

Legislative Assembly.

Thursday, 13th September, 1945.

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

QUESTIONS.

ALBERTA PROVINCE.

As to Financial and Economic Experiments.

Mrs. CARDELL-OLIVER asked the Premier:

1, Is the Government in possession of any data regarding the financial and economic experiments being undertaken in Alberta?

2, If so, will he lay such information on the Table?

3, If not, will he approach the Alberta Government on the matter?

The PREMIER replied:

1 and 2, The information we have is so incomplete that a wrong impression might easily be given if it were made available as the only data on the subject.

3, I will arrange that a proper approach for information is made through the Canadian Government.

SCHOOL BUS SERVICES.

As to Type of Vehicle Used.

Mr. PERKINS asked the Minister for Education:

1, Does the department inspect the vehicles to be used before accepting tenders for country school bus services?

2, Is the department satisfied with the general type of vehicle used for this purpose at present?

3, If not, what better type of vehicle will be specified in the future?

4, When can such improved vehicles be expected to be in service?

The PREMIER (for the Minister for Education) replied:

1, No. Tenders for school bus services are accepted before tenderers incur the expense of purchasing vehicles. Acceptance of tenders is, however, made conditional upon the tenderer securing the type of vehicle stipulated in his tender.

2, The department is satisfied with the general type of vehicle used for school bus services under existing conditions; it requires the bus contractor to submit his vehicle for inspection by the local traffic inspector periodically and to furnish the department with the certificate issued.

3 and 4, On the relaxation of restrictions imposed by war conditions on materials and on the selection of vehicles considered suitable for school bus services, improvement will be expected.

HOUSING, ETC.

As to Removal of Sales Tax on Building Material.

Mr. McLARTY asked the Premier: In order to keep down the cost of the building of workers' homes and other house building, also hospitals and schools, would he make representations to the Commonwealth Government for the removal of the sales tax on all house building material?

The PREMIER replied: With the exception of a few minor items which can be used for other purposes than house building, all materials required for house building have already been relieved of sales tax.

TROTTING.

As to Report and Proposed Legislation.

Mr. GRAHAM asked the Minister representing the Chief Secretary:

1, Have the report and recommendations upon matters pertaining to the sport of trotting yet been finalised by Mr. E. A. Dunphy?

2, If so, has consideration yet been given to them by the Government?

3, Is it the intention of the Government to introduce legislation in respect of this matter during the present session?

4, Will he lay upon the Table of the House all papers in connection with inquiry?

5, If not, why not?

The PREMIER replied:

1, Yes, within the last few days.

2, No.

3, Yes.

4 and 5, This will receive consideration.

BILL—CLOSER SETTLEMENT ACT AMENDMENT.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th September.

MR. DONEY (Williams-Narrogin) [4.34]: I have examined this brief Bill and I see no justifiable obstacle that can be raised to it, either in regard to builders' labourers being permitted to sit for an examination entitling them to the statutory title of inspector of scaffolding, or to the other amendment touching the question of whether scaffolding erected over, and of course under as well, a sheet of water should count its horizontal base as from the bed of that sheet of water or from the top of it. As to the first proposed amendment, I raise no objection to it because I have always desired that every worker, no matter what his occupation might be, should have a clear and legally protected line of advancement to the topmost posts in his occupation, provided that he demonstrates by examinations his ability to do the work involved in the higher appointments. I know that the same examination will be required, even in the altered circumstances in the event of the Bill being enacted, and will have to be passed by builders' labourers as was, and still is at the moment, required by tradesmen competitors. That to me is absolutely essential.

I would not support the Bill if builders' labourers had not been called upon to face the same test as that set out in the schedule to the parent Act. I repeat that it should

be essential, and will be if the Bill is passed, that builders' labourers shall pass the same test. That might be termed a matter of fair play, and I cannot understand why the parent Act should have been allowed to continue for so long without being amended in the manner now proposed. I understood from what the Minister said in his introductory speech that a builders' labourer was responsible for erecting the whole of the scaffolding in connection with the new Perth Hospital. That is as big a job as has ever been undertaken in this State by local tradesmen. I consider that the proper erection of scaffolding respecting any major job should be regarded as a test of workmanship and a sense of responsibility, and I would certainly take the view that a builders' labourer capable of properly carrying out such a job should at least be able to sit for an examination in order to obtain the title of inspector of scaffolding. For these reasons I shall be very glad indeed in due course to vote for the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—MINING ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison) [4.42] in moving the second reading said: Without a very full explanation of the contents of this Bill, it might appear that Fate is playing havoc with me as a new Minister. Those members who have had the pleasure of sitting in this Chamber over a long period of years will recall the serious clashes that occurred between the late Mr. Munsie, then Minister for Mines, and myself as to the granting of reservations. It would appear at that time, from the acute differences that existed between Mr. Munsie and myself, that under no circumstances whatever would I agree to the granting of reservations. Therefore, it is necessary that I should make the position quite plain, in order that the contents of the measure, should it become an Act, may not be misconstrued. The Bill seeks to amend Section

277 of the parent Act. For the information of members—particularly the member for Nedlands—I would point out that the sections of the parent Act had been re-numbered, and that the section which originally was numbered 297 is now Section 277. I mention this so that members desiring to scrutinise the Bill will have no difficulty, when referring to the parent Act, in ascertaining the correct section to guide them when making their investigations.

In the past—I refer to the time when the late Mr. Munsie was Minister for Mines—the conditions, terms and duration of reservations were fixed on a set of circumstances entirely different from those which will apply should this Bill become law. I am still of the opinion that under Section 277 of the Mining Act it is not lawful to grant the right of occupancy of the reservations granted under that section. However, it has been the practice; and no injunction has been sought to test the legality of my contention. I assume the courage to introduce this Bill, therefore, to amend that self-same section. My principal objection to the granting of reservations is, as was the case in years gone by, that the right of occupancy is granted enabling the holders to mine upon those reservations without any regard for that section of the community whom we call bona fide prospectors. In other words, that right of occupancy almost excluded a prospector from entering upon a reservation and prospecting in a practical way, as was customary with prospectors. Without doubt, that was their sole means of living.

Further, it was not possible for a prospector to know the locality of the reservation. That was another most objectionable feature of granting the right of occupancy, because it meant that prospectors who explored the auriferous belts of the State in search of minerals—gold in particular—would not know whether or not they had made a discovery on a part of a reservation. The point is this: Scores of men go out prospecting who seek no tenure until they discover indications of the presence of gold at some given spot. They then go to the Mining Registrar or Warden and apply for a prospecting area or a goldmining lease. The position in the old days was that immediately he made application under the Mining Act for the tenure, in some form or other, of an area that hap-

pened to be within a reservation with the right of occupancy granted, to someone or some company by virtue of a successful application for a reservation, he would immediately indicate to the owners or the occupiers of the reservation that gold was in the vicinity. Therefore it was retarding prospecting and doing a great injustice to a very valuable section—although not numerically strong—of the people of Western Australia.

Prospectors are the only individuals upon whom we can depend for new discoveries of gold deposits or base metals. I have yet to learn of any company that has made a practice of financially assisting a prospector or prospectors. That work is always carried out by the individual himself. If his activities are in any way retarded, the State must ultimately suffer. Those are the main reasons why I object to reservations being granted, but there are other worthy and justifiable complaints in regard to what did happen. One or more of these reservations was granted, due, to an extent, to the fact that at the time application was made the goldmining industry was experiencing a revival because of the rapid upward trend of the price of gold.

The Minister, at that period, therefore, was inundated with applications for reservations, and the applicants were not altogether bona fide. In the main, their principal object was to get a large area of auriferous country surrounding a well-known and defined ore channel—one that had been operative, more or less—and particularly those deposits which had produced large quantities of gold which, in other words, indicated high values within the ore channel itself. The object of these individuals was not to go on with bona fide mining, but merely to get an option, or to get possession, or to have a reservation granted, in order that they could boost, on the market, the proposition they held by pointing out clearly that somewhere inside the reservation was a well-defined ore channel of high value. Many of them succeeded in floating these propositions knowing, when they did, that there was no possibility of success in the old channel. They simply used the reservation to boost their proposition. Many of them raked off, unfairly and unjustly, huge profits in the process of floating these concerns.

It is true that some companies that succeeded in getting occupancy, or a reservation, did a little practical work on their holdings, but here again they were guided in their application for a reservation by the existence of a well-defined ore channel of value. In these instances, although the companies did some legitimate work in what is known as the actual mine itself—that is the particular proposition being surrounded by the reservation—and did some practical work in developing the well-known ore channel, they did nothing to prospect the rest of their country.

Another objectionable feature is that the public had no conception of what was going on. All other applications for leasehold tenure, under the mining laws of this State, must be lodged with the mining warden or registrar. Such an application is duly published and the warden, in due time, sits and adjudicates upon the application, giving the people—the interested parties in particular—an opportunity to know what is going on. Those people could then object if they wanted to, but, under the system of granting reservations, as it then applied, the applications were dealt with by the Minister in Perth and no interested party knew exactly what was going on.

There was a further grave objection to the principles surrounding the granting of these reservations in days gone by, namely, that there was no limit to the area. One reservation, between the towns of Nannine and Meekatharra, was 25 miles long by 10 miles wide. It was larger, in area, than a pastoral property through which it ran. Never was a pick's point put into it, and never did a man, on behalf of the person who had the right of occupancy, see it. Also, one gold-mining company in this State was given the right of occupancy, by reservation, over the whole of the auriferous area of Western Australia from the Kimberleys to Esperance. No-one could get a reservation within that circumscribed area without the company, which had the reservation right from the Minister, agreeing to give it. Those are the principal objections I have. As I said in my opening remarks, it seems as if Fate has been playing with me in that I should now have to rise and ask this House to agree to the granting of a reservation under the same provision.

Mr. Fox: We will accept your apology.

The MINISTER FOR MINES: Members will understand that the conditions are entirely different.

The Minister for Justice: There are exceptions.

The MINISTER FOR MINES: Not only are there exceptions, but I was successful, with, I might say, the help of members of this Chamber of that day, in bringing about some curtailment and restriction of the granting of reservations. I moved to amend Section 297, as it was in those days, and, though I did not succeed in getting all I required, I did succeed materially in reducing the power and authority that the Minister possessed under the old section. The amending Act—I do not know exactly in what year it was—restricted the granting of the right of occupancy to a period of 12 months, and restricted the area to 300 acres. Under that section, which would no doubt be 297A, and which may now appear as 227A, the Minister was prevented from granting any area greater than 300 acres, and could only grant it for a period of 12 months.

But there are further subsections in the same amending Act, which is now part of the Act itself, and though I objected very strongly, I found, in conference, that I had either to concede it or lose my Bill, as it was then. The Act provides now that if the Minister wishes to extend the period over 12 months or, alternatively, if he wishes to grant a reservation for a period longer than 12 months, he must submit—in the form of a regulation—the terms and conditions upon which it is granted, in the same way as all regulations are to be laid on the Table of the House. That applies if the Minister grants a reservation for a period longer than 12 months, and if he proposes to renew the reservation. In both cases he must submit the terms and conditions, in the form of a regulation, to be laid on the Table of the House. From that point we start with this Bill. Had I been a private member for only another week this Bill would have been handled by another Minister.

The Minister for Lands: Would not that Minister have had a bad time?

The MINISTER FOR MINES: I do not think so. My predecessor and I had an understanding in regard to this matter, because of the different circumstances. There is a big goldmining company operating in Western Australia, very bona fide and courageous,

that has done much work in producing gold in this State. That company has dabbled in ventures and has lost heavily in some cases, and has been successful in other cases. It is that company which desires that this Bill might become law. Soliciting the propelling inspiration behind the desire for this Bill, I found that there is a school of geologists who argue—and confidently believe—that much of the salt lake country that exists within the auriferous belt in Western Australia possesses deep alluvial. These scientists believe that and, not being a scientist, I cannot challenge their belief. They suggest that certain features of the salt lake country indicate to them that centuries ago rivers existed in those localities, and from those premises they deduce that deep alluvial is possible, but at great depth. They are not of the opinion that alluvial will be found at shallow depth, and the depth they suggest is anything from 1,000 ft. to 2,000 ft.

This company, which desires the legal right to exploit this theory, wants a reservation granted to it to do some preliminary scientific work which may or may not indicate the accuracy of the scientists' ideas. In this regard members may imagine that the area asked for is particularly large, necessitating amendment of the present law, because the company asks for an area of 100 square miles, or approximately 10 miles square. In seeking information from technical officers I have seen one of the instruments which it is proposed to use for this work, and I fully realise that an expansive area is essential if the machine is to operate successfully. What the company proposes to do is to make a geophysical examination. It is beyond me to explain to members what this apparatus finds, how or where it finds it, or what it indicates or does or does not do, apart from this; I am given to understand that it is an electrical apparatus which indicates the strata of the country and, to a scientist, that indicates much.

I have seen one of these machines operating at Wiluna. If it were not for the fact that I had been told what it was it would have reminded me of a cobweb on the surface of the earth. Electrically charged wires are spread out far and wide, and I suppose they are avenues of information to the machine itself, indicating quite a lot to the scientist, but nothing to the layman. This company wants to make geophysical

examinations of these areas, and desires to do so immediately. The company points out that large areas are essential in order to give a thorough examination without having to move from one site to another. It will be noticed that in the Bill I have restricted the exploration and examination of this country, that may be the subject of reservation, strictly and only to deep alluvial.

It would not matter what discoveries were made in the process of exploring for deep alluvial, the company would have no right to them, and no tenure of them. It might take up a lease if it discovered anything other than alluvial, but the Minister has a say in that. I do not say that in a derogatory sense, but am only pointing out the exclusive right granted under the reservation, to distinguish it from those granted under this same clause in years gone by. Again, there is provision in this Bill that the company must report to the Minister once every month, so that the Minister will be fully informed as to its activities, in order to prevent a repetition of large areas of auriferous country being held up, to the exclusion of everybody else.

I do not believe in the principle of granting areas—be they reservations or other tenures provided for under the Mining Act—and permitting a breach of the covenant under which those tenures were granted. Hence my care to see that if a reservation is granted under this Bill—if it becomes law—operations must proceed immediately, and that the only termination of operations that can be secured is by virtue of a decree from the Minister; that is to say that if the company can justify ceasing operations for a period the Minister may generously consider the matter as to the length of the period that operations may cease.

The Minister for Lands: Is that in the case of a temporary cessation?

THE MINISTER FOR MINES: Yes, through machinery breaking down, for instance, or through a deluge of rain making it impossible to carry on. Under such circumstances the Minister may grant respite for a given period, but the company must give justification for that. It must be thoroughly understood that nowhere under this Bill can any holder of a reservation exclude the right of any other individual to go on to such an area and carry on legitimate and bona fide prospecting. Any prospector can

go on to such a reservation and carry on his work of prospecting with impunity, with one exception, that he must not do so in such a way as to impair or interfere with the mechanism or the working of the mechanism that the holder of the reservation possesses and is actively operating. That is the only condition in the case of a bona fide prospector wishing to prospect such areas.

