation agreed to the principle.

The Attorney General: I did not say that.

Hon. A. R. G. HAWKE: Yes, the Attorney General did say it in most clear terms.

The Attorney General: I did not say that.

Hon. A. R. G. HAWKE: Gradually he is coming round, under the pressure of questioning, to agree that the organisations concerned at the deputation expressed their opposition to Sunday trading by hotels being legalised in Western Australia. Allow me now to continue reading from the statement by the Rev. Mr. Jenkins, as follows:—

It wanted the clause concerning bona fide travellers, or its amendment extending the distance to be travelled, to be deleted. The distance should be at least 50 miles.

Referring to the withdrawal of Part VI which provided for a referendum on the question of prohibition, Mr. Jenkins said that instead of a prohibition referendum, the department urged that a local option poll should be reintroduced.

Although the department was not actually opposed to the withdrawal of the petition system for the granting of new licenses, it urged that they be the subject of a referendum within the localities concerned.

The social questions department was deeply disappointed that there was no provision for referendums on questions concerning liquor trade.

If members compare the first part of Mr. Jenkins's statement with the other paragraphs I have read from it, they will find that the first paragraph is very much in

conflict with the balance. In the first paragraph Mr. Jenkins said, in effect, that the social questions department commended the Government on its realistic attempt to face the problem. Then, in the balance of the statement, he indicates that there is practically nothing in the Bill which the social questions department of the Methodist Church wanted. He has pointed out that practically all the important things which the Methodist Church wanted are not included in the Bill. If that be so in regard to the Methodist Church, it will be much more so, or at any rate more so, in regard to churches such as the Presbyterian Church, the Church of Christ and the Salvation Army, which take a much stricter view of matters of this kind.

The Minister for Health: That is not fair. I think the Wesleyans are on a par with all others.

Hon. A. R. G. HAWKE: I have indicated that the Methodist Church has very strong views about this matter—very strong indeed. But I think the Minister for Health will agree that the Church of Christ and the Salvation Army have even stricter views.

The Minister for Health: I do not know. I was brought up a Methodist.

Hon. A. R. G. HAWKE: I think that would apply also to the Presbyterian Church. However, the divergence of opinion there does not make very much difference and has not much relationship to the Bill. The Rev. Mr. Jenkins concluded his statement by saying—

They felt, however—that is, the social questions department of the Methodist Church felt

—that the proposals were an attempt to improve the present deplorable conditions. The effectiveness depended upon enforcement of the laws.

The department would fully support the Government should it adopt a policy of law enforcement concerning liquor traffic.

It is clear to me that the Rev. Mr. Jenkins approved of the Bill, and it was very largely a personal approval despite the fact that most of the important things he wanted to have included in the Bill were not in fact included. As a matter of fact, there is very little in the Bill which Mr. Jenkins would wish to have had included, yet the Attorney General was able to obtain from him not only verbal approval and recommendation of the Bill but, in addition, a letter setting out approval of the Bill. I am at a loss to know why the Attorney General wanted a letter from Mr. Jenkins in connection with the Bill.

The Attorney General: To convince you.

Hon. A. R. G. HAWKE: Why did the Attorney General not obtain a letter of approval from Mr. Syd. Johnston, the adviser from the United Licensed Victuallers' Association?

The Attorney General: Because he would not approve of it.

Hon. A. R. G. HAWKE: Then, according to the Attorney General, this Bill has the approval of the Rev. Mr. Jenkins but has not the approval of Mr. Syd. Johnston and therefore has not the approval of the U.L.V.A.

The Attorney General: That is correct.

Hon. A. R. G. HAWKE: Has it the disapproval of Mr. Johnston and the association?

The Attorney General: He would not approve of it.

Hon. A. R. G. HAWKE: It appears to me that Mr. Syd. Johnston was much more worldly-wise than the Rev. Mr. Jenkins. If Mr. Jenkins had been half as worldly-wise in these matters as Mr. Syd. Johnston, the Attorney General would not have had a hope in the world of getting a verbal, let alone a written, recommendation from him.

The Attorney General: He was present when Mr. Johnston refused.

Hon. A. R. G. HAWKE: He might have been. I am not saying he was not. I am simply saying that if Mr. Jenkins had had half the worldly wisdom of Mr. Syd. Johnston he would not have provided the Attorney General with even verbal, let alone written, approval of the Bill. It is obvious from the statement which Mr. Jenkins gave to "The West Australian," and which was published this morning, that Mr. Jenkins and members of his social questions department are opposed to 90 per cent. of the contents of the Bill.

What is this Bill? What is its major provision? What does the Attorney General consider to be its major provision? The major provision is to legalise Sunday trading in the whole State, with the exception of an area within a radius of 20 miles from the Perth Town Hall. Certainly that is the most contentious provision in the Bill. Even Mr. Jenkins does not approve of that provision. So, as I said at the beginning, I think the Attorney General is to be mightily congratulated, without any qualification or reservation of any kind, for the near miracle which he has achieved. I should hope that he would be sufficiently grateful to Mr. Jenkins to use all the ability and the persuasive powers he possesses with the organisations, the members of which now look a bit sideways at the Rev. Mr. Jenkins. In my opinion, consciously or unconsciously, the Attorney General has put the Rev. Mr. Jenkins in the ditch.

The Attorney General: That is entirely wrong, because each of these organisations knew that Sunday trading was going to be

legalised in the Bill. Each of them knew that because they were at the deputation and were told.

Hon. A. R. G. HAWKE: What point is there in that? Can you, Mr. Speaker, see anything in that interjection that has any bearing whatsoever on the question with which I am dealing? I am sure you cannot. The point is not whether they knew what was going to be in the Bill. The point which is now worrying them is that, on their behalf, Mr. Jenkins committed them to the Government right up to the hilt. How would the Attorney General feel in the same circumstances if he were the Moderator of the Presbyterian Church in Western Australia? How would he feel if he were the leader of the Salvation Army? How would he feel if he were the leader of the Church of Christ in this State, and found that a person appointed to represent him had committed all the organisations concerned up to the hilt to the Government in regard to this Bill?

Of course, the Attorney General quickly and clearly sees the logic of the position when it is put to him like that. So the situation seems to have cleared itself this afternoon to this important extent. The representatives of the U.L.V.A., and presumably the association, were not prepared to declare, publicly at any rate, their attitude towards the Bill, although Mr. Syd. Johnston did indicate to the Attorney General that he was not in favour of it. By that I take it he was not in favour of the whole Bill.

The Attorney General: No, he did not say that.

Hon. A. R. G. HAWKE: The church organisations and temperance organisations concerned are clearly opposed to the major provision in the Bill which, in my opinion, is 90 per cent. of it. So we have the church and temperance organisations opposed to 90 per cent. of the Bill and we have the U.L.V.A. as a very doubtful quantity. Is that not an extraordinary situation? I will leave it at that in regard to that angle of the matter. It was with great relief that the Attorney General said, "This is a non-party Bill." I say also with great relief that it is a non-party Bill. What I have to say from now on I shall say entirely on my own behalf and without in any way trying to commit or compromise any other member in the House, either on the Government side or on this side. I am not in favour of legalising trading by hotels in Western Australia on Sundays.

The Attorney General: Would you be prepared to have the law observed as it is laid down in the Act if you got back to power?

Hon. A. R. G. HAWKE: I would.

The Attorney General: In that event, will you enforce the law?

Hon. A. R. G. HAWKE: I will.

Mr. Graham: That means good-bye to Kalgoorlie.

Hon. A. R. G. HAWKE: The whispers of the Minister for Health are not as whispery as they should be or as she imagines they are.

The Minister for Health: I am sorry. I just said that you could not be expecting to get back into power or otherwise you would not have said what you did.

Hon. A. R. G. HAWKE: My expectations are never great. I am resisting the tremendously strong temptation to have a crack, as it were, at the Minister for Health in connection with the enforcement of the law in this State as regards both hotel trading and starting-price betting.

The Minister for Health: There is no connection.

Hon. A. R. G. HAWKE: I remember the Minister for Health, when on this side of the House, slating our Government mercilessly for failing to enforce the law with regard to the liquor trade and starting-price bookmakers. However, I resist the temptation of dealing with that aspect.

Mr. Styants: All those principles have gone overboard.

Hon. A. R. G. HAWKE: I will simply say that the Minister for Health has apparently almost entirely abandoned the principles which she so loudly expounded when on this side of the House.

The Minister for Health: I have not abandoned them, but do not express them so loudly.

Hon. A. R. G. HAWKE: The Minister for Health compels me now to say a few more words about her attitude. She has told us that she is not allowed now to express her views.

The Minister for Health: I did not say that.

Hon. A. R. G. HAWKE: Presumably the Premier and other Ministers of Cabinet have told her she must not compromise the Government.

The Minister for Health: That is not so.

Hon. A. R. G. HAWKE: And that she must not make the position of the Government uncomfortable by indulging in the criticism in which she used to indulge when our Government was administering the laws of the State. Evidently what was a sin, a shame, and a crime in our day is something to be excused and forgiven in the days of her Government.

The Minister for Health: You will be sorry when you read that in "Hansard."

Hon. A. R. G. HAWKE: I think the Minister for Health is rather sorry that she made that whispery interjection about three minutes ago, because until then she was not on the menu that I had prepared prior to taking part in this debate.

With regard to the proposal in the Bill to legalise Sunday trading, I ask myself it is necessary for beer and spirits to be sold on Sundays?

Mr. Graham: Or lemonade?

Hon. A. R. G. HAWKE: I hope the member for East Perth will be able to keep his usually logical mind on the Bill before the House. If he cares to bring down a Bill to prohibit the sale of lemonade on Sundays, I will give it my usual impartial consideration, even though I may have some personal bias in relation to a measure of that description. We know only too well that beer has come to bulk larger and larger in the minds of people throughout Australia in recent years. We know that it has, unfortunately, come to bulk ever so much larger in the minds and desires of women and young people, as compared with the situation that existed even 20 years ago. We know that the business of obtaining beer is today an obsession with an increasingly large number of people included among whom, unfortunately, are ever so many young people.

I take it for granted that each of us knows the effect which the consumption of liquor can have upon those persons who indulge in over-consumption. Unfortunately the results are not the same in every instance. Over-consumption of liquor will cause one person to do certain things, while causing the next person to do other things, and many of the things that over-consumption causes some people to do are most harmful, destructive and even disastrous. That is so not only with regard to the person who over-consumes liquor, but also with regard to ever so many innocent people who have not in any way deserved to suffer that which comes to them through the actions of the person whose mind has been unbalanced or inflamed by over-consumption of liquor.

In my judgment, and looking at the question from the point of view of the whole community, I can see no necessity for legalised or other trading by hotels on Sundays. Surely for one day in the week the community can be left free from what might otherwise come to some of its members as the result of the sale of liquor on Sundays being legalised, and some persons over-consuming it and becoming liable to do all sorts of things. I think that in the few words that I have said in an endeavour to show that it is not necessary for liquor to be sold by hotels on Sundays, I have also shown that it is not desirable for hotels to be able to sell liquor legally on Sundays.

I find it difficult to understand why a hotelkeeper and his family would want to trade on a Sunday. Surely they would want a break from the liquor business on one day out of the seven. The only argument I can possibly find as to why any hotelkeeper would want to operate his

business on a Sunday is the financial reason. As far as I can judge from the observations I make, the hotel business is profitable enough during six days in any week without the financial return being added to by legalised trading on Sundays. It is true that the Bill proposes to make it optional to the hotelkeeper as to whether he opens his premises for trading on Sundays or not, but that provision is a snare and a delusion.

Take Northam as an instance! The last time I counted the hotels in that centre I believe there were nine. Let us say, for the sake of argument, that five of those hotelkeepers—in the event of the Bill becoming law—decided to trade on Sundays while the other four did not. How long is it thought that the four hotels could continue not trading? Those hotels are all reasonably close together and the regular customers of the four that did not trade on Sundays would go to the hotels that did trade on Sundays, and would become regular customers there, not only on Sundays but on the other days of the week. They would say to the keepers of the hotels to which they had formerly gone, "If you are not prepared to trade on Sundays we are not prepared to come to your hotels on the other days of the week."

If the Bill became law, therefore, it would in practice be found that the option provided would not be worth the paper it was written on, because every hotelkeeper would be compelled to open and trade on Sundays. Though there might be protection in the law, I do not think there would be any in fact for the hotelkeeper who did not want to trade on Sundays. He would be compelled by competition and pressure of circumstances to supply liquor to customers during the periods on Sundays proposed in the Bill. Let us now consider the position of the industrial workers who would be called upon to work in hotels on Sundays.

The Attorney General: They do it at present in Kalgoorlie.

Hon. A. R. G. HAWKE: The Attorney General should know.

The Attorney General: I do know. They have a special Arbitration Court award for it.

Hon. A. R. G. HAWKE: That does not affect the point I am about to make. If hotels open on a legal basis throughout most of the State on Sundays, the barmen and barmaids will be called upon by their employers to work for an hour before lunch and again for an hour before dinner at night, and in that way their Sundays will be wrecked. They will be tied to their places of employment for practically the whole of their Sundays. I believe that under their existing award they would receive approximately 11s. for each hour of service on

a Sunday, but I am not concerned with the financial side of it as far as the Bill would affect them.

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

Hon. A. R. G. HAWKE: Before the tea suspension I was dealing with the question of the proposed legalisation of Sunday trading by hotels, and the aspect of barmaids and barmen being called upon to work during each of two periods on Sunday—those periods being the ones which would be permitted if this Bill were to become law. It is true that in quite a number of industries and undertakings there is a necessity for Sunday work. As a result employees in those industries and undertakings are rostered for that duty. There would not, however, be many persons who would have to work on each of seven days of every week, even in those essential industries and undertakings where Sunday work is unavoidable.

It seems to me that Parliament should not do something, or attempt to do something, which would cause hotel employees to be under the necessity of working on Sundays and thereby be under the necessity also of being available for employment, and indeed being employed, on seven days of each week. It might be thought that any barman or barmaid who did not wish to work on Sunday—if this Bill were to become law—could avoid having to work simply by saying to the employer that he or she was not prepared to work, and was not available to be employed on Sunday. On the surface that might seem quite all right, but I am afraid it would prove to be a different proposition in actual practice.

We all know that the average employer likes his employees to work whenever the law allows them to be worked and whenever, in that period or those periods, the employer wishes the employee to work. If an employer—under this Bill if it were to become law—wanted his employees to work on Sunday and they found an excuse or some reason for not working I think they would, within a reasonable period of time, have to find some other employer to provide them with employment. They would not be sacked from their present employment for having refused to work on Sundays although that would undoubtedly be the real reason for their dismissal. They would be given some other excuse or reason which would be manufactured to meet the situation.

On that ground, too, therefore, I am not in favour of the proposal in the Bill to legalise Sunday trading by hotels. The hotel-keepers in the town of Northam favour the legalisation of trading on Sundays by hotels. They have informed me of that and, in addition, have told me that they wish the existing bona fide traveller's

clause to be retained in the Act. I mention those two points because I do not want it to be said by anybody in the future that these particular hotel-keepers had informed me of their views and that I made no reference in Parliament to the attitude which they adopted to this Bill.

There are some proposals in the Bill which I support; two or three of which, indeed, I would support very strongly. I think the main one is that which proposes to reduce, and if possible to prevent altogether, the drinking of liquor in public places which are not licensed for the sale of liquors. In conclusion, I would say that I think we have reached a stage, if not an age, where it is the responsibility of Parliament not to encourage people to consume increasing quantities of liquor but, if possible, to discourage any further great consumption. This Bill appears to me to have been accepted by the Government as being the easier, or the easiest way out of the difficulty which it has of enforcing the law which, for some reason or another—for many reasons possibly—has not been enforced in certain parts of Western Australia in regard to the sale of liquor over a great number of years.

In other words, during the whole of the time it has been in office the Government has had an opportunity to enforce the law—as the Attorney General thinks it should be enforced—but for reasons which are largely, if not entirely, political, has decided, as previous Governments had decided, not to enforce the law in the particular areas concerned. The Government appears to have reached a stage where it feels it must enforce the law equally in all parts of the State, or must amend the law to enable all other parts of the State, except the metropolitan area, to enjoy, if that is the right word to use, the same privileges which are now available, and have been available for a great many years on Sundays in respect to the open purchase and consumption of liquor at places such as Kalgoorlie, Boulder and Collie.

As it has the choice of two preferences the Government has chosen the one of introducing the Bill, which is now before the House for consideration. There are several good proposals in this measure to warrant my voting for it at the second reading, which I certainly intend to do. Those proposals which I think would be detrimental to the people generally will receive my opposition when the Bill is in Committee.

**HON. E. NULSEN (Eyre)** [7.40]: I have listened very attentively to my Leader and agree with him on some points. But I think I must disagree with him on the principal point. I cannot see that it is any more sinful to have a drink on Sunday than it is to have a drink on Monday.

**Hon. A. R. G. Hawke**: I did not say it was sinful.

**Hon. E. NULSEN**: That is the word I have used. It is possible that there are other denominations who would object to the consumption of liquor on days other than Sundays, and it is conceivable that they would be offended. This Bill should have been framed for the majority of the people in this State. I am very surprised that the Attorney General should bring such an important measure before the House right at the end of the session. I cannot understand the Government doing that at all, because this is a very important measure; it affects the whole of the people of the State. It does not merely affect a few around the metropolitan area, nor does it merely affect the temperance people or a few church people.

I am not speaking disparagingly of these sections of the community because they are very highly regarded, and I do respect them. But I do not agree with their opinions, and I feel that this attempt to bring down a very important measure at this hour is wrong. I would suggest to the Attorney General that he withdraw the Bill now, and have appointed a Royal Commission to go into the whole of the law and the ramifications of our liquor trade in this State. After he has done that then by all means bring down a measure that will be helpful to all the people. He should not get the opinions of those in the metropolitan area alone, but he should also endeavour to find out the views of the people in the back country, that this Bill vitally affects.

One has only to go 20 miles from the Town Hall to have a drink on Sundays. If it is right to have a drink 20 miles from the Town Hall on Sundays would not you say, Mr. Speaker, that there is nothing wrong in having a drink in the metropolitan area on Sundays? I feel no harm would be done, and in some cases it might be helpful for those who would like a drink. To allow one hour in the morning and one hour in the afternoon would have the effect of encouraging orgies. One cannot possibly serve people on the Goldfields in one hour; it would not be possible to give them all the drink they want, particularly if they were required to go into the lounge instead of the bar.

As far as the Goldfields are concerned, generally speaking I would say that there should be a provision for three hours in the morning and three hours in the afternoon. If that were agreed to there would not be the same number of drunks—if there are any drunks—as would be the case through having a short period. At Kalgoorlie there is a Sunday session between 9 a.m. and 6 p.m. and I venture to say that very seldom is anyone seen to be under the influence of liquor.

**Mr. May**: Those hours do not apply at Collie.

Hon. E. NULSEN: They do not apply in many parts of the State. That depends upon the police. At Norseman, the hotels open for two-and-a-quarter hours in the morning and one-and-a-quarter hours in the afternoon. The Sunday morning session finishes at 12.45 so that everybody can go home for dinner at one o'clock, or have dinner at the hotel at that hour.

Hon. J. T. Tonkin: What virtue is there in Norseman as against Fremantle?

