

Legislative Assembly

Wednesday, 14th September, 1955.

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

QUESTIONS.

TRAFFIC.

Census at Leederville.

Mr. JOHNSON asked the Minister representing the Minister for Local Government:

Has he any record of any traffic census taken in Leederville? If so—

- at what sites;
- at what dates, time of day and day of week;
- what figures were obtained?

The MINISTER FOR TRANSPORT replied:

Yes.

- Oxford-st., near the State school.
 - Cambridge-st., east of Kerr-st.

(iii) Loftus st., opposite Emmer-son-st.

(iv) Loftus-st., at intersection with Bourke-st.

(v) Loftus-st., at intersection with Vincent-st.

(b) (i) Monday, the 22nd February, 1954.

(ii) Tuesday, the 23rd February, 1954.

(iii) Monday, the 22nd February, 1954.

(iv) Wednesday, the 17th August, 1955.

(v) Wednesday, the 17th August, 1955.

All of these were continuous 12-hour counts from 7 a.m. to 7 p.m.

(c) The total counts over the 12 hours were:—

(i) 2,711 vehicles towards the city.

2,978 vehicles outwards from the city.

(ii) 2,021 vehicles towards the city.

1,660 vehicles outward from the city.

(iii) 1,939 vehicles towards the city.

1,737 vehicles outward from the city.

(iv) (a) south of intersection—
1,925 vehicles towards the city.

1,971 vehicles outward from the city.

(b) in Bourke-st., west of intersection—

333 vehicles moving west.
341 vehicles moving east.

(v) (a) north of intersection—
2,173 vehicles towards the city.

2,141 vehicles outward from the city.

(b) in Vincent-st., west of intersection—

827 vehicles moving east.
906 vehicles moving west.

Pedal cycles were not included in any of these counts.

COMMITTAL FOR THEFT.

Case of Morris.

Mr. JOHNSON asked the Minister for Justice:

(1) Was a person named Morris committed for trial for stealing in about June of this year? If so, on what date?

(2) Has the case been heard? If so, in what court, and with what result?

(3) If not, why not?

The MINISTER replied:

(1) Yes, on the 6th May and 25th May, 1955.

(2) The cases have not been heard.

(3) Morris was committed for trial on the complaint and prosecution of a private person. The police had refused either to make a complaint or to conduct the prosecution.

The private prosecutor has not applied for leave to present any information under Section 720 of the Criminal Code.

On the advice of the law officers, no indictment has been presented by the Crown and in order not to hinder the private prosecutor in his application for leave under Section 720 of the Criminal Code, no nolle prosequi has been entered by the Crown.

PERTH CITY COUNCIL.

Proposed Loan for Access Way.

Mr. JOHNSON asked the Minister representing the Minister for Local Government:

(1) Has his department particulars of the works for which the City of Perth proposes to borrow £50,000—(access way)?

(2) Have his officers taken steps to check the probable cost of the work and resumptions?

(3) If so, what is the estimate of the cost of the work and resumptions?

The MINISTER FOR RAILWAYS replied:

(1) The Perth City Council submitted plans for the proposed works to the Minister for Local Government through the Department of Local Government.

(2) and (3). The Department of Local Government has no responsibility so far as the cost of works and resumption included in loans is concerned.

HOUSING.

(a) Removals from Evictee Camps.

Mr. WILD asked the Minister for Housing:

(1) From what evictee housing camps is it intended to move the residents to other State Housing Commission accommodation?

(2) Has such movement already commenced and how many have been effected?

The MINISTER replied:

- (1) Allawah Grove.
Hilton Park East.
Leighton.
Naval Base.
Vale Park.
Wembley.

(2) Yes, 17 families.

(b) Expenditure on Water Supply, Brentwood.

Mr. WILD asked the Minister for Water Supplies:

(1) What amount of money has already been spent on the provision of water supplies for the new housing estate at Brentwood?

(2) How much is it intended to spend on the project this financial year?

The MINISTER replied:

(1) £29,000.

(2) £8,000.

(c) Negotiations for Land Purchase, Brentwood.

Mr. WILD asked the Minister for Housing:

(1) On what date were negotiations commenced for the purchase of the land for the new Brentwood housing estate?

(2) On what date was the deal finalised?

(3) From whom was the Brentwood estate purchased?

(4) What is the distance to Brentwood from—

(a) Fremantle;

(b) Perth?

The MINISTER replied:

(1) The 6th January, 1950.

(2) Not yet finalised.

(3) The executors of the estate of John Bateman.

(4) (a) and (b) Both within a radius of six miles.

FIRE BRIGADES BOARD.

Local Authorities' Contributions.

Hon. J. B. SLEEMAN asked the Minister representing the Chief Secretary:

What were the amounts contributed to the revenue of the Fire Brigades Board by each of the local governing authorities within the Metropolitan Fire District during the year 1954 and the current year?

The MINISTER FOR HOUSING replied:

The particulars are as follow:—

Municipalities.	Year ended 30-9-1954.			Year ended 30-9-1955.		
	£	s.	d.	£	s.	d.
Claremont	984	3	8	1,422	9	4
Cottesloe	1,044	10	4	999	11	0
East Fremantle	622	0	8	602	2	4
Fremantle City	2,882	13	8	2,803	14	8
Guildford	340	0	4	309	18	4
Midland Junction	682	2	8	565	1	0
North Fremantle	472	5	4	436	5	4
Perth City	23,787	0	8	23,817	13	0
Subiaco	2,020	4	4	1,880	9	8

Road Boards.