There is another stipulation on which I think the House should be clear. This point has never been clearly defined. I do not feel at all humiliated because I cannot give a definition of it, as my worthy, intellectual and enlightened colleague, who at the moment sits studying the Act, and who had lengthy experience on the Goldfields, and who knows the mining laws so well, has not yet been able to define what alluvial gold is.

The Minister for Lands: Down to 10 ft.?

The MINISTER FOR MINES: The member for Nedlands will recall the incident alluded to by the Minister for Lands. It occurred before my arrival on the goldfields. A keen dispute arose between certain parties as to what constituted alluvial, and what did not. I understand that the late Sir Edward Wittenoom, then Minister for Mines, defined alluvial as gold won down to a depth of 10 ft., and thus that gentleman received the sobriquet of "Ten Foot Ned." To define "alluvial gold" is a most difficult matter, and I am satisfied that the definition cannot be related to depth. I have a definition which I think is as nearly accurate as it is humanly possible to get, and I do not say this egotistically, but am speaking from practical experience. My definition of "alluvial" is gold that is won from mother earth but is not actually produced from any well-defined ore channel of either quartz or lode deposit. In this Bill "deep alluvial gold" is defined as meaning alluvial gold below a depth of 30 feet from the natural surface of the ground. This means that, if a prospector enters a reservation and discovers alluvial gold at the grass roots, he will be permitted to follow it down to only 30 feet.

In speaking to a representative of the company that desires to operate under this amending Bill, I received an assurance that, if a prospector made a discovery extending below 30 ft., the company would not

interfere with him. It goes without saying that a prospector, unless he found very rich alluvial, would not be able to go down to any great depth because of the cost and the amount of labour involved. What would be unprofitable to a prospector, however, might be most profitable to a big company. However, the stipulation is included in the Bill, and I do not want members to be misled by it. A company might promise much, but should a prospector discover alluvial gold, he will be permitted to go down only to 30 ft. I repeat that it is most difficult to define "alluvial gold." I have quite an open mind on the matter, and if any member can suggest means of clarifying the position or of improving the Bill, I shall be only too willing to accept his proposals.

Those are the principal contents of the measure. I propose, under this Bill, complete control over the working of these reservations. I admit that the area seems to be large. There is one saving feature, namely, that apart from the 30 ft. stipulation for alluvial gold, no other restriction will be imposed upon a prospector. Should the company strike payable alluvial wash, the reservation will no longer be a right of the company's. Immediately it discovers payable alluvial wash, it will be under an obligation to take up a claim under the ordinary covenants set out in our mining laws. In other words, the company will not be permitted to hold the reservation as such once payable alluvial wash has been obtained. Members will realise, therefore, that the position has been tightened up. I am seeking to restrict nobody's rights except in a limited way, and there it is unavoidable.

The company in question apparently has the capital and would like to investigate and explore this avenue. This activity will be peculiar to goldmining in this State; nothing of the sort has been undertaken here before, and it could easily happen that the company, should it be successful, will reveal to the investors of the world the great possibilities that can accrue from the exploitation of deep alluvial in this State. It will bring into existence an entirely new form of mining in this State, though a similar practice is not uncommon in other States. I have dealt with this issue in what I consider is the correct way and have been careful to safeguard the interests of the State from the prospector's point of

view, and yet concede to the company the lawful right to proceed with its exploitation. I submit the measure for the favourable consideration of members and move—

That the Bill be now read a second time.

On motion by Hon. N. Keenan, debate adjourned.

BILL—SOIL CONSERVATION.

Second Reading.

Debate resumed from the 6th September.

MR. WATTS (Katanning) [5.24]: It should go without saying that I shall support the second reading of this measure, but in case it does not, I shall say that I do support it and then there can be no possible doubt about my attitude. I can say truthfully that I have been through this Bill to the best of my ability very closely indeed, and I regard it as an effort to take out an insurance policy in the interests of the future development of Western Australia.

All through the ages, erosion has been going on. Natural erosion is a slow process, and it has given us the soil which we use and have used for many years for the provision of our material wants. But the trouble is that the development of man's necessities and the greater use that he has made of the land for the provision of those necessities and the great production that has become essential to satisfy his needs—which is not likely to be reduced in the future—have become an increasing menace to the safe use of the soils of the world. There is only one part of the outer strata of the earth that is of use for the supplying of man's needs and that is what we call the top soil. Really it is not very deep; it can easily be measured in a few inches. Beneath that there is what we call the subsoil, which is similar to the topsoil but not in the advanced stage of development that is required for the favourable production of our foodstuffs.

In a very interesting book issued by the American Department of Agriculture that the Premier was good enough to supply to me some little time ago, it is stated that the life-giving topsoil of the earth available for the production of our needs is, when compared to the balance of the earth, only one inch to a thousand miles on the average. Beneath that is the few feet of subsoil I have mentioned, in which growth is well-nigh impossible on any scale worth having,

and below that again is usually rock upon which the processes of natural erosion have not taken effect and which is utterly useless for the growth of anything for our requirements.

Therefore we come to the reason why it is necessary to preserve this thin crust of top soil, which one might describe as the life-giving portion of the earth's surface. I think if we can keep that fact in mind while we are dealing with this Bill, we shall begin to get a better understanding as to why it is necessary to give consideration at least to legislation of this character. The trouble, of course, occurs when mankind, either recklessly or in ignorance, removes the brakes which Nature has imposed and allows the process of erosion, because of those methods, to get out of hand. In these circumstances, the weather is permitted to remove those few inches that have taken centuries to put there and convey them away in a few hours, virtually speaking. A few hours, I say, because by comparison with the time it has taken in the history of the world to put them there, it would seem to be no more than a few hours, although actually it takes a few years to do very serious damage.

I have heard people say that erosion was here before we were. They either forgot or do not know the difference between natural erosion, which is a very slow process, extending, as I have pointed out, over many thousands and in fact millions of years, and the accelerated erosion that starts when the soil is bared and tilled for mankind's needs, especially by modern methods. One of the protective measures that Nature provided was the growth of trees and grass. Our methods, of course, remove both very quickly when we are in the humour for it; and, unfortunately, so active have our operations become in recent years, that this removal of trees and the grass which bind the soil together has been very extensive indeed. In certain parts of the world people are becoming extremely sorry for that; for there is nothing to bind the soil together, nothing to prevent or slow down the activity of water upon it, and nothing to prevent the activity of wind upon it when it reaches that stage where wind can have its effect, especially in the drier parts of the earth.

Unfortunately, in many other matters which have affected or are likely to affect well-being on the face of the earth, we have

frequently taken no action at all until the situation has got so far out of hand that remedial measures have become very difficult and extremely expensive. In other portions of the world that, I believe, has been the position in regard to soil erosion. The cure we will attempt is not impossible if the energy and the money are expended for the purpose. In parts of Australia the disease has gone a good deal farther than it has in this State; but nevertheless there are unquestionably areas in Western Australia which require our early attention. I think it will be generally conceded that we are in a better position in this State to handle the matter than are people in certain other parts of this Continent and in other parts of the world; and that is why I said at the beginning I felt that this Bill was in the nature of an insurance policy to provide us with the means of recovering from that from which we have suffered already, and to guide us also in the future as to ways and means of preventing the complete wreckage of our life-giving topsoil and, in consequence, the ensuing great difficulty in providing our requirements.

We must not lose sight of the fact that not all of Australia is suitable for agriculture. We are all, I think, very much attached to this country; and because we are attached to it, we are inclined to overlook its shortcomings, just as when we are attached to other friends, we are inclined to overlook theirs. Nevertheless, I think we must be candid in the matter and realise that there are very large areas of Australia where it is not easy by any means—and in some places it is almost impracticable—to grow anything under conditions that would be attractive to those who have to grow them and payable to them when they had succeeded, if they could succeed. So it is all the more necessary that we should conserve the good soil where we have it.

It is not necessary for me to remind members of the situation in regard to erosion that is apparent in other parts of Australia when one travels to them. Many of our members have seen the conditions in past years; some have had them brought to their notice during this year in their travels to the Eastern States. We have read reports of how Melbourne, Sydney and Adelaide have been dark at mid-day be-

cause of the tremendous quantities of their soil which were being blown away. In fact, it was reported that as far as New Zealand the dust which had blown from Australia as a consequence of one process of soil erosion was clearly visible 1,200 miles from our eastern coast. Some people are inclined to leave the matter to those engaged in agricultural and pastoral pursuits. "It is their pigeon," they say. "They are responsible for it; let them be made to rectify the position or suffer the consequences." I have heard such a statement from at least one individual in this State within the last two years. But such people are entirely ignorant of the effect it would ultimately have upon themselves. Not only would it be gravely detrimental to the commercial interests of persons not engaged in agricultural and similar pursuits, but it would also result in a grave reduction of the supplies we had available to us if it became completely out of hand. Not many of us, until perhaps of very recent years, have realised the incipient danger there is to this country.

I myself have lived in an agricultural area for approximately 35 years; but it is only in the last seven or eight years that the question has come under my notice, and I believe it came under my notice because of the extraordinary facts that were related in the public Press in regard to certain parts of the United States. We did not realise even then that the same thing was possible even in our own country; but that, perhaps, has been brought home a little more to us by the reports and the evidence of our eyes, in some cases, that we have had in South Australia and other States of the Commonwealth. It is true that a couple of years ago I asked the Premier—then Minister for Lands—whether he had in mind the introduction of legislation in regard to this subject, and I received an answer that he had. Today, as the result of his determination in that matter, we are discussing the legislation before us. Ours is the responsibility to deal with something which is almost entirely new.

I admit there is legislation in other States and countries. That is not necessarily to say that it is going to be satisfactory in Western Australia. So ours is the responsibility for determining what form for this State legislation shall take, and what powers, authorities and restrictions should be im-

posed upon those who will be responsible for its administration. Because we as a people have not been properly seized with the necessity for preventing soil wastage, we have taken few, if any, steps to prevent this occurrence. Nor have our land laws been blameless in the matter. They have implied at least the necessity for the clearing of the timber on our farming lands. Our main road authorities, for instance, have taken almost every tree from the roads in certain areas of Western Australia.

One can drive in some places for 20 or more miles where years ago there was timber and will hardly be able to find a tree under which to take refreshments on a hot summer's day, so completely has the timber been removed from the roadside. The Premier himself has drawn attention to the activities of the Postmaster-General's Department and to the difficulties he is experiencing, or will experience—he fears—in regard to applying any measure of control. I am not going to offer any opinion as to the point he raised, because I do not doubt for one moment that it is tenable; but it certainly has to be overcome. If it cannot be overcome by this legislation, I anticipate that the Commonwealth Government will be induced to help in setting an example, because that is the best thing any Government can do. If a Government is going to impose upon the citizens certain obligations in regard to the non-removal of timber or anything else for that matter, then it should be prepared to subscribe to its own laws; and if it be a superior Government, as we have in the case of the Commonwealth apparently in this instance, that Government should be prepared also to join in setting an example to all the people of the country, not for the benefit of the departments concerned, but for the benefit of the whole community with the government of which it is charged.

We have also of recent years had impressed upon us the need for fallow and cultivation; and fallow and cultivation in the drier areas undoubtedly provides opportunities for wind erosion. There has been a measure of over-stocking. That of itself has assisted in the breaking up of the surface and the permitting of parts to be blown away, forming yet another example of soil erosion on a minor or major scale, as the circumstances of the case indicate. I think

our departments have not given consideration to the desirability of this cultivation to a fine tilth to the extent they should have done. I do not say that in a spirit of criticism; because I am certain that had I been in charge of the departments until recent years, I would have subscribed fully to the policy, simply for lack of the necessary knowledge of the difficulties that we might have to face. But it is certainly now time for some form of stocktaking, and in that stocktaking we must be sure that we do not make the farmer or the pastoralist the prime victim of our activities by placing too much responsibility upon him. If he has overstocked, he has done so in ignorance of the possible effects, and very largely because of the financial demands made upon him. If he has failed to rest any area of land when he might have done so with advantage, I suggest it has been for the same reason.

The farmer has worked and toiled to secure his land. He has done it and established a farm. His debts, his high costs of production, his family responsibilities, and—in many years—low prices have forced him to obtain the biggest possible return from his property. In the North-Western areas, droughts have reduced the natural feed to almost vanishing point, and not only have the pastoralist's own livestock had to be fed, but also thousands of kangaroos, euros—even, we are told wild goats, and wild asses in various places—and other types of animals had to feed off the country as well. If he did not on the face of it overstock his own property, his natural enemies—if these other creatures can be called by that name—did it for him. The net result was that overstocking took place, but it could not be traced, I would suggest, to the fault of the pastoralist.

In all the circumstances of the case it is a wonder that our fate has not been worse in certain parts than that of areas of the United States of America, of the Eastern States of Australia, and of other portions of the world. A man stocks his land with, say, one sheep to five acres, based on a normal year's rainfall. He cannot be expected readily to reduce the number to one sheep to 50 acres if the rain does not fall in any given year. Instead of doing that, he over-grazes in an effort to keep his stock and income, and the safe carrying capacity

of the land is probably permanently reduced. Where interest on debts accumulated at bad times and at low prices must be paid and heavy annual charges met, it meant such an effort on the part of the pastoralist that overstocking was necessitated. I always like to make a point with someone else's words if I think that someone else can do better than I can. I therefore desire to quote from Miscellaneous Publication No. 321, issued by the United States Department of Agriculture, wherein the following observations made by Russell Lord appear:—

“Out of this blast of dust, bitten by it, hidden by it, their denims, their hands and faces matted with the grime of it, the men of West Kansas whistle, and go right on sowing wheat. The very life of Kansas, they say, is in its wheat lands. Western Kansas will raise wheat at a hogfeed price to the end of time, if need be, say its biggest farmers, and make money and keep the world in bread.”

They had little choice. It was not just obstinacy, or local pride, which kept these sod-busters defiantly ploughing with their tractor headlights stabbing through dustclouds at noon and midnight. They had cheap land, fit for little else than wheat; they had huge machinery, and they were in debt. If a man has certain debts to meet and wheat is a dollar a bushel, he will plant enough wheat, allowing a margin of safety, to pay his debts and have some money clear. But if wheat promises to bring at the farm only around 50 cents a bushel, he will probably strain himself to slap in around twice the acreage and pay out. He will not at least be inclined to reduce production.

If we analyse the position in part of the so-called dustbowl of the United States, it must be a wonder to us all that the position in certain parts of Australia is not infinitely worse. Where the American farmer paid from 5d. to 7d. per gallon for his fuel, the Australian farmer paid nearer 2s. If a machine cost £80 in the United States of America, it would probably cost £160 in Australia. A car might cost £140, or 700 dollars, in the United States, but, taking the dollar at its normal figure, the car would cost £350 in Australia before the war. An axe costing 5s. in the United States would cost 12s. 6d. in Australia, whilst there were comparable differences between the American and Australian prices, for almost every commodity which was necessary or reasonably necessary for his use.