Hon. E. NULSEN: I do not claim that there is any. I have already stated that I considered it was no more sinful to have a drink on Sunday in the metropolitan area than in the country.

The Minister for Works: That has always been the case.

Hon. E. NULSEN: This Bill is not at all acceptable to the people of the Goldfields.

The Attorney General: You would like the Goldfields to be closed up, would you?

Hon. E. NULSEN: That is the attitude of a person living in the metropolitan area.

The Attorney General: Do you want the law to be enforced?

Hon. E. NULSEN: Men on the Goldfields are accustomed to having a drink on Sunday. They have not the same facilities, amenities or means of pleasure as are available in the metropolitan area, and surely there is no harm in their having a drink!

The Attorney General: It should be done lawfully.

Hon. E. NULSEN: I agree. I am not seeking to condone illegal practices, but I want the measure to be reasonable. I should be perfectly satisfied if provision were made for two-and-a-quarter hours in the morning and one-and-a-quarter hours in the afternoon, because that would constitute for barmaids and barmen a half shift, leaving half an hour to get the bar in order. At Norseman, barmaids and barmen receive 9s. 1d. per hour for Sunday work. The hours are very strictly enforced, and I do not think the business could be conducted in a better way if it were legal. Sgt. Anderson, who is in charge there, is very strict. He does not tolerate any nonsense and, if anything happens that he does not like, he soon makes the fact known. He has the whip hand because Sunday trading is illegal and, if people kick over the traces, he is in a position to take action.

The Attorney General: The Commissioner has the whip hand.

Hon. E. NULSEN: Because the trade is illegal.

The Attorney General: Of course.

Hon. E. NULSEN: But the sergeant has quite a lot of power, too.

The Attorney General: No.

Hon. E. NULSEN: I do not think the Minister himself could sanction Sunday trading by hotels.

The Attorney General: Of course I could not.

Hon. E. NULSEN: On the other hand, I should not like to see them closed on Sunday. Esperance, Grass Patch, Salmon Gums also have their Sunday sessions and the business is well conducted. So far as I am aware no complaint has been made by any section of the community on the Goldfields.

The churches and temperance workers admittedly have their point of view, but I cannot understand why they should send this Bill here, although seemingly they have not definitely agreed to it. They had a deputation to the Minister and the subject was discussed and probably, in a half-hearted sort of way, they agreed to the proposals. Otherwise, the Minister would not have introduced them. I am pleased that the chairman of the Licensed Victuallers' Association, Mr. Johnston, did not agree to the proposals and I am glad the Minister made this point clear.

The Goldfields people have no bright Sundays, and I venture to say that nobody could point to any harm having resulted from a person's having a drink on a Sunday, if he so desires. I see no harm in a team, after a cricket or football match, going to the hotel and having a couple of schooners. If the Minister were a young man on the Goldfields and played games, I believe he would accompany the team. I feel sure he would not stand aside while the others went in for a drink.

Hon. A. H. Panton: He would probably go in whether he played or not.

Hon. A. R. G. Hawke: He still plays games.

Hon. E. NULSEN: If we are going to pass fool laws and put up measures that are unreasonable, and unworkable simply because people in the metropolitan area do not want Sunday trading, we shall only create trouble. The course to adopt is to approve of something fair, something that will suit all the people. Seeing that Sunday trading has been the custom on the Goldfields for a number of years, this practice has almost become the law.

If the Attorney General proves to be reasonable and accepts an amendment that will be proposed from this side of the House, we might be able to reach a compromise, but we cannot agree to anything less for the Goldfields than a two-hour session in the morning and a two-hour session in the afternoon. We must also allow people to have a drink in the bar, because it would be impossible to serve them in the lounge. Many people on the Goldfields have been in the habit of taking home a bottle of beer on Sunday to have with their dinner, and the women-folk have looked forward to this.

I cannot see any harm in a person's taking home a bottle of beer to drink with his meal because, if he remained in the hotel, he could have the drink. Therefore I say that if a man wishes to take a bottle of beer home in order to have a cool drink with his Sunday dinner, he should be permitted to do so. People in the metropolitan area have refrigerators and can get ice, but not so on the Goldfields.

Mr. J. Hegney: That is moonshine. Many people in the metropolitan area have not got refrigerators.

Hon. E. NULSEN: I know what I am talking about because, though I live in the metropolitan area now, I did live in the back country for nearly 40 years. I know that the people in the back country are entitled to have a drink on Sunday.

In the metropolitan area, a lot of people do not drink at all while others take very little liquor. Personally, I should not care if the hotels were closed because drinking does not appeal to me. I would prefer a lemonade, squash, barley water or something of that sort. It has been said that I am a hotel-keeper, but the only hotel I had was sold about 12 months ago, so I have no axe to grind there. Nor am I looking at the question from the financial aspect.

On the Goldfields, a morning session is especially necessary in the hot weather. The practice has been for the hotels to open at 9 a.m. on Sunday, whereas the Bill proposes that the opening hour shall be 10 a.m. Though that is a difference of only one hour, I point out that at places like Kalgoorlie, Wiluna, Marble Bar, Laverton and Norseman, the temperature is often very high at 10 a.m., and there is no reason why a person should not be able to get a drink at 9 a.m. instead of an hour later.

The Attorney General: You know that application could be made to the court for an extension.

Hon. E. NULSEN: Yes, but the result would depend upon the Attorney General and the influence that other people might have over him.

The Attorney General: No, it would be a matter entirely for the decision of the court.

Hon. E. NULSEN: The Minister did not invite members of Parliament to consider the Bill beforehand—in fact we knew nothing about it—but he did discuss it with church and temperance people, particularly those in the metropolitan area. The conditions on the Goldfields are not at all comparable with those in the metropolitan area.

I feel that we should be doing a grave injustice to the State if we encouraged people to come to the metropolitan area. Already more than one-half of the population of the State is located there, due

to the fact that facilities and amenities provided in the country are so few. In view of this, can people be blamed if they move to the metropolitan area? Now, it is proposed to make conditions worse for people in the outback country by providing that they may have a drink on Sunday only if they are able to squeeze into the lounge during one hour. Otherwise, they are to be expected to do without a drink.

If the Attorney General would give an assurance, firstly, that the hours proposed in the Bill will be increased very considerably; secondly, that those who desire to have a drink on Sunday—and these people on the Goldfields are numerous—they will be allowed to go to the bar to have it; and, thirdly, that they will be permitted to take home a bottle of beer to drink with their dinner, I believe that the people of the country would be perfectly satisfied.

I still urge the Attorney General to consider withdrawing the Bill and having an inquiry by Royal Commission to obtain a thorough understanding of the liquor trade throughout the State. It would be of no use having a Royal Commission to serve only the people of the metropolitan area; everyone in this huge State from the Kimberleys down to Esperance should be given an opportunity to state his views on the liquor trade.

Mr. Yates: Do you think that the views of a Royal Commission would be accepted?

Hon. E. NULSEN: I cannot speak for other people, but does the hon. member think that anything fairer could be proposed?

Mr. Yates: We had a Royal Commission on betting and did not give effect to its recommendations.

Hon. A. R. G. Hawke: The Government was afraid of the report of that Royal Commission.

Mr. Yates: All Governments are afraid of Royal Commissions on betting and liquor.

Hon. A. R. G. Hawke: No, their recommendations have been put into operation in some parts.

Hon. E. NULSEN: The penalties proposed in the Bill are very severe.

The Attorney General: Only for offences on Sunday.

Hon. E. NULSEN: Why is it necessary to provide such severe penalties? When any proposed penalty errs on the side of severity, it generally emanates from people who have not had a very wide experience of life, or from people who desire to have their own way or who are very strict disciplinarians. I think the fines are so high as to be unreasonable. One fine has been increased tenfold, and most have been increased three times. This is for the purpose of enforcing the law and to suit a minority of big people. I cannot agree to the Bill on behalf of my people, and I

recommend to the Attorney General that he withdraw it and put up something more acceptable after a thorough investigation of the liquor laws.

The Attorney General: And enforce the laws in the meantime.

Hon. E. NULSEN: I said at the beginning that I would like the position to remain as it is until an investigation is held. Surely the Minister is not going to take up the attitude he suggests, because that would be spiteful.

The Attorney General: I am asking you whether you think I should do that.

Mr. May: He said to withdraw the Bill.

The Attorney General: And to allow the laws to go on being broken.

Hon. E. NULSEN: Are there any laws that are not broken? I do not know of any. We cannot walk down the street without seeing people breaking laws or regulations. The law is meant for protection.

Mr. J. Hegney: You have only to read the report of the Commissioner of Police to know that our laws are broken.

Hon. E. NULSEN: I agree. I do not think the hotel-keepers have been consulted about the Bill.

Hon. A. H. Panton: Is not Mr. Johnston a hotel-keeper?

Hon. E. NULSEN: He is, and he is a man who is highly respected. He represents the Licensed Victuallers' Association, but he does not know the views of hotel-keepers in the country. He would have a better knowledge of the position in the metropolitan area.

Hon. A. H. Panton: I guess he has means of finding out.

Hon. E. NULSEN: I do not think the Attorney General consulted the Barmaids and Barmen's Union. It would not be worth the while of a barman or a barmaid going back to work for one hour in the morning and one hour in the afternoon; they should at least have a half-day's work. They should serve for three and a half hours and have half an hour in which to prepare the bar. I hope the Attorney General will heed what people on the Goldfields think. I was at Norseman last week and officials of the A.W.U. protested strongly against the period of one hour, and not being able to get a drink at the bar or being able to purchase bottled beer to take home. The same thing applies to the R.S.L. on the Goldfields. We represent the whole of the people, and we have to suit them. Those who want to have a drink are not criminals but are decent and honourable people. Because a person has a drink is not to say that he is not a worthy citizen.

Mr. J. Hegney: Who said that?

Hon. E. NULSEN: I do not know that anyone did, but the Bill will prohibit a number of people from having a drink,

and the assumption is that a person who wants a drink is not worthy, and we should stop him having one on Sunday.

Mr. Yates: There is still an abundance of water.

Hon. E. NULSEN: I cannot see any harm in having a drink on Sunday. No-one likes a man who is drunk. Hotel-keepers do not like people to drink excessively. A person who drinks to excess is really suffering from a disease and should be protected by law by being prevented from drinking at all. I suppose that 90 per cent. of members of the Assembly like to have a drink on Sunday, or any other day. Most of them have liquor at home in their refrigerators, whereas only a few people on the Goldfields are able to have that privilege.

Mr. Yates: Do you think country hotels should remain open on Sundays?

Hon. E. NULSEN: I have been saying that all night.

Mr. Yates: Do you believe they should remain open all day, or just for a few hours?

Hon. E. NULSEN: I would agree to shorter sessions, but I do say that anything less than two hours is absolutely hopeless: it will mean the hotels will be pig-troughs because everyone will rush in, and groups of five or six people will want 36 pots to make sure of having a shout all round, instead of being behaving quietly and decently by having a drink and going home.

Mr. Yates: Some country hotels do not own 36 pots.

Hon. E. NULSEN: We are not worrying about them, because they will have no rush. I have seen 400 people waiting at the one time to be served in the bar of the Norseman hotel. We can imagine what would happen on a Sunday if they had to be served in an hour. The Attorney General should understand my sentiments on the Bill. I shall approve of it only if it is drastically amended.

MR. McCULLOCH (Hannans) [8.7]: Being the member for Hannans, I must have something to say on a measure which affects a product bearing the name "Hannans." I was a bit disappointed at the Attorney General's second reading speech. He said he had had interviews with the Church and the U.L.V.A., but he did not say that he had interviewed the L.V.A. on the Goldfields, which is a separate body from the U.L.V.A. in Perth. A lot has been said—and many people believe it—of the Goldfields, especially Kalgoorlie and Boulder, being a hive of beer-drinking. I am not a beer-drinker; I would not walk from here to the door for a glass of beer, but I do not object to other people drinking beer. From my 26 years' experience in Kalgoorlie I would say that the people there are more law-



abiding in regard to Sunday trading in liquor than some places quite close to the metropolitan area. On several occasions I have been at Rockingham on a Sunday, where I have seen a fleet of about 30 Metro buses carrying people for no other purpose than to indulge in drinking beer. I say that more beer is drunk in the Rockingham hotel on a Sunday than in all the hotels of Kalgoolie and Boulder.

The Minister for Lands: You do not believe that, do you?

Mr. McCULLOCH: I do, and I have seen it with my own eyes. I assure the Minister that some of the hotels in Kalgoolie and Boulder do absolutely nothing on a Sunday. Some do not even employ a barman on Sunday, but this does not apply at Rockingham; and I can name other places. I have been in Busselton on a Sunday and seen liquor consumed there. I do not say those people are doing anything wrong. If people want a drink of beer, let them have it. But I do object to the suggestion that the Goldfields is the one and only place that indulges in Sunday trade.

Barmains on the Goldfields are not allowed to be employed on Sundays, but it is compulsory for barmen to turn up to work. Not long ago, when these people thought they could please themselves whether they worked on Sunday, they were told by the President of the Arbitration Court that they had to go to work on Sunday. I do not say that bar employees are desperately keen to do this work, because I do not think they are. They do not get rates similar to what workers in other industries get when working on Sundays. They do not get double time rates, and that was the trouble when President Dunphy ruled that they had to go to work under the conditions laid down by the hotel-keepers.

Hon. J. B. Sleeman: Do they get ordinary pay?

Mr. McCULLOCH: No, time and a half. It seems that under the Bill it will be optional for licensees to open their hotels. If we are going to make a law in this connection, there should be no option. As far as the provision for an hour in the morning and an hour in the afternoon is concerned, I have been in hotels where men have been trying to get a drink and the position has been such that, instead of having a quiet drink and letting it settle down, they have had 10 or 12 drinks, and have consumed in an hour as much as they would normally consume in four or five hours, with the result that they became stupefied with liquor. I think hourly trading is just too silly. The Bill provides that clubs are to be allowed to have two two-hourly periods with an interval of three hours. Why should this be permitted?

Hon. A. H. Panton: Look at the aristocracy that belongs to the clubs.

Mr. McCULLOCH: Yes, and a club member can take visitors with him. If it is good enough for a club to have four hours on a Sunday, it is good enough for any other bar to be open for double that time. On the Goldfields, one cannot step into a bus and go down to the sea front; there are just not the amenities that are to be found in the metropolitan area.

Mr. J. Hegney: They have the best swimming pool in the State.

Mr. McCULLOCH: Yes, but they did not get the Government to build it for them. People in the metropolitan area have everything provided. Normally, on Sunday afternoons on the Goldfields, football and cricket matches are played and many men come off Saturday evening shift on the Sunday morning. There are many conditions on the Goldfields different from those that exist in the metropolitan area. All sorts of diseases are prevalent on the Goldfields, and there is no similar industry in the metropolitan area. I do not know where the Attorney General got the big idea of opening at 10 a.m. instead of 9 a.m.

Many men on the Goldfields come off shift at 8 o'clock in the morning and, should this measure be passed, they will have to wait until 10 o'clock if they want to wash some of the silica dust off their lungs. The result will be that it will be midday before they get home for lunch, and then they will be able to have only a couple of hours sleep and will have to get ready to go back on to shift. To have 10 o'clock opening in the morning instead of 9 o'clock is just too ridiculous.

I am pleased to see that the Attorney General has taken a stand against this local option. The Rev. Jenkins recommended local option but I suppose he has to stand up to his commandments. I am sure the Attorney General does not believe in the commandments, especially the one which states—"Six days shalt thou labour and do all that thou hast to do, but the seventh day is the Sabbath and a day of rest." The President of the Arbitration Court did not believe in that commandment either when he compelled these workers to work on Sundays. However, I am glad that the Attorney General has taken a stand about the local option question. I have seen it tried out in the past and, on occasions, have seen hotels on one side of the road open for business while hotels on the other side of the road have been closed. I suppose the Church people think it would be a good idea but I would be one of its strongest opponents.

The Bill also makes provision to prohibit the consumption of liquor on any sports ground, public road, reserve, etc.

I wonder what effect this will have on race-courses? It is possible to get a provisional license for a sports ground.

Hon. J. B. Sleeman: I think they are excluded.

Mr. McCULLOCH: No.

Mr. Graham: Yes.

Mr. McCULLOCH: In any case, I wonder what effect this will have on racecourses? If it does affect them I think the Attorney General will be in for a lot of opposition from the local racecourse proprietors, both in the metropolitan area and on the Gold-fields. The Bill also provides for prohibiting the consumption of liquor within 20 chains of any dance hall. I agree with that because there is some substance in such a proposition. I have seen the effect drink has at these dance halls in the metropolitan area and if I had had my way I would have prohibited it long ago.

I disagree with many of the propositions put forward by my Leader. He seems to think that because he does not like beer nobody else should like it either. I believe in the freedom of the individual. An individual, on occasions, will conduct himself in a worse manner than another individual having a drink of beer. I have not seen too many convictions in the local or any court because of drunkenness, and if a man wants a drink of beer instead of a drink of coca-cola or any other type of aerated water I think he is entitled to have it.

If the Attorney General is not prepared to withdraw the Bill altogether and make some decent provisions for the parts of the State that require them—and have had some reasonable provisions for 50 odd years—I will have to give serious consideration to opposing the second reading. I would like to see the Attorney General adopt the suggestion put forward by the member for Eyre and withdraw the measure altogether. Let us carry on as we have been doing in the past. Little harm has been caused and this outcry has come from only a small minority of people, mainly Church people. I would not take any notice of their outcry, but I think we should listen to the desires of the general public whom we represent. If a referendum were taken to see whether or not people wanted Sunday trading I think those on the Gold-fields would be in favour of leaving conditions as they exist at the moment.

Mr. W. HEGNEY: I move an amendment—

That the word "now" be struck out and the words "this day three months" added to the motion.

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

Ayes	22
Noes	23
Majority against	1

Ayes.

Mr. Ackland	Mr. McCulloch
Mr. Brady	Mr. Molr
Mr. Butcher	Mr. Nalder
Mr. Graham	Mr. Needham
Mr. Hawke	Mr. Nulsen
Mr. J. Hegney	Mr. Pantou
Mr. W. Hegney	Mr. Read
Mr. Lawrence	Mr. Sewell
Mr. Manning	Mr. Styants
Mr. Marshall	Mr. Tonkin
Mr. May	Mr. Kelly

(Teller.)

Noes.

Mr. Abbott	Mr. McLarty
Mr. Brand	Mr. Oldfield
Mr. Cornell	Mr. Owen
Mr. Doney	Mr. Perkins
Mr. Grayden	Mr. Sleeman
Mr. Griffith	Mr. Thorn
Mr. Guthrie	Mr. Totterdell
Mr. Hearman	Mr. Watts
Mr. Hill	Mr. Wild
Mr. Hoar	Mr. Yates
Mr. Hutchinson	Mr. Bovell
Mr. Mann	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Coverley	Dame F. Cardell-Oliver
Mr. Rodoreda	Mr. Nimmo

Amendment thus negated.

HON. J. B. SLEEMAN (Fremantle) [8.25]: I have no intention of casting a silent vote on this important question and I suppose, as one of the wowers of this House, if I did remain silent people would think I voted against this liquor Bill. Drinking beer is either right or wrong, and personally I can see nothing wrong in it provided a person does not drink to excess. Of course, drinking to excess, eating to excess or doing other things in excess is also wrong. But if it is not wrong to have a drink of beer on Monday or Saturday it is certainly not wrong to have a drink of beer on Sunday. There are many provisions in the Bill that I favour and some with which I do not agree. But I think we should pass the second reading and then we can make a job of the measure in Committee.