Bassendean	651	13	4	927	18	0
Baywater	1,000	13	0	1,135	11	4
Belmont Park	1,005	18	8	1,695	7	8
Canning	833	1	4	1,084	18	8
Meville	1,657	1	4	3,166	5	4
Mosman Park	607	18	0	574	7	0
Mundaring	179	1	8	188	7	8
Nedlands	2,233	15	0	3,559	6	8
Peppermint Grove	259	16	8	246	6	4
Perth	5,299	7	8	6,781	4	0
South Perth	2,101	13	8	3,358	9	0
Swan	259	2	10	280	15	4

ELECTRICITY SUPPLIES.*(a) Extension to Dwellingup.*

Hon. Sir ROSS McLARTY asked the Minister for Works:

(1) In view of the centralising of timber milling at Dwellingup, is it the intention of the State Electricity Commission to extend electricity to that district?

(2) If not, what are the reasons?

The MINISTER replied:

(1) Yes, but it cannot be contemplated until further development in connection with the South-West power scheme makes it technically possible.

(2) Answered by No. (1).

(b) Tenders for Bunbury Installation.

Mr. ROSS HUTCHINSON asked the Minister for Works:

(1) In view of the fact that the successful tenderer's figure for the lighting and small power installation for the Bunbury generating station was £4,925 and the lowest tender was £4,377, will he inform the House of the reasons for the acceptance of the higher figure?

(2) How long has the successful tenderer, in this case, been operating?

(3) In view of the importance of this matter as far as genuine competitive tenders are concerned, can it be taken as understood in the future that the lowest tender will be accepted unless there is some good and valid reason for its rejection?

(4) In order that the benefits of real and competitive tendering may be achieved, will he give an assurance that, when lower tenders are rejected and firms request the reason for their rejection, in the future such reasons will be given so that firms may be able, for instance, to adjust their standards?

The MINISTER replied:

(1) The reason was that work of a similar type which had been done on an earlier contract by the lowest tenderer had been unduly prolonged, causing undue bother and extra costs.

(2) About 18 months.

(3) Yes. This is the standard policy of the commission and of the Government Tender Board.

(4) The Government Tender Board decides whether reasons should be given for the rejection of tenders. In cases such as this, which rarely occur, the commission would be happy to help contractors to adjust their standards.

EASTERN SUBURBS.*(a) Definition of Boundaries.*

Mr. JAMIESON asked the Minister for Lands:

As there has been much confusion of late in the eastern suburbs as to the various district names, and boundaries thereof,

would he request the Nomenclature Committee to make a public statement defining such districts?

The MINISTER replied:

Yes; action will be taken immediately.

(b) Facilities for Transaction of Public Business.

Mr. BRADY asked the Minister for Works:

In view of the growth in population and industrial expansion of the suburbs north of Bayswater, i.e., Bassendean, Guildford, Midland Junction, Bellevue, will he consider the establishing of a Public Works building and arrange staff, to deal with water supply, sewerage and similar matters, to avoid the necessity of residents having to travel to the city?

The MINISTER replied:

A weekly local office day for the receipt of revenue and attention to inquiries has been established at Midland Junction for many years.

However, the practicability of establishing a full time branch office will be investigated.

EDUCATION.*(a) School Bus Costs and Revenue Expenditure.*

Hon. A. F. WATTS asked the Minister for Education:

(1) What was the annual total cost of school omnibuses for each of the financial years 1952-53, 1953-54, and 1954-55?

(2) What was the expenditure from revenue on education for each of the same financial years (excluding university grants) and what percentage of total State revenue did such expenditure represent in each year?

The MINISTER replied:

The details are—

(1) Expenditure on bus contracts—

	£.	s.	d.
1952-53	630,543	14	8
1953-54	711,259	7	3
1954-55	747,737	2	10

(2.)

	Total Expenditure from Education Vote.	Total State Revenue.	Percentage of Education Expenditure to Total State Revenue.
	£	£	%
1952-53	4,342,770	38,584,236	11.168
1953-54	4,703,563	43,145,840	10.901
1954-55	5,546,234	45,719,846	12.130

(b) Bus Service for Koongamia Children.

Mr. BRADY asked the Minister for Education:

Pending the building of a new school at Koongamia (Greenmount Reserve 2101), will the Education Department arrange to pick up by bus children obliged to walk to Bellevue and Midland Junction schools?

The MINISTER replied:

It is not the policy of the Education Department to provide transport for children who reside within the compulsory radius of a school.

All children residing at Koongamia reside within the compulsory radius of either the Bellevue primary school or the Midland Junction High School and are not, therefore, entitled to free transport.

The Education Department has made representations to the bus company operating in the district to provide a service for schoolchildren resident on the Koongamia Estate but no finality has yet been reached.

RAILWAYS.

Rumoured Extension, Ongerup-Eastwards.

Hon. A. F. WATTS asked the Minister for Railways:

(1) Is any consideration being given to any proposal to extend the railway east of Ongerup?

(2) If so, will he make a definite statement of the department's intentions in this matter, as other proposals for road improvement, bulk handling, etc., east of Ongerup, cannot be pressed while a rumour of railway extension persists?

The MINISTER replied:

(1) and (2) The prospect of extending the railway east of Ongerup is at present under examination by the Railway Department and it is expected a report of their investigations will shortly be submitted to the Government.

LOAN FUNDS.

State Indebtedness, 1947-54.

Mr. YATES asked the Treasurer:

What was the State's loan indebtedness in the following years:—

1947; 1948; 1949; 1950; 1951; 1952; 1953; and 1954?

The MINISTER FOR WORKS (for the Treasurer) replied:

	£
1947	98,457,017
1948	100,120,245
1949	103,625,921
1950	109,479,162
1951	123,178,420
1952	137,965,218
1953	152,141,493
1954	165,371,704

BETTING CONTROL BOARD.

Licence for Mt. Barker.

Hon. A. F. WATTS asked the Minister for Police:

(1) Has the Betting Control Board yet decided on a betting shop licence at Mt. Barker?

(2) If so, who is the licensee?

(3) If not, when will a decision be reached and what is the reason for the delay?

The MINISTER replied:

(1) No.

(2) Answered by No. (1).