On the other hand, the Australian farmer had to sell his product in competition with the American and on the same market,

and has not yet recovered from the effects of that period of years. It was useless, therefore, in the circumstances, to suggest to him that he should pay good wages to those whom he employed. He got none for himself. Bearing all these factors in mind, I feel it becomes necessary to assure oneself that legislation is not going to impose obligations on the producer, of whatever type he may be, which will make him the chief burden-bearer in our efforts at the cure and prevention of soil erosion. Starting from these premises, I went carefully through the Bill.

The Premier: You would make provision for that unless he was deliberately and willfully ignoring his responsibilities.

Mr. WATTS: If he deliberately refused to co-operate in any way he would certainly be dealt with. I was assuming that we were dealing with the average reasonable man. I appreciate the difficulty in preparing such legislation as this because I know it cannot be too specific. If it were too specific, there would be cases with which it could not connect when the need arose. It cannot of itself lay down any exact procedure in each case or in any case, because circumstances will vary so greatly with different types of country and the difficult types of erosion that have been or are likely to be set up. Therefore we have to rely, as I see it, very greatly upon the administration. If the administration is satisfactory and sympathetic, whilst at the same time firm, in those cases to which the Premier referred, if any should exist, I think there is little if anything that is objectionable in the Bill.

The Minister for Lands: Do I not look sympathetic?

Mr. WATTS: We put a Bill on the statute-book, and it remains there perhaps for a long time. I do not approach this question from the point of view of the individual, but entirely from the point of view that it may be in the hands of anyone, someone I do not know just as well as someone I do know. I must look at it sternly rather than in a friendly spirit. I gathered from the Premier—it is a guess only—that the chances are that Dr. Teakle may be appointed to the position of commissioner under this measure, if it becomes an Act. I offer no objection to that. I do not doubt the sympathetic con-

sideration of that gentleman, because he comes of a farming family himself, and he has many relatives in some parts of the State who are still engaged in primary pursuits of one kind or another.

I think that as there is no provision in the Bill for any period of time over which the commissioner is to be appointed, we ought to stipulate a period, in the first place of say five years, and at the end of that time the Governor would be in a position to make a re-appointment or a new appointment, as circumstances may seem to need. I feel sure we want to be certain that we are getting the best men available. We do not know in the intervening five years whether the problem will seriously increase or not in this State. It may be desirable to have someone else to undertake the job, someone who has had experience of the difficulties, practical and personal experience, found in other parts of the world or of this continent. That is why I suggest we should limit the appointment in the first instance to five years, giving the appointee the right of re-appointment because if we were satisfied at the end of the period, whatever Government was in office, there would be no difficulty about a re-appointment.

My next objection is to the Rural Bank being represented on the advisory committee. It will fill no position in the scheme of affairs, so far as I can see, that warrants such representation. Its main function, if all goes well with it, will be as mortgagee. I hope all does go well with it, and that it will have many mortgages. I expressed that point of view last year and have no hesitation in repeating it now. No mortgagee should be given representation on this body. It should be purely an advisory committee made up of departmental and skilled officers, and one or two others would be necessary, as indeed the measure suggests, who have practical connection with the industries most affected and would be able to express opinions from that point of view.

The Premier: I think I shall be able to convince you on that point.

Mr. WATTS: The Premier will never convince me.

The Premier: There is a point you have overlooked.

Mr. WATTS: My point is that no mortgagees, none of any known type, are qualified to sit upon the committee or are neces-

sary there. I have another suggestion to make, namely, that there seem to me to be three different sets of problems arising in this State in regard to soil erosion. One of these is going to be in the pastoral areas. That is provided for in the advisory committee. The other is going to be the wet areas, where my friend the member for Murray-Wellington comes from, which can have between 60 inches and 70 inches of rain per annum, and perhaps more in good times.

Mr. Seward: That is getting all our top soil.

Mr. WATTS: On the other hand, there are the areas in the vicinity of the electorate so ably represented by my friend the member for Mt. Marshall, where people cannot raise even 12 inches of rainfall. There are different considerations in regard to soil erosion in the wet areas from those in the dry areas. I submit that it would be of no practical assistance whatever for a man who expected a 60 to 70-inch rainfall, and all the problems associated therewith, to attempt to advise other members of the committee on the problems of Mukinbudin or some other place where there is doubt about getting even 12 inches of rain in a normal year. I suggest that there be two gentlemen on the committee, one to represent each of these areas, the wet and the dry.

Another point to which I take exception is that of the commissioner being responsible to the under secretary. If members will look at the Bill they will find that in nearly every case the Minister is directly responsible for the decisions. In no other place than in the clause where the commissioner is responsible to the under secretary is the under secretary even mentioned, nor is there much indication that his decisions are going to be the decisions that count. The position being given to the commissioner is one, as I have been endeavouring to point out, that I feel sure is of very great importance to the future prosperity of the State. It seems to me, therefore, that he should have direct access to the Minister and be concerned with no-one else. The responsibility for decisions will be upon the Minister and upon him alone, and I do not think there should be anyone else in the matter.

The Minister will be the one to say whether or not the commissioner's recommendations shall be imposed upon the people who are affected by the law. I con-

tend there is no need for an intermediary; that, in fact, one is undesirable. There is provision in the Bill to the effect that if the commissioner enters into an agreement with an owner or mortgagee for the carrying out of any work, the Minister shall be deemed to have authorised it. I do not like that. The over-riding power of the Minister from my point of view is unquestionably one of the best safeguards in the measure, for any question of unsympathetic treatment would be overcome by such agreements if this subclause were considered undesirable. It would be possible to outdo the Minister of his right of veto or his power of direction. So I consider the provision in the Bill is undesirable.

Nor do I see any clear provision in the measure that requires every department to carry out the projects, to use one of the words mentioned in the Bill, that may be determined upon as being necessary. It seems, on the contrary, that a Minister of another department need not approve of work sought to be carried out and in those circumstances I assume the work will not be done. We have large areas of this State under the control of departments other than the Department of Agriculture, and while it may be said to be unlikely that the Minister controlling another department would decline his approval and thereby refuse to co-operate, I have heard of a Minister in this State who would have taken delight in adopting that course if it happened to suit the view of his department for the benefit of his particular department at the time. Apparently everyone else is to be made to do what soil erosion circumstances necessitate, at the instance of the Department of Agriculture through its commissioner and its Minister.

I think we ought to make it clear that in respect of each other Government department, the same right of appeal as is very properly provided, and in some instances I think generously provided, for ordinary citizens, would be available to the Minister of the department as a citizen of this State. I think he should have to prove to the satisfaction of the tribunal, just the same as anyone else would be required to do, that it was not necessary to carry out the directions of the department in regard to soil erosion.

Hon. J. C. Willcock: The Forests Department has to shoulder great responsibilities in keeping its assets alive.

Mr. WATTS: That is so, but the responsibilities of the Forests Department will be all the greater unless it makes its contribution to the control of this trouble in the areas where the best forest country is to be found. I am convinced of that. However, on this point I am open to conviction but I am saying, for the information of the Premier and his Ministers, just how this measure strikes me. If they can advance arguments on this point to convince me that I am wrong then, as I have already stated, I am open to conviction. Nor do I think it proper that a soil conservation officer should have the right to enter upon private property without giving notice of his intention so to do. At the present time there is no responsibility imposed upon him to give notice to either the owner or the occupier of his intention to enter upon a private property, and I consider it only right that some such notice should be provided for.

One of the most important provisions of the Bill is that which gives power to regulate the use of land. As I see it, we cannot deprive the department of that right. It would be arguable that were we to do so the whole Bill would fall down if its provisions did not embody that right. On the other hand, it could mean the preventing of the owner of a property from carrying out certain classes of business. For instance, the officer might be able to say to one owner, "You shall not grow wheat." To another he might say, "You shall not carry sheep." To others he might say that they must do this or do that upon their properties. It is clear, I think, that there will be occasions when the necessity for soil conservation work will render something of the kind necessary.

And here is the peculiar part of the Bill. It provides for appeals against the declaration of land as a soil erosion area, against the carrying out of projects and against the demand for payment for the whole or portion of the cost of an undertaking, but there is no appeal against a regulation that may perhaps require the complete stoppage of existing operations on a property and insist upon some new line of production altogether. Again there is no provision for financing any such change-

over if it became essential because of this regulation. There are many engaged on the land in agricultural or pastoral pursuits in Western Australia who are already so financially involved as to be unable to arrange the financing of any new types of operations—unless they can get some relief from their old obligations. Let us remember that these regulations, if and when promulgated, will be as much in the interest of the nation as of the individual.

Hon. J. C. Willcock: Much more so.

Mr. WATTS: I would not go so far as to say that at this stage, for I do not wish to make my arguments any stronger than I think is fair. It is quite possible that this move will be more in the interests of the nation in the long run. Even if it is just as much and not more, there is reason to suggest that the nation, which means the community as a whole, should accept some responsibility for assisting men who might be in a position such as I have described. Of course, as a private member I cannot make any suggestion for financial provision being inserted in the Bill to overcome that type of problem should it arise. I do not suggest that such instances will arise in a great many cases but, unless I misunderstood the Premier in his reference to the matter, he would not desire to have even one case where the difficulty could arise and become insuperable. I therefore ask him to provide some means whereby if this difficulty should crop up, the necessary help could be provided without adding to the debt structure of the person concerned if that be already heavy, as in the instances I have in mind it could very easily be.

I ask the Premier to make that provision or, alternatively, to take some action to relieve the persons concerned of so much as is necessary to enable them successfully to carry on under the conditions imposed by the regulations. That is the request I make to the Premier. If he is prepared to afford me some satisfaction on that point, I shall not move certain amendments that stand in my name on the notice paper. Unless he is prepared to do that, I shall, alternatively, be compelled to move the amendments so as to have the matter debated with the object of providing that it shall be a complete defence to a prosecution to prove that compliance with the regulation would have rendered it impossible for the person concerned

to meet his obligations because such compliance would place too great a restriction upon his total income.

Hon. J. C. Willcock: Some people might be able to stop progress by withholding their consent.

Mr. WATTS: It would not be a case of withholding consent for the sake of more money. There are instances where many farmers cannot, under existing circumstances, raise even 1s. from anyone. There are instances where people have been almost compelled to leave their properties because they could not raise money from any source to enable them to carry on. We have been told of one or two cases where people actually have had to leave their properties. I say to the Premier in all good faith that I do not suggest that there will be a great many of these cases, but I do not think even one should not be provided for if reasonable precautions are taken in the matter.

The Premier: But I do not want it to be left wide open for abuse.

Mr. WATTS: I certainly do not desire that myself. If the Premier gives me an undertaking that this phase will be dealt with, I shall not be compelled to proceed further with my objection, because I certainly think it is a matter that must be dealt with. It could very well be that the regulations if applied could easily restrict the operations of the individual or cause him to abandon some substantial section of his operations or place him in such a position that if he did not do what was required of him he could be prosecuted. The alternative that I suggest is that if he is prosecuted and he can prove that compliance with the regulations would prevent him from carrying on and meeting his obligations, he shall have a complete defence in that respect until someone can find means of providing him with the wherewithal to carry on.

Hon. J. C. Willcock: But he will not know what sort of season he will experience next year.

Mr. WATTS: It is not a question of that at all.

Hon. J. C. Willcock: Yes, it is.

Mr. WATTS: If a man is told that he must not grow wheat, and wheatgrowing over the previous 10 years has provided him with six-sevenths of his income, what will be his position?

Hon. J. C. Willcock: He can say that he could not afford to do it if he got only a five-bushel crop.

Mr. WATTS: Well, we will argue it out next week! I am placing my point of view before the House, and I think it is quite tenable. In another clause there is provision to the effect that resumptions for the purposes of this legislation shall be included in the powers of resumption contained in leases or agreements with the Crown. Crown grants, Crown leases, and conditional purchase leases contain a paragraph setting out that 1/20th of the area concerned can be resumed without any compensation being paid, if it is taken over for certain purposes specified in the leases or Crown grants. Those leases are set out in the schedules to the Land Act of 1933. The clause in the Bill to which I am referring seems to add another type of resumption not contemplated by the original leases or Crown grants under which 1/20th of the total area could be resumed without payment of compensation except in regard to improvements. I do not regard it as fair at this stage that, after a Crown grant or lease has been in existence for many years, we shall now say that we will add another ground for resumption for which no compensation shall be payable. It seems to me that we should leave the power of resumption in the Bill in accordance with the position indicated in the clause preceding the one I now have in mind, where land is to be taken under the provisions of the Public Works Act.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. WATTS: I had just dealt with one aspect of the measure and now I turn to another, and that is the clause which provides that where compliance with an agreement made with the Minister might at the same time produce some breach of covenant in the lease or the document of title from the Crown, the proprietor of the land shall be exonerated from what otherwise would be a breach of covenant. I suggest that it is desirable that he should be exonerated not only from the breach of covenant that may arise out of his compliance with the provisions of this measure in respect of his title to the land, but also in respect of any security which might also be affected by the same activity or lack of it. He may, for example, have covenants in the mortgage or

other document of security to clear certain land and may be directed under the soil conservation Act or by an agreement made under it, not to clear that land, and therefore he is as much entitled to exoneration from the one as from the other, if both are involved, only because of compliance with the Act, which would not otherwise have involved him in any trouble at all. That is the reason why another amendment of mine appears on the notice paper.

At first sight, at any rate, I regretted the absence of any specific reference in the Bill to the control of salinity in our soil. I am still rather surprised that at least in certain aspects of the measure the question of salinity was not referred to. I admit, of course, that the question of salt in our land is one which has been dealt with by investigation and by advice by certain officers of the Department of Agriculture. Their efforts, excellent though they have been so far as they have gone, have not yet resulted in a solution of the problem. In fact, as I hope to convince members in a minute, one of the officers chiefly responsible for the work expressed the opinion, as late as June, 1945, that salinity in our soil is on the increase rather than the reverse. It seems to me, therefore, that there is room in this measure for a paragraph dealing with salt in land, and making provision for the declaration of areas that are affected and for the carrying out of certain minor works that may be necessary in some places in order properly to correct it so far as our knowledge goes.

I am as much averse, as I feel sure the Premier is, to unnecessary control and unnecessary regulation of the individual. We want to return, as early as possible and as far as is consonant with the absolute needs of our economy, to the position of allowing people to do as they wish in regard to their own affairs. I know that in the rural reconstruction report, produced by the Commission of which the Premier was chairman, there is a paragraph which makes reference to that desirable state of affairs. The Commission pointed out that the people of this country do not want too much control and restriction. Nevertheless, if salt has any relation to soil erosion—and I believe it has—I think we should definitely include something in this measure that would enable the commissioner in regard to the two aspects I have mentioned—I do not suggest it should go any

further—to deal with the question of salt, either by itself or as interdependent with soil erosion.