There is a provision which deals with liquor in dance halls and ballrooms. I would put my foot down firmly on that sort of thing. At the last ball I attended at the Embassy I was disgusted at the amount of beer taken into the hall. There was no restriction; people were carting it in in case lots. My wife and I sat opposite two young teenagers, a boy and a girl, and they were drinking bottle after bottle of beer. They would not have been able to obtain it at a hotel, and to my mind it is wrong that these youngsters should be able to obtain beer, or drink it, at dance halls or ballrooms. If I had my way I would stop it completely and authorise the police to see that no beer was taken into a ballroom or dance hall.

The same thing applies to barbecues. That is another way these teenagers get beer. I have had personal experience of it and the last one I attended was a failure in a way because not enough people turned

up. However, a number of young fellows on motor bikes came along and bought tickets to purchase beer. They were all under age and yet they stayed there drinking for the rest of the night. Because we objected to it we got ourselves disliked. We said, "What would happen if any one of these young fellows got killed on his way home?" I think the police should have unlimited authority to prevent the consumption of liquor at ballrooms, dance halls, barbecues and the like.

Many people who run dances will not allow liquor in the hall. I know of one dance that is run in Fremantle on Saturday nights and no person showing any trace of drink is permitted to enter. People may laugh at me but I think the longer pubs are open the less drunkenness there will be. When men are in hotels and they see it is almost 9 o'clock they order half-a-dozen schooners, and drink them up as quickly as they can before closing time. I know, because I have seen it. Frequently one of those unfortunate chaps is picked up on a drunken-driving charge on his way home.

I am told, too, that in European countries and in Great Britain the trading hours are longer than they are in this country. I have never been there but I am reliably informed that there is less drunkenness because of that. When the Agent General for Western Australia was here a few months ago I discussed this question with him, and he told me there was very little drunkenness in Great Britain. He also said that the people over there drink their beer much more slowly than people do in Australia.

Hon. A. H. Panton: The beer in Britain is not strong enough to make one drunk.

Hon. J. B. SLEEMAN: The answer is that we should make the beer here weaker. We will never make people sober or good by Act of Parliament. It is of no use saying to people, "You cannot drink" because, if they want to drink, they will drink, and we will not keep liquor away from what I call a "beer chewer" by Act of Parliament, but will deny a respectable man who wants a drink of beer on a Sunday. If I had my way, hotels would be open for longer hours and then there would be less drunkenness. Why should not a man who leaves a picture show or a place of entertainment be able to get a drink of beer if he wants it? I think we should make a Bill out of this legislation in Committee. For the benefit of members who do not know, I would point out that in London hotels are allowed to keep open for nine hours. The hours of trading are as follows:—

Weeks days—11.30 a.m. to 3 p.m.;  
5.30 p.m. to 11 p.m.

Sundays—12 noon to 2 p.m.; 7 p.m.  
to 10 p.m.

Even some hotels and certain licensed cafes there are allowed to cater for the tourist trade, under an extended license, by serving drinks until 2 a.m. in lounges, and it has been said that there is less drunkenness in London than there is here. The member for Leederville has stated that the beer in England has a weaker alcoholic content. In that case, to decrease the degree of drunkenness in this State it would be wise if we also decreased the alcoholic content of our beer. As I have said before, I do not drink beer because I do not like it, and I still contend that we will make people adopt sober habits by education rather than by attempting to do it by Act of Parliament. Let members tell me of any Act of Parliament that has tended to make people good or adopt sober habits. The only way to overcome the difficulty is to educate the people in their manner of drinking.

One portion of the Bill provides that clubs are to be allowed an increased number of trading hours, and in another it is provided that the hotels shall have less. I cannot see the reason for that. If a club is granted that privilege, why not the hotels? Why should a man who is not a club member be unable to enjoy the privilege of having a drink during an hour when clubs are open?

Hon. A. H. Panton: The Weld Club, for instance.

Hon. J. B. SLEEMAN: Yes, and there are workers' clubs and also the Celtic Club. All members of clubs in Western Australia are not aristocrats. If we pass the second reading of the Bill and go into Committee we might be able to make something of it.

MR. HOAR (Warren) [8.34]: It would be a great pity if we failed to come to some decision, during this session, on this amendment to the Licensing Act because, if ever there was an Act that needed amending, this is it. I do not think we will satisfy the needs of the State or our consciences if we agree to postpone it for three months which, in effect, would mean the killing of the Bill. The subject of drinking either on a Sunday, Monday or any other day of the week is a most contentious one among a great many people. Past legislatures have attempted to satisfy too many different sections of the community by trying to evolve satisfactory legislation. I do not think we have ever been honest in facing up to the problem. In fact, we have never faced up to it at all. We have looked at it from the point of view as to how it will affect a certain section of the people, or what sort of influence that section has on the political life of the country, rather than from the point of view as to what satisfies the average man and woman.

At present we have a law that operates throughout the State and yet there are some sections that are discriminated against. I am not one who is prepared, at any time, to accept the law that provides for one section of the people and not the other. In the division held a few moments ago we saw the Goldfields' members voting for the discontinuance of the debate on the Bill. Those members represent areas that enjoy Sunday trading which is certainly outside the ambit of the law, and one would think that they would naturally support a piece of legislation such as this which endeavours to make its provisions State-wide in their application.

The reason why those members voted for what would have meant the killing of the Bill was that they are in the habit of getting four hours' trading on a Sunday whereas, if the Bill is passed, they will only get two; one in the morning and one in the afternoon. In order that the privilege may be enjoyed by the people in one or two isolated sections of the community they are prepared, apparently—and many other members too—to deny all the other country districts of the State the right to enjoy a similar privilege, but on reduced hours. I do not believe in that kind of discrimination. That was why I supported the Government in the division just taken.

Something ought to be done to bring the hours of trading of hotels in small country districts, which have only one or two hotels, into line with those in other places which enjoy extended trading hours. Whenever the licensees in the small country areas open their hotels on a Sunday now, they are always in danger of the police sergeant entering the premises and taking the names of the people on the premises. As against that, we know that if a person travels a few hundred miles, he can enjoy a drink under such circumstances and still escape punishment. That sort of thing is not good enough. I am pleased to see the Bill brought down, which although it may not be complete or entirely satisfactory in all its provisions, nevertheless does attempt to smooth over that discrimination which is operating against certain sections of the public.

My idea is that there is nothing radically wrong in anyone having a drink on a Sunday, because we can get a drink if we want it in any case without going into a hotel. We get it when we take a bottle of beer home on a Saturday in order that we may have a drink on Sunday, and we also get it when we take a case of beer with us and go down the coast on a fishing trip. The average man and woman likes a drop of beer, whether it be on a Sunday or any other day. What is wrong with the liquor traffic is that we have not yet learned how to drink. The main reason why we have not is because of the system of hotel licensing we have in this State. The hotels here

are not public houses in the true sense of the word; they are beer swilling joints and nothing else.

No matter which day of the week one may enter a hotel, it is evident that the main incentive of the licensee, other than to provide accommodation for travellers, is to make a profit out of the sale of beer or other spirituous liquors. Yet a hotel should, and could be—and indeed in some countries it is—the focal point of the social life of the community. Not only in the Continental countries, but also in England, there is greater laxity apparent in the drinking habits of the people because better facilities are available. In some places in the Eastern States where they have community hotels, the profit from the sale of beer goes back into a fund for the benefit of the community in order to provide gardens, tennis courts, swimming pools, hospitals and other amenities of like nature.

Would it not be far better if we had a chain of such hotels in this State, regardless of whether they be publicly or privately owned? It does not matter which, for the purpose of making my point, as long as the profits are spent to improve the conditions under which people could drink either on a Sunday, Monday or any other day. My objection to the Bill is because it proposes to continue one of the worst features of drinking, inasmuch as it will make people crawl furtively into some back hotel lounge, behind closed doors, and in the mad scramble for beer attempt to get some sort of service through a 2ft. x 2ft. hole in the wall. That is no approach to the subject at all. I do not know whether the Minister is still endeavouring to pander as far as possible to the viewpoint held by religious bodies of this community, but personally I would much rather be honest in this matter and say that the bar should be open for one hour or two hours, as the case may be, but under public conditions.

I am not ashamed to have a drink of beer on a Sunday, but why should I have to go to a hotel like a criminal in order to obtain one? Therefore, whilst the Government has done something to eradicate the inequalities relating to the liquor trading hours in Western Australia, it nevertheless has not gone far enough. I disagree entirely with the present method under which hotels are permitted to be built on the plans they are submitting at present. I do not think the premises conform to the requirements of the community. To have a drink with a friend or a number of friends is a most understandable social attainment. It is something that people like to do because of the social atmosphere that is created, but it is denied to them in our hotels because the conditions there do not encourage people to enter into a social atmosphere which could and should be

achieved, and which prevails in licensed houses in many other countries of the world.

I enter my protest against the Bill because of the hotel licensing system that operates in Western Australia. Some years ago we attempted to establish a community hotel in one of the larger towns in the South-West, but the plan was defeated in its early stages as a result of private capital and other vested interests generally. I venture to say that had we been successful on that occasion we would have raised a monument, in so far as hotel trading hours and conditions are concerned, to the rest of the State. We could do it even today if the power of many who control the breweries and hotels were not so great, and thus give to the people those social amenities which could be provided from the profits obtained from the sale of beer but which are being denied to them today.

In many cases I am sure that would result in bringing them closer together in such a manner that there could not be any objection from anybody to Sunday trading under such conditions. For men to make pigs of themselves on Sunday or any other day is an attitude which is entirely foreign to my character and I think to the characters of most decent people also. Whilst I commend the Government to the extent that it has attempted to do something I would prefer it to be a little more honest in its approach and do away with this "hole in the corner" business, and thus be able to say fearlessly, "There is no more harm in drinking beer on a Sunday than there is on any other day of the week."

**MR. BRADY** (Guildford-Midland) [8.45]: I shall not cast a silent vote on the Bill, and will have something to say that will possibly serve to educate other members and, in the process, may educate myself as well. The measure contains a lot more than mere reference to Sunday trading. I shall go through a number of the clauses. Clauses 1 to 5 deal mostly with administration.

**MR. SPEAKER:** Order! The hon. member must not refer to the clauses except in passing.

**MR. BRADY:** Very well. We have clauses dealing with licenses, the matter of compensating hotel licensees in case prohibition should be carried, and then a most important clause providing for the abolition of the prohibition poll. That is far more important than the part of the Bill dealing with Sunday trading. It is proposed to take away the right of the people to have a vote regarding the future of the liquor trade. That is definitely wrong. Then we have provisions relating to members of the Air Force and also one dealing with special conditions for the Goldfields. Another provision, of course, deals with Sun-

day trading, and another concerning Sunday permits. Another clause deals with drinking in cars and another with drinking on land adjacent to dance halls.

It will be seen the Bill provides ample opportunity for members to speak for hours. I do not propose to do so, but there are some points I wish to ventilate, based on the opinions I have as a pronounced teetotaler. I do not imbibe other than soft drinks. To the credit of the Licensed Victuallers' Association, the hotels generally in my electorate and the churches, not a single representative of any one of them has approached me on the question of how I should vote on this legislation. As it is, I have an open mind. Having been a life-long teetotaler, I want to give the House the benefit of my experience and observations.

Some weeks ago we read in the paper of leading legal men, church dignitaries and others expressing the opinion that Australia was due for a moral uplift. I think they referred indirectly to the hold liquor has on the young men and women of this nation and possibly on the older men and women as well. Their opinion should be taken into consideration when dealing with a Bill of this description. As to drinking on Sunday, if a man wants to drink on that particular day he should make the necessary provision on Saturday, just as he would make provision regarding household necessities and domestic requirements. I do not think that hotel employees should be forced to work on Sundays any more than should those employed by grocers, butchers and bakers.

No one can tell me that if a man wants to have a glass of ale on Sunday, his requirement in that regard is any more important to him than the natural food he requires in his home. To that extent I feel the argument regarding Sunday drinking should be decided on the same basis as the law applies to the grocer and the butcher, and provision for the weekend should be made during the week. With regard to the practices observed at Kalgoorlie and probably to some extent at Collie, my view is that the Licensing Act should be amended to enable those people to get a drink on Sunday. If that has been the custom on the Goldfields and at Collie where special circumstances exist entitling them to that consideration, they should be permitted to do so by law.

I believe, in common with others who have spoken, that by having hotels closed on Sunday we will not stop people from drinking. We must educate them gradually. I commend the churches on doing a particularly good job. The best way to persuade people not to drink is by example. In the main, that is what is done by the churches and their adherents and also by some members of Parliament. I guarantee that if the position were canvassed, it would be found that the number of total

abstainers among members of Parliament would be practically equal to that of those who drink.

The best way of persuading people to be abstemious is by example and education. I believe also that if we amended the Act to reduce the alcoholic content of spirituous liquors and beer, the most dangerous aspect of the liquor traffic would go by the board. In other parts of the British Empire, the alcoholic content of beer is below that applying to beer in Western Australia, and we should certainly give some consideration to that aspect. That is why I regret that the appointment of a Royal Commission, which the Premier promised last year when the local option Bill was being considered, has not been gone on with by the Government.

With the Leader of the Opposition, I believe there are many deficiencies in the liquor trade, particularly with reference to the way hotels are run, the way people who require accommodation at night are treated, and the way the liquor laws generally are carried out at present. The time is certainly overdue for a Royal Commission to investigate all aspects of the liquor trade. Consideration should be given to the monopoly that has been built up in Western Australia in the beer trade and ownership of hotels. Despite the fact that most people do not agree with the creation of monopolies, the fact is apparent that one or two brewers have a monopoly of the beer trade in this State. I believe that is not in the best interests of the community as a whole.

I am prepared to support the second reading of the Bill with a view to dealing with a number of the clauses in Committee in order to improve them wherever possible. Dealing with the question of local option I believe people should have the right to a vote in that regard if they so desire. In January of this year I had a peculiar experience. I travelled to New Zealand by plane, and among the passengers was a Maori worker. I ascertained he was going back to a job in New Zealand. A week later when I was making arrangements for the return journey to Australia I met that young Maori on the railway station at Auckland. I told him I thought he had gone there to get work and he told me he had worked in a district in New Zealand but he found that local option applied there. Because he liked his drink, he decided to leave that district and go elsewhere.

Mr. W. Hegney: He had no option!

Mr. BRADY: That shows that in New Zealand the two systems work side by side and so far as I am aware no civil revolution has broken out in consequence. In some parts the people prefer a dry area, while elsewhere they want a wet area. People should have the right to vote accordingly. Like the member for Hannans, I think every person has the individual right to choose his own liquor habits. I

would not put any obstacle in the way of the person who wanted a drink. In fact, I would be prepared to buy him one, but I would not allow him to interfere with me in my desire to have a soft drink or a glass of milk.

Some member interjected that if we were going to cut out beer drinking on Sunday, we should cut out lemonade as well. I would be quite prepared to cut out lemonade on Sundays provided the prohibition applied to people over 21 years of age. I would not like to see kiddies suffer on account of the shortcomings of adults. I believe that the status quo regarding our liquor laws should remain as at present. The seriousness of the position regarding the Licensing Act has relation to the difficulties associated with administration.

The Attorney General, the Commissioner of Police and individual sergeants in their respective districts are placed in a difficult position. They are accused of taking bribes, of accepting backhanders and of owning interests in hotels, because they do not do this or do that, according to whether the person discussing them is a teetotaller or a hard drinker. I remember, when I was the secretary of the Trades Hall at Midland Junction, being approached by a young woman who was very keen on the police enforcing the law with regard to a hotel close to Midland Junction. I said to her, "I do not think I should interfere with that particular hotel or the sergeant in charge of the district. I suggest you talk to the sergeant himself about the matter." She replied, "That is no good, I saw the sergeant and he told me he knew that the sergeant who had interfered with that hotel previously was transferred right up to the far North, and he said he did not want to be transferred there."

It would seem that at times political influences enter into the matter, and so one can sympathise with the administration. To that extent I have every sympathy with the Attorney General in his desire to do something about it. I have every sympathy with the Commissioner of Police and his officers in their desire to do the right thing. As far as I can see—there may be exceptions—no one is being badly hurt by the present position, even if in some parts of the State the law is not rigidly enforced. I feel that the Attorney General could amend the measure to allow the status quo to continue and then enforce the law strictly and inflict penalties up to the maximum. At least we could make an effort at a fresh start. As it is, the liquor laws are neither one thing nor the other. We have reached the stage at which the law should be enforced. I support the second reading of the Bill.

MR. W. HEGNEY (Mt. Hawthorn) [8.58]: In common with other members, I have no desire to cast a silent vote on this question. I moved the adjournment of the debate because I did not think it fair to

members to bring forward such a contentious measure in the dying hours of the session. I consider the Government would have been well advised to have appointed a Select Committee or a Royal Commission to inquire into all phases of the liquor industry, including the brewing and financial sides. I am surprised at some of the provisions embodied in the Bill. At the outset—on the point, I stand open to correction—one of the interests that will be particularly concerned in a measure of this description is the Liquor Trades Employees Union. Was that union consulted to any extent, if at all, in regard to this Bill? I invite the Attorney General to interject in the affirmative or the negative.

Hon. A. R. G. Hawke: In other words, let him say yes or no.

Mr. Stvants: The answer is no.

Mr. W. HEGNEY: That union, which is vitally concerned, has not been consulted. But other interests have been consulted. They must have been, otherwise the terms of the Bill would not be such as they are. As a member of this House, I object that, when a Bill of this character is introduced, certain interests should be consulted and others ignored. We had the spectacle of the Attorney General, when he introduced the measure, handling it as if it were a hot potato or a hot brick. He wanted to get rid of it as quickly as he could. The notes in his hand seemed to be burning his fingers. He gave the House the impression, and any unsophisticated member would have drawn the inference, that it was not the Attorney General's Bill that was being introduced but the Bill of the Rev. Mr. Jenkins. I know he did not mean to convey intentionally that it was the Rev. Mr. Jenkins's Bill on behalf of the churches, but that was the indication.

I do not propose to read the protests and denials of the representatives of the churches. No doubt the Attorney General has read the criticisms and duly digested them; but I consider that the organisation I have mentioned should have been consulted in regard to this Bill, and I contend that it is ill-timed to have a measure of this important nature brought down within five or six sitting days of the end of the session. I hope that even yet it will be abandoned and a Royal Commission appointed, for the Government must think there is justification for alterations in the Licensing Act. Then, when the next session is held, mature consideration can be given to all phases of this particular social and public question.

One of the provisions in this Bill is to extend the authority and permission to females to serve liquor on Sundays. I think that the majority of members of this House will agree that females should not be asked to serve liquor on Sundays. The Bill goes far deeper than appears on the surface. One of the main provisions is for the elimination of the provision for the taking of a periodical poll of the people.

As the Act stands, that provision is loaded, because before prohibition can be carried—and, incidentally, I am a strong anti-prohibitionist—there must be a three-fifths majority vote in favour of prohibition. The platform of the Australian Labour Party provides for a poll to be taken on a compulsory voting basis, with a simple majority determining the issue, and I am diametrically opposed to the elimination of any provision which gives the right to the people periodically to vote on the question of prohibition or otherwise.