(3) A decision will probably be reached next week. Only on the 8th instant had one applicant indicated that his proposed premises are now available to him. Other applications have been received from Mt. Barker, the inquiries on another one of which have only just been completed. There has been no undue delay in this matter.

MOOLA BULLA CATTLE STATION.

Care of Natives.

Mr. COURT asked the Minister for Native Welfare:

(1) Before tenders for the purchase of Moola Bulla were accepted, concurrently therewith or subsequent thereto, was any approach made to the Government or the department, for the natives at Moola Bulla to be taken care of by a church mission or other such body?

(2) If so, what was the nature, and what was the decision in respect of such offer?

The MINISTER replied:

(1) The Presbyterian Board of Missions made an approach to take over Moola Bulla native station as a mission some years ago, but this was rejected in favour of assisting them to establish Wotjulum mission at Yampi Sound.

Subsequent to the acceptance of tenders the Australian Board of Missions approached the successful tenderer regarding the establishment of a mission at Moola Bulla and the Commissioner of Native Welfare was invited to take part in the preliminary discussion. He declined on the ground that he would be unable to commit the Government and that the board would be better advised to complete its negotiations with the tenderer and then submit a definite proposal to the department for consideration by the Government.

No such proposal or formal application to establish a mission at Moola Bulla has been received by the department.

(2) Answered by No. (1).

BILLS (3)—FIRST READING.

- 1, Licensing Act Amendment (No. 1).
Introduced by Mr. Ross Hutchinson.
- 2, Administration Act Amendment.
- 3, Trustees Act Amendment.
Introduced by Mr. Oldfield.

MOTION—BETTING CONTROL ACT.

To Disallow Restriction on Operations Regulation.

MR. HEARMAN (Blackwood) [4.50]: I move—

That regulation No. 31 made under the Betting Control Act, 1955, published in the "Government Gazette" on the 6th May, 1955, and laid upon the Table of the House on the 9th August, 1955, be and is hereby disallowed.

In doing so, the arguments that I advance are exactly the same as those which I put forward last week in connection with regulation No. 24. In this instance, regulation No. 31 reads as follows:—

A licence authorises the holder of it to do only such acts and to do them only at such times and places and in such circumstances as are specifically stated in these regulations or as are specified in the licence itself, and authorises the holder only to do any of the acts while he is doing it in accordance with the regulations.

This regulation applies to the registration of premises and, as I have said, my objection to it is exactly the same as the objection I had to regulation No. 24. It is unfortunate that I have to move this motion before I have heard the Minister's reply to my previous motion which I moved last week and which today is placed further down the notice paper.

Briefly recapitulating my previous remarks, I say that the regulations do not make quite clear the terms and conditions that are to be imposed on licences of premises, and all I am asking is that the Betting Control Board shall advise Parliament what those terms and conditions are. It might be necessary for Parliament to give statutory authority to a body such as the Betting Control Board to draw up regulations, but I think that at least those regulations should be quite clear and we should be fully acquainted with the policy of the board. It seems to me that these regulations refer to terms and conditions without giving us any indication of what they are, and that is something to which Parliament should object.

My motion should not necessarily be taken as criticism of the board, because, if eventually it makes the position clear to us, we may be quite in accordance with its ideas. It is purely a question of the board not telling Parliament where it stands in this matter. If the board continued along this line of action, it would develop into a sort of *Pooh Bah*, and we would not know what it was doing or why. The motion is merely requesting the board to tell us what it is doing in regard to these regulations.

On motion by the Minister for Police, debate adjourned.

MOTION—BETTING CONTROL ACT.

To Disallow Refusal of Licences and Restriction to Males Regulation.

Debate resumed from the 31st August on the following motion by Mr. Yates:—

That regulations Nos. 20 and 32 made under the Betting Control Act, 1954, published in the "Government Gazette" on the 6th May, 1955, and laid upon the Table of the House on the 9th August, 1955, be and are hereby disallowed.

THE MINISTER FOR POLICE (Hon. H. Styants—Kalgoorlie) [4.54]: The proposal contained in this and in the previous motion is, in the first place, to disallow regulation No. 20 and regulation No. 32, which are closely related. As I have endeavoured to point out to members of this House and to the public of this State, per medium of the Press, the control of betting in Western Australia is an experiment. It is quite likely that, as a result of experience, it will be necessary to alter a number of regulations and also our preconceived ideas on the question. It is an experiment that is being watched by all mainland States in Australia.

S.p. betting, of course, has been legalised in Tasmania for 22 or 23 years, and that State already has experience of such legislation, but we are endeavouring to effect an improvement. However, we find that, in spite of the intricate nature of the task that confronted the Betting Control Board and the Crown Law officers in drawing up regulations that would cover every phase and angle of the matter, within a few days of the proclamation of the Act, members of Parliament are moving to disallow certain regulations, even before they have been given a reasonable trial.

The very fact that only about four regulations out of a hundred have been challenged is a tribute to the board and the Crown Law Department in their endeavour, and the job they have already performed, to draft regulations that will cover all the ramifications of off-course betting. From what I have seen of the shops themselves and of the offices at the back of the premises, I am satisfied that off-course betting is a real science. As I have said, it will probably be necessary to draft other regulations and amend the existing ones which, in course of time, will be found not to be suitable to meet the requirements of off-course betting.

The effect of paragraph (1) of regulation No. 20 is that the board may, in its discretion, refuse to grant a licence either for betting premises or to a bookmaker and that it shall not necessarily be compelled to give a reason for such refusal. I know that the hon. member does not intend to throw a spanner into the working of this legislation because last year,

when the measure was before the House, he indicated that he was concerned with placing off-course betting on a higher plane than that which operated in this State before the legislation was passed, and in other Australian States. The hon. member does not question the authority of the board to refuse a licence to a bookmaker or for the registration of betting premises. The question he does raise is whether it should be necessary for the board to notify either the owner of the premises or the person who applies for the bookmaker's licence the reasons why the licence was not granted.