It is quite clear that a great deal of our land has been thrown out of production by salinity, and many farmers are seriously worried over its spread. In saying this, I do not under-estimate the work of the departmental officers to which I have referred. I have raised this question at the present juncture primarily because I wish to know what were the reasons that actuated the department in omitting from the measure all reference to salt. In order to establish my contention that there is a definite relationship between the two things, and that it is not foolish for me to suggest that they should be allied in certain portions of this measure, I propose to quote from the booklet of the Department of Agriculture to which I referred, published in June, 1945, and written by Dr. Teakle and Mr. Burvill of that department. It will be better for me to use their words rather than try to paraphrase them—

Considerable attention has been given to soil salinity problems in the Western Australian wheatbelt, but no major reclamation projects have yet been organised.

It is very doubtful whether any large-scale engineering works for drainage would be possible on a sound economic basis, but something is being done, and much more can be done, on a small scale on individual farms.

After clearing, there is a danger from the rise of salt from the subsoil, with resultant decline in crop yields and the growth of feed, unless a suitable management programme is instituted.

There are many instances, in the large and small valleys of the agricultural areas, where the salt watertable has risen from depths of 20 feet or more, when the surrounding country was virgin, to three to six feet, under the present agricultural development . . . Bare areas, crusted with salt, may show where the valleys have been cleared. These bare areas suffer severe damage from soil erosion, which adds to the seriousness of the condition.

The manifestation of soil salinity in Western Australia is increasing, particularly in the wetter parts of the wheatbelt, where this rise in the watertable occurs most generally.

A serious aftermath of salt encroachment is soil erosion. The salt kills the vegetation—grasses, scrub and trees—and the soil is exposed to the elements. Wind action combines with water to remove the surface. Then follows accelerated water erosion with the formation of gutters and gullies.

In many cases the control of erosion on salty patches seems even more difficult than the reduction of the salt effect. With respect to drainage in the reduction of salt encroachment,

experimental work is planned in association with the Public Works Department, in order to determine the practicability of works of greater magnitude than may be appropriate for a private farm.

I did venture to put this point of view privately to the Premier before he despatched to me, as I believe he did, the pamphlet to which I have made reference. What I have now read to the House confirms me in the belief I had that there was a very distinct connection between salinity and soil erosion, and that the former was liable to intensify the latter. Consequently, there was justification for the belief, at least where that was likely to occur, that some provision should be made in the legislation to deal with both, because, after all, by this Bill we are seeking to conserve the soils of the State. I do not suggest that the salinity problem is one peculiar to Western Australia, but I assert that probably 5 per cent. of our agricultural land is now out of production, or virtually out of production, because of it. I say that we are as entitled to consider the saving of our soils from salinity as we are from any other detriment, such as soil erosion. On the other hand, I suggested just now that the declaration of areas and the carrying out of minor works might be the portions of this measure in which reference to salt could be included.

It will be seen in the pamphlet from which I have just read that these two gentlemen are apparently of the opinion, that whilst experimental work is planned in association with the Public Works Department, it is necessary to determine the practicability of works of greater magnitude than may be appropriate for a private farm. I am prepared to be corrected in this statement, but so far as I know there is no method at present by which anyone can determine, by agreement or otherwise as is contemplated under this measure, who is to do such works as Dr. Teakle has referred to in that paragraph which states that if they become necessary for the rectification of saline land they should be carried out. That was why I persisted in putting forward the view that in this measure there ought to be a reference to that second problem, because undoubtedly the question of salt is closely related—in parts of the State at least—to the question of soil erosion and ought to be attended to, if we are to make a thorough job of

bringing the lands of the State, as far as is humanly possible, back to the best position in which they can be placed. I have already indicated that I propose to support the second reading, and I trust the Premier will be prepared to give favourable consideration to more than one of the amendments which he will find upon the notice paper. I am not going to say what I will do subsequently if one or two of them are not passed.

The Premier: Don't threaten!

Mr. WATTS: That is not a threat. I am not going to say what I shall do if one or two of the amendments are not carried; I might do something nice; one never knows. Before I conclude, I desire to quote from a letter written by a farmer at Dudinin, copy of which has been sent to me. I think I said earlier that some people believe that those who are engaged in agriculture in this State had no idea, or no realisation, of what was really likely to occur, because they had not the information. In fact, I frankly confess that I think I did not have it myself. This letter says—

Droughts are bad but transient in their ill-effects; they even cull out some flocks whose owners fail to do so otherwise. Excessive wet is much worse. The damage is permanent, and as the years go by each successive wet year seems to do more and more damage until the problem of soil erosion is greater than any other that this country has to face. Not only the importance and seriousness of the loss of our country and the need to check it, but the magnitude of the task does not seem to be appreciated. Unlike clearing and fencing and poison pulling and water conservation, soil erosion was something that the settler knew nothing of when he took on the job of making a farm. The farmer has neither experience nor equipment to cope with it. The more the soil is washed away, the deeper and steeper the gullies get, and more and more water flows off the land with every rain.

I think every member will agree that that is a very reasonable way to look at this Bill.

The Minister for Lands: What part of the world is that?

Mr. WATTS: Dudinin.

The Minister for Lands: Where is that?

Mr. WATTS: East of the Great Southern near Kondinin. It is a very reasonable way for all of us to look at the Bill. We have the problem. Our departmental officers, and experts of various kinds elsewhere,

can supply us with the remedy, if not completely satisfactory, at least well on the way towards being completely satisfactory. We require machinery to enable them to put their knowledge into effect. As long as that machinery is administered and controlled in a sympathetic manner, so as to work no more hardship to the individual than it is impossible to avoid, then so long will this legislation, in my view, be satisfactory. It is obviously very necessary and so I support the second reading of the Bill.

MR. PERKINS (York) [7.48]: I think this Bill deals with one of the most important subjects ever to come before the House. As to the soil of our country, we not only have a responsibility to the people making use of it at the moment, but also to the rest of the population of the State and of Australia. Looked at from a still wider angle, I suppose we have a responsibility to the people of the world as a whole, because at present we are the custodians of a part of the earth which is producing essential foodstuffs for the inhabitants of other parts of the world who at present have insufficient food for their requirements. Therefore, we have a vital responsibility in guarding the soils of our State. I do not think I need elaborate the seriousness of the question. That is evident and was made plain both by the Premier and the Leader of the Opposition. I am very well seized with what can happen in Western Australia unless some steps are taken to avoid it.

I spent the first 21 years of my life in a part of Victoria where wind erosion is a very serious problem. In the northern Wimmera and the southern mallee country where I was brought up, wind erosion assumed very serious proportions before any action was taken to deal with it and caused immense losses both to the settlers concerned, and also to public authorities, before full recognition was taken of what was happening. I know from personal observation that the measures put into effect there have partially restored the position. On many farms where experimental measures have been tried out, erosion has been practically stopped; and in many of those areas where erosion has been arrested, it was more widespread and had reached greater proportions than any I have seen

in the agricultural districts in Western Australia.

Mr. North: Was that done by private or Government action?

Mr. PERKINS: Mostly by private action. The essential point of the Victorian scheme is that Government departments advise and co-operate with settlers concerned. I intend to deal with that aspect in a moment when I come to discuss remedial measures. In our own State, I think that most of us who live and work in farming areas consider that on some of our farming lands there has been a decrease and in others an increase in fertility. During the period from 1930 to 1940, when conditions were so difficult for the farmer, probably there was a certain amount of over-cropping; and I think that, in the later thirties, most of the wheat districts were showing a decrease in fertility. But with the longer rotation that was introduced during the war years, of necessity, I think some of those areas where there was an evident decrease in fertility have regained the fertility lost. That, of course, does not apply to them all. I might mention at this stage one or two measures which, in my opinion, are returning fertility to the soil. One is the great increase in the clovers in the agricultural districts. There has been a very marked spread of clover plants throughout the eastern agricultural areas. In some of the more westerly portions very good use has been made of sub-clover.

Hon. J. C. Willcock: Does that take up the salt, too?

Mr. PERKINS: It is not particularly tolerant of salt, but it is more tolerant than some other plants. On many light lands, with rainfall as low as 13 inches a year, sub-clover is doing reasonably well in some of the eastern areas and increasing the fertility of the light lands. On the heavier soils it is not so satisfactory. In the Quairading district—and also in the York-Beverley and the Avon Valley areas, generally, but particularly in the Quairading district—great success is being achieved by sowing peas among the cereal crops. The practice on quite a number of farms is to sow two gallons of field peas—usually Brunswick white—to each three-bushel bag of wheat seed, with the result that through the wheat crops there is a sprinkling of peas. These mature with the wheat crop. The crop is

harvested and the pea plants are left more or less undisturbed in the stubble. That means that not only is nitrogen fixed in the soil by the pea plants growing amongst the wheat but that also increased numbers of stock can be run in the stubble after the wheat is harvested, without the property being overstocked; moreover, the manure returned to the soil is particularly valuable in retaining fertility.

One can have reasonable confidence, therefore, that, so far as the heavier soil areas are concerned in our main wheat producing areas, it is not particularly difficult to maintain fertility by a suitable rotation of crops and also by using these other pasture plants, which can do quite a lot towards fixing nitrogen in the soil, building up fertility and increasing carrying capacity. All I have been able to read on the question of soil erosion seems to indicate that authorities are more or less agreed that erosion, whether by wind or water, primarily begins with loss of fertility. While the soil retains fertility, the structure of the soil remains good, and there is very much less risk of erosion either by wind or by water than when the soil begins to become impoverished.

It is very evident to any who have travelled through districts in the wheatbelt containing poorer soils—for instance, white gum soils—that where the supplies of super have been cut down during the war, and it has been difficult to maintain the herbage on those soils, and it looks as though there has been some decrease in fertility, water erosion is a very serious problem. This last winter, in my opinion, should cause many of us very serious misgivings as to the future of those areas unless steps are taken to restore fertility of the soil and arrest water erosion. That is a general survey of the position as I see it in my own electorate and in neighbouring electorates; and I think that, while the position has not reached a very serious stage up to date, it is wise to take some action to prevent damage resulting. I think we are more or less agreed on the seriousness of the problem, but there may be much more argument in regard to remedies required. One of the main ways in which we can gain a knowledge of suitable remedies and also make that knowledge widely known amongst the agricultural population, is to establish many more experimental farms throughout the agricultural areas. I do not say we should set up State farms on similar

lines to those at Merredin and Wongan Hills or to any of the other State farms at present in existence; but I do say that quite a lot could be done if this proposed soil conservation department and the Agricultural Department generally co-operated with individual farmers who are prepared to assist in carrying out experiments on their properties.

I have no doubt that co-operation would be forthcoming in a sufficient number of instances. That is a system which is in use in other parts of Australia to a limited degree; and I understand that a recompense which is given to public-spirited farmers willing to afford this co-operation to the Government is that they are supplied with new wheat seeds developed by the State farms. They more or less have the first use of these seeds, and they obtain increased revenue from the opportunity they have to sell the seed wheat and other seed grain to their neighbouring farmers. But it is important that the experiments should take place on individual farms widely spread throughout the agricultural areas, and it is also extremely desirable in that it gives the neighbouring farmers a chance to see what the department is doing in an endeavour to remedy the particular problems that it has set out to overcome. Our present State farms are doing very good work indeed, but in many cases they are not suitable for carrying out these new classes of work.

The Merredin State Farm would not be particularly suitable for dealing with the question of loss of fertility by the soils, or that of water erosion, because these problems are not apparent there to any degree. But it would be possible to find farms in that area where those difficulties have reached a reasonably acute stage. That is an avenue that the department would be well advised to explore. As I mentioned earlier, the Victorian department has, with its system of competitions, met with great success in the control of wind erosion. I understand that the system is to divide the whole area into zones and to offer suitable prizes to the landholders who achieve the most success, in the opinion of the judge, in controlling that form of erosion. The essential point, in my opinion, is that officers of the department should co-operate with farmers both by way of experimenting on

individual farms and also by way of developing those farms so that the neighbouring farmers can see exactly what the department is trying to do. If I had my way I would see that an experimental farm was established in every road board district where either wind or water erosion was taking place. That scheme would pay very good dividends to the State.

Another aspect that has not been touched on to any degree so far in the debate is the effect which the financial position of individual farmers has on the control of erosion on their particular properties. In my opinion it is the most important aspect of all. My observations go to show that it is very rare indeed to find a farmer, who is doing reasonably well and who has the necessary finance to carry out the measures to remedy such trouble, who will see his property deteriorate in value by reason of erosion, or anything else. Obviously if a man has an equity in his property and the necessary finance to deal with soil erosion he will naturally do so to safeguard his interests. If, on the other hand, a farmer is just keeping his head above water—if he requires all his resources to maintain any reasonable standard of living for himself and family—his first care will be to live. If, in the meanwhile, the property deteriorates he feels, I suppose, that there is little he can do about it. Naturally the first care of all of us is to live, and I am afraid that it is on those properties where there is an actual struggle for existence that the greatest danger of erosion is liable to be. Personally I think it is the most serious aspect of the whole question.

Almost any of us here can think of farmers, with whom we have come in contact, who are so hard up that they have to spend the major portion of their time and energy in this struggle for subsistence, and the question of the improvements on their properties is something that can only come afterwards. On the other hand, many of us can think of other farmers who are in a reasonable affluent position and able to remedy any faults that become evident in the farming of their properties. Therefore I think that we can assume that the financial return to farmers, for their product, is a key point in this question of soil erosion. Since 1930, almost to the present time, wheat and wool returns have been very low.

The wool position has improved since the beginning of the war, and that of wheat much more recently.

I think it is something more than a coincidence that soil impoverishment has become particularly evident in our farming areas in that period—between 1930 and 1940. In my opinion there is a definite connection between the two. I know from experience that in that time wheat prices were low, and almost all of us who were growing wheat had to flog our properties in order to keep our bank balances on an even keel. Many farmers were not able to do even that, but saw themselves going back. It is only natural that in a period of low prices, such as that, there will be a tendency for too short a rotation to be practised. I am certain that that is the cause of some of the wind erosion that became evident in some of our agricultural areas during that time. It then becomes a question of what is the minimum price that we must receive for our agricultural products if this deterioration of soil, because of the flogging of the land, is to be prevented.

Recently I was, together with Mr. J. H. Ackland of Wongan Hills and Mr. W. J. Russell of Bilbarin, appointed by the wheat section of the Primary Producers' Association, to a committee, to try to arrive at some figure, which would be the minimum figure at which an average wheat farmer—if there is such a person—could be expected to produce wheat. Many attempts have been made by that organisation to get some Government-sponsored body to undertake that inquiry, but no Government body has been prepared to do so.

The Premier: The Wheat Commission had a lot to say about it.