I come to the provision relating to trading hours of hotels outside the 20-mile radius. I was impressed by the remarks of the Leader of the Opposition. I go further and say that people who are tenants of, or are managing tied houses, can be instructed to open their hotels on Sunday afternoons but the owner of any free house can please himself. I do not know the actual boundaries, but I might be right in saying that a 20-mile radius from the Town Hall would just exclude Mundaring and Sawyer's Valley. A ring would be drawn around the metropolitan area and there would be a number of hotels a mile or two inside, and a number a mile or two outside that ring. Is it fair to discriminate?

I strongly object to discrimination in regard to hotels. If it is all right for them to be open on Sunday if they are 20 miles and 1 yard outside the metropolitan area, why is it not right for hotels in the metropolitan area to be thrown open? Should not every hotel be considered to be on the same basis? What is the reason, if any, that the Bill prevents hotels within 20 miles of Perth from opening on Sunday while hotels outside the 20-mile radius are allowed to be open? Can the Attorney General logically answer that?

The Attorney General: The answer is that it is being done now.

Mr. W. HEGNEY: Then why the necessity for the Bill?

The Attorney General: Because it is being done unlawfully.

Mr. W. HEGNEY: Why does the Attorney General not carry out the laws?

The Attorney General: I am following the example of the Government you supported.

Mr. W. HEGNEY: The Attorney General is sworn to uphold the law. Why does he not carry out the law?

Mr. Griffith: Did your party do so when it was in power?

Mr. W. HEGNEY: What does the Attorney General visualise will happen if the Bill is carried and it is applied to the Goldfields.

The Attorney General: I think they would apply for an extension of hours, which they can do.

Mr. W. HEGNEY: It has been said that the Goldfields hotels are open for certain hours on Sundays at present. If this Bill is passed the hotels would open for only the particular hour in the morning and the hour in the afternoon. If it is all right for hotels to be open outside the 20-mile radius of Perth, it should be all right for them to be open within the 20-mile radius. Is there anything wrong with hotels being open in the metropolitan area if they are going to be open outside? The Government should be consistent, and if it is going to throw any hotels open it should allow them all to be open.

The Attorney General: It is not the Government's desire to extend the sale of liquor on Sundays. It is only to legalise it where it is actually taking place.

Mr. W. HEGNEY: The Minister knows that is incorrect. The Minister says it is not the desire of the Government to extend the liquor trading hours on Sunday. Will he deny that, if this Bill is carried, every hotel in Western Australia outside the 20-mile radius of Perth will be able to open on Sunday for at least two hours?

The Attorney General: Yes.

Mr. W. HEGNEY: All the hotels outside a 20-mile radius can open for at least two hours?

The Attorney General: All the hotels yes.

Mr. W. HEGNEY: Yet the Attorney General said that this was only to legalise the opening of those which are already opening. That is entirely wrong. What he said shows that this Bill is ill-timed and has not been properly considered. It certainly needs a lot more examination. In a district which has seven hotels, two or three can be open and the other remain closed, or one can be open and six can be closed. I do not know that the U.L.V.A. in the country areas will look upon this Bill too kindly. If hotels are to be open on Sundays, labour will be needed and it will be members of the Bar-men's and Barmaids' Union who will supply it, which means that their Sundays are going to be spoilt. Awards and agreements will have to be amended, and if these employees do not carry out the requirements of their employers in regard to Sunday trading they will be obliged to look for other employment.

I am pleased that there is provision in the Bill to curtail the drinking of liquor on sports grounds. I have attended football matches, and since the war the practice has grown up—a most reprehensible one—of large numbers of people taking bottles of beer on to sports grounds; and from the time the ball is bounced at 2.45 until the final bell, a man has a job to dodge empty beer bottles. Consequently the provision in this Bill is one to be commended.

I notice that clubs are to be open on Sundays for longer periods than hotels. I do not know the reason for the discrimination. If it is good enough for the clubs to be open for four hours, why cut the ordinary hotels down to two hours? Those are the main provisions of the Bill. I think the Government would be acting in the best interests of the State if it were to drop the measure and within the next six or nine months have the whole ramifications of the industry looked into, and a comprehensive series of amendments brought down next session.

Unlike the member for Guildford-Midland, I am not a teetotaler. I have been a moderate drinker for quite a long time, and propose to continue drinking if I am asked at any time by the Premier or anyone else. But men of maturity, with growing boys and girls, and a full sense of a father's responsibility and with due regard to their obligations as citizens, cannot look with peace and quietness on the position obtaining in Western Australia today, and indeed in Australia. I am not speaking as one who is what is called a wowser, or as a prohibitionist, or one who would refuse his fellow-men any drink at all. We have all had the opportunity of seeing and knowing the grave danger to which this country and its people are being subjected through the strong tendency of the younger generation towards an increase in drinking. Legislation cannot overcome it and, even if we had a hundred statutes dealing with the subject, they would not prevent from drinking those who wish to do so. Whether a reduction of the alcoholic content of liquor would help solve the problem is a question to which serious consideration must be given. I believe the time has arrived when there should be a crusade in this country against the abuse of drinking. There is no doubt that excess in this direction is helping to sap the moral fibre of the nation.

I do not know whether publicans, brewers and those who are fond of drink will think ill of me or oppose me because of the sentiments I am expressing, but I would sooner lose my seat in Parliament than remain silent on a question such as this. I feel constrained to utter a word of warning about the danger that confronts us. Anything that Parliament can do to minimise that danger and give some more effective regulation of the drink traffic will be of advantage to future generations. That was one reason why I endeavoured to secure the postponement of consideration of this measure until some future time but, if the Bill is proceeded with, I hope severe amendments will be agreed to during the Committee stage. I would rather see the Bill abandoned so that the Government could bring down a well-considered measure during the next session of Parliament.

MR. MARSHALL (Murchison) [9.17]: It is my desire to endorse the remarks of the previous speaker. It is indeed unfor-



tunate that our young folk are taking so kindly and liberally to the consumption of alcoholic liquor, though what can be done to foster a right moral outlook on the drink question, in order that our young people may realise that inevitably no good can come from the consumption of liquor, I do not know. No nation can ever hope to rise to the heights of greatness if the vast majority of its citizens lose much of that self-respect which is so essential to citizenship and manhood. From time to time in this Chamber, when dealing with the questions of liquor and betting, I have endeavoured to acquaint various Governments with the urgent necessity for altering the curriculum of our schools slightly so that every child during its last year at school will receive 15 minutes of instruction each day on the evils of over-indulgence in alcoholic liquor and gambling. But all my appeals have been in vain and our children are allowed to leave school unfortified and unarmed.

So pronounced has the drink habit become of recent years that there is now little of that self-respect so evident in years gone by, which resulted in those who did desire to drink endeavouring, as far as was humanly possible, to conceal their habit from the rest of the community. Today, open drinking is a common practice, and for that reason one of the provisions of this measure will receive my whole-hearted support. Like the member for Mt. Hawthorn, I believe the time has arrived for a crusade against drink in our community and, side by side with that, there is a responsibility on the Government to see that our children, during their school hours, are thoroughly informed on the evils of excessive drinking and gambling. Although I am practically a total abstainer and have never consumed beer, I cannot boast, as can some members, of never having been under the influence of alcoholic liquor.

Hon. J. B. Sleeman: What was it like?

Mr. MARSHALL: I suggest to the hon. member that he break loose on one or two occasions and try it for himself. It will not cost him much, apart from a few headaches and a little less change in his pocket, and he will then have the experience for himself. I have frequently asked young folk that I have known for many years—and particularly young women—"Why do you take alcoholic liquor at all? What do you find of value in it?" And, without exception, the reply has been, "Well, there is no harm in it." I have then asked them to explain to me what good they find in it, but they have not answered that question. There seems to be a general idea abroad today that one cannot be a good soldier unless one is a heavy drinker and, to a somewhat lesser degree, the same view seems to be held by those who work in the mining industry. They seem to believe that unless they

drink heavily they cannot be good miners, and that the more alcoholic liquor they can consume the better citizens they are.

I know that one need not drink in order to be a miner. I was a miner for many years in Africa and Malaya and did not know the taste of alcoholic liquor. I worked in a big smelting works, with the terrific heat of the furnaces nearby, and yet felt no need to indulge in liquor. I am fearful that unless something is done immediately, apart from whatever may be achieved by legislation, it will be impossible soon to uplift the individual and consequently the nation. I am frequently saddened when attending football matches to see young men and, particularly, young women drinking in public. When the moral fibre of the woman goes, that of the nation goes with it.

One sees at sports gatherings bottles of beer being handed round and young girls—respectable in appearance and apparently desirable as citizens—sucking from a bottle after half-a-dozen other men and women have had a drink from it. I abhor public drinking, and would again ask the Minister for Education to see to it that the teachers in our schools instruct senior students in the dangers of excessive drinking. A great tragedy today is the fact that many mothers fail to set their children a good example, thus making the task of reformation much more difficult. We should instil into our children a fear of the results of excess in the directions I have mentioned.

Hon. J. B. Sleeman: We were told all that by our parents.

Mr. MARSHALL: Yes, but that part of our education which in our time we received from our parents is now left to the schools, because so many mothers have no hesitation in drinking in front of their children and argue that there is no harm in it. An example of that sort is an encouragement to the child, on reaching adulthood, to do likewise. What the member for Fremantle just said is not true today, because parents do not instruct their children as they should. There is much they could teach their children but, as I have said, a great deal of the responsibility of parents now seems to be foisted upon the schools. So they are taught there what our mothers and fathers taught us at home.

I agree with the member for Guildford-Midland that there is so much more in this particular measure besides Sunday trading. I would like to tell the Attorney General right here and now and to tell the public, too, for that matter, that I would have no objection to the hotels being open the clock round and on every day of the week provided the laws were strictly enforced. Two of the most important provisions of the licensing law have been there since 1922, and up to date I have failed to observe the strict enforce-

ment of them throughout the State. One of them deals with the serving of liquor to persons under the age of 21 and the other, which is equally important, refers to serving individuals under the influence of liquor.

I have observed policemen go into hotels at 11 o'clock on the Goldfields and say, "Time, please," and empty the bars. When the bars were emptied some of those who had been there for a considerable time found it difficult to get to the doorways. They could have stayed there drinking without any interference from the policemen. If we could enforce that law strictly, and keep every individual within measurable distance of being sober, there would not be too much to complain about as far as the consumption of alcoholic liquor is concerned. But, unfortunately, no matter what the physical state of the individual may be due to the consumption of alcoholic liquor, he can still, contrary to the law, obtain while under the influence of liquor more of it provided he is able to pay.

Like the member for Fremantle, I have observed, particularly while attending dances or balls, that it is a common practice—and this will be heard all round the hall at about 8.45 or 8.50—for people to say, "It is getting on to 9 o'clock; we will miss this dance and go across to the hotel. Out they go to the hotel and order half-a-dozen schooners or so, consume them as quickly as they can and then suggest buying a couple of bottles each because Miss So-and-so happens to be in the party. This means that they take away half-a-dozen or more bottles with them. If the hours were not so restricted they would probably enjoy a drink or two and return to the hall without any bottles.

In the Eastern States we find people crowded in the hotels consuming liquor as speedily as the barman can give it to them, because of the limited time at their disposal to partake of it. I am positive that the restrictive hours of trading in regard to alcoholic liquors does more harm than it does good. If the Minister for Police wants to do something to restrict the consumption of alcoholic liquor, let him take advantage of the two provisions which are already in the parent Act and see that they are strictly enforced. He will then find that a person who is under the influence and is not able to get drinks will go home. It is many long years since I partook of alcoholic liquor, but I know from experience that the first two or three drinks are always the worst because they seem to be particularly hard to get down.

Mr. Hoar: Who told you that?

Mr. MARSHALL: But having got the first two or three drinks down there seems to be no difficulty in continuing drinking for hours; it goes down without any trouble at all.

Hon. A. R. G. Hawke: Goes down the hill.

Mr. MARSHALL: That is my experience, but fortunately for myself I realised that this was not good for me either physically or financially, and having tried it I decided that from all points of view the wiser course to adopt was to leave it alone altogether. I found no good in it and therefore I was fortunate in being able to go back to the life I led prior to drinking alcoholic liquor. The Attorney General has no more chance of getting my vote for the prohibition of bona fide travelling than he has of meeting me in Paradise!

The Attorney General: That is pretty good, I think.

Mr. MARSHALL: It is a lefthanded compliment to both of us. From the proposal in the Bill regarding the prohibition of bona fide travelling, I am convinced that the Attorney General and those who helped him draft the Bill do not understand the situation that applies in the more remote areas of this State. For instance, on the Goldfields he would not get over the difficulty which is prevalent in this and other isolated areas, so far as people who are travelling long distances are concerned. I was a political infant in 1922 when the parent Act became law. An endeavour was being made on that occasion to abolish the provision concerning bona fide travelling. I initiated an argument on that occasion. There are people in the North-West and in the outer Goldfields who are constantly travelling; they travel hundreds of miles in the heat and dust and many of these young fellows, and old fellows, too, are engaged in road transport which has become so very popular.

These men drive their vehicles for days on end, almost without stopping, and if this measure became law, and these people happened to come into a Goldfields town after being on the road for goodness knows how long, they would not be entitled to a drink if they struck that town during prohibited hours. So I cannot subscribe to that particular provision in the Bill. In the Bill it is proposed to permit licensed premises to open for a given number of hours on a Sunday, but to take out the clause concerning bona fide travelling would affect a lot of these people who travel on week-days because they do not reach those outer Goldfields areas during trading hours; some of them do not get in until the small hours of the morning. Yet, if they were found having a drink after hours of travel they would be prosecuted. So I cannot subscribe to the repealing of that section at all and I feel justified in stating that I would not be prepared to support such a proposal.

I do not know whether other members have noticed that in this Bill there is to be an alteration because of the situation which has now arisen by virtue of the provisions in the parent Act. In 1922 we created under the parent Act what was known as a licensing reduction board, and

many hotels were closed down and the owners were compensated for the closure thereof. It was also provided that no further licenses would be granted in those areas in excess of the number that were in existence when the hotels were closed down. This Bill, however, proposes to amend that particular section to give the Licensing Board power to grant licenses in excess of the number that were in existence in 1922. I feel there is some justification for that because the population is growing and the accommodation, which is my particular concern, is very limited.

I would ask for some further consideration to be given to this position, because I do not think that the local community should be responsible for the keeping in existence of hotel premises by virtue of their capacity to consume alcoholic liquor in order to provide accommodation only for travellers. No licensee is under an obligation to accept a permanent lodger or boarder under the parent Act and hotel accommodation is specifically to be kept only for travellers. In some respects that is justified but it creates hardship in other directions. I do not think it is a right provision. I can well remember when that became law. Mr. J. J. Simons had just returned from America and he and others had elevated ideas about hotels, how they should be constructed and what amenities they should have.

Amidst a good deal of rambling this provision became law. But it does not seem fair to keep a hotel in existence for the specific advantage and benefit of travellers because of the consumption of liquor, whereas people who are residents of the town cannot get permanent board and lodging at those hotels. I do not subscribe to that idea. If we are to amend this Act at all we should liberalise that part of it and permit a lessee to provide accommodation for local people. On scores of occasions we have had cases of individuals coming into Goldfields towns, securing employment, but because they were permanent citizens the lessees said they could not provide them with accommodation as they were citizens of the area and the accommodation was kept specifically for travellers only. That provision is not right and should be amended. If we are going to make it obligatory upon lessees to provide accommodation, they should provide sufficient to cater for everybody and not limit it to a specific section of the community.

There is one provision in the Bill that I wholeheartedly support. On one occasion I tried to get it inserted in the Act. I consider it was a dismal failure on the part of the Government of the day—and I was a member of that Government—when it failed to amend our legislation by including the Commonwealth National Security Regulation designed to prevent the consumption of alcoholic liquor in

public places, such as streets, cabarets, ballrooms, etc. The Commonwealth regulations had been in existence for years. Everyone had become accustomed to them and nobody complained about them. On the 31st December, 1945, those regulations were repealed, because they were a wartime measure and could not be continued in that form. Unfortunately, the State Government failed to pick up those regulations and include them in our legislation. It is disgraceful, to say the least, of it, that people should be able to take into public places bottles of beer and consume it and hand it round to men and women and almost to children, certainly to children under the age of 21.

Mr. J. Hegney: And on the public highways, too.

Mr. MARSHALL: Yes. I sincerely hope that that provision becomes law. There are two places where alcohol should be consumed—on licensed premises and in the home. There should be no other place. If we go to a football match with a friend and pass an ordinary remark about the failure or ability of a player and happen to voice the opinion aloud, as I did on one occasion, somebody overhearing the remark and taking exception to it is likely to indulge in abuse immediately. On one occasion, one of these individuals was literally frothing at the mouth, and abuse as well as the fumes of alcohol poured out.

Hon. A. R. G. Hawke: The umpire is the only one who should be criticised.

The Minister for Lands: Was it the effect of alcohol?

Mr. MARSHALL: Obviously it was the effect of over-indulgence in alcohol. It is not safe to make any comment in those circumstances because one is liable to be abused by a person partially or wholly under the influence of liquor. When leaving a football ground amongst the crowd, one has to watch one's step because one is liable to tread on a bottle and roll down the slope to the fence.

A lot of the people who cause annoyance in this way have no self-respect whatever. The number of glasses taken, to some of these functions, I am convinced, were not purchased by the individuals who had them. They have no compunction about stealing glasses; they do it with impunity, and then, having consumed the liquor they have carried with them, they throw the glass down, little realising that today's prices for liquor include the cost of glasses taken from the hotels and destroyed.

As regards Sunday trading, my opening remarks revealed my convictions. Many years ago I introduced a Bill to provide for Sunday trading. I do not consider that there is any great wrong in people having a drink on Sunday. So long as liquor is taken in moderation,

there is no room for complaint. However, I put it to the Attorney General that unless the Government is prepared strictly to enforce these provisions, it is of little use our passing the measure. Without strict enforcement, people will continue to commit breaches of the law as they have done in the past. All too many of our laws are treated with the same contempt, and so I ask that these laws be very strictly enforced.

I shall support the second reading and, in fact, all the provisions of the Bill with the exception of one, because of the convictions I hold, but I hope that the public bodies that are interested and have the welfare of the community at heart will take the advice of the member for Mt. Hawthorn and start a crusade amongst the young in particular, pointing out the evils that must befall them if they continue to indulge in drinking and gambling to excess.

I appeal to the Minister for Education to get the Director to alter the curriculum so that it will be obligatory on teachers to lecture the children in the last year of their schooling and make them fearful of the evils of liquor. I recall a statement by a Minister of religion, "Give me a child until it is 14 years of age and you can have it afterwards." He was right. Put the fear of God into the children and they will remain fearful ever afterwards! On several occasions I have pleaded that this should be done. I am no puritan; neither have I a high moral code; I am just an ordinary citizen, very anxious for the welfare of this country.

No nation can ever become great if its community is gradually becoming degraded and demoralised by over-indulgence in liquor and gambling and other things that do not tend to build up citizenship and have no relationship to cultural or spiritual values. I hope the Government will take action along the lines suggested so that we may build up a community that will be a credit to the administration that took the initial steps and ultimately produce a citizenship that will bear comparison with that of any other part of the world.

On motion by Hon. A. H. Panton, debate adjourned.