Under the Act, the board is charged to grant licences and to register premises commensurate with the reasonable requirements of the betting public and bearing in mind the general interests of the community. If both these requirements have been fulfilled by the board, it could, within its powers, refuse to licence either any more bookmakers or further betting premises. Even if the community is not adequately served, the board can refuse to register premises because of their unsuitability for betting. That is one of the requirements the board has insisted on, namely, that premises should be of a high standard.

I am particularly pleased with the licensed betting premises that have already been provided. Following my visit to Tasmania and the resultant interview with the chairman of the Racing Commission in that State, I ascertained that one of the weaknesses there was the poor standard of premises that had been provided, and, although the then chairman of the Racing Commission had been appointed only for a short time, he had already given notice that the premises had to be improved. So there is no question of the board being censured for authorising these things.

We come to the real crux of the hon. member's motion and that is that, after having refused a bookmaker a licence, the board should notify him of the reasons for the refusal. I point out to the hon. member that he will not achieve his objective if he persists with his motion and is successful in having the regulation disallowed because the Act gives the board power to refuse a licence but there is no direction given to it that it shall supply the reasons for such refusal. Thus, if the regulation is cancelled there will still be no direction to the board to give its reasons, unless another regulation were to be brought down. That would be unlikely.

Mr. Yates: The Act could be amended to embody the regulation.

The MINISTER FOR POLICE: That could be done but I hope the House will not agree to the disallowance of the regulations. I do not think any good purposes will be served and there is no need for it.

Mr. Yates: Why do you not think that an applicant should be given the reason for refusal?

The MINISTER FOR POLICE: There might be many reasons. The applicant might have a police record.

Mr. Yates: Then he should be told.

The MINISTER FOR POLICE: Why? He knows he has a police record and that he cannot get a licence for that reason. Why should the board have to write and tell him? He knows very well why he has not been granted a licence.

Mr. Hearman: Is it the position that an applicant who has a police record will not get a licence?

The MINISTER FOR POLICE: I will not say that applies in all cases.

Hon. A. F. Watts: How would an applicant know if it does not apply in all cases?

The MINISTER FOR POLICE: I do not know what the member for Moore would do; he would carry his vindictiveness to any extent. If an applicant committed a misdemeanour 25 years ago and has a police record but has lived a straight life since, why should this be held against him? Is he not to be given the opportunity of making good? After all, he has paid his debt to society. This House was adamant that the Minister should have nothing to do with the issue, renewal or cancellation of licences for bookmakers or for premises, and I have rigidly adhered to that. I do not want to be mixed up in it. It is the sole prerogative of the board to carry out those functions, and it has done so.

Except for the few cases which have been queried here and brought to my notice by members of Parliament, I have no knowledge of the manner of issuing licences for bookmakers or for premises, and I do not intend to be involved in it either. Even if the regulations are disallowed, the board will not be compelled to give a reason, and I do not know of any logical ground why it should be compelled to do so. What a reply by the board would possibly do would be to set up a chain of correspondence. If the board wrote to an applicant for a licence for premises or for bookmaking, setting out the reason for refusal to grant such a licence, saying that he was not suitable or the premises were defective, there would be a reply and a contention by the applicant that he should get a licence and his premises were all right. This would mean additional staff being engaged by the board.

Mr. Yates: That is the democratic right of every citizen.

The MINISTER FOR POLICE: I do not think it is a democratic right. I do not think there is any necessity to give a reason.

Mr. Yates: There should be.

The MINISTER FOR POLICE: I disagree. The hon. member suggested that if a reason were given, it would stop a lot of talk. Of course, I realise there has been a lot of talk outside about this matter. I have had cases investigated in which talk was going on, and in not one instance has there been any vestige of truth in the allegations. I have a great deal of sympathy for a number of applicants who missed out on licences. It was well known that there were too many people carrying on the illegal calling of off-course bookmaking.

It was, of course, evident that quite a number of applicants would not be granted licences, and some of them were men around 60 years of age who had made off-course bookmaking their means of livelihood for some 20 or 30 years. They were too old to take up other occupations and found it very hard, but there was no need for them to have gone around making insinuations about the honesty of the board. Such action will not help them as far as the board is concerned. The prestige and honesty of the chairman of the board is acknowledged by all in this State. It was very difficult to get him to take on the job.

People who infer that graft is paid, or subterfuge is adopted, in order to get premises or bookmakers licensed, are unpopular with the general public. As far as talk is concerned, if I were to believe all I heard about the mover of this motion, I would have need to carry a machinegun with me if I spoke to him after dark. I know different; I know he is an honest and a reliable person. I have no objection at all to his ventilating his grievance with the regulation, but I do not think it is necessary for the board to give a reason. If the refusal is on purely personal grounds, it could possibly be given, but the information would not be any news to the applicant.

I have in mind two or three persons who have not been issued a licence purely for personal reasons. It would be no news to them to be told those reasons and it should not be necessary for the board to engage typists and clerks to write to applicants telling them why they did not get licences. If the board decides that premises are not suitable, that should be the final decision. The business of the board is closely related to horseracing.

In horseracing, if the Western Australian Turf Club decides not to give a reason for refusing to issue or renew a bookmaker's licence, it does not have to give any personal explanation, or any explanation at all. I cannot agree to the motion and I hope the House will not disallow the regulations. No good purpose will be served. All it would do would be to create a tremendous amount of clerical work and bring about an endless chain of correspondence between the board and applicants.

Mr. Bovell: Do you not consider that it would be advisable to let those applicants, who have been engaged as starting-price bookmakers and been refused a licence, have some indication as to why they were not granted licences?