Mr. PERKINS: That was back in 1934. Yes, I should have said, since the findings of the Wheat Commission. The actual request made by the Primary Producers' Association was that the Wheat Commission's inquiry should be brought up to date. I have here a short extract, in regard to costs, that I propose to read to the House because it is vitally important to this Bill. The Royal Commission of 1934-35, on the wheat industry, at page 87 of its report, gave the No. 2 costs of the "average" farmer as follows:—

	s.	d.
1. Labour (own, family and hired)	1	1½
2. Interest	0	8
3. Maintenance of machinery ..	0	5¾
4. Rates, Taxes and Insurance ..	0	2
5. Rail freight and handling charges from siding to f.o.r. port position	0	6
6. Seed wheat	0	1½
7. Cartage (including cost of running truck and car where such are kept and cartage of wheat to siding where this is done by contract)	0	2¾
8. Superphosphates	0	2½
9. Cost of bags or silo charge ..	0	2½
10. Cost of power (horse expenses or tractor costs)	0	2¾
11. Maintenance of farm and buildings, and sundries, including pickling material, sheep dip, licks, wool packs, oil and grease (for agricultural machinery only)	0	4¼
	4	3
Less returns from sidelines ..	0	9
	3	6

These costs are the average of the 524 farmers examined by the Commission. All expenses were charged to wheatgrowing, even including those directly connected with sheep, such as dip and wool packs. Then from the total cost per bushel all returns from sheep and sidelines were deducted.

The committee set out to bring those figures up to date. The committee's statement of the average farmer's costs is worked out on the same basis but adjustments to each of the Royal Commission's items were necessary to meet present-day conditions. It was considered that the average farmer was one with 1,000 acres of cleared land, growing 3,000 bushels of wheat per year, and the average yield was estimated to be 11 bushels per acre. The average yield for Western Australia for the 10 years to 1942-43 was 10.99 bushels per acre. The following figures, kindly supplied by Co-operative Bulk Handling Ltd., give the average production of farmers in W.A.:—

Season.	Actual No. of Growers.	Av. No. Bus. Delivered.
1941-42	8,530	3,905
1942-43	6,800	2,600
1943-44	6,137	2,209
1944-45	6,093	2,117

The Minister for Lands: Is that owing to erosion?

Mr. PERKINS: It is not owing to erosion, but it is due in some degree to the restrictive wheat plans of the Commonwealth Government.

The Minister for Lands: I wondered how it came into the Bill.

Mr. PERKINS: I am trying to arrive at the basic cost per bushel of wheat, which I maintain is a figure that must be obtained if the problem of erosion is not to be one that neither this nor any other Government will be able to overcome. It is impossible to overcome erosion if the farmers are impoverished. There has been some criticism to the effect that 11 bushels is an unduly low average for the wheat areas of this State. The criticism has been made that it is lower because of production in what are really sheep areas, and the Great Southern area has been instanced. That argument will not hold water, because the statistical returns show that for five years from 1938 to 1943, while in the Great Southern area Katanning had an average of 10.9 bushels, Narrogin 11.1, and Wagin 13.4, areas in the true wheatbelt averaged as follows:—Merredin, 6.2; Mt. Marshall, 7.2; Nungarin, 8, and Wyalkatchem, 12.7, which are not as high in their production per acre, on the average, as in the sheep-farming areas.

The figure of 11 bushels per acre would be above rather than below the average return in the purely wheatgrowing areas. I think that figure is on the conservative side. One thousand acres of cleared land would be necessary to produce 3,000 bushels, plus a little hay and grain for use on the farm, by sowing 300 acres to wheat each year. It remains to be proved whether our lighter and medium soils would stand up to this rotation for long. Many sound farmers do not believe they will. The figure arrived at by the committee as to the cost per bushel for the average farmer producing wheat in this State, on the basis that I have outlined, is 5s. 5.53d. per bushel at the siding, not at the port, and that is very much higher than the figure arrived at by the Royal Commission on the Wheat Industry.

Most of the farmers who have seen this report have told members of the committee that the figure seems high. It does sound high, as the cost per bushel for the average farmer in Western Australia. Five shillings and fivepence per bushel is an al-

most startling figure to anyone outside the industry, because it is so far above the figure received by our wheat farmers over a number of years, and if that is the true figure it is little wonder that there has been very serious deterioration in the fertility of some of our wheat land, due to overcropping. If 5s. 5d. is a fair return, on the basis of present costs, is it any wonder that from 1930 to 1940 it was necessary for wheat farmers to follow unsound practices and routine in order to get sufficient production from their farms to make sufficient income to allow them to remain on the land at all? In my opinion, that is an explanation of the erosion that has been occurring in our wheat areas. Many farmers thought these costs sounded high.

Mr. Smith: They ought to know.

Mr. PERKINS: I agree that they should know, but when these figures were put up at meetings that have been held, and when it came to taking them item by item, the farmers almost unanimously tried to raise the committee's figures on each individual item. Had we followed the advice of those meetings on individual items the figure would have been at least 1s. per bushel higher than the figure that was arrived at.

Mr. Cross: What has that to do with soil erosion?

Mr. Doney: If the member for Canning was a farmer he would know

Mr. PERKINS: The Commission allowed for labour, item No. 1, £125 a year for the farmer, but did not suggest that this was a fair amount. On the contrary, the report stated "But it would be incorrect to expect the Australian wheat industry to continue for a long period under such conditions." The Commission considered that £7 per week or £364 per annum should be allowed the average farmer, and apart from that amount representing a reasonable margin over the basic wage to cover the extra responsibility and often longer hours, a family man could not live on much less. The report continues:—

Portion of his time will be spent on sheep and sidelines, and of course this is allowed for when returns from sidelines are deducted from the total costs. It will be noted we have allowed over 2½ times as much for sidelines as the Commission estimated.

On most farms the farmer would use some of his labour in making capital improvements to the farm, and this would have to be deducted

from his costs; however, in the case of our "average" farmer, who has very little allowed for extra labour, and has to do practically all his sheep, pig, and cropping work unaided, it is not unlikely that much repair work would be left undone, so this would offset what little time he might spare for capital improvements.

Point of Order.

Mr. Cross: I rise to a point of order. I do not think the hon. member's remarks have anything to do with the Bill. On a previous occasion you, Mr. Speaker, pulled me up when I was not in order.

Mr. Speaker: The member for York is quite in order. If the member for Canning cannot see the point that the member for York is attempting to make, the Speaker can. The hon. member may proceed.

Debate Resumed.

Mr. PERKINS: The report continues—

Working on a 3,000-bushel yield, the Royal Commission reports figures of 1s. 1½d. for labour, total £168 15s.; deduct £125, farmer's allowance; leaving £43 15s.

This is for the balance of the labour employed, and to this 50 per cent. has been added, as it included adult relatives at 20s. per week, and farm wages have greatly increased since 1934-35. The adjusted figure for labour will be:—

	£	s.	d.
Farmer's remuneration	364	0	0
Extra labour	65	12	0
	<hr/>		
	£429	12	0

This equals 34.37d. per bushel.

Interest.

Item No. 2—Interest: The Commission included only interest paid, not interest on the farmer's own capital. It is considered that interest on all capital employed should be allowed either as a profit or as part of the cost. Even if it is contended that farmers are not entitled to full interest upon their own capital, it must be remembered that a large number of farmers owe a sum equal to the full value of their assets, and some even larger amounts.

Estimate of capital employed on average farm:—

	£
1,000-acre farm at cost ..	3,500
Machinery	1,000
Working capital	500
	<hr/>
	£5,000

Again that figure is very conservative.

To arrive at the cost of the farm, each necessary improvement was costed, plus the unimproved value of the land. The fact that farms

may be purchased in W.A. at a lower figure was considered, but it was decided that as values may fluctuate with the prosperity and outlook of the industry, the proper basis is actual cost.

Machinery at £1,000 represents a plant which has been partly worn out and thus reduced in value from its original cost.

Working capital is placed at the low figure of £500. This is for the purchase of stock, cash to enable the farmer to commence work on the land 18 months before he reaps his harvest, and for outlay on super, etc., 4½ per cent. interest on £5,000—£237 10s., or 19d. per bushel on 3,000 bushels.

Machinery.

Item No. 3—Maintenance of Machinery: The Commission's figure is 5¼d. per bushel.

Ten per cent. depreciation on our estimated value of plant at £1,000—£100, 8d. per bushel; at least £25 should be allowed to cover spare parts and maintenance apart from tractor parts and maintenance, 2d.; total, 10d. per bushel.

Rates and Taxes.

Item No. 4—Rates, Taxes and Insurance: The Commission's figure is 2d. per bushel, and it has been left at that.

Seed Wheat and Cartage.

Item No. 6—Seed Wheat: The Commission allows 1½d. per bushel. In taking a farm of 1,000 acres as necessary to produce 3,000 bushels, the assumption was that the yield would be 11 bushels per acre, which is about the W.A. average.

Three hundred acres would require to be cropped each year, requiring 300 bushels of seed, which would grade down to the required amount. Three hundred bushels at 4s, £60, or 4.8d. per bushel.

Item No. 7—Cartage: The 2¼d. allowed by the Commission has been left unaltered.

Item No. 8—Superphosphate: If 60 lbs. of superphosphate were used there would be no great building up of phosphate reserves in the soil with an 11-bushel crop; and, on the other hand, no depletion of reserves; 60 lbs. super per acre at £5 5s., 3.07d. per bushel.

Item No. 9—Bags: It is estimated one bale of bags, supplemented by the use of washed super bags, would last for three years, 0.5d. per bushel.

Our figures were fixed on a bulk basis. The Royal Commission allowed 2½d. for bags, but that was on a bagged-wheat basis.

Power.

Item No. 10—Cost of Power: To arrive at present costs, horses have been left out of consideration, and a kerosene tractor of average efficiency assumed.

Good farming methods require at least five workings, so for 300 acres to be cropped and harvested for wheat, 1,500 acres would need to be gone over.

Fuel consumption varies widely, but it is considered that the average fuel, oils, and grease used upon working that area would be:—

	£	s.	d.
750 gals. power kerosene at 1s. 9½d.	67	3	9
30 gals. oil	12	0	0
Grease or oil	5	0	0
Petrol for starting	6	0	0
Maintenance and spares for tractor	25	0	0
	£115	3	9

This has been reduced by 20 per cent. to cover four workings only, £92 3s., 7.45d. per bushel.

Actually I think that figure is too conservative.

Item No. 11—Maintenance of Farm Buildings, and Sundries, including pickling material, sheep dip, licks, woolpacks, oil and grease (for agricultural machinery only):—

The Commission's cost is 4¼d.

A table of indices of wholesale prices (attached) show a rise from an index figure of 1471 in 1934 to 2221 in 1944—an increase of 51 per cent.; 51 per cent. added to 4¼d., 6.41d.

Sidelines.

Returns from Sidelines: We have followed the procedure adopted by the Royal Commission, and have charged all expenses to wheat, and then calculated the amount likely to be earned from sidelines and deducted this per bushel from the wheat costs.

No pretence is made that these figures are an accurate assessment of the average income from sidelines of farmers, but it is an honest attempt at an estimate.

Some farmers may make more out of pigs and less from wheat, and some may not keep pigs at all. They may or may not use available labour to earn revenue from other sources:

	£
Sheep	154
Pigs, poultry, etc.	100
Use of house and other advantages	50
	£304

This represents 24.43d. per bushel.

On page 9 of the supplement to the first report of the Royal Commission, reference is made to wheat at 4s. 9d. per bushel f.o.r. ports —“at which price four-fifths of the Australian wheat farmers can make a fair and reasonable living.”

According to index figures, costs have increased 51 per cent. since the date of that report.

We desire to stress the fact that a painstaking effort has been made to ascertain the status of the average wheat farmer, and the costs shown are the average. In other words, if the price of wheat were 5s. 5½d., the average man would get interest on his capital and a wage for himself. He would, however, have to pro-

vide reserves for contingencies and amortisation of borrowed capital out of his wages and interest.

According to the degree a man is below the average he would receive so much less for interest and wages. If well below the average, he would get neither interest nor wages.

The Minister for Works: How many times over do you have to prove this point?

Mr. PERKINS: The report continues—

A little less than half the wheat farmers could be placed in the “below average” category.

On the other hand, those above average would make additional profits. This principle applies to all other sections of trade, industry and professions, and it is most desirable that efficiency in the wheatgrowing industry should be rewarded also so that a fair share of the capable and ambitious young men may be attracted to and remain on the farms.

We are of the opinion the cost statement will stand up to any capable critical examination.

Now for the interjection of the Minister for Works! He asked how often had I to prove this statement. I hope I have proved it to his satisfaction and that he accepts that it costs 5s. 5½d. per bushel for the average farmer to produce wheat on a siding basis in Western Australia, because some of his colleagues, or the members of the Party which he supports in the Federal Parliament, certainly have not accepted that view. As a matter of fact, not long ago the late Prime Minister said to a deputation of wheatgrowers from New South Wales, “God help the wheatgrowers of Australia if they were not satisfied with 4s. a bushel.” If I have established that point—

The Minister for Lands: To your own satisfaction!

Mr. PERKINS: —then I think we have something from which to work in determining the basic return for which we are going to strive for the wheat-producers of this country. If I have established the earlier points, it is fairly evident that, if we do not achieve that objective, any measures taken under this Bill will not bring about the result that we are hoping for from it. It is an absolutely vital point that the fertility of the soil of this State cannot be maintained if the return to the producers is not high enough to enable them to maintain efficient farming practices.

Mr. Triat: Other commodities besides wheat are produced on the farm.

Mr. PERKINS: Unfortunately, much erosion is occurring on our better wheat-producing areas; and, so far as these are concerned, wheat is the basis of the return. The Committee has said that the way in which the Royal Commission set out to determine a basis of costs was to take a farm which was pre-eminently a wheat-producer, and treat all the other income as income from sidelines. That is a sound way in which to go about it. To attempt to allocate expenses against individual items of income is, in my opinion, absolutely impossible if one is trying to arrive at a basis of costs.

The Minister for Lands: Have you any idea what Mr. Teasdale's costs are?

Mr. Smith: One shilling and eightpence.

Mr. PERKINS: We had accurate costs from one of the most efficient farmers in the State; or, at least, we were told by one of the banks that his costs were lower than those of any other farmer whom the bank had on its books. The farmer's books were properly kept on the double entry system over a long period of years. A statement of costs was extracted from those books on a 10-year basis, and the cost per bushel for that farmer, whose farm was in one of the best wheat-growing districts of the State, was 2s. 10d. But that farmer had a 20-bushel average for that period, not the 11-bushel average which at present is the State's average.

The Premier: He is a good farmer.

Mr. PERKINS: If we could raise the State's average to 20 bushels per acre, the cost per bushel would be on a different level from what it now is. Now, 2s. 10d. per bushel was the cost of production to that farmer whose average was 20 bushels per acre over 10 years. Had his average for that period been 11 bushels per acre, then, although some of his costs might be a little high for handling the lesser quantity of wheat, for instance, for carting—although actually they were very low for the total quantity handled and in my opinion his total costs were probably lower than those of the average farmer—his costs would have been 5s. 2d. per bushel, very little below the figure arrived at by the Committee. Therefore, the question of the bushel yield is a vital one in arriving at costs. One way in which in my opinion we can improve the economy of the State as a whole, and also

lessen the danger of erosion in our agricultural areas, is for the department to do everything in its power—mainly with the co-operation of the farming community—to raise our average yield per acre. Many difficulties which beset the farming community and the State will be overcome almost overnight if our average yield per acre can be raised from 11 to 15 bushels. I have spent a considerable time on this subject, but I consider it is vitally important, and I hope I have impressed members with my arguments.