## **BILLS (2)—RETURNED.**

1. Acts Amendment (Fire Brigades Board and Fire Hydrants).
2. Licensing (Provisional Certificate) Act Amendment.  
Without amendment.

## **BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the previous day.

**MR. GRIFFITH** (Canning) [9.56]: I congratulate the Government on having had the moral courage to bring down a Bill to amend this Act. I am sure every member will agree that the statute unquestionably needs amending, and I hope that in the course of my address I shall be able to offer some criticism of its provisions that will be of a constructive nature. I join with the Leader of the Opposition in expressing doubt as to the desirability of introducing a measure of this nature and would say to the Minister, "Where is the town plan of which we have heard quite a deal and of which we have seen nothing?" Further, "Why is there a necessity to introduce a Bill of this nature which, in real effect, for the purpose of metropolitan town planning at any rate, will displace the Town Planning Commissioner?"

I join with the Leader of the Opposition in asking the Minister where the plan is to which he referred as the Davidson plan, and in suggesting that this Bill has probably been introduced because the Government has been unable to come to an arrangement with those who constitute the present Town Planning Board in order to achieve the object of securing a metropolitan town plan. Having examined the Bill, I must ask the Minister to inform me who was responsible for framing it, and what professional advice he sought before bringing the measure down. The existing board consists of the Town Planning Commissioner, the Principal Architect, a valuer of the Taxation Department, and a representative of the local governing authorities.

The Bill proposes to set up another board in addition to the one that already exists. It provides for the appointment of a body to be known as the metropolitan town planning authority which is to consist of three members. The Minister did not tell us, because I think he obviously did not know, who these three people are to be.

The Premier: We do not know yet.

The Minister for Local Government: We have not yet the slightest idea.

**MR. GRIFFITH:** Then I suggest it will be difficult to find men suitable for the position. The Minister will possibly agree that with the exception of perhaps two people in this State there is no one here capable of carrying out a task of this magnitude.

The Premier: They need not come from within the State.

The Minister for Local Government: It is easy to go outside the State or even outside Australia, if necessary, although I do not think it will be.

**MR. BRADY:** We have enough importations already.

The Premier: We want the best advice possible.

Mr. GRIFFITH: I would counsel the member for Guildford-Midland to make his contribution on the Bill later if he wants to.

Mr. Brady: He is quite capable of doing it.

Mr. GRIFFITH: I was about to say that it will be difficult indeed for the Government to get anyone to fulfil a task of this nature, and to get a man, or possibly three men to come here to carry out a job of work which, under the Bill, will take two, or at the outside, three years, and then ask them to hand over their job to the existing town planning authority to be administered. I think there will be difficulty in persuading men to come here for a period of three years. The Government, unquestionably, will be faced with a good deal of expense in securing the right men. I would like to know what the qualifications of the men are to be.

The Bill speaks of those who have the necessary qualifications. Are they going to be qualified in the matter of town planning, or as business men? Under the Bill they are to be appointed for an indefinite period. They can be dismissed, if it is so desired, half way through their task. Are they to be employed full-time or part-time? Has the Government considered the question of salaries for them, because there was no mention of it in the Minister's second reading speech? I ask him to tell us whether the board proposed to be set up will be administered in the same way as is the existing board. I am sure the Minister will know that the conditions under which our Town Planning Board works are far from desirable. On one occasion when I rang the office I was told that because it had no typist it was unable to perform certain work. That is a deplorable state of affairs.

The Minister for Local Government: It has never been without a typist, although it has been short of typists.

Mr. GRIFFITH: Let us have it the Minister's way, if he likes. The fact is that some task was not completed because the board was short of a typist. I would like to know what arrangements will be made for the administration of this new town planning authority. Is it to be administered separately or in conjunction with the existing Town Planning Board? This brings me to the point of asking: Why create a separate board to carry out these functions?

The Premier in reply to a question I asked him in the House not long ago told me he was going to bring down amendments to the Town Planning Act, but I thought the better thing to do would be to reconstitute the existing Act. The Bill provides for the metropolitan planning area to be the area comprised in an imaginary circle having a radius of 15 miles from the north-western corner of the site

occupied, on the coming into operation of the Town Planning and Development Act Amendment Act, 1951, by the Perth Town Hall. I question whether this area will be sufficiently large to cover the metropolitan area. Subsection (2) of proposed new Section 2A states—

If any dispute arises between the Minister, the Board, the Commissioner, the Metropolitan Planning Authority, or one or more local authorities as to whether there is such an inconsistency it shall be finally determined by the Minister.

I suppose the Minister must be the supreme authority in such matters. Proposed new Section 2B provides that the board shall be comprised of three members and they shall be those who, in the opinion of the Governor, are by virtue of their ability and knowledge fit and proper to be appointed as members. I would like to know from the Minister whether the intention is that the three members shall all be qualified or how they shall be appointed. The Bill goes on to provide that they, "shall, subject to resignation or death, hold office as members for such time as the Governor thinks fit." There is no definite time mentioned.

Mr. SPEAKER: Order! The hon. member cannot read from the Bill as it is against Standing Orders to do so. He may say that the Bill provides certain things.

Mr. GRIFFITH: Part of the Bill deals with the appointment of an executive officer who shall be a person having knowledge of town planning, and there shall be such other officers as the Minister considers necessary. This suggests to me that there shall be one executive officer who knows his job in connection with town planning, but the other three may not. One clause of the Bill is given over to the widening of Hay-st. Possibly the member for West Perth will have something to say about this, but it may be that Hay-st. need not be widened.

The people in charge of metropolitan town planning may consider that by closing Hay-st. and creating it as an arcade, there will be no necessity to go to the expense of resuming land for the purpose of widening it. An important part of the Bill deals with the fact that when the scheme comes into operation it shall be the duty of every local authority, whose district is affected, to put the scheme into effect. The same clause also gives the power to a local authority to borrow money for the implementation of the scheme.

Mr. Totterdell called attention to the state of the House.

Mr. SPEAKER: There is a quorum present.

Hon. J. T. Tonkin: In some Parliaments, are not members who wrongly draw attention to the state of the House, suspended?

Mr. GRIFFITH: I am of the opinion that in the future the Melville, Canning and Belmont Park Road Boards and the Perth City Council will unquestionably bear the brunt of the industrial expansion of the city of Perth. With the possibility of the establishment of a railway line south of the river, and the activities that are now going on in the districts I have mentioned, I am sure industrial expansion will take place there.

Mr. Marshall: Have they started the survey out there for the line?

Mr. GRIFFITH: I do not know. It is all very well for the Bill to provide that a local authority may raise or borrow money but, from my knowledge of the road boards in my district, I think it is an easy matter for them to borrow money, but a much more difficult one to repay it. This is not so in the case of the Perth City Council because it has a well-developed area, but the Belmont Park, Canning and Melville Road Boards are unquestionably in a difficult financial position now due to their commitments. The development of a plan along the lines indicated in the Bill must provide for the construction of certain roads. Therefore a provision is included empowering local authorities to borrow money for the purpose.

In other States—I am reliably informed that Western Australia is the only State where this does not apply—each land holder is responsible for the cost of the section of the road running past his particular property. This may be a way out for some of the local authorities who, undoubtedly, will have to seek assistance because they cannot afford to raise the necessary money. I am glad to observe on the notice paper that the Minister has given notice of an amendment dealing with annual value. His amendment also provides for the rating to be on the unimproved capital value.

I frankly state that I am displeased to see a Bill of this nature introduced into the House. I am of opinion that the proposition will be unworkable. To my mind the Minister would have been far better advised to reconstitute the existing Town Planning Board. What is he going to do if he imports a man from the Eastern States or overseas? The most important thing that any man coming to this State must have, in connection with a metropolitan town plan, is a local knowledge of the area concerned. He would have to stay here for some time to gain that experience.

During his second reading speech the Minister told us that Professor Holford, the noted town planner who visited this State, commended the existing Town Planning Board for its knowledge and work in

connection with town planning in Western Australia. I cannot see the force of endeavouring to divorce completely, for the purposes of creating a town plan, that particular section of work which has been done up to date. It simply means that these three men, who will be obtained from somewhere, will perform their task in a period of two years, or a maximum of three, and will then hand over the administration of the task to the existing Town Planning Board.

We should not forget that the existing Town Planning Commissioner—I think he has been referred to by the Leader of the Opposition as eccentric—has a most intimate knowledge of the metropolitan area and under the provisions of the Bill, it is desired that he should be co-opted or appointed to the board in an advisory capacity. In the event of anything happening to the existing Town Planning Commissioner, I suggest that the Town Planning Board might be in an awkward position and might not be able to carry out the plan that is now desired. Therefore, I am of the opinion that the Government would have done better to have reconstituted the existing Town Planning Board along the lines I intend to set out.

The size of the board could have been increased by, firstly, having a town planning officer appointed to the board; he would be a qualified town planner. Secondly, we should appoint a deputy town planning officer who would also be a qualified town planner, so that in the event of anything happening to the senior executive, matters would not be in a state of chaos; the board could still carry on. The third person whom I would appoint would be the taxation valuer and, fourthly, the Director of Works. At present we have the Principal Architect but I would rather appoint the Director of Works because he would be in a position to allot the appropriate officers from the various departments.

There should also be a local authority representative and, in my opinion, an accountant who could act in an advisory capacity. There is no provision for anything like that in the Bill unless it is proposed that one of the three members of the board should be qualified in that direction. I think, also, that there should be power to co-opt people from whom advice can be sought on such matters as water, drainage, sewerage, main roads, architectural, the Forests Department and the Department of Agriculture.

In my opinion, if this Bill becomes law, it will prove unworkable. I do not know whether the Chief Secretary is aware of this, but a similar idea was attempted in New South Wales where a separate authority was set up to prepare a town plan. The authority performed its allotted task and then left it to be administered by the existing Town Planning Board. Now that authority does not want to carry out the task it has been set it will not co-oper-

ate, and there is not the necessary money available. I cannot find my way clear to subscribe to this most important measure. I do not believe that the Town Planning Board should be set up in this way. It is a pity the Minister will not give consideration to deferring this Bill and introducing a new one in the next session. A measure could then be introduced which would enable us to tackle the task in a proper manner.

**MR. TOTTERDELL** (West Perth) [10.20]: When this Bill was rushed into the House about 5.30 last Thursday evening, with the printer's ink still wet upon it, I wondered why there was such a hurry to bring it down at this stage of the session. Because of its importance I had an idea that the Minister might endeavour to move that the three stages of the Bill be taken in the one evening, and that there would not be any chance to consider the measure.

Mr. J. Hegney: I hope not.

Mr. TOTTERDELL: Members will realise that under this measure the Perth City Council, which I have the privilege to represent, is the most important body, and the most financially affected. Therefore, I was very happy when the debate was adjourned because it gave me an opportunity to call together my town planning committee to discuss the proposition. After considering the measure in all its details, my committee feels that the Bill is a good one. We think the proposition will be a definite improvement on the Town Planning Board as it is supposed to exist in Western Australia today. After 21 years of existence, the Town Planning Board, as we have it today, is a failure—I would say a dismal failure—and we find now that we have nothing in the way of town planning in the City of Perth although for the last 14 or 15 years we have been trying to get a scheme so that the city could be broken up into zones.

Mr. Griffith: Do you agree that this supersedes Mr. Davidson's authority?

Mr. TOTTERDELL: I did not chip in when the hon. member was talking. We consider—when saying “we” I am talking of the Perth City Council—that the metropolitan area is the hub of the wheel, and always will be, for any town planning scheme developed in Western Australia. From that hub, with a 15-mile radius, we will have arterial roads leading to the various centres of the country. At this stage I might add that my committee hopes, and the Perth City Council hopes, that the metropolitan area will never contain more than 600,000 or 700,000 people. We think that satellite cities at, say, Northam, Bunbury, Katanning, Albany and so on should be created to spread our population. We consider that we will always have to plan the central part of the city as the hub of the wheel, as it were, for the development of this State.

I would say that this Bill is an endeavour to try to build a superstructure upon a rotten foundation because the Town Planning Board, as we have it today, is certainly not very stable and it would have been better if the Minister had scrapped the existing legislation and produced an entirely new measure. However, here it is and we must do the best we can with it. My committee considers that this town planning authority will have to be second to none in the world before it can be accepted. We want to import or obtain the best brains possible in this particular line of business. That will cost money. Under the present set-up it will cost 1d. in the pound on our rates, and that is only a start. That means £10,000 per annum for the Perth City Council and that is not chicken-feed; it is real money.

So the ratepayers of Perth have to meet that liability, and my committee will not be satisfied with any local substitute who might be thought to know something about town planning. After 21 years of local government I cannot see where we have town planning in Western Australia today. Therefore the Government, in this selection, will need to co-operate with the Perth City Council in obtaining the appointment of the gentlemen required to carry out this scheme. The suggested master plan, about which we have heard so much in this House, really does not exist: I have seen it.

The Minister for Local Government: What a stupid thing to say!

Mr. TOTTERDELL: The master plan, or what is called the master plan, is actually four aerial photographs hung on a wall with a few lines drawn round them. The Town Planning Commissioner says, “There it is. We will have our heavy industries there, our light industries here, our commercial area here and our residential flats there.” If that is a master plan, I will walk from here to Kalgoorlie. That is what the Minister has been skiting about. That is the master plan in the Town Planning Commissioner's office.

The Minister's suggestion is that this town planning authority shall be engaged to prepare a scheme to cover an area within a radius of 15 miles from the city of Perth. My council welcomes that proposal provided that the scheme, when prepared, is carried out. We often see pictures of towns and cities in the old country where there is an old city and a new city. The same will have to apply to Perth. The main obstacle to our town planning development is the railway system. I think we all agree with that. The railway is a Crown liability, and we consider that the railway station will have to be removed to the vicinity of Wellington Square where there will be breathing and parking space, bus terminals and so on, and the railway in the city will have to be submerged or elevated.

That is the first and most important aspect to any town planning suggestion. Therefore my committee feels that this suggestion put forward by the Minister is just as much a Crown liability as it is a local governing body liability.

When the Bill reaches the Committee stage I intend to move an amendment to the effect that the Crown will meet 50 per cent. of the cost and the local governing bodies the other 50 per cent. That is a fair and reasonable proposition, and would mean that we would all have some responsibility for the plan which the town planning authority will present to the people of Perth. There will also be some control because the whole question will have to be referred back to Parliament before approval for it can be given.

Last night the Leader of the Opposition said that in his opinion we had all the town planning authorities we needed. If that is so, God help us, because we are not getting anywhere. Now is the time to do something because the Premier has come back from the old land full of good ideas about town planning and has said, "Something must be done." We agree with him. That is why the Perth City Council at this stage is anxious to support the Government and the Bill so that we can say, "Well, the McLarty-Watts Government has done a good job and we, as members of the Perth City Council, are prepared to stand behind it." I have therefore many amendments to move in Committee, but I am not allowed to discuss them at this stage.

The Minister for Local Government: Yes, you can.

Mr. SPEAKER: The hon. member can refer to them, but cannot move them at this stage.

Mr. TOTTERDELL: I am not going to move them now. We say that the three persons who are to be appointed to constitute the metropolitan town planning authority should be qualified and accredited town planners. Men with such qualifications as the Minister mentioned, when the member for Canning was speaking, would have to be imported from the Eastern States or overseas.

Mr. Griffith: You would have to go a long way overseas, too.

Mr. TOTTERDELL: The proposed widening of a section of Hay-st. is mentioned in the Bill—goodness knows why!

Hon. J. T. Tonkin: Do you not know?

Mr. TOTTERDELL: It is proposed to widen only a section of Hay-st. from George-st. to Bennett-st. Surely the Minister knows that there are other streets in Perth that require to be widened, and also that Hay-st. runs from the Causeway right through to Jolimont and is all within the 15-mile radius mentioned in the Bill! If we are to have a proper town planning scheme, why stop at George-st. and have

a bottle-neck for the balance of Hay-st.? In Committee I will suggest that that portion of the Bill be deleted. There are many other streets which require to be widened in the same way as does Hay-st., and they will have to be dealt with. The suggestion of widening Hay-st. from George-st. to Bennett-st. sounds a little like one that would be put forward by the Town Planning Commissioner.

Hon. J. T. Tonkin: That remark is quite unjustified.

Mr. TOTTERDELL: Another thing we have to take into consideration in the town planning scheme is that the Housing Commission has resumed 8,000 acres of land at Mt. Yokine, which is equivalent to 32,000 building allotments, and if four people are to be housed on each allotment it represents a population of well over 100,000.

Mr. Griffith: How do you make that out, when provision has to be made for schools and other facilities?

Mr. TOTTERDELL: The figure could be decreased a little, but that land could accommodate a population five times that of Fremantle today, and provision would have to be made for roads and other facilities. I maintain that, with all these things to consider, there is no reason for any haste to put the Bill through this session. The present state of affairs has continued for 21 years, and it will not matter if we wait until next session to have a Bill introduced because the matter is very important and should be carefully considered.

The Minister for Local Government: You think it is so important that it could be postponed?

Mr. TOTTERDELL: I do not think that, after 21 years and putting up with the mess we are in, it would matter very much if we waited a further six months before a Bill was brought forward, because we would then have a better chance to consider means of financing the scheme. I have told the Minister that £16,000 will not achieve his object and will provide only for its commencement. It is provided in this Bill that the Government can appropriate more money two or three times in each year, and if it did it would break the local governing bodies. The measure requires a great deal of care and attention before it goes on to the statute book. The Perth City Council is prepared to support it subject to certain conditions and amendments which I propose to move when it goes into Committee.

MR. BRADY (Guildford-Midland) [10.38]: I would not have risen to speak had it not been for a reply made by the Minister for Local Government to the member for Canning as to where he is going to obtain the town planning commissioners. If the hon. member will keep quiet for a while, as he suggested I should



when he was speaking, we will get on very well. This State has already imported too many officers and to hear members on the Government side of the House suggesting that we import another three men to constitute the new town planning board is something to which I cannot subscribe at all. It seems to be a fetish of the Government to appoint boards rather than to get on with its job of governing the State. It seems to have the inclination to pass the buck rather than to accept its responsibility for doing things that require to be done.

Having regard to the amount of money made available to the Town Planning Commissioner and the responsibilities that are his under the Act, I consider he is doing a reasonably good job. I do not think there is a local governing body in this State that does not, either in one month or another, call upon him to assist it to solve local problems, to say nothing of the thousands of people who are engaged in real estate transactions, and also those who desire subdivisions made privately for suburban development, and so on. If one interviews the Town Planning Commissioner, one cannot help but be struck with the paucity of his office accommodation and his staff. I have never had occasion to make representations to him for myself, but I have for people who have required his advice and help. I am sure he is doing the best he can in the circumstances.

I do not agree that local governing bodies within a radius of 15 miles from the centre of Perth should be rated 1d. in the £1 to provide for a better town planning system for the heart of the City of Perth. If only those local governing bodies within a radius of five miles were rated 1d. in the £1, it would be a fair thing. Although I am not happy about the Bill going into Committee, if it does I intend to move that the radius be altered from 15 to five miles. I feel that the local authorities I represent will be paying through the nose to provide for a town planning project for the benefit of the City of Perth alone. The member for West Perth referred to the fact that one of the difficulties facing the Perth City Council is the prospect of the railway lines going through the centre of the city. Certain moves have been made in an attempt to overcome that difficulty and a little progress was made at one time. It would be a good thing if the Government made an attempt to achieve something small, rather than talk of carrying out big moves all at once.