The MINISTER FOR POLICE: No. I see no obligation on the part of the board to do this. Where four illegal s.p. bookmakers operated around one hotel in the metropolitan area, was it necessary when only one of them was granted a licence for the board to write to the other three telling them the reason why they were not granted a licence? Of course, there was not the legitimate business for four operators. They know just as well as the board why they were not granted a licence. If a reason were given there would be endless arguments that one applicant was more entitled to a licence than another. Under those circumstances it was better to let the board be the deciding factor and its decision be final.

Dealing with past records, it was an understanding at the outset that convictions for offences against the traffic regulations—the farcical provision in the Act upon which offenders were prosecuted previously—were not to be regarded as offences when an application for a licence was considered, and such convictions have not been held against applicants. It is only when a serious record in respect of a major and criminal offence is disclosed that any consideration is given to that aspect, but whether any application has been rejected on that score I could not say.

Reference has been made to paragraph (3) of regulation No. 20 relating to the forfeiture of application fees, when an application for registration as a clerk, bookmaker or for premises is rejected by the board. I agree that this regulation could be dispensed with. During his speech, the member for South Perth suggested that he did not consider it was imperative that refunds should be made retrospective, but rather that the regulation should be disallowed, and all fees which had already been collected should not necessarily be refunded to the applicants. He suggested that in future where application is made for registration of premises or for personnel connected therewith, and is refused, the fee should be returned. I agree with that and I am prepared to go further.

The idea in framing a regulation to forfeit the fee of an unsuccessful applicant was to prevent the anticipated deluge of applications that would have been had had no penalty been imposed. If there had not been some deterrent to prevent people from making application, knowing there would be no penalty by way of forfeiture of fee, there would have been thousands of applications. That phase of the business has passed and I believe the

regulation had the desired effect. I think that applications should be confined to genuine applicants who consider they have a reasonably good chance and have logical reasons for assuming they would be registered or that premises would be registered.

If the hon. member is prepared not to press this matter I will give an assurance that the regulation will be repealed and its place will not be taken by another which would give the same effect. I also give the assurance that moneys which have been received and forfeited to the Crown will be refunded to applicants.

The other regulation dealt with is No. 32, which provides that bookmakers' licences are to be issued only to males over 21 years of age. When this was framed we did not visualise what could take place in betting shops. After personal inspection in the city, in the metropolitan area and in the country, I think this regulation can be varied without any detrimental effect. The hon. member's main point was that a man's wife should be permitted to carry on the business if she were considered by him to be capable of looking after it, and if he were away sick or went away for any other permissible reason. I use the expression "permissible reason" because a man must have the permission of the Betting Control Board before he can absent himself from the premises.

There are a number of women who are the wives of men who were illegal s.p. bookmakers in the past but have now been registered, and those women know just as much of the business as their husbands do. On many occasions, they used to conduct the business on behalf of their husbands and probably did the major portion of the work. I think that we can meet the wishes of the hon. member in this matter by introducing a regulation covering that phase.

Mr. Bovell: I think you should extend it to include any woman who was engaged in s.p. betting prior to the passing of the Act.

The MINISTER FOR POLICE: I do not think I would be quite prepared to do that. However, the Government is willing to meet the request of the member for South Perth.

Mr. Bovell: Why would you not be prepared to do what I said? On your own argument—

The MINISTER FOR POLICE: Let the hon. member wait a minute and I will tell him! The hon. member is always so impetuous; that is the trouble. I have said that we are prepared to meet the wishes of the member for South Perth in regard to permitting a wife to manage the business and giving her access to all portions of the betting shop and all phases of the business. In addition, as a result of my observations, I believe we could ease the regulations to the extent of providing that

women over the age of 21 could be engaged in the offices associated with the betting shops, attending to the accounting machines or to the telephone, taking ordinary messages or bets. They could also be used in the shops for the purpose of providing refreshments for the staff.

Hon. Dame Florence Cardell-Oliver: And they might be neglecting their homes and children.

The MINISTER FOR POLICE: I would say that most likely such women would be single and would not have homes and children to think about. As a matter of fact, evidently I have a much higher opinion of the average woman than has the hon. member. I do not believe that a woman doing a job of that kind, or even earning a livelihood in a grocer's shop, would do so to the neglect of home and children. I have a reverence for our womenfolk.

Hon. Dame Florence Cardell-Oliver: And you will put them in betting shops and brothels!

The MINISTER FOR POLICE: Mr. Speaker, I would like a withdrawal of the remark that I would put any of our womenfolk in a brothel or be a party to any such action. I want an unqualified withdrawal of that remark.

Mr. SPEAKER: I would ask the member for Subiaco to withdraw the remark.

Hon. Dame Florence Cardell-Oliver: No, I will not! I am going to get out.

The Minister for Lands: You are mad!

Mr. SPEAKER: I would advise the hon. member to withdraw.

The MINISTER FOR POLICE: It was a most insulting remark.

Mr. SPEAKER: Order! The hon. member must withdraw.

Hon. Dame Florence Cardell-Oliver: There is only one word that the Minister asks me to withdraw. I withdraw the word "brothel," for what it means!

The MINISTER FOR POLICE: That is quite suitable to me. I do not think that there should be any discrimination against the employment of women in what is a legalised and respectable business under this regulation.

Mr. Bovell: But you are differentiating in cases where women have been engaged in the industry before, inasmuch as they are being denied the right to apply for the purpose of continuing their activities.

The MINISTER FOR POLICE: On the basis of equality for the sexes, I would point out that there are scores of men who were employed in off-course book-making, but who are not working in the business now. I cannot see any reason for discrimination between the sexes on this point. Why should we say that because a woman was employed in an s.p. shop prior to the legalisation of s.p. betting,

she should be employed there now, any more than we would say that many male bookmakers who were proprietors of shops, and their employees should still be employed?

Mr. Bovell: I am not saying that. I am contending that on the basis of equality of the sexes they should have had the right to apply, and they did not have it.