Mr. J. Hegney: Could that average be improved by better farming?

Mr. PERKINS: Undoubtedly so. Many factors enter into that question and I am afraid that the Speaker will call me to order if I deal with it now. There is one other aspect I wish to deal with. It was touched on by the Leader of the Opposition. Coupled with the question of salinity is the question of flooding in many of our agricultural areas. No so long ago we were worried about the very dry conditions; now we are worried about the floods. It is the general opinion of those in a position to judge throughout the agricultural areas—and I have come to the same opinion from my observations over the years—that the flooding in the wheat-producing areas has been increasing for some time. Probably it is due to the ground consolidating and hence there has been more run-off. It may also be due to some blocking up of the natural watercourses. Coupled with that, there has also been an increase in the salinity of much of our good wheat-producing areas. For instance, in the area where I live—the Belka Valley, which runs down and joins up with the salt lake system—there has been a tendency for the salt to creep back up that valley.

Since settlement took place some 30 years ago there has been a marked increase in salinity in some of the more low-lying blocks. Judging by reports made by the Department of Agriculture on the question and also by opinions of observant persons living in those areas, it is largely due to local flooding and, in my opinion, there is a definite connection between this question of local flooding and increase of salinity. I think it was mentioned by the Premier when he introduced the Bill that there has been a very marked rise in the water table

in many areas, and that is borne out by the opinion of people living alongside the salt lakes. An article appeared in the *Journal of Agriculture* of June, 1945, in which it was stated:—

At various times there have been proposals for the institution of large-scale drainage works to promote the reclamation of saline lands along certain of the salt-lake systems in the main valleys of the wheat belt. These salt lakes represent drainage of the country, but surface water flows at very infrequent intervals. Occasionally water from Lake Ballard, near Menzies comes down through Lake Deborah and Lake Brown to Baudree and Quairading to join the Upper Avon near Beverley. Apparently in bygone ages the climate was much wetter and these channels probably carried considerable quantities of water from the inland areas. While a deep channel through such systems would facilitate drainage, the effect on the water level of the adjoining agricultural lands would be extremely small and the cost out of proportion to material benefit. It seems likely that drainage will be of practical value, and probably economic only where moderate salinity has developed and subsidiary valleys are involved.

The subsidiary valleys are definitely involved now and it will be necessary to consider this question. I would not like to be dogmatic about it, but I would like to see a survey carried out by competent officers. I hope the Premier will make it clear when he is replying to the debate whether the power is contained in this Bill for such a survey to be made; because, in my opinion, this is an instance where soil salinity and local flooding are associated with the whole question of soil conservation. It is possible that a fairly deep channel through the salt lakes could be the means of draining off that surplus water, and it may not be so very costly if suitable machinery can be procured for the work. I understand that in America they have types of ditching machines with some kind of bucket arrangement. These machines elevate the earth and put it over to one side, and very little hand labour is involved.

Everything is done by mechanical means. If such a machine could be employed in the salt-lake chain, it might not be nearly so expensive a job to put in a drainage system as it would have been a few years ago when such machinery had not been developed. The Premier also mentioned in his speech that this Act should be read in conjunction with the Drainage and the Rights in Water and Irrigation Acts, and sundry

other Acts. I have had a look at the Drainage Act and I cannot see that it would be suitable for a work such as this, inasmuch as apparently the cost of drains has to be charged to some individual landholders, whereas a work such as putting a channel through the salt-lake system would be one of national importance and would have to be met from some central fund. There is other drainage work involved, of course.

From the subsidiary valleys to which I referred, where the actual flooding is occurring, it would be necessary to get some kind of drainage through to the salt-lake chain. There are existing creeks running through, and I think much of the trouble is due to their being partially blocked up by sand drift and unnatural obstructions. I agree that that is a responsibility for the local bodies concerned, and it would not be an insuperable task for the local authorities in those areas to do that work in conjunction with farmers interested. But the other question of the major drainage system is one that should be surveyed. A very careful report should be made to the Government, and that report should be available to the public so that people could have some informed judgment on the whole position. In regard to this drainage question, if such a system were carried out, it could also have a very beneficial effect on the river system which drains those inland areas. Recently we have had very severe flooding in the Avon and Mortlock Rivers.

Mr. Watts: How many tons of soil have come down the rivers?

Mr. PERKINS: Much soil has gone out to sea through that river system. If some such drainage system as I have mentioned were established, it would be the means of evening the flow of waters into those rivers. There is a great accumulation of water dammed in the back areas. That comes down as flood water and gets into the Avon and Mortlock Rivers which are already swollen by local water. The result is very severe flooding in the districts along the Avon valley. York has suffered very badly recently; and if a measure such as I have suggested overcame this trouble, it would have valuable effects.

I intend to support the second reading of the Bill. It appears to be comprehensive. Some amendments may be desirable to the machinery clauses. When we discuss such

amendments, the Premier can defend the present set-up if he thinks it is better than what is suggested by the Opposition. I would, however, stress this point: that the Bill itself is not going to cure whatever soil erosion problem exists in this State. It merely sets up the machinery, and everything depends on the enthusiasm of the administration in working within the general framework laid down by the Bill. In reading accounts of soil erosion in other parts of the world—for instance this book of Stuart Chase's, on the American position—one is forced to the conclusion that the first necessity is to get an organisation comprised of the best experts available and to give them every opportunity to make a proper survey and then give the widest possible publicity to the conclusions they reach. If that is done, I have no doubt that most people concerned will be sufficiently public-spirited and fully seized of the dangers of soil erosion to our country to give all the necessary co-operation to the officers associated with the administration of the set-up under this Bill so as to prevent the disasters that took place in America, and other parts of the world, from occurring on anything like a similar scale in Western Australia.

MR. McLARTY (Murray-Wellington) [8.51]: I support this Bill. We have already heard three speeches from the previous speakers, including the Premier who introduced it, in which the ground has been covered comprehensively. I do not, therefore, propose to speak at any length. I have seen some of the results of erosion from wind, drought, flooding and overstocking. If this Bill does something from an educational point of view—and I think it will—to make the people realise the dangers of erosion, it will be worth while. Some time ago I went to the cinema and saw a picture of the recent drought in the Riverina in New South Wales. It showed storms carrying huge quantities of dust into the air. It was reported that some of it went as far as New Zealand. The picture also showed fences being buried, country denuded of trees and even houses being completely covered by the sand drift. It eventually showed a farmer and his family putting their furniture into a cart and walking off. As a result, large areas of country were abandoned and the damage was much greater than that caused by flood, fire or

drought because it is doubtful whether that country will ever recover, and even if it does it will not be for a very long time.

Many of us have taken a great interest in this matter of erosion, and it is something that we should prepare against. It might be said, "It cannot happen here." But we have said that before in regard to other things, and they have happened. The Premier, without doubt, is therefore justified in bringing down this measure. The hon. gentleman has had an opportunity to go over a considerable part of the Commonwealth with the Rural Reconstruction Commission, and he has seen the great damage resulting from soil erosion. We know that that erosion has been caused in the main by drought and wind and, to a degree, by overstocking. I am not so sure that this question of overstocking is not, in many cases, exaggerated. Much of our pastoral country is of very light carrying capacity. Under present conditions, I do not know of any way by which its carrying capacity can be increased. Any suggestion that there should be smaller holdings would not, I think, be practicable because some of these areas are so light in carrying capacity that—and I think the Premier will agree—they would probably not carry more than one sheep to 20 acres.

The Premier: What is the comparison between Pinjarra and Liveringa?

Mr. McLARTY: I will not go into that with the Premier at the moment, but will discuss it with him later. It is hard to understand anyone talking of country like that being overstocked.

The Premier: It may be appraised at a sheep to 25 acres, but the more fortunate and better-watered areas are carrying a sheep to five acres.

Mr. McLARTY: Yes, but there are not many such areas. There is not much pastoral country, taking Western Australia as a whole, that will carry a sheep to five acres. I know that erosion is caused, in the country to which I am referring—that of light carrying capacity—because of drought conditions, and I know that sheep do destroy the top feed—they have to do so to live. There is no question about it, this commission will be up against a difficult proposition. I understand from the Bill that it will make decisions as to whether a man is overstocking his property. If it

finds that a man is overstocking, I wonder what will happen to the owner when he comes to reduce the size of his flock. If the stock get poor and have to travel long distances to markets, he certainly will not get a payable price for them.

Again I remind members that when the Premier was speaking last week he told us of a certain station carrying 50,000 sheep and said that 35,000 kangaroos were shot there in one year. When the commission is coming to a decision on carrying capacity, it will have to take into consideration the ravages of vermin. It is of no use saying to a man that he must reduce the numbers of stock he is carrying on his country because he is overstocked by 5,000 sheep, or whatever the number may be, if there is going to be a great increase of vermin on the property. I say that, because a kangaroo will eat just about as much as a sheep, so I am told. I have not had practical experience of sheep and kangaroos, but I am informed by men who have that a kangaroo will eat just as much grass as a sheep, and it likes the sweet grass, too.

Mr. Needham: What about the emu?

Mr. McLARTY: I am referring to vermin generally. I know it is necessary to give this commission power to deal with overstocking, and I am not going to oppose that provision. I want now to deal with the part of the State that I know most about, and that is the south-western portion. The member for York referred to flooding in his area. This winter we have learnt something in the South-West about flooding because, in the district I represent, not only do we have to put up with our own heavy rainfall, but all the waters from districts such as Narrogin, Pingelly and the Hotham Valley generally have to come down the Murray River. This year we have suffered from tremendous flooding.

I suppose members read the leading article in "The West Australian" of the 12th September, which made reference to the flooding of the Swan River in 1926, from the 18th July to the 26th July. Experts estimated that 863,000 tons of earth passed under the Fremantle bridge in those seven days. The article went on to say that this deposit would cover 26,000 acres of land four inches deep, with the soil that the river carried, or sufficient to cover the 1,000 acres of King's Park 9ft. deep. I

think that is a practical illustration of what water erosion can do, and this season it has been infinitely worse. Those figures are given for the Swan River, but I believe the Murray River would have a greater record than that. We know also of the heavy flooding of the Blackwood, with all its damage, and the same applies to many other creeks in the South-West. The Murray River brought down an enormous quantity, not of silt, but of sand. Silt on the land is of some benefit, but the Murray lodged pure sand along the river flats, inches deep and in some cases feet deep. Why it should be white sand, I do not know, because I understand that the soil is good in the areas from which the flooding came.

The Minister for Lands: They would not send their good soil down to you, surely?

Mr. McLARTY: It is bleached sand that has been deposited along the flats.

Mr. Watts: You are having your soil enriched.

Mr. McLARTY: Unfortunately we are not. Apart from this damage that is being suffered, the banks of those rivers and creeks have suffered greatly from erosion. One can travel along the river for miles and see great holes washed out of the banks. I believe that in this Bill provision should have been made to protect these brooks and rivers from erosion, and that refers particularly to the tops of the banks, by providing that certain timber should be left along the banks, and to a certain distance back from the banks, but that has not been done. Many owners of properties have got rid of their timber right up to the edge of the river bank. The result is that trees are ring-barked and die, and then there is a flood with the water rushing down the banks and, with nothing to bind the soil of those banks as the roots are gone, the trees fall and great holes are left, resulting in erosion. I would like to take the Premier through my district and show him the results of water or river erosion, both through the river rushing into the banks, and through damage caused by the ringing of timber on the upper banks of the river itself.

I welcome this Bill, and for this reason, that more interest is likely to be taken in the rivers. The Murray River at Pinjarra has encroached to such an extent that some of the buildings in the town are in danger, and eventually the main road will be in

danger. Over all these years very little interest has been shown in this erosion, and I have been told, when I have mentioned the subject in years gone by, that it is the responsibility of the local authorities. That is absurd, as no local authority is capable, from a financial point of view, of dealing with the erosion of a river. In some respects, in regard to water courses over the last decade, the Public Works Department has done good work in the prevention of erosion of creeks and rivers by bushing certain portions of the banks. Another cause of erosion of water courses is that stock are allowed to go down to water wherever they like. One does not wonder at the farmer allowing it, because it is easier for him and he does not have to provide water in his paddocks, but I have repeatedly seen places where stock have made tracks down the banks, and those tracks have washed out and have become too steep for the stock to use. The stock then make another track, and so it goes on. They destroy the scrub and trees and eventually the water washes away a huge part of the bank.

In the South-West portion of this State rabbits are causing a great deal of erosion. Where there are rabbit warrens one sometimes sees an acre of land washed out as the result of flooding, and that land is not of much use after it has been washed out. I suggest to the Premier that, regarding any future floods or heavy rains that may occur, he should have aerial photographs taken to indicate to the people, and to the Works Department, the real position regarding these flood waters. The class of country in the South-West more subject to erosion than any other is that along the coast. There the sea is encroaching in a number of places. I have known fences to be put up three or four times, one fence on top of the other, owing to the continued encroachment of the sea over those areas. That is a matter to which consideration might be given.

Experiments should be made with certain classes of grass to see if something cannot be done to prevent erosion of that kind. Erosion is often caused through carelessness, particularly on light country. One sometimes sees where there has been an old stockyard. Where there has been a stockyard, and it has been shifted, erosion starts. If a little care was exercised that need not

occur, and that is where I think education will come in. I agree with the Leader of the Opposition and the member for York that provision to deal with soil salinity should have been included in this Bill. There is no doubt that soil salinity is increasing, and from what I have heard of experiments in the United States of America, it is being dealt with there rather effectively. I cannot see much difference between soil salinity and erosion. Dr. Teakle, who will probably be the commissioner under this measure, has a great deal of expert knowledge of salinity, and I do not think we would be placing too great a burden on the commission if we included provision for soil salinity. It is having a very serious effect in some parts of the country and also on some of our watercourses.

This measure will necessitate the creation of a new branch of the Department of Agriculture, and I think this may be taken as an indication of the seriousness with which the Premier regards the problem of soil erosion. I am glad that it is intended to form some regional committees. These are necessary; local advice will be very helpful. Owners of land will contribute toward the cost of work carried out to prevent soil erosion on their properties if the work proves to be beneficial. I do not think farmers will object to that, but the Premier should bear in mind that some of the farmers who will suffer on account of water erosion will do so as a consequence of public works carried out by the Government. That angle should not be lost sight of.

Provision is made to give farmers the right of appeal to a local court. I am not too keen on that type of appeal. When a farmer has to go before a magistrate in a local court to appeal against drainage rates or such matters as will arise under this measure, he is at a disadvantage. I would rather see a board of appeal consisting of three practical men, who know something about land and soil erosion and who appreciate the difficulties under which the farmer is labouring. Such a board could be formed and would give more satisfactory results all round. In the early days when we were considering the drainage legislation, I strongly advocated that farmers should be given representation on the appeal committees. Eventually this was agreed to, and the result has been that very few cases are now heard in the local court. There are numerous

amendments on the notice paper and in Committee we shall have an opportunity to discuss them in detail. I support the second reading and feel confident that the measure will have good results for the country.