I strongly protest against local governing bodies, such as the Midland Junction Municipal Council, the Swan Road Board, the Bassendean Road Board, the Guildford Municipal Council and other locally governed areas, which are not likely to enjoy any material advantage from the proposed town planning improvements in Perth, to be rated 1d. in the £1 in order that they may be implemented. I am prepared to believe that the master plan at

the Town Planning Commissioner's office constitutes more than four aerial photographs as has been suggested here tonight. If it were not so I do not think the Town Planning Commissioner would invite responsible people to view that plan—which I know he has done. I give him credit for having more sense than that. One can see the advantages that have been gained as the result of the town planning he has done.

In my own area it was proposed that a clothing factory be erected on a most valuable site right opposite the West Midland railway station. As a result of representations made to the Town Planning Commissioner, he ordered that the factory be erected on a site more suitable for its establishment. I think the Government is becoming too high and mighty all at once. The member for West Perth, in his capacity as Lord Mayor, together with his fellow councillors, would be wise to tread warily. In visiting other parts of Australia one cannot see any major project such as this being carried out, and every local authority within a radius of 15 miles of a capital city being rated 1d. in the £1 to implement it.

Mr. Totterdell: We did not introduce the Bill.

Mr. BRADY: I know, but I consider the Perth City Council is getting on quite well at present. It can be justifiably proud of its achievements to date in view of the finances available to it. People travelling through the city have complimented the Lord Mayor and his councillors on the wonderful job they have done. I do not think there is much to be gained by carrying out all these so-called improvements to Hay-st. I am inclined to think that wealthy interests will gain control as a consequence of these improvements, and the people who will pay for them are not going to enjoy any direct benefit at all. We ought to look for the nigger in the woodpile in relation to this projected move, and we would be well advised to throw the Bill out at this stage. I oppose the second reading.

HON. J. T. TONKIN (Melville) [10.43]: I would not have made any attempt to speak this evening, in view of the condition of my voice, if I had not felt that this measure was of the utmost importance and that we should give it most careful consideration. There are times when a member speaks in order to seek some political advantage; there are times when he speaks in the interests of his electorate; and there are times when he speaks in the interests of his State. If I felt that this Bill did not involve the interests of the State I would be prepared to forego any thought of speaking for the other two reasons, and would not speak at all. I have given the matter a good deal of thought and have come to the conclusion that it would be very much against the

interests of the State if we were to pass the Bill. I can conceive of nothing of greater importance than the proper planning of the metropolitan area of a State like Western Australia, which is destined to become a tremendously powerful State and which fortunately is still in its comparatively embryo stage.

I have read a number of times the speech of the Minister who introduced the Bill, and I have read the Bill a number of times. I cannot reconcile the Minister's speech with the contents of the Bill. His speech was one that I could have made myself on a Bill entirely different from the one we have before us. The remarkable thing is that the Minister could give expression to ideas that are not to be found in the Bill and are contrary to what the Bill will allow. It is a very strange thing that the Bill never saw the Crown Law Department. Public Bills, as a rule, are drafted in the Crown Law Department and then introduced by Ministers, but this Bill was not drafted in the Crown Law Department. It was drafted outside.

The Minister for Local Government: Is that the first time that has happened?

Hon. J. T. TONKIN: To my knowledge, yes.

The Minister for Local Government: Does that imply anything derogatory to the Bill?

Hon. J. T. TONKIN: Let me proceed. The fact that it was not drafted by the Crown Law Department makes me suspicious. The member for Canning has said on occasions that I have a suspicious mind. Maybe, but I have been made suspicious because of things that have happened under the present Government. This sort of thing would make anyone suspicious, seeing that a public Bill of this type was drafted outside the Crown Law Department. Are we short of officers in that department?

The Minister for Local Government: Of course we are.

The Premier: Very short.

Hon. J. T. TONKIN: Then why not employ more officers?

The Premier: That is more easily said than done.

Hon. J. T. TONKIN: What does that mean? The principles set out in the Bill are not those of the Crown Law Department. That is a bad feature.

The Premier: No, you are wrong.

Hon. J. T. TONKIN: Whose ideas are to be found in the Bill? They are not the Premier's ideas.

The Premier: How do you know?

Hon. J. T. TONKIN: I have seen some of the Premier's ideas published on this matter, and those ideas are not expressed in the Bill. The Premier cannot deny that.

The Premier: They may not all be in the Bill, but it is a good one.

Hon. J. T. TONKIN: Important ideas the Premier has expressed with regard to town planning are not found in the Bill. The Minister for Local Government said he desired to express his appreciation to Sir Ross McDonald and the Deputy Premier. That suggests to me that Sir Ross McDonald must have carried out some inquiries that formed the basis of this Bill. So there again it was not someone in the Government service. It was not someone in a Government department that suggested ideas for this Bill, which was drafted outside the Crown Law Department. So here we have a Bill conceived outside the Government service, drafted outside the Government service and introduced as a Government Bill. That is most remarkable, to say the least of it.

We went to some trouble and expense to invite Professor Holford and Sir Patrick Abercrombie to visit this country. The Minister had a talk with both those gentlemen. They came from a country where town planning is miles in advance of anything we have in Australia. Did any person who was responsible for the framing of this Bill have any regard to the practices in Great Britain with respect to town planning? Not a bit of it! Was any regard paid to the ideas of Sir Patrick Abercrombie or Professor Holford with regard to the Bill? Not the slightest!

The Minister for Local Government: How do you know?

Hon. J. T. TONKIN: It is obvious from a reading of the Bill.

The Minister for Local Government: That is pure assumption.

Hon. J. T. TONKIN: Not at all.

The Minister for Local Government: There is nothing in that at all.

Hon. J. T. TONKIN: It is the truth, and the Minister knows it.

The Minister for Local Government: He does not know it.

Hon. J. T. TONKIN: Yes, he does.

The Minister for Local Government: Do not put words into my mouth.

Hon. J. T. TONKIN: The Minister knows it well.

The Minister for Local Government: I do not.

Hon. J. T. TONKIN: Here we have a Bill conceived outside the Government service and drafted outside the Government service, and the ideas embodied in it are not those of Sir Patrick Abercrombie nor those of Professor Holford. That is undoubtedly true.

The Premier: The Deputy Premier was Minister for Town Planning for a considerable time.

Hon. J. T. TONKIN: He may have been.

The Premier: And he collated a lot of information on the subject.

Hon. J. T. TONKIN: He has as much knowledge of town planning as I have, which is nil. He has as much experience in that regard as I have, which is nil.

The Premier: I think he took more interest in the subject than you did.

Hon. J. T. TONKIN: Mere interest is not sufficient! One requires both knowledge and experience. Town planning is a highly specialised study. There are a few would-be town planners in this country.

Mr. May: Too right.

Hon. J. T. TONKIN: But very few town planners. Let us see how much the Minister knows about his Bill. He was not very specific about his metropolitan planning authority. Why? Because he could not be; he does not know.

The Minister for Local Government: You are quite right.

Hon. J. T. TONKIN: How could anyone seek men to fill a position if he did not know what he wanted at the outset?

The Minister for Local Government: I know what I want.

Hon. J. T. TONKIN: What does the Minister want?

The Minister for Local Government: Town planners.

Hon. J. T. TONKIN: Is that so? It is not stated in the Bill. It refers to persons who by ability and knowledge are fit and proper to be appointed.

The Premier: What is wrong with that?

Hon. J. T. TONKIN: Let us see. Ability in what direction?

The Minister for Local Government: In the obvious direction—town planning knowledge.

Hon. J. T. TONKIN: Where are they?

The Minister for Local Government: How should I know until I try to get them.

Hon. J. T. TONKIN: Persons of knowledge. Knowledge of what?

The Minister for Local Government: Knowledge of town planning.

Hon. J. T. TONKIN: So the Minister wants men with ability and knowledge of town planning. The Bill might have said that, but it does not. The Minister said that he would set up a commission of planning specialists. There is a big difference between planning specialists and persons with ability and knowledge. Which does the Minister mean? If he means a commission of planning specialists, he is to have three properly qualified town planners who will cost at least £10,000 a year. The Minister is going to try to induce qualified town planners to come to Western Australia for three years.

That is the proposal, because the Minister stated that when the job of planning the metropolitan area had been completed, the commission would be dissolved. The proposal is to give the commission two years in which to start, and it will be expected to complete its job in three years, so the appointment will be for three years. What town planning specialists are going to come to Western Australia on a three years' appointment? I ask the Premier whether he thinks that will work.

The Minister for Local Government: A longer period than three years is involved.

Hon. J. T. TONKIN: Not according to what the Minister said.

The Minister for Local Government: You will see that there are other duties after the completion of the plan.

Hon. J. T. TONKIN: Not according to what the Minister said. He said he expected the job to be done within three years and then the commission would be dissolved.

The Minister for Local Government: That is the scheme.

Hon. J. T. TONKIN: Then the Minister stated that subsequently, the Town Planning Board would carry on the work. It is idle for the Minister to try to hedge now. My remarks are based upon the Bill and upon the Minister's speech, a copy of which I have before me. It is clear to me that the term of these appointments was expected to be three years.

The Minister for Local Government: Three years to complete the scheme. I concede that.

Hon. J. T. TONKIN: If the Minister then dissolves the metropolitan planning commission, where will those planning specialists fit in? Echo answers nothing. Of course, there is no answer. They could fit in nowhere. They would not be put on the board, and if the commission were dissolved, they would be finished. So it is expected that we shall be able to attract to this State some planning specialists to stay here for three years.

The Minister for Local Government: Do you realise that, on the completion of their work, the results will be laid on the Table of the House and submitted to members? Conceivably Parliament may not be in session at the time. They have to run the gauntlet of objections being raised to the scheme.

Hon. J. T. TONKIN: The Minister now suggests that Parliament might kick out the scheme entirely after three years.

The Minister for Local Government: Do not be foolish!

Hon. J. T. TONKIN: If the matter works according to plan, the appointment will be for three years, and it will be impossible to get them for that period.

The Minister for Local Government: That is your opinion.

Hon. J. T. TONKIN: And it would be the opinion of anybody who gave serious thought to the matter. Would a man like Professor Holford come here on a three years' appointment? Does the Minister think he could get such a man for less than £3,000 or £4,000 a year?

Mr. Totterdell: He would be cheap at that.

Hon. J. T. TONKIN: Of course he would. I am sure the Government did not expect to be faced with an expenditure of £10,000 or £12,000 a year for the metropolitan planning commission, but that is what is involved in this proposal, even if we could get the men, and I do not think that we could.

The Minister for Local Government: You do not know until you try.

Hon. J. T. TONKIN: I know that well qualified men do not lightly give up the jobs they hold in order to accept appointments for three years. It is not common-sense to expect it of them. They would want a guarantee of much longer continuity than that. In my opinion they should get it.

The Premier: Need they all be town planners?

Hon. J. T. TONKIN: That is what the Minister said—planning specialists.

The Premier: Well, a civil engineer would be regarded as a specialist, and a surveyor probably. They are all very necessary in town planning and their advice is very necessary.

Hon. J. T. TONKIN: Have they the knowledge and experience in town planning?

The Premier: Yes, I would think some of them had.

Hon. J. T. TONKIN: Have they? I would be very surprised if they had the requisite knowledge to do this job, because it has to be remembered that this Bill proposes to supersede an outstanding town planner. Make no mistake about that! No matter what may be thought about Mr. Davidson personally—and there are some who do not like him—his work has never been faulted by any expert who has visited this State. We have only to read what Professor Holford and Sir Patrick Abercombe said about him. It is worth repetition. Professor Holford said that in his travels he had met no-one of greater town planning competency than Mr. Davidson. That is high praise indeed. And Sir Patrick Abercombe said that we had a man of extraordinary value in town planning matters.

The Minister for Local Government: Are you quoting from my remarks?

Hon. J. T. TONKIN: I am.

The Minister for Local Government: It is quite right.

Hon. J. T. TONKIN: The Minister said they spoke to him.

The Minister for Local Government: Yes, quite right.

Hon. J. T. TONKIN: And I know that that is in accordance with the published remarks of both of those gentlemen. Anybody who has had anything to do with Mr. Davidson in his job knows the decisive way in which he can deal with a planning problem. I have seen him involved in many arguments about town planning, but his arguments have been of the soundest type. I have never seen him faulted when dealing with his job. It is proposed to supersede him and set up an authority. We would be justified in doing that only if we put in his place people with equal or superior qualification.

The Minister for Local Government: Are you overlooking the state of his health?

Hon. J. T. TONKIN: I am disregarding that for the time being. He may be well enough to carry on or he may not. The Minister was not considering that when this Bill was framed.

The Minister for Local Government: Yes, I was.

Hon. J. T. TONKIN: The Minister was?

The Minister for Local Government: Yes.

Hon. J. T. TONKIN: That is something the Minister should have told us.

The Minister for Local Government: I did not need to.

Hon. J. T. TONKIN: I had not the slightest idea that this Bill was framed with some regard to the health of the present Commissioner.

The Minister for Local Government: That had a large bearing on it.

Hon. J. T. TONKIN: That makes some difference. But we have to remember this. The Minister tried to emphasise that the Town Planning Commissioner would be available in a consultative capacity and he would be present at the meetings of the metropolitan planning authority. He would, unless the metropolitan planning authority did not want him there; and it could exclude him completely.

The Minister for Local Government: Do you think they would?

Hon. J. T. TONKIN: It is conceivable, especially if the members of that body were not well qualified themselves.

The Minister for Local Government: If they were not well qualified they would not be there.

Hon. J. T. TONKIN: I do not know.

The Minister for Local Government: Perhaps you do not.

Hon. J. T. TONKIN: The Premier talked about putting surveyors on the planning authority. They will not suit me; their job is not town planning.

The Minister for Local Government: Fortunately yours is not the last word on this matter.

Hon. J. T. TONKIN: No, but I am entitled to have some word.

The Minister for Local Government: Quite right.

Hon. J. T. TONKIN: Surveyors would not suit me. Would they suit the Minister?

The Minister for Local Government: Not all! It would depend upon what other qualities they might possess. I do not know what men are until I see them.

Hon. J. T. TONKIN: So we might have a surveyor on this town planning authority.

The Minister for Local Government: It is just conceivable, but unlikely.

The Premier: I said that surveyors and civil engineers were a very important part of town planning, and they are.

Hon. J. T. TONKIN: They may be, but they can be consulted. We want expert town planners on this job, because I would remind the Premier that the work they are to carry out is the special planning of the metropolitan area and nothing else. That is to be their job. Do not tell me that it is contemplated putting surveyors and civil engineers on that authority.

The Minister for Local Government: We have already told you that that is not the intention.

Hon. J. T. TONKIN: The Premier said it might be done.

The Minister for Local Government: Do not make quite so much of it.

Hon. J. T. TONKIN: Surely one is entitled to have regard to an utterance from the Premier, the Leader of the Government. If that is his idea of what might be done, it is possible it might be done, despite the Minister. Of course, no proper thought has been given to this. If it had, the Minister would have been specific about his metropolitan planning board. He would have said what qualifications he would require, and we have a right to pin him down so that we will know what type of Commission is to be set up if it is to operate, not some nebulous plan where we might get a surveyor or a civil engineer or an accountant. That is what we can get, men with ability and knowledge—as if that is sufficient! There are men of ability and knowledge here, but not one would make a decent town planner. So we want more than that.

There was only one utterance of the member for West Perth with which I agreed in connection with this matter, and

that was that we had to get men of the highest qualification for this job. I found myself in complete agreement with the member for Canning, strange as it may seem. I think he has the right idea about this Bill. It will not work, because it is being drawn without regard to town planning practices of Great Britain, which has had years of experience. They scrapped their measure of 1932 because it would not work and they have now a very up-to-date Act, a copy of which I have here with me. It is a very different proposition from ours.

Why is it that the widening of Hay-st. looms so largely in this scheme? Who said Hay-st. has to be widened, anyhow? Have we had a town planner here yet who said it has to be widened? If we got an eminent town planner it is conceivable he might find some other way of dealing with the Hay-st. difficulties. In some countries they have resorted to a regulation of the traffic in the narrow streets. They have set aside certain hours in which tradesmen shall be in the street and out of the street, and it has worked remarkably well. It is a much cheaper proposition than resuming a lot of land; and it is quite possible—I would not presume to pass an opinion one way or the other because I am not competent to do so—that there is another way of solving this problem than widening Hay-st.

Mr. Totterdell: I am going to move for the deletion of that.

Hon. J. T. TONKIN: The widening of Hay-st. might very well make fortunes for a few individuals.

The Minister for Local Government: They pay for it in betterment to some extent.

Hon. J. T. TONKIN: Not these individuals. Some others would. The widening of Hay-st. could very well make the fortunes of a few individuals—

The Minister for Local Government: Yes.

Hon. J. T. TONKIN: —at the expense of someone else, which would not be a good thing at all. It would be a bad thing. An eminent town planner might recommend against it. That is why we must have the best brains if we are to do it this way. I ask the same question as the member for Canning: Why must we have this new metropolitan town planning authority? The Premier has already admitted that the existing Town Planning Commission has been hampered through lack of office space, technical assistance and a refusal to have funds made available. I would have thought the sensible step to take in the first instance would be to provide the additional accommodation and assistance, and to see what the board was capable of doing with some encouragement

—because it has had very little. Where will this metropolitan planning commission be accommodated?

The Minister for Local Government: Do you expect me to answer that now?

Hon. J. T. TONKIN: I would think the Minister would have some ideas about it.

The Minister for Local Government: You do not think it would be wise to wait until the Bill was passed?

Hon. J. T. TONKIN: It is well to think these things out beforehand to see whether they are practicable.

The Minister for Local Government: It is a relatively simple matter.

Hon. J. T. TONKIN: It will not be as simple as that.

The Minister for Local Government: It is stupid to raise this as an obstacle.

Hon. J. T. TONKIN: It is a matter which should have been considered long ago. The Minister said that repeated misunderstandings regarding the responsibility for initiating schemes had had a delaying effect upon progress. He said that was almost the principal reason for the measure. I ask members to ponder this for a moment. Does the Minister suggest that there is any inherent weakness in the existing town planner or his board to cause these misunderstandings? The Minister knows full well, because he has told us, that it is not the responsibility of the Town Planning Commission to initiate schemes, but that of the local authorities. The fact that there have been these misunderstandings is no valid reason for these drastic alterations. The Minister said, "It is the principal reason for the Bill."

The Minister for Local Government: No, I did not.

Hon. J. T. TONKIN: Yes, the Minister did.

The Minister for Local Government: I said, "Almost the principal reason." You might stick to that.

Hon. J. T. TONKIN: Yes. It is so close to what I said that it is hard to tell the difference. The Minister says that this is now a matter of the future of Western Australia—not of Perth, Fremantle or the Goldfields, but of Western Australia—yet he proposes to set up a metropolitan planning authority to give its attention to the metropolitan area, and to Hay-st. in particular, and with no provision for interim development. It is to take two years before this new planning authority will have its plan. What is to happen to the plans that will be formulated by the local authorities in the meantime? Who is to examine them and approve them, or otherwise?

The Minister for Local Government: Who, but the new authority?

Hon. J. T. TONKIN: The new authority will not be able to.