The MINISTER FOR POLICE: If the hon. member had not been so impetuous, he would have discovered that when I was charged with being a procurator agent for brothels, I was leading up to an explanation of what I was prepared to do. I consider that there should be no bar to women over 21 being engaged in betting shops, except in those sections where they would be brought into direct contact with the clientele. I can assure the House that that will be done.

Should the hon. member not press his disallowance motion, we will see that the regulation that provides only for the employment of males over 21 is repealed, and that another is introduced within a short time to permit the wife of a licensed bookmaker to conduct the business and have access to all portions of the shop and all phases of the business while he is away. We will introduce a regulation that will replace this one, so that the application will be not merely to males over 21 but to females, who will be permitted to work in sections of the betting premises where they will not come into direct contact with the clientele.

Hon. Dame Florence Cardell-Oliver: Is that the case in Tasmania? Is that done there?

The MINISTER FOR POLICE: It is rather a different set-up. There is no prohibition against women taking money in Tasmania. I think that the Minister for Works and I saw a woman taking money there one night. Is that not so?

The Minister for Works: I do not remember.

The MINISTER FOR POLICE: I cannot say for certain, but I have a recollection that on a Friday night, prior to a race meeting on the Saturday, I saw a woman behind the counter in one of the small suburban shops.

The Minister for Works: No; she was going to make a bet.

The MINISTER FOR POLICE: The employees in all the other shops which I visited were males. I do not know whether females would have been permitted to work in the offices at the back of the shops. However, I would have a distinct objection to the employment of a woman taking money over the counter and coming into direct contact with the clientele. As I have said, we are prepared to bring down a regulation to provide that a licensed bookmaker's wife

may look after his business in his absence; and another to provide that women over 21 may be engaged in activities in betting shops which did not bring them in direct contact with the clientele.

Mr. Bovell: Could you not include something about widows and single women so that it would comply with the Licensing Act in regard to the licensing of hotels? They have to earn a living; and on the basis of equality of the sexes, they should be given the opportunity of holding licences, and—

Mr. SPEAKER: Order! Surely there is a time limit on interjections!

The MINISTER FOR POLICE: If the hon. member would submit his suggestions to the Betting Control Board, I have no doubt that every consideration would be given to them. But I think that the policy which is usually recognised is that there shall be no discrimination so far as the sexes are concerned.

A question was raised as to whether the Act in its present form—or rather the regulations—contravened the Women's Legal Status Act. I had a look at that Act; and I think it would have to be stretched to a very great extent to enable us to say that the regulation prohibiting the employment of females in betting shops contravened the Act. I obtained an opinion from the Crown Law Department, which I propose to read to the House. It is as follows:—

The Women's Legal Status Act provides that a person shall not be disqualified by sex from the following:—

(a) From the exercise of any public function.

On this point the Crown Law opinion is:—

Neither a bookmaker nor his employee is remunerated from funds provided by Parliament or is discharging any duty which is recognised as a part of the Public Service. He is therefore not exercising a public function.

The statement from the Crown Law Department continues:—

(b) From being appointed to or holding any civil or judicial office or post.

In my opinion the civil office or post must be one the holder of which is remunerated out of moneys provided by Parliament and must involve an appointment by an employer or appointing authority. Therefore, in my opinion, a bookmaker or his employee is not a person "appointed to or holding any civil or judicial office or post."

(c) From practice as a legal practitioner or from carrying on any other profession.

A bookmaker in my opinion carries on a vocation or business but not a profession.

So the opinion of the Crown Law Department is that the regulation does not contravene the Women's Legal Status Act.

I would be prepared to meet the hon. member entirely so far as the employment of women is concerned. I might go even a little further than he indicated. I think he said that his main concern was that the wife of a licensed bookmaker should be allowed to look after the business in her husband's absence. I would be prepared to do away with the provision relating to the forfeiture of the licence fee which has to accompany any application. I would be prepared, through the legal process, to provide for a refund of any fees forfeited to the Crown.

The other proposal I must oppose. I do not consider that any good purpose would be served by making it mandatory for the board to inform an applicant of the reasons for his not being granted a licence, if the board is satisfied that there are very good reasons why such licence should not be granted. There may be quite a simple explanation for the refusal. Possibly there might be sufficient shops already in the locality or something of a very personal nature might be involved. So I could not agree to what is suggested in that regard.

MR. HEARMAN (Blackwood) [5.30]: I was afraid that the Minister, when he first started, was going to oppose everything, but I am pleased that he has given the member for South Perth a fair measure of co-operation. The question of returning the fees is an important one, and so is the matter of refusing to give reasons for not granting an application. I would like the Minister to have another look at that point. I know of a man who was an s.p. bookmaker for 17 years and has been refused a licence. He has applied again which means that he has had to send in another fee of £10. It might be that there is some blot on that man's copy book, of which he is not aware, which means that he will never get a licence.

Some further consideration could be given to the question of advising people why they are not given a licence. If that were done it might prevent a number of individuals from wasting time and energy in trying to get one. I agree, as the Minister has said, that the board might be embarrassed if it had to give reasons. Several quite suitable people might apply, and the board might have to decide which one of them should receive the licence. It might not have any objections to the others, although there might be some objection to a particular individual which would preclude him.

As the Minister mentioned, an applicant might have a police record. I agree that a police record should not be a complete bar. In the opinion of the board a conviction for drunken driving might be sufficient to bar a man from holding a licence. The board might consider that it showed an irresponsibility which made the man unsuitable to be a licensed bookmaker. The man might not know that that is the opinion of the board, and he might continue to make application. It is fair enough to allow the man to know the reason why he is refused and so save him the bother of making future applications.

Now that the Minister has agreed to ask the board to reconsider this question of refunding the application fees, the matter takes on a slightly different aspect. Until such time as this is done, it could well be that the board is taking the money almost under false pretences. I can quote an instance of a man who has made two applications, and the second one is pending. It might be that there is some objection to him so that he will never get a licence. He might apply half-a-dozen times without having a chance of being considered. The board would be taking the fee from him each time knowing full well that he had no chance. I am pleased that the Minister has agreed to delete that particular regulation.