MR. LESLIE (Mt. Marshall) [9.15]: Mention has been made in the course of the debate of the powers proposed to be conferred on the commission. Those powers are so wide as to be literally unlimited. Because of this, I feel that more time might be allowed than we appear to be devoting to the Bill.

The Minister for Lands: I did not know before that you were a humourist.

Mr. LESLIE: The Bill has been before us for a week, and we have hardly had an opportunity to submit its contents to the people who are most vitally concerned and who will be very seriously affected.

Mr. Rodoreda: Who are the people most vitally concerned?

The Premier: The nation.

Mr. LESLIE: I will deal with that aspect in a moment. This is one occasion when we may well say, "Thank God for the Legislative Council!"

The Premier: What a broad outlook that is!

Mr. LESLIE: It will at least result in more mature consideration being given to the Bill.

The Premier: Well, well!

Mr. LESLIE: When moving the second reading, the Premier spoke of the damage done by erosion and the burial of ancient cities in old countries. If he turns his attention to Palestine, he will discover the finest lesson the world has to offer and not only in the matter of soil erosion. Palestine, which is claimed to be the cradle of civilisation, offers lessons from which we might learn in every sphere.

The Minister for Lands: Especially hygiene!

Mr. LESLIE: Especially hygiene, as the Minister says. It has been my lot to pay a visit to that land and to take an interest in its agriculture. I availed myself of every opportunity to investigate the conditions that prevail there. There is much to be learnt from its modern development, and there are also some bitter lessons that we might take to heart of the mis-use of the agricultural land, the facilities and bene-

fits bestowed by Providence that the country enjoyed at one time. It is heartbreaking to see the hills, once well wooded, now entirely denuded of their timber, and it is more heartbreaking still to observe the very scant results being obtained by the reforestation authorities in their attempts to rewood the hills. I doubt whether it would be possible to find poorer or more spindly growth than in the attempts being made there to restore the timber and vegetation on hills that are almost bare rock.

On the other hand, there is a part of the country where good soil lies buried under other good soil. It was brought to my mind at tea tonight that the shallot had its birthplace at a little place named Ascalon or Eschalon, on the coast of Palestine. This place is only a few miles from Gaza, a place made famous by the story of Samson and Delilah.

The Minister for Works: In what part of Bible does that appear?

Mr. LESLIE: I would not vouch for my pronunciation of the name. Their industry was the growing of what we today call shallots, which were taken from that country by their conquerors in the early days, our own erstwhile enemy, the Romans. Shallots were a luxury and that district became one of the most flourishing centres along the whole coast of Palestine. It derived its wealth from the growing of the simple spring onion, or shallot. But to find the soil in which they were grown, it would be necessary to dig down at least 100 feet. Notwithstanding that the soil today is a mass of gardens, it is very poor in patches and soon becomes stony. We in Australia are faced with a similar state of affairs for the reason that we, like those ancients, are inclined to ignore the laws of nature. Natural law is logical: nature does not act will-nilly.

I suggest to the officers of the Department of Agriculture that in their investigation of soil erosion they endeavour to ascertain why we have droughts and why we have floods. Natural laws are not haphazard laws. I am of opinion that if an investigation is made over a period of years into the effect of drought and flood on natural undisturbed country, we shall learn a lesson from which we will profit as we endeavour to disturb, abuse or ignore those natural laws. All of our soil erosion is

directly due to the action of drought and flood on our interferences with natural processes. We could profit from the results of such an investigation, and we would not then need to try to overcome or defeat the laws of nature by artificial means. When I was in Palestine and Arabia, I was confirmed in my opinion of the terrific damage done to pastures and land by sheep, and the enormous danger that exists if we allow overstocking of sheep.

In my adolescent days I read in American magazines of the feud which existed between cattle-ranchers and sheep-herders, and why it was that the cattlemen objected to the shepherds coming on their pastures with their sheep. The cattlemen claimed that once sheep had gone over a pasture it was of no use for cattle. I found that in Palestine and Arabia the same state of affairs existed. The Arabs are nomads, wandering from place to place with their very small herds and, when they have cleaned up the countryside, it is cleaned up thoroughly and they will not return to it for years. The passage of years is required to allow the pasture to grow in sufficient quantities to carry a fraction of the sheep that were on it when the nomads went there. I feel the same thing is happening in Australia. The sheep is literally carrying Australia on its woolly back. We are throwing a considerable part of our national economy into the breeding and raising of sheep, at the cost of our land.

If one goes to what are now arbitrarily declared our marginal areas and sees the damage which the sheep have already done—and the land has not necessarily been overstocked—one realises it is not a question of overstocking, but a question of discovering the very maximum that those pastures can carry and what is necessary to be done in order to replenish them and make good the damage that the sheep do. I do not know what is happening in the north country and what has been the effect on the pastures there where once cattle were raised and where sheep may now be depastured.

The Premier: Where?

Mr. LESLIE: I am speaking of the northern part of the State. I was saying it might be worth while to investigate the relative recovery of the land after the two types of grazing, cattle and sheep. The Premier

mentioned the reward a country receives in soil erosion from one generation of greed. He was alluding, I take it, to the denudation of our forests. I agree that we are suffering from one generation of greed, but unfortunately that greed has been on the part of people who are not compelled to suffer the consequences, unless it be through a measure like this Bill, under which we are determined that they shall carry a share of the burden that is to be imposed upon the individual. It has been suggested that we believed to be the good of the nation, before the good of the individual. The unfortunate part is that we have been considering the good of the nation, or what we believed to be the good of the nation, and have forgotten the good of the individual in the farming economy of Australia, particularly Western Australia.

We have all the time considered the good of the nation, and what was going to benefit the nation and the State. Produce and develop! The economy of the individual engaged in producing—as my colleague the member for York has pointed out—has not been considered, and we are therefore paying the penalty today in necessary legislation to control the use of our soils. I agree with the member for York that that has been due to economic circumstances. The demand of the nation on the individual has compelled the farmer to work the farm as he has done, literally to work it to the stone or to the subsoil, in order to extract from it in the shortest possible time the maximum amount of blood that he could get from it. The farmer has not gained; the nation has. Now the nation must do the right thing and pay. I feel a genuine regret that no provision is included in the Bill for compensation to those men who, because of their answer to the call of the nation, and because of the fact that they who have sunk their substance gathered over the years into their productive efforts, are likely to be those who again will be called to make further sacrifices without compensation, as the result of the necessity to change an economy into which they were literally plunged by national demands.

An instance is the so-called marginal areas, which have been arbitrarily declared to be unsuitable, or suitable, for one particular type or another of production. The farmers there were not consulted in that

regard at all. In this instance I give the Government credit for its intention to consult, through advisory committees, the people who are concerned before they are compelled to adopt practices which may not be, in their opinion, in the best interests economically of the farmers concerned. That step is vitally necessary because injustices abound in plenty in the so-called marginal areas where, without any consultation with them, hundreds of farmers were dictated to as to what they should do with their life's investment and how they were to use it. In return, they received no compensation whatever. Certainly, a small amount was provided by the Commonwealth Government because they were not permitted to grow any wheat, but the amount provided was niggardly and quite out of proportion to the interference with the ambitions or desires of the farmers concerned. That was the attitude of a Government that originally had encouraged them to increase their production as much as possible. I am certainly glad that provision is made in the Bill for those people to be consulted on this occasion and to be given an opportunity to defend themselves against what might be arbitrary dictation on the part of departmental officers. I appeal to the House and to the Government—

The Minister for Lands: Apparently members of the Government are not members of the House.

Mr. LESLIE: Certainly Ministers are members of the House, but they may not be quite as sympathetically inclined towards the people I have in mind as some members are.

The Minister for Lands: We are still in the House. However, I did not think you would hear my interjection.

Mr. LESLIE: I did. I make an appeal for the inclusion in the Bill of provision for compensation in respect of any change that may have to take place in connection with farming operations, and in the farm economy of those unfortunately affected. Another point I wish to mention concerns the occurrence of salt, a matter that other members have already dealt with.

The Premier: It is a case of "cum grano salis."

Mr. LESLIE: The more we stress the fact that the occurrence of salt is a problem that must receive major consideration in any soil

conservation scheme, the more likely are we to convince the powers-that-be of the need to devote attention to it.

The Premier: Can you give me an exact interpretation of the phrase "cum grano salis"?

Mr. LESLIE: No, I cannot; but I can tell the Premier that salt is playing merry hell with a lot of jolly good country, which is more to the point than knowing the exact interpretation of a technical term. The fact is that the appearance of salt is today causing more harm than is any form of soil erosion. I am speaking particularly of the south and south-western portions of the State. Evidence of damage by erosion due to drought, wind and water can certainly be found there. I can show members many instances of wind erosion in my district but that has caused nothing like the loss of soil fertility that has taken place due to the rising of salt. In my opinion, the Bill should have been framed to deal not alone with soil conservation on account of erosion but with the conservation of soil fertility, because the loss of fertility occurs before the actual erosion takes place and therefore before we are called upon to deal with soil erosion we should deal with the loss of fertility aspect. I trust that when the Bill reaches the Committee stage, consideration will be given to including provision in that respect.

There is one other matter I desire to deal with, although I have already covered broadly the basic principles of the subject-matter of the Bill. I believe that the measure is necessary and will be welcomed because of its objective, but we must be careful that we do not attempt by law to bring about the results desired by means of coercion rather than by co-operation. We must go about the task by educating the farmers and others in whose hands the cultivation of the soil and the development of the resources of the country are in trust. They must be educated along the right lines, and we must give them every opportunity to benefit as a result of that education. We must see, as the member for York pointed out, that economic circumstances do not compel them to ignore the advice and disregard the education with which they can be provided. We will achieve real genuine co-operation from the men on the land by an educative system. We will get nowhere if we attempt to

coerce them to follow a certain course of action, particularly if we base that compulsion on the line of argument that we are acting in the interests of the nation and that because of that the farmers as individuals must bow to the dictates of the powers-that-be.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Premier in charge of the Bill.

Clauses 1 to 3—agreed to.

Progress reported.

**BILL—GOVERNMENT EMPLOYEES
(PROMOTIONS APPEAL BOARD).**

In Committee.

Resumed from the 11th September. Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

Clause 13—Lodging and hearing of appeal:

Mrs. CARDELL-OLIVER: I move an amendment—

That in line 11 of Subclause (3) after the word "person" the words "whether male or female" be inserted.

I do not suppose the Minister will allow this to pass, but I want a little debate on it. I have interviewed men in authoritative positions in the Public Service, and I have consulted five legal men, including two returned soldiers, and not all of them are definitely prepared to say that the words "returned soldier" include females. Some of our girls were appointed for war service abroad. Some have returned, and many will be returning later on. I would ask members whether they would consider a returned W.A.A.F. or a W.R.A.N. or an A.W.A.S. a returned soldier. The definition states that "a 'returned soldier' means a person." So it might be argued that the word "person" is the important word. I grant that that word refers to a male or a female, but we are not defining the word "person" in this paragraph. We are really defining the words "returned soldier." If it were found that the words were masculine, the word "person" would be interpreted as masculine. I contend that a person who has been on service abroad and is described as "a returned sol-

dier" is not a woman in the ordinary acceptance of the meaning of our language.

Hon. J. C. Willcock: The Interpretation Act says it is.

Mrs. CARDELL-OLIVER: Section 26 of the Interpretation Act reads—

In every Act every word of the masculine gender shall be construed as including the feminine gender.

But some Acts of Parliament definitely state that the word "person" applies to males only.

Hon. J. C. Willcock: That is the law of our land; we cannot get behind it.

Mrs. CARDELL-OLIVER: I say that some Acts definitely over-ride that.

Hon. J. C. Willcock: No. The Interpretation Act interprets every word in a Bill.

Mrs. CARDELL-OLIVER: The whole reason for my bringing the matter before the Committee is that the member for Geraldton thinks one way and I think the other. He may be right and I may be wrong; but I want the Committee tonight to declare I am wrong, so that, if this ever comes before a court of law, someone may look up "Hansard" and see that although the law is described as an ass, it is donkeys that make it so! I know of only one universal body that applies the word "soldier" to a woman and that is the Salvation Army whose women members come under that category. If this interpretation read as it should have read—"a 'returned soldier' means a man or woman"—there would have been no question about the matter, but it does not say that.

Hon. J. C. Willcock: The definition refers to "a person."

Mrs. CARDELL-OLIVER: Yes, but it defines a "returned soldier" and does not indicate that "returned soldier" may mean a female. The Juries Act contains the over-riding section to which I have referred. It provides that "juror" shall apply to a male person only. I grant that what is in the Interpretation Act is correct, but I have tried to show that the words "returned soldier" may not be interpreted in the way that the member for Geraldton interpreted them. Persons competent to criticise have expressed conflicting views on this question and I find the clause ambiguous. Why not clarify it by adding the four words in my amendment?

The PREMIER: It will not be difficult to convince the member for Subiaco that the clause as printed is all that is necessary. I first refer to the Interpretation Act, Section 3 of which provides—

In the absence of express provision to the contrary this Act shall apply to every Act of the Parliament of the State, heretofore or hereafter passed, and to every regulation made under any such Act except insofar as—(a) Any provision of this Act is inconsistent with the intent and object of the particular Act or regulation to be interpreted.

Section 26 provides that in every Act every word of the masculine gender shall be construed as including the feminine gender. Recently a Bill was introduced into the Federal House for the re-establishment and employment of returned personnel. In the definition clause of that measure—which has become an Act—it provides that a member of the Forces means—

A person who is or was during the war a member of the permanent Forces, other than the Australian Imperial Forces.

Right through the definition section the word "person" is referred to. If the hon. member has any doubt about the Interpretation Act I would ask her to refer to the Oxford Dictionary, Webster's Dictionary or any concise dictionary including Dr. Annandale's which gives this definition of the word "person"—

An individual human being; a man, woman or child; bodily form; human frame, with its characteristic appearance (to appear in person; cleanly in person); a human being, indefinitely.

Mrs. CARDELL-OLIVER: I accept what the Premier has said, but he has not grasped my point, which is that in this clause we are not defining the word "person" but the words "returned soldier." However, I will now leave it. The matter can be fought out at some future time in a court of law.

Mr. DONEY: I agree with the Premier that it is futile to quarrel with definitions in the Interpretation Act. At the same time, I am in a general way, in agreement with the member for Subiaco, whose idea is that we should never be averse to adding a few simple words if they will clarify the intention of a measure that we happen to be discussing. If "returned soldier" means a person, and if the word "person" in turn means a separate entity of either sex then we cannot very well go beyond that. But I wish

to draw attention to the paragraph in the clause that states—

"Returned soldier" means a person who enlisted or was appointed for war service abroad and who has been on active service as a member of His Majesty's Forces during the Great War, 1914-18, or during the war in which His Majesty is engaged at the time of the commencement of this Act.