The Minister for Local Government: Will it not?

Hon. J. T. TONKIN: No, not according to the terms of the Bill.

The Minister for Local Government: What is the obstacle?

Hon. J. T. TONKIN: Because it is given two years to formulate its plan.

The Minister for Local Government: It obviously will take cognisance of what is already in existence.

Hon. J. T. TONKIN: The Bill does not say so.

The Minister for Local Government: You cannot put everything in the Bill. You do not put in every minor detail.

Hon. J. T. TONKIN: This is not a minor detail.

The Minister for Local Government: It is a relatively minor detail.

Hon. J. T. TONKIN: It is an important principle, and there is no provision in the Bill which even suggests that the planning authority will have the power to approve of these schemes which will be formulated in the meantime. The Minister said that the new planning authority will be able to utilise the plans and graphs which have already been prepared by the Town Planning Board. But what of the plans and the schemes which have been prepared by Government departments and local authorities? Are they to be scrapped?

The Minister for Local Government: Of course not. I said that the graphs already in existence, and the regional plan drawn from those graphs, will be at the disposal of the new authority.

Hon. J. T. TONKIN: Only those which have been prepared by the Town Planning Commission.

The Minister for Local Government: Are there any others?

Hon. J. T. TONKIN: Yes. There are the plans and schemes which have been prepared by the State Housing Commission, the Public Works Department and the local authorities.

The Minister for Local Government: Are there not copies of the plans of the local authorities at the office of the Town Planning Board?

Hon. J. T. TONKIN: The Bill suggests that the plans and graphs prepared by the Town Planning Board, and no others, will be available. I am glad to hear from the Minister that it is proposed that all of them shall be available, although there is nothing to say that they have to be utilised in any way. So, they could be a dead loss. It is as well that the people

concerned should understand the position right now and not spend any more money on them.

The Minister is under no misapprehension as to the magnitude of the task to be carried out, because he used the words "a tremendous task." This emphasises the need for very high qualifications and brings me back to the point that, for this tremendous task of great importance to the State, we require men with more than ability and knowledge; we want specialists if we can get them. I repeat that I do not think we can get them on a three years' appointment. Town planning is a continuous process. The metropolitan planning authority might spend two years in drawing up a plan for the metropolitan area, and a further year in bringing it up to date and perfecting it, but it cannot be left at that.

Conditions change and planning is a continuous process. Alterations will be required because of changing circumstances and unforeseen occurrences, so planning must be a continuous process with provision for worthwhile alterations. It appears to be quite contrary to the interests of the State to visualise setting up an expert planning authority for a period of three years, and then scrapping it and leaving the job to the town planning board. I think it would be far better—this opinion was expressed by the member for Canning—for the present Town Planning Board to be reconstituted and strengthened, because we would then have an authority capable of dealing with immediate problems and in a position to give continuous planning. An executive officer is mentioned, but what are to be his qualifications?

The Minister for Local Government: Are they not stated?

Hon. J. T. TONKIN: Not specifically enough for me.

Mr. Griffith: It gets a bit nearer in that case.

The Minister for Local Government: What does it state?

Hon. J. T. TONKIN: The Minister can read!

The Minister for Local Government: You said there was nothing there.

Hon. J. T. TONKIN: I did not say that.

The Minister for Local Government: Did you imply it?

Hon. J. T. TONKIN: I said it is not specific enough for me, and neither it is, because my reading of it suggests that it could be an accountant, a surveyor, a civil engineer or just a man looking for a job, and there are a few of them about.

Mr. Griffith: It says, "A person having a knowledge of town planning."

Hon. J. T. TONKIN: What does that mean?

Mr. Griffith: It is a bit more specific.

Hon. J. T. TONKIN: How much knowledge of town planning?

The Minister for Local Government: Did you expect it to state the quantity of town planning knowledge required?

Hon. J. T. TONKIN: I expected more than is here.

The Minister for Local Government: A man with a knowledge of town planning in an executive capacity.

Hon. J. T. TONKIN: That is not enough for me. I want something a lot more specific, because I could get a dozen men with a knowledge of town planning who would be no good for this job.

The Minister for Local Government: They would not be accepted.

Hon. J. T. TONKIN: We do not know that, and we ought to know. I cannot understand why the Minister relaxes his requirements when it comes to appointing deputies to the metropolitan planning authority. He requires that the original appointees shall be men with ability and knowledge, and provides that if vacancies occur they shall be filled by men with ability and knowledge but, if any members go away and it is necessary to appoint deputies, they can be anybody.

The Minister for Local Government: If one is away there is no deputy, because two of them form a quorum.

Hon. J. T. TONKIN: That makes it worse.

The Minister for Local Government: Does it?

Hon. J. T. TONKIN: Yes, because if we do not appoint a deputy in the absence of one member and wait until two are absent before appointing a deputy, the board will consist of one man with ability and knowledge who can be overruled by a man who can be anybody at all, and that does not impress me.

The Minister for Local Government: It would not impress me, either, if that was how it was going to work out.

Hon. J. T. TONKIN: That is the provision in the Bill; make no mistake about it.

The Minister for Local Government: You quote the most extreme unlikelyhoods.

Hon. J. T. TONKIN: I do not. I am quoting exactly what the Bill says. The Minister is careful to say specifically that, with regard to filling vacancies, the person appointed shall have the qualifications mentioned and then, when we come to the appointment of deputies, it is stated that, "The Governor may in respect of each member—" including the chairman, "—appoint a person as deputy of that member and a person so appointed shall, in the absence of that member, have all the

"powers of that member." It is just a person, with no qualifications at all, and so we can have as a deputy for the chairman or for any member just a person without qualifications.

The Minister for Local Government: Do you think we would push into the job the first man we came across, or that we would look around and get the best man possible?

Hon. J. T. TONKIN: Why is it necessary, with regard to the original appointments, to state that the appointees shall be persons with ability and knowledge and, with regard to the filling of vacancies, to state that persons appointed shall have the qualifications set out and then, in the case of the appointment of deputies, say that no particular qualifications are necessary?

The Minister for Local Government: If you want to include particulars regarding ability and knowledge, do so.

Hon. J. T. TONKIN: Now the Minister is hedging. First of all, it was not necessary because we were asked did we think the Government would appoint just anybody. We might be asked the same question regarding the original appointees. If it is necessary to set out the qualifications for them, it is just as necessary to do so in the case of deputies; yet it is not done.

The Minister for Local Government: We would go to all the trouble necessary to get the best men for the job but, if you wish to move an amendment, do so.

Hon. J. T. TONKIN: Who does the Chief Secretary think would be the best man for the job?

The Minister for Local Government: How would I know until I am faced with the problem? I would then find him.

Hon. J. T. TONKIN: The Minister should have some idea about it.

The Minister for Local Government: I cannot do all my work in advance.

Hon. J. T. TONKIN: He will look around and, if someone nearby is reasonably good, that person will be appointed.

The Minister for Local Government: If you are satisfied with that idea, keep it.

Hon. J. T. TONKIN: What is your idea?

Mr. SPEAKER: Order! The Minister will reply in due course.

Hon. J. T. TONKIN: The Minister puts up some extraordinary propositions. The Bill is very weak with regard to its betterment provisions. The Minister would have done well to have consulted the English statute on this most important question. It is probably one of the most important provisions in a measure of this kind, and I do not think it is sufficiently clear and strong to enable the State to get the benefit of the betterment that will accrue from

some of these town planning schemes. Because of the more ordered planning, some people will have their land considerably enhanced in value, very considerably enhanced, and it does not appear to me that the machinery for this measure is sufficiently strong to enable us to collect that betterment, and I think the Bill has to be strengthened in that regard. We expect local authorities to collect the rates, but there is no provision for allowing them the cost of collection.

Mr. Griffith: I do not think it amounts to very much.

Hon. J. T. TONKIN: It might.

Mr. Griffith: I have discussed that aspect with a couple of them.

Hon. J. T. TONKIN: There is some work involved and they will agree that the collection of their own rates involves some expense.

Mr. Griffith: Yes, but they could do that in conjunction with this.

Hon. J. T. TONKIN: They might do that, but some people are diffident about paying rates and it seems reasonable to me—although I do not know how much would be involved—to allow the collecting authority something for carrying out that work. It is not a tremendously important matter; it is a detail, but is one worthy of consideration, nevertheless.

In the reasons which the Minister gave for taking the course which he has taken, I could not find one that I regard as strong enough to justify his action. That is why I say it appears to me that the far wiser course would be to strengthen the existing authority. I commend the Minister for the decision to put the Commissioner for Public Health upon the board; that would be a very wise appointment. I can see that it could be further strengthened by the appointment of the Commissioner of Main Roads, a sewerage and drainage man, and there ought to be power to co-opt various persons when special matters are under consideration. Of course, if we were to strengthen the existing board, and give it money to employ consultants, we would have a much more practical proposition than this one. We might then be able to make the progress we all agree is so necessary.

I do not believe the Minister really thinks this proposition will succeed. From the outset he will get a conflict of interest and opinions. The idea of having the Town Planning Commissioner as a consultant to a planning authority, no member of which might possess superior qualifications, is one that might lead to trouble. We must remember that this planning authority can decide that it will not have the Town Planning Commissioner present at any of its meetings, and once that is started I can imagine the friction that would be set up and the difficulties



that would arise in trying to make this scheme work. So I am afraid that instead of improving the position it would be making it considerably worse.

I think if this Bill were referred to a Select Committee, with the powers of a Royal Commission, something better would emerge, because such a Committee could have regard to what has been done in Great Britain and would have the benefit of that experience. It could then formulate proposals which would be far more practical than the one we have before us this evening. This is not a matter to be dealt with lightly—on the contrary it requires the closest consideration. Another matter that comes to my mind, and suggests to me that this has not had the thought it should have had, is the proposal to publish in four issues of the "Gazette" the whole plan and an explanation of it. I ask the Minister, in all seriousness, has he any idea of the mass of printing involved in that proposition?

The Minister for Local Government: Yes, I think you may be on to something there. That is worthwhile criticism. I will admit that before you go any further.

Hon. J. T. TONKIN: I have had shown to me information which would be only a portion of what would be required for a plan for a city like Perth. I was amazed at the quantity of detail which has to be published. In Great Britain they do not go to the expense of publishing the full scheme and taking the risk of it being vetoed, nor do I think we should go to that trouble. If we had a few copies of the scheme made available to Parliament, that would be sufficient until we determined whether or not the scheme should be approved. The expense involved in publication might then be faced. But there is a tremendous volume of work involved in that proposition in the Bill. Not only is there a large volume of work involved, but it would also be expensive to carry out and there is no sense in wasting money unnecessarily. If expense can be avoided we should take the necessary steps to do it, and those steps could be taken by an amendment to the Bill in that direction.

It is apparent to most of us that many weaknesses exist at the moment. One need only refer to the Charles-st—Wanneroord., which is an important inlet to the city. It is a one-chain road and at the moment, along that area, brick houses are being built and there is no power to prevent their erection. Yet of a certainty, within the next 10 years, those houses will have to be pulled down and the road widened. No power exists at the moment to prevent the erection of those houses, and so a large expense is being incurred right under our noses and we are powerless to prevent it. That is something that might be tackled straightaway without having to wait years to do it.

The same thing is happening elsewhere, along the Canning Highway, for example. There, too, we find houses close to the alignment of a one-chain road where we know for certain that within a matter of a few years properties will have to be resumed in order that the roads can be widened. That is the sort of thing that requires attention rather than attempting to implement a scheme along the lines proposed by the Minister. I would like to see a provision whereby, when it is decided to embark upon town planning schemes, the values were fixed at a specific date; otherwise, we will find some persons profiting to a large extent because it is inevitable that they will get prior knowledge of what is likely to occur and will capitalise it very greatly.

Mr. Read: That will have to be done.

Hon. J. T. TONKIN: I would think so. Values should be pegged at a specific date to prevent such a thing occurring, otherwise large fortunes will be made by a few knowledgeable individuals. If I felt that this step, which the Premier says is one in the right direction, was in the right direction I would not oppose it, but it appears to me to be merely a step and I do not think it is in the right direction. It is bound to fail on the important point of the setting up of the metropolitan area town planning authority, and I do not think the Minister for Local Government will be able to get those men whom he thinks he might secure and who will be essential for the successful carrying out of this plan. I think he had better change his ideas about that.

These men are not available in Western Australia. The member for Guildford-Midland was concerned about importing such men. There are times when we must import if we have not the necessary available material locally, and no second best is any good here. There are extremely few properly trained town planners about. There are not the number of jobs to be filled by them and so few are prepared to undergo the required training, because opportunities are so slight that of necessity the number must be restricted. It is no disparagement to our own people to say that we have not the persons with the necessary qualifications here, because it is true. In order to get the very best qualifications we have to pay high salaries as a commencement, and then we must offer something more than three years' tenure of office. The Bill proposes just that and that is why I think it is bound to fail. So if we end up with a second rate metropolitan town planning authority, which will supersede the existing Town Planning Commissioner, we cannot expect a first rate scheme for the metropolitan area. That is the big weakness in the Bill.

I suggest to the Minister that he give that aspect a good deal of thought before he insists on the passage of the Bill because he might very conceivably find him-

self in serious difficulty and be unable to get a satisfactory plan; and he will have taken some steps that he will find difficult to retrace if he takes them without proper consideration in the first instance. I see a good deal wrong with the measure as I have said, and for that reason I am not prepared to support the second reading.

**MR. READ (Victoria Park) [11.48]:** The Bill is a step in the right direction. It is not all that we desire, and it is certainly open to amendment. We, as representatives of local authorities in Perth and the surrounding areas, have been waiting for many years for a scheme based on a master plan in order that we may develop this beautiful city. There are many difficulties associated with the administration of local governing bodies because of the position in which we find ourselves at present. We have a town planning development plan but we are not in the position to enforce it. We have plans at the Perth City Council and at the Town Planning Commissioner's office, with positions marked out for the provision of various buildings and amenities which should be established.

We have also marked out on those plans areas for private residences; for business premises; for shopping areas and for office buildings and factories; and yet when architects submit plans to erect buildings of a certain character in a specific portion of the metropolitan area, we have no real authority to refuse the application. Of course, the authorities say, "The area in which you require to build is a private residential area zoned as such, and we will not give you a permit to build a factory in that area." Unfortunately we have no real authority to forbid the erection of such a building, so that every day and every month buildings of a wrong character are being erected in positions where they should not be if the development of the city is to progress. We have such problems as the buildings in Wellington-street, near Lord-street, necessary for the enlargement of all those requisites that are needed for huge hospitals. We are building there another block of wards for the hospital.

We have no plan for the development of that area across the road in Wellington-street which later has to be put in hand for a blood bank, for nurses' quarters, laboratories and those other essential developments which must go hand in hand with the growth of hospitals. To start with, the Royal Perth Hospital has gone too far for us to think of shifting it. But it is in the wrong place because we had no master plan and no scheme definitely prepared as to where it should go. We also have the real estate people who are continually striving to develop along certain lines, while the local governing bodies cannot assure them that

the future developments of the particular area in which they are interested will be along the lines they require it should be.

There is also the question of reclamation of the river. Something like 200 acres directly on the north side of the Causeway will be reclaimed for botanical gardens, playing areas, a reserve of some kind—of what kind we do not know because we have no plan. We are making mistakes all the time. Heirisson Island has been given to the National Fitness Council; it has no funds to develop that area. If these points were definitely put down and considered for the proper development and planning of the City of Perth, we would not be in the position we are at present of not knowing where we are going.

This Bill will give us the proper plan on which to work. It has been mentioned by previous speakers that other local governing bodies are interested in it, and they are antagonistic towards it because they believe that it will in some way interfere with the development of their particular area; but that is not so. As I understand the measure, outside a radius of 15 miles of the Town Hall our own Town Planning Commissioner takes over, in order to formulate a scheme for the fanning out, as it were, from the hub of this wheel for the development of other local governing bodies and councils. I certainly support the second reading of the Bill, but in Committee I think many amendments may be required. Some of these will be put forward from different sides of the House and I will support many of them.

**THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling) [11.54]:** I would like to say a word or two on this Bill because, for approximately three years, I had charge of the Town Planning and Development Act of this State. If there was one thing that was apparent to me during the course of that time it was the fact that it was virtually impossible to secure any co-ordination in town planning and development schemes in the metropolitan area at large, as long as the law continued to provide that the scheme should be devised by the individual local authorities and carried into effect by them as the responsible authority, with little or no actual relationship between the operations of one district and the operations of another. It was obviously impracticable for that state of affairs to continue indefinitely, and I think there is proof of the fact that it was not the right way to deal with the problem of metropolitan planning when one views or looks back on the progress made in a period of approximately 30 years since the Town Planning and Development Act was placed upon the statute book.

I think it became more apparent when our population began substantially to increase in the post-war period and, in more recent years, when the planning of the metropolitan region as one area was becoming a matter of considerable importance. At the same time there developed a very considerable responsibility on the existing Town Planning Board in respect of, what might be called, the many minor matters affecting the subdivision of land and other problems, not only in and near the metropolitan area but in all the rural towns of the State which are also undergoing a stage of fairly rapid development. It became quite clear to me, and it has been made clearer in recent months, that it was impossible for that authority, as it existed under the Town Planning Act, to deal with all the problems with which it was faced in regard to this matter of the State of Western Australia and the metropolitan region in particular.

So I believe that the proposal in this Bill to set up a metropolitan planning authority to deal specifically with the future lay-out and development of the metropolitan area, as defined by the measure, is one that can only contribute to a satisfactory solution of this problem. I trust the House will hold the same view. The member for Melville apparently had his chief objection to the measure—his chief objection I say—in regard to the appointment of the personnel of the metropolitan authority. He would appear to imagine that the Minister for Local Government in particular, and the Government in general, are almost entirely without any sense of respectability or responsibility and that they might even “take somebody off the street” to appoint the authority, which were, I think, the words he used. On the contrary, I would agree with him entirely that it would be essential that the principal person of this authority should be imported from elsewhere, and I could conceive of no assent being given by any responsible member on this side of the House, any more than by the hon. member himself, to the appointment of persons who were devoid of knowledge and unlikely to make a successful contribution to the work of the authority.

With the exception of the Town Planning Commissioner himself, I am aware that there are few people in Western Australia who could occupy even the other two positions on the metropolitan planning authority. It might be possible to obtain the other two persons in this State. One of them might conceivably be a lady practitioner or town planner who is at present in this community, and who, I believe, is establishing the fact that her training and knowledge are wide and extremely good, but I am not saying for one moment that she should be appointed. That would be a matter for very careful consideration after the principal person had been selected

as chairman of this authority. The greatest care would need to be exercised, and I am satisfied that it would be very unwise to attempt to select the person for that position before any Act of Parliament had been passed enabling that to be done.

The hon. member also made some reference to what he called the weakness of the betterment clauses of the Bill. With the principle he referred to, mainly that those whose property was bettered substantially by the development of town planning schemes should contribute out of the betterment to the common pool, I heartily agree. I submit, however, that the provisions of this Bill, taken in conjunction with the betterment provisions in the parent Act, which, in the absence of the amendments now put forward, would have been the only provisions applying to this matter, are sufficiently clear, with the assistance of the court of assessors in determining the final claims, reasonably to satisfy anyone that the demands of betterment in contemplation would be effectively met. I do not concede that there is undue weakness when the amendments in the Bill are taken together with the sections of the Act applying to this matter, as those sections of the Act would become part and parcel of the law in conjunction with this Bill.