I do not quite know how this has come about because the Minister has explained that he has not interfered with the board in any way, and under the Act he accepts no responsibility in connection with licensing. It appears now that he has been able to sway the board to go part of the way required by the member for South Perth. I am pleased that the Minister has some influence with the board, if not direct control.

Furthermore, the Minister did say that under the Act there was no obligation on the board to state its reasons for refusing a licence. But that in itself does not mean that it is not desirable that it should do so. The Minister mentioned that there had been certain allegations of graft and corruption in connection with the board. I do not suggest that there is any worthwhile evidence that anything of that nature has occurred, but I point out that British peoples, generally speaking, and those who have the administration of any law, have accepted the idea that not only shall justice be done, but that it shall appear to be done.

When we get all sorts of irresponsible statements, which can in no way be attributed to the board, a situation can arise where it appears that an injustice has been done. For that reason I commend to the Minister the idea that some provision should be made whereby a man who requires it shall be told the reason why he has not been given a licence. In answer to a question yesterday, the Minister as good as told the member for Mt. Marshall

that he was at liberty to tell a certain applicant, who had been unsuccessful, why the licence had not been granted.

I am not clear on where we stand there. The member for Mt. Marshall was allowed to look at the file, although it was not tabled, and he was told by the Minister that he could, in effect, disclose what was on the file, or part of it, yet it is still not public property. It does not seem to be a completely satisfactory position. If a member asks to see a file privately, and is told he can disclose portion of it to the person concerned, it seems to me it might be much better to table the file.

The Minister for Works: And tell the world about it.

Mr. HEARMAN: Yes.

The Minister for Works: There might be a difference of opinion about the desirability of that.

Mr. HEARMAN: If the person concerned wants it done that way, he brings it on himself. Either the file is confidential, or it is not. I cannot see how a file can be regarded as being confidential if a member is given the right to disclose portion of it.

The Minister for Police: What I told the member for Mt. Marshall was that in future the member making inquiries would have to produce a letter from the person concerned, otherwise he would not see the record.

Mr. HEARMAN: That is true, but apparently he is allowed to see the record and then disclose portion of it. The Minister might have another look at that point. In my opinion a file should be either confidential or open. It would be preferable if the man could write to the board and the board could reply giving him some indication of the reason for the refusal of his application.

The Minister for Police: He can call on the board and be told personally, but we do not want any more office staff.

Mr. HEARMAN: If he can do that, we are getting somewhere.

The Minister for Police: That has always been so.

Mr. HEARMAN: I do not know that it has; it has certainly not been generally known because I am certain that if it had, a great number of people would have called at the board's office to seek information. Under the regulation there is no obligation on the board to disclose the reasons at all. I think it is that regulation which has discouraged many people from going to the board; and it is the same regulation that has led to the irresponsible statements reflecting on the integrity of the board.

Whilst everyone who has been granted a licence might be perfectly reputable, I know that some have made rather irresponsible statements. I have in mind

that one person who had never done any s.p. bookmaking, bragged, before he was licensed, that he would get a licence. He got it over the heads of people who were previously betting.

The Minister for Works: I have heard people bragging about getting into Parliament, and they got in.

Mr. HEARMAN: That is true.

The Minister for Works: But they could not be certain.

Mr. HEARMAN: That is so. Irresponsible statements by people to the effect that they have influence and will get a licence, and they do get it while another man who appears to have an equal chance does not get it, create difficulties.

The Minister for Police: You are just as irresponsible for repeating them here.

Mr. HEARMAN: I do not think so, because I am pointing out that if the board is prepared to disclose its reasons should the applicant come along and make the request, as the Minister now tells us it will, then we can clean the matter up. But that has not been the position inasmuch as the people have not known that the board was willing to advise them, on personal application, why their applications were rejected. I realise also that the board may not always be able to satisfy everyone.

If two perfectly good men made application, and only one licence was to be granted, the board probably could not give any very convincing reply to the unsuccessful applicant. At the same time, I do think that a little more information in that direction is worth while. I have pretty well achieved my objective now inasmuch as the Minister has advised us that anyone who has been refused a licence can apply personally to the board and he will be given reasons for the refusal. That brings the matter out into the open to the extent that no one will, in the future, be able to say he did not know why he did not get a licence.

The member for South Perth has perhaps had this point clarified quite a bit apart from the other minor victories he may have achieved such as those in connection with the employment of females and the returning of application fees. This does indicate the usefulness of permitting regulations to be debated in Parliament. Even if the motion is not carried, it has served its purpose. It seems to me that the member for South Perth has won pretty well all along the line. I have nothing further to add.

MR. BOVELL (Vasse) [5.43]: I did not support this legislation when it was introduced, but Parliament in its wisdom passed it and it has now become law. I was surprised that there was discrimination in regard to sexes, and that females

were barred. It is the general opinion of members opposite that there should be equality with regard to the sexes. The regulation to which I referred by interjection preventing females from applying for licences, rather astounded me.

Women were associated with starting price bookmaking before this legislation was passed, but they are denied the opportunity of applying for a licence. I understand that the Licensing Act allows single women and widows to hold a hotel licence. I believe that a married woman is not permitted to hold a licence in her own name. Although I was opposed to the legislation, I am a law abiding citizen, and I hope that the Licensing Act will be perused, and that the facility which appears in it will be given to females by the measure now under discussion. I ask the Minister to give consideration in that direction and to equal equality of sexes in this matter.

MR. JAMIESON (Canning) [5.45]: While I have very little quarrel with the arguments put forward by the Minister in regard to the disallowance of any part of regulation No. 20, I, like the member for Vasse, feel that there should be no differentiation made between the sexes. It ill behoves any authority to publish a regulation which bars certain people from a particular avocation because of a biological difference. It appears to me completely unnecessary and I know that the Minister will give the matter further consideration. I hope that he will be sufficiently liberal to amend that part of the regulations so that no difference will be made between the sexes.

Hon. L. Thorn: The Government is endeavouring to place women on juries.

Mr. JAMIESON: That is quite correct. Let me hark back for a moment to the Women's Legal Status Act passed in 1923. I do not entirely agree with the Crown Law opinion in regard to it. As a matter of fact, this Act is very small and it states—

A person shall not be disqualified by sex from the exercise of any public function, or from being appointed to or holding any civil or judicial office or post, or from being admitted and entitled to practise as a practitioner within the meaning of that term in the Legal Practitioners Act, 1893, or from entering or assuming or carrying on any other profession, any law or usage to the contrary notwithstanding.

Crown Law opinion was such that it did not consider bookmaking to be a profession. A quick reference to any standard dictionary will indicate that the word "profession" has a very wide meaning and can cover persons receiving money from any mode of living. I would say that if the regulation were challenged in a court

of law, despite the Crown Law ruling, such challenge would have a good chance of being successful.

I think a further look should be given to this part of the regulation and the Minister should give consideration to placing both sexes on an equal footing in this matter. I think that the female sex administers the various branches of the Liquor Act with which it is associated in a satisfactory manner and I cannot see any reason why, if females so desire, they should not be permitted to obtain licences under the Betting Control Act. I doubt whether more than a handful of women would be interested in taking out such licences but even if they were prohibited from being employees I think at least they should be permitted to own a business.

It is a lawful type of business and I cannot see why the Minister could not be a little more liberal in his views on this matter and, in fact, strike out completely the part of the regulations to which I have referred. It ill behoves a Government or a Parliament, in this day and age, to differentiate between the sexes, particularly when we have legislation introduced from time to time to grant equality. I hope the Minister will give further consideration to the matter. As regards his other remarks, I think the widening of the regulation will be a great improvement on the position as it now stands.

HON. A. F. WATTS (Stirling) [5.50]: I am glad that the Minister has agreed to make some amendments to these regulations; but even allowing for that determination, I do not think the position will be really satisfactory after he has finished, if I have understood aright what he proposes to do. Like the member for Vasse, as is well known, I would have preferred not to have this legislation on the statute book, but having it there by the express will of Parliament in the proper way, it behoves us all to see that it is wisely administered. That is why, whatever views we may hold on the principles that are embodied in the Act, I think we are completely entitled to express our opinion on regulations made under it.

Personally, I am not at all satisfied with the point of view expressed by the Minister in regard to the Women's Legal Status Act, which has been commented on by the member for Canning. I find myself very much in agreement with his remarks on that aspect. Even if the Women's Legal Status Act does not expressly provide that females shall not be excluded from the right to participate in the occupation with which these regulations deal, I am satisfied that any proposal which completely debars them under any condition at all, as these regulations do, from participation in an occupation, is completely contrary to the spirit, if not the letter of the Act.

I would go a little further, too. The Interpretation Act, which is to be found in all volumes of our Standing Orders, governs all Acts of Parliament and says in Section 26—

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

So I think there is ample evidence to support the contention that the Legislature, unless it expressly makes provision to the contrary, does not intend that there should be any substantial bar against the participation of both sexes in every occupation into which they can obtain admission or for which they have the required knowledge or capacity.

So I suggest to the Minister that he goes a little further than he has so far proposed and considers whether there should be any bar at all to licences being granted to persons of the female sex, if they are otherwise suited to the occupation. But of course it would be just as ridiculous to appoint a male person, who knew nothing about the matters with which the Act deals, as it would be to appoint a woman, and I have no doubt that in proportion to total numbers there are fewer women who are capable of following this occupation than there are men.

The Minister for Works: Would a woman be eligible for appointment by Parliament to the position of Sergeant-at-Arms?

Hon. A. F. WATTS: In my opinion, yes.

Mr. Thorn: She would handle us, too.

The Minister for Works: It may be a good idea.

Hon. A. F. WATTS: Whether or no the rest of my requirements could be found resident in an applicant of that nature, I do not know, because I have tried to explain that I think they should be otherwise reasonably qualified for a job. But if there were such a one, I am convinced that there is no reason why she should not be appointed.

I want the hon. gentleman to consider this on a wider basis and remove all the restrictions, thus leaving it to the wisdom and discretion of the board, should there be any applications from women to decide whether or not they should receive the desired licences. The Minister has discussed at some length the provisions to which the member for South Perth objected in regulation No. 20, where it enables the board to refuse a licence without assigning any reason. As I understood the Minister, it appeared to me that he contended there was something in the Act which enabled this regulation to be made.

The Minister for Police: I did not do anything of the kind.

Hon. A. F. WATTS: Or that there was nothing in the Act which prevented it from being made. Was that it?

The Minister for Police: It was not even that.

Hon. A. F. WATTS: It sounded very like one or the other to me.

The Minister for Police: What I said was that if the regulation were disallowed, the Act did not say that the board had to give a reason.

Hon. A. F. WATTS: If the Act does not say that the board has to give a reason, it does not say that the board shall not give one, either. That is the point I am trying to make. The matter is entirely open and is for decision by regulation.

The Minister for Police: If the regulation is disallowed, the matter is still optional; the board need not give a reason.

Hon. A. F. WATTS: In my opinion, the regulation in its present shape is wrong, because I think an applicant is entitled, in those circumstances, to be given the reason why his licence has been refused. I would suggest that the reason need not be made public but he should be given it for his own information. I am perfectly satisfied that as there is nothing in the Act to prevent the board from giving the information, it is not wise to provide by regulation that the information shall not be given, because in my view there is nothing that will contribute more to these unfair rumours or statements, to which the Minister referred, about the integrity of the board, than the