The CHAIRMAN: Order! The member for Williams-Narrogin is on another point altogether. We must dispose of the amendment before he can deal with it.

Mr. DONEY: I am pleased to see, Sir, that you are alive to your duties. I had hoped that you would not notice what I was doing.

Amendment put and negatived.

Mr. DONEY: I will not repeat what I have already said, but some attention should be paid to the last two lines of that definition, which refer to "the war in which His Majesty is engaged at the time of the commencement of this Act."

The MINISTER FOR WORKS: I have an amendment dealing with that point.

Mr. Doney: Does it cover what I am stressing?

The MINISTER FOR WORKS: Yes. I discussed this matter with the Solicitor General today and asked him whether, in view of the unconditional surrender of Germany and Japan, the words "The war in which His Majesty is engaged at the time of the commencement of this Act," required some alteration. This wording appeared in a similar Bill last year. It has been taken from that measure. The Solicitor General advised that he thought the present wording in the Bill would be sufficient, but he agreed that it might be wise to avoid possible doubt and legal argument later by inserting a few words in the definition. I move an amendment—

That at the end of the definition of "Returned soldier" the following words be added:—"or had recently been engaged at the time of such commencement."

Amendment put and passed.

Mr. DONEY: I move an amendment—

That at the end of Subclause (3) a new paragraph be inserted as follows:—

(e) As between employees engaged in the same kind of employment at different rates of wages and some increased amount is paid to an employee or employees for some spe-

cial service, seniority by reason of the increased payment of such special service.

I admit that the phraseology is somewhat cumbersome, but it has to be drawn in that fashion in order to accord with the type of phraseology in paragraphs (a), (b), (c) and (d). The object here is to secure special recognition—as a factor in promotion appeals—of an appellant's additional knowledge and worth, where such is recognised by the granting of an amount additional to ordinary wages or salary. There are, in several branches of the Public Service of this State, quite a number of such cases, and it should be plain that such additional payments are made as a recognition of special qualifications and special aptitude on the part of the appellant for the discharge of that appellant's ordinary, and also additional, duties. This is the type of officer that, in the interests of the smooth working of the department, stands out in my mind as especially deserving of advancement. I am not sure of my ground, but I believe there are one or two cases in the Public Service where such officers have been granted such increased amounts for special duties, through the Arbitration Court. I do not wish to labour this point but, if we are to rule out efficiency, as represented by additional salary or wages, as a pointer to special merit, we are going to kill a great deal of ambition in the Public Service and, over the years, make that service far less efficient than it need be.

The MINISTER FOR WORKS: I think there is something to be said in favour of the point raised by the member for Williams-Narrogin, but the point is covered in regard to superior efficiency. There are some employees in the Government service who are given some additional or special duty to do, and that duty might last for from three months to a year, or even longer. The special allowance given to the officer concerned might be from £10 to £100 per year, according to the nature of the special duties. It would obviously be wrong to say that because one of two officers on the same wage or salary was given some small extra duty, which carried a special payment of £10 a year, that officer should be regarded as being senior, for the purposes of this legislation, to that other officer. If the special allowance amounted to £50 or £100 per annum, it might be con-

sidered that that officer should be entitled to some special consideration regarding promotion, but I submit that he obtains that special consideration on the ground of efficiency. If there are two officers on the same wage or salary, in accordance with an award or agreement, and one of them is chosen to carry out special duties in addition to his ordinary duties, he is chosen, as against another officer, to do those special duties, because it is considered he has some superior efficiency or additional suitability.

In cases of the kind referred to by the member for Williams-Narrogin, I think the officers concerned would be well protected, under this proposed legislation, on the grounds of efficiency. They would be able to argue, quite validly, that the giving to them of special duties, and the payment to them of a special allowance in connection therewith, was proof of their greater efficiency compared with other officers on the same wage or salary as applying under their award or agreement. Therefore I do not think we are entitled to give these officers a double advantage by saying that where they do special duties and receive a special allowance they shall be regarded as being senior to others with equal service in regard to the grade or classification concerned. In addition, as I said earlier, some of the special duties are very small and might carry additional payment of only £10 per year, and it would obviously be unfair to give such an officer an advantage over fellow officers on that account. I think the proper thing for the Committee to do on this question is to leave the Bill as it is, placing these officers in the position of having an advantage in regard to any argument on the point of efficiency.

Mr. DONEY: At first I thought requirements would be met by the provision for superior efficiency, but that really deals with the comparative efficiency of several men in one grade doing similar duties. My reference is to men of rather unusual aptitude who, by passing examinations, etc., have been required to do not only work attaching to their grade but also specialised work. The Minister agreed that if the special allowance was as high as £50 or £100, some recognition should be attachable to it. I have in mind individuals getting allowances of £100.

The Minister for Lands: Not for doing Commonwealth work, is it?

Mr. DONEY: No. One I have in mind is doing highly specialised work, for a layman, and receiving, I believe, more than an additional £70 a year. This indicates that the man is of unusual capacity for his grade and suggests that he should receive special consideration, but he does not get it in the portion of the clause quoted by the Minister. Therefore I hope the Minister will take a more lenient view of the amendment.

Mr. GRAHAM: I think the mover of the amendment is unwittingly seeking to insert a proviso that will destroy the whole value of the Bill. The basis of appeal is against action wrongly taken by the employer, and that stands only in respect of promotion or increase granted to a particular worker. If an allowance is to be regarded as a point in favour of seniority, all a responsible officer would have to do would be to grant an allowance to a particular person and thus automatically establish a point of seniority for him. The fact that a person receives an allowance in itself establishes a measure of efficiency in excess of that of other officers in the same grade. To go further would nullify the provisions of the Bill.

The MINISTER FOR WORKS: "Efficiency," as described in the Bill, means special qualifications and aptitude. Officers of the kind referred to by the hon. member would get the advantage they would deserve as a result of having special ability for special work.

Mr. Doney: Those I have in mind have special aptitude outside their work.

The MINISTER FOR WORKS: The fact that they are paid a special allowance for special duties would be a good argument to put before the board, but it would not be fair to give them a double advantage by allowing them a start under the heading of "seniority."

Mr. DONEY: The Minister concedes that if an appellant submitted the facts, it would tend to increase his chances substantially.

The Minister for Works: On the ground of efficiency.

Mr. DONEY: Quite so. I cannot agree with the member for East Perth, because my amendment is on a par with the four paragraphs that would precede it.

Amendment put and negatived.

Clause, as previously amended, agreed to.
Clause 14—agreed to.

Clause 15—Representation of parties and procedure:

Mr. DONEY: I move an amendment—

That in line 5 of Subclause (1) the words "not being" be struck out with a view to inserting the word "including."

An agent may appear for either of the three parties, but a solicitor may not. When I moved a similar amendment last year, the Minister objected on the score that a poor appellant might be able to employ only a poor lawyer and that a more affluent appellant could afford a good one. Just as there are good and bad lawyers, so do agents vary. Consequently, that deprives the Minister's contention of any value. The Minister then endeavoured to show that lawyers would be likely to be more argumentative and waste the time of the board. The member for Nedlands has countered that by pointing out that Arbitration Court agents charged more as a general rule than did lawyers, although I find that rather hard to believe.

The Minister for Lands: I have taken scores of cases in the Arbitration Court and never received 1s.

Mr. DONEY: The Minister may remember the distinction which I drew between good and bad agents, and bad and worse lawyers.

The Minister for Lands: It may have been cheap and nasty in my case. Nevertheless, I did it and so did scores of others.

Mr. DONEY: In order to justify the large fees that the agents might get, they might be inclined to speak longer in order to justify the higher fees. At that point the member for Geraldton came into the argument. He said that legal men should be kept out of this appeal court because they were prohibited from entering the Arbitration Court. I believe, however, that the Arbitration Court is the only court from which legal practitioners are barred. The circumstances of an appeal board will not be on all fours with the Arbitration Court, and we have not been told why lawyers should not appear in the appeal court. Short of some sound reason being given to the Committee, our opinion must be that the Minister ought to accept the amendment.

Mr. NEEDHAM: I hope the Minister will not accept the amendment. There is no question of law to be determined in the appeal court, but merely the promotion of a civil servant. It is a matter of equity, not law. I had occasion, while in the Commonwealth Parliament, to oppose the granting of the right of lawyers to appeal in the Commonwealth Court of Conciliation and Arbitration. I was not altogether successful, because provision was made in the Act that lawyers could appear in that court with the consent of all the parties—the employer, the employee and the court itself. That consent would be very difficult to obtain. The member for Williams-Narrogin raised the question of costs if legal practitioners were allowed to appear in the appeal court. Very few Government employees could afford to brief a member of the legal profession to appear in that court, nor should they be called upon to bear such an expense. Possibly the appellant may not be capable of presenting his case himself, but the organisation of which he is a member will no doubt be able to assist him in that direction. If not, then possibly some colleague in another department of the service may assist him in the presentation of his case.

Hon. N. KEENAN: I express the hope that the amendment will be accepted, although I expect that it will not, because of the survival of a very stupid form of prejudice. When Dickens wrote his famous novel, he made an utter fool of Serjeant Buzfuz, and so passed down a kind of tradition that lawyers were either Quirk, Gammon and Snap or Serjeant Buzfuz. As a matter of fact, I have heard every president of the State Arbitration Court say that he wished to goodness lawyers would appear before him, because the lawyer is bound—if he is properly trained—to condense, to get as much business through in an hour as an agent would get through in a day. The lawyer has the training to pick out the evidence that is relevant, and so will not take up the time of the court by a mass of evidence which has no real bearing on the matter at issue. So it would be in these appeal cases on questions of fact. Actually the greatest gift that any lawyer can possess is that of marshalling his facts. It is not so much knowledge of law that gives him high standing in *nisi prius* but the ability to

marshal facts in a way that the court can grasp easily and if possible to present those facts in a manner beneficial to his client, which is his special duty. That is what the agent would have to do under the Bill, only he would take a week to do what a lawyer would accomplish in a few hours. From the point of view of saving money, promoting greater efficiency and aiding the real interests of the appellants, I would like the amendment to be accepted.

Mr. Triat: That would mean that the party with the most money would get the best legal advice.

Hon. N. KEENAN: On the question of costs, I do not know if the member for Perth has had much experience in connection with the Arbitration Court, but I am told that these agents are highly paid.

Mr. Triat: They are paid nothing.

Hon. N. KEENAN: In fact, the payments are said to be so great as to make the mouths of lawyers water.

Mr. Cross: They do not get a penny for the work.

Hon. N. KEENAN: Unfortunately what I am saying is mere theory because I am shut out of the Arbitration Court.

The Minister for Works: You must be blacklisted.

Mr. Needham: The advocates get their salaries as union secretaries but nothing for their work as advocates.

Hon. N. KEENAN: At any rate, I hope the amendment will be accepted because I am certain that not a single president of the Arbitration Court holds an opinion other than that the court would function in a far better manner, more rapidly and more efficiently if lawyers were allowed to appear as advocates.

The MINISTER FOR WORKS: The Government gave a great deal of consideration to this point when the Bill was being drafted, and decided that the work of the board, especially regarding the appellants, should be made as inexpensive as possible and that any legal atmosphere should be excluded from the proceedings. I cannot accept the amendment.

Amendment put and negatived.

Clause put and passed.

Clause 16—Powers and duties of board:

Mr. NORTH: Subclause (2) provides that the board shall hear all appeals in public except when, by a unanimous decision, it directs that an appeal shall be heard in

private. Will the Government consider having the position reversed and appeals held in private unless the parties wish otherwise?

The Minister for Works: No.

Mr. NORTH: In the circumstances, I will not waste time by moving an amendment.

Clause put and passed.

Clauses 17 to 19, Schedule—agreed to.

New clause:

Mr. LESLIE: I move—

That a new clause be inserted after Clause 7, as follows:—

Special provision for employees absent on War Service.

8. In relation to employees who, when a vacancy occurs or a new office is created in a department, are absent from their employment under the State by reason of being members (a) of any of the Naval, Military or Air Forces of His Majesty or of any services auxiliary thereto engaged on active service in any war in which His Majesty is then engaged, or, (b) of any of the Naval, Military or Air Forces of His Majesty or of any services auxiliary thereto and have been temporarily retained after the end of any such war on occupational duties in a former enemy or enemy occupied territory or for any other similar purpose, the following provision shall apply and have effect:—

(i) For the purposes of this Act the permanent Head or other officer having under the Ministerial Head the supreme administrative control of the department in which the vacancy occurs or the new office is created shall be deemed to be the attorney of every employee employed in such department and absent from his employment as aforesaid with full power and authority in the name of the employee or in his own name for and on behalf of the employee—

(a) to make application for the appointment of the employee to such vacancy or new office; and

(b) in the event of the employee not being recommended for such appointment, to appeal under the provisions of this Act against any recommendation which has been made in relation to the filling of such vacancy or new office.

Provided that where such permanent Head or other officer aforesaid is the recommending officer in relation to the filling of the said vacancy or new office the officer in such department next after such permanent Head or other officer aforesaid in administrative control of the department shall instead of such permanent Head or other officer aforesaid be deemed to be the attorney of every employee aforesaid as provided for in this paragraph.

(ii) The Governor may make special regulations for the purpose of making every reasonable provision which he deems necessary

to ensure that employees to which this section relates shall not in any way suffer any loss of opportunity to apply for appointments by way of promotion in their employment under the State as such employees or to exercise the right of appeal conferred upon such employees by this Act.

(iii) Wherever the terms "employee" or "employee appellant" are used in any section (other than this section) of this Act such terms shall, unless the context otherwise requires, include the attorney of an absent employee under this section.

Apart from a slight alteration, the new clause is similar to one actually submitted by the Chief Secretary in the Legislative Council when a Bill of this description was considered last year. The only alteration is that which provides for members of the Services who may be temporarily retained after the end of the war on occupational duties in a former enemy or enemy occupied territory or for some similar purpose. Those men may be prevented from returning to resume their civil occupations for some considerable time after the war has officially ended. When I drew attention to this aspect in Committee last year, the Minister agreed to consult the Solicitor General about the matter with a view to having an amendment drafted for insertion in the Bill in another place. That amendment was included in the measure presented to the Council.

Mr. Watts: It did not actually get into the Bill because it was rejected. The amendment appeared on the notice paper.

Mr. LESLIE: That was the position.

The MINISTER FOR WORKS: The proposed new clause aims to protect the rights of Service personnel who immediately prior to enlistment were permanent employees of the Government. It is true, as the member for Mt. Marshall said, that he raised this question last year and the Government agreed to have an investigation made by the Solicitor General and, if found advisable, to have a suitable amendment included in the Bill in the Legislative Council. That amendment was placed on the notice paper but did not receive consideration because the Legislative Council defeated the Bill at the second reading stage. I propose to accept the new clause.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.40 p.m.