I feel that the member for Melville, judging by the remarks he made, is out of touch with the demand that exists for some change and some more likely method of achieving a metropolitan plan, and that his views are not in consonance with those of the majority of people who have given much time and thought to the question with which this measure attempts to deal. I am but little if any acquainted with Mr. Harold Boas. If I am not mistaken, however, he has been retained or employed by the City of Fremantle in connection with some town planning proposals. Undoubtedly he is an architect of considerable capacity, whatever his attainments in town planning may or may not be. Not knowing him very well, I am not acquainted with his attainments, but he must possess some, or the Fremantle City Council would have been unlikely to engage his services three or four years ago, as I know from Press announcements it did.

I find that Mr. Boas, a day or two after the introduction of this Bill and the publicity given to it, wrote to “The West Australian” newspaper stating—

I am sure everyone who has been interested in town planning in this State will commend the Government on the introduction of the amending Bill to the Town Planning Act.

This Bill provides for the creation of a planning authority, whose responsibility it will be to plan the future physical development of the metropolitan area.

That view, I believe, is held by the great majority of the people who know anything at all about this subject and who are really anxious that what has virtually been an impasse in regard to the planning of the metropolitan area as such should be ended as rapidly as possible. Mr. Boas went on to say that care must be taken in the appointment of the personnel of the authority. I subscribe to that view most heartily. I do not think that anyone would be so lacking in a sense of responsibility as to suggest that the greatest care would not be exercised in endeavouring to find and appoint persons of ability and knowledge, particularly of town planning and the application of it to the life of a community such as this.

Therefore, I fail to appreciate the apparently unreserved hostility of the member for Melville to this measure. I agree with him that it might be practicable to move worthwhile amendments. It might be desirable, as the member for Victoria Park said, that one or two amendments should be carried, but that does not entail an attempt to defeat the Bill at the second reading. If the Bill were defeated, it would postpone virtually for all time any determined attempt to plan the metropolitan region as one area; at least, it would postpone for a long period of years the very thing which was never more essential than it is at present in the metropolitan area because, to put it briefly, it has growing pains.

These growing pains, so far as I can judge, are likely to become worse if the present national policy is persisted in, as I presume it will be, and if the activities of our community are to extend as we hope and believe it is quite possible for them to do. So, while I, as one member on this side of the House, am prepared to consider any amendments that may improve the structure of the Bill, I consider that its defeat at the second reading stage would be a calamity which we could ill-afford to suffer and which we, over a long period of years, would have great cause to regret.

**MR. J. HEGNEY** (Middle Swan) [12.10]: I have listened with a great deal of interest to the speeches on this Bill, and there is no doubt that it is a very important one so far as the metropolitan area is concerned. Town planning in Western Australia had its genesis in the activities of the Perth City Council and local governing bodies, and a good deal of spade work was done before the then Minister for Works, Mr. McCallum, was induced to introduce a Bill creating a commission to inquire into and make recommendations with respect to the need for planning and developing the metropolitan area. Before that commission had finished its work, it urged the Minister to introduce a town planning measure, which was done. That Act was based almost entirely on Victorian legislation under which the authorities in

Melbourne functioned. We know that Melbourne had a good start with its lay-out; and when our Town Planning Act came into operation, it was modelled almost entirely on that which had been in existence in Melbourne for five years.

The local governing authorities held a conference at that time and urged the Government to make some move in this direction. There was a good deal of propaganda by certain men in Perth who were representatives of the London Town Planning Institute. Representatives from that body were invited to Western Australia and they gave lectures here. I attended a number of them in 1915. Subsequently, the Town Planning Board was created and Mr. Davidson became Town Planning Commissioner. The very basis of the scheme at that stage was that the local governing authorities should be educated in respect to town planning principles. I will read extracts from the report of the Metropolitan Town Planning Commission of December, 1930. This is from page 173—

It seems that one of the first duties of the Town Planning Board should be to educate local authorities in the powers of the Act and to indicate very definitely the lines of procedure which should be adopted by local authorities to bring town planning schemes into effect.

Further on the report says—

The best service which the board can render in their work is to devote two or three years to preparing local authorities to assume their responsibilities under the Act.

Later still the report states—

There seems to be immediate need for an authoritative statement by the Town Planning Board or Commissioner as to the method of procedure to be followed by local authorities in preparing a scheme.

We know that over the years the Town Planning Board has functioned, and there is no doubt that the Commissioner has endeavoured to encourage local authorities to take a keen interest in town planning, to adopt town planning principles and to work in conjunction with the Town Planning Board. But, after listening to the member for Melville, I am rather surprised at the way in which this Bill was drafted and his suggestion as to who drafted it. I read a leading article in "The West Australian" last Saturday, and that article was definitely in favour of the Bill. It said that those who desired town planning had their opportunity, and those who had asked for town planning should be well satisfied. It made the definite statement that the Bill should be accepted without amendment.

That seems to me to be rather significant in the light of the statement made by the member for Melville. "The West Australian" must have had full knowledge of the Bill to be so keen about its being passed

without amendment. In view of the statement of the Minister for Education that any reasonable amendments might be considered and agreed to, the strain of the leading article, having regard to the statement by the member for Melville, was rather significant. The Bill proposes to establish a town planning authority. I do not intend to reiterate the point made regarding the necessity for the very best experts being obtained; but I was rather struck by a statement of the Minister, in reply to the member for Melville, in connection with the ill-health of the present Commissioner.

I understood the Minister to convey that the authority which is to be set up would eventually supersede the Town Planning Board, although I see that towards the end of the Bill there is a proposal to add another member in the person of the Commissioner of Public Health. I do not know whether that is because of the ill-health of the Town Planning Commissioner. It appears that he may not be able to continue in office much longer, and that this Bill is for the purpose of having the present board superseded.

The Minister for Local Government: There is nothing of that in mind.

Mr. J. HEGNEY: I took it that that was the case when the Minister replied to remarks by the member for Melville, and spoke of the ill-health of the Commissioner.

The Minister for Local Government: His health is improving rapidly, and I anticipate that within six weeks he will be back at work.

Mr. J. HEGNEY: I am pleased to hear that. As member for a metropolitan constituency, I have had contact with the Town Planning office and the Commissioner himself. I have been in places where he has adjudicated on disputes between local governing authorities and vested interests, and there is no question about his forthrightness and his very keen interest in seeing that the rights of the people are preserved. There is no doubt that whoever is the Town Planning Commissioner, he has a difficult job. He is up against the vested interests of the metropolitan area at all times, particularly in respect of land that has to be resumed, or people wanting to do something against the best interests of the community. The Town planning Commissioner, no matter who he is, will always have a difficult task to perform. He will be subject to criticism from the local authorities who, in many instances, are not satisfied with his work.

With the growth of the metropolitan area much work remains to be done. The question of planning a central railway station has to be considered. Whether it should be located in the city or in Victoria Park or North Perth, or some other place will have to be determined. It is

a pity that before the Government brought down the railway Bill last year it did not get the advice of expert town planning authorities. Although the departmental heads examined the measure, it was purely a railway Bill introduced in the interests of the railway authorities.

The railway line, will, no doubt, create many problems in the districts I have referred to, namely, Belmont, Bayswater and Bassendean. It will pass diagonally through Belmont and do a lot of harm there. In this instance the Government did not maintain its high ideals, but was prepared at the behest of the Railway Department to destroy these eastern suburbs. This Bill is important, and many problems will have to be considered, such as the development of arterial roads, and the planning of bridges across the Swan River at different points in the eastern suburbs, because of the development of modern transport in the shape of the motorcar and the aeroplane.

Although the Town Planning Commission recommended several propositions as far back as 1930, I regret to say that many of them which had a great deal in their favour were not adopted. I have on several occasions submitted one scheme that was recommended in 1929 to the Minister—I refer to a level crossing at Rivervale. The same applies to the formation of arterial roads from the Belmont-Bayswater district through Wanneroo to the ocean. The Minister for Works at the time put the bridge where he thought it would suit his needs—I refer to the Garratt-rd. bridge. The Town Planning Commission recommended that it should be where the Belmont railway line is, and that an arterial road should go from Kalamunda and adjacent districts across the bridge to the Bayswater line and on through Wanneroo to the ocean. The Minister decided that, because of the Belmont railway line crossing, the bridge should go where it now is. It has created a bottleneck.

The Government disregarded the recommendations of the Commission at the time. The question of industrial and residential areas has to be considered, because it often creates difficulty with the local authorities. My experience with local governing authorities is that they draw up their town planning schemes and adhere pretty rigidly to them. Unless an appeal is made to the Minister, they refuse to deviate from them. I think the measure has a great deal of merit in it, but it will depend almost entirely on the experts selected. They will not need to be men of small calibre. The Minister who just sat down was the Minister in charge of town planning for a couple of years. He quoted Mr. Boas, who was chairman of the Town Planning Commission in 1929 and made recommendations in connection with the Town Planning Board. He was also a member of the Town Planning Institute of London, and knew a great deal about planning.

It would have been of great advantage to members if the Bill had been introduced three months ago. We would then have had more time to consult the local authorities in our respective electorates, and so would have been much better informed on the subject than we possibly are to-night. Members have general ideas about the measure, and are anxious to do the best they can for the State. If the measure had been brought down earlier in the session they could, possibly, have made it a better Bill. I think, at all events, it should pass the second reading stage, and we might agree on some worthwhile amendments in Committee.

**THE MINISTER FOR LOCAL GOVERNMENT** (Hon. V. Doney—Narrogin—in reply) [12.38]: The hon. member who has just sat down said that the Bill would have been better had it been introduced three months or so ago. That, unfortunately, could not be done. That is a pity, but I thought it better to introduce it now rather than waste the intervening time and bring it forward not until next year. The hon. member said that the men to be appointed should be of no small stature. I hope that no-one will be misled by the utterances of the member for Melville into thinking that but little trouble will be taken to get the best men. I can assure the House that every effort will be put forward to see that we get the best men possible.

The member for Melville disappointed me in that he saw everything that was wrong and nothing that was right in these proposals of the Government. He stated that what I said when introducing the Bill was nothing like what the measure contained, but I would remind members of the utterance of the Leader of the Opposition, whose remarks implied that I gave a clear explanation of the measure, so the member for Melville does not get it all his own way. He queried the nature of the birth of the Bill and I think his suspicions in that direction were most unhelpful. What possible good could his suspicions do him or the State? He should have concerned himself with the quality, intentions and merits of the legislation. I admit that later on he did pay attention to those aspects. He considered that the man for one of the major jobs in the proposed new authority ought to be the present Town Planner and thought the work involved would be well within the competency of that officer.

I have expressed a similar opinion on a score of occasions, and no-one can say that I have any doubt about Mr. Davidson's worth as a town planner, because I have frequently expressed my views in that regard; but one of the reasons why the name of Mr. Davidson has not been mentioned in connection with these new appointments is that his health has been anything but good for the past six months and, in addition to that, the planning

needs of rural towns and areas have grown substantially in the last three or four years and will be sufficient, together with the work that has accumulated in other directions, to keep the Commissioner and his staff fully occupied. There has been pressure on the department and on the Government to seek some new departure in town planning, and I agree that there should be such a departure.

I believe in the practicability of this measure. We are making slow progress and no-one will be satisfied with existing methods if they are too far prolonged. For that reason I think we should pass the Bill. The member for Melville gave the Government no credit for ability to use discretion or commonsense in selecting men to fill the positions referred to; instead he saw the Government making a succession of absolutely childish blunders. He disappointed me, because the House well knows that he is capable of a far better effort than that. There is a deep-rooted idea in the minds of many people that little or nothing has been done towards metropolitan town planning, but I wish to correct that idea. I have therefore furnished myself with a list of the planning and zoning works carried out up to date in the metropolitan area. It will give members an idea of what has already been done.

The Fremantle municipality has resolved under the regulations to prepare a scheme and a report preliminary to the completion of the scheme. That report has been printed and published. Up to date East Fremantle has done nothing, but that local government area is a purely residential area and the council there has not yet considered it desirable to pass any plans for industry. North Fremantle has passed zoning by-laws and Mosman Park has done likewise. Peppermint Grove Road Board also has certain zoning by-laws. Cottesloe municipality has gazetted a scheme but Claremont municipality has done nothing as yet. The Nedlands Road Board has gazetted a scheme and Subiaco municipality has zoned to control the erection of flats. The City of Perth has carried necessary resolutions and a scheme is in course of preparation. Having regard to the remarks of the member for West Perth a little while ago I now feel some doubt as to whether that is so, but what I have quoted is the information given me.

The Perth Road Board has resolved to prepare a scheme, but no zoning by-laws or schemes have yet been placed before the Minister. The Bayswater Road Board has a scheme gazetted and the Bassendean Road Board has plans prepared but not yet gazetted. The Guildford Municipality has gazetted a town planning scheme. Midland Junction Municipality has prepared a scheme which has not yet been gazetted and the same applies to the Belmont Park

Road Board. The South Perth Road Board has zoning by-laws but they are not yet gazetted. Canning Road Board is preparing a scheme. Melville Road Board has gazetted a scheme. The Fremantle, Gosnells, Darling Range and Mundaring Road Boards have shown no interest yet. Armadale-Kelmscott has gazetted a scheme to deal with building lines. Swan Road Board has done certain residential zoning. My notes state—

It will thus be seen that in the intensely settled parts or developed parts of the metropolitan region some action has been taken under the Town Planning Act to use the powers contained in it.

To summarise the information, I might say that 5 local authorities have schemes; the two cities have resolved to prepare schemes, and are in course of doing so; and six local authorities have schemes in preparation and six have zoning by-laws. That is the answer to members who may have thought that no preparatory work of this kind had yet been carried out. In addition there are in existence in the Town Planning Department these very valuable graphs to which I have referred, in one way or another several times during the last fortnight. These are the graphs which Professor Holford, in his conversation with me, referred to as a masterly piece of work. In my view they will be a real time-saver to the new authority when and if it commences operations. I might say that it was not one of the set duties of the Town Planning Commissioner to get together the graphs to which I have referred, but he considered that they would be what might be described as an essential foundation requirement of any metropolitan planning. Thereafter he burnt a good deal of midnight oil while giving effect to the idea.

In his speech the Deputy Leader of the Opposition did not condemn the general purpose of the plan; in fact it was to the contrary in my judgment. He wanted to know why what he termed the "master plan" could not be applied to present-day metropolitan planning needs. I have had occasion to deny in this House before that any such master plan exists. I have never claimed that it does exist.

Mr. J. Hegney: Have you got it there?

The MINISTER FOR LOCAL GOVERNMENT: I have a reference to it which I will make known to the hon. member.

Hon. A. R. G. Hawke: I thought you were picking up the plan.

The MINISTER FOR LOCAL GOVERNMENT: On the 8th August, 1950, the member for North Perth submitted the following question to me:—

Will he lay upon the Table of the House the Government's master plan—or a copy of it—covering town planning proposals for the metropolitan area?

Mr. J. Hegney: He was put up to that by the Lord Mayor of Perth.

The MINISTER FOR LOCAL GOVERNMENT: That would surprise me. My reply was as follows:—

There is no "master" plan, but there is a metropolitan regional plan covering all the various public works which constitute the framework of the region and into which the town planning schemes of local authorities, existing or projected, will fit. This plan is complete except for the drafting of the final copy and report and the receipt of the town planning schemes of the Cities of Perth and Fremantle and certain other local authorities.

The metropolitan regional plan has some 17 supporting plans of the regional survey upon which it is based and cannot conveniently be laid on the Table of the House, but the hon. member and any other member interested in the matter may inspect the plan by arrangement with me.

It could not be laid on the Table of the House because its size was something like 4 ft. x 6 ft. or 5 ft. x 5 ft. It is conceivable that during a conversation I had with the Leader of the Opposition I may have used the term "master plan." The hon. member says that I did but whether that is so or not, I do not know. However, no such plan actually exists and that should lay that ghost for all time.

It might be of some value if I quote the nature of the graphs to which I have just made reference. There is a geographical plan, a public utility plan—that is one having reference to gas, water, electric light supplies and other major amenities. There is a geological plan, a local governing bodies plan, a valuation plan and a transport plan which has reference to lines of communication and so on; there is a sewerage plan, a major recreational lands, a parks and reserves plan, a level crossings plan, a contours plan and a plan showing the effect on the subdivision of land brought about by the original Crown grants.

Hon. A. R. G. Hawke: What are all those plans?

The MINISTER FOR LOCAL GOVERNMENT: I can give no other explanation than the one I am giving to the hon. member now. Apparently he is not listening.

Hon. J. B. Sleeman: Have you any financial plan?

The MINISTER FOR LOCAL GOVERNMENT: Another one is the extent of the subdivided land in the metropolitan region. This is regarded by the Town Planning Commissioner as an up-to-date and most efficient regional survey, and it

is upon this basis and from these graphs that the regional plan that has several times been referred to will be built.

Mr. Styants: Have you a plan for us to go to bed?

The MINISTER FOR LOCAL GOVERNMENT: I am as much interested in that as is the hon. member, and possibly more so. I think in the present mood of the House I might very well leave out a number of answers I had intended to give.

Members: Hear, hear!

The MINISTER FOR LOCAL GOVERNMENT: That is one way of making oneself popular, anyhow.

Hon. A. R. G. Hawke: Again "Hear, hear." But is not the Minister going to have a shot at the member for West Perth?

The MINISTER FOR LOCAL GOVERNMENT: When we are in Committee I will be called upon to answer the same questions, and at this stage it would probably be a good idea if I merely commended the Bill to the House.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Perkins in the Chair; the Minister for Local Government in charge of the Bill.

Clauses 1 to 3—agreed to.

Progress reported.

#### **BILL—RUBBER TYRE INDUSTRY.**

*Discharge of Order.*

On motion by the Premier, Order discharged.

#### **ADJOURNMENT—SPECIAL.**

The PREMIER (Hon. D. R. McLarty—Murray) I move—

That the House at its rising adjourn till 2.30 p.m. today.

Question put and passed.

*House adjourned at 12.52 a.m. (Friday.)*

## **Legislative Assembly**

Friday, 7th December, 1951.

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

### **QUESTIONS.**

#### **HOUSING.**

(a) *As to Deposits on War Service Homes.*

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

(1) Has he seen the letter to the Editor of "The West Australian" on the subject of War Service homes, published in Thursday's issue of that paper?

(2) Do the statements made by the writer accord with the facts of the matter? If not, wherein are they at variance?

(3) Is the case in question an isolated one, or are there other instances where substantial deposits have been lodged with the Housing Commission by applicants for War Service homes and more than six months have elapsed following such payment before work on the dwellings have actually commenced?

(4) How many such instances have occurred since the 30th June, 1950?

(5) Will he take steps to speed up the erection of War Service homes so that the building rate of such houses will compare more favourably with that of houses built on "spec" than is the case at present when the average building rate of the latter is more than twice as fast as the former?

The MINISTER replied:

(1) Yes.

(2) Without knowing the name of the writer, the facts cannot be verified.

(3) This is not an isolated case. Contracts are signed by the State Housing Commission on behalf of the Director of War Service Homes, who has directed that deposits must be paid before the contracts are signed.

Some time must elapse after the signing of the contract before a contractor can obtain the materials necessary for the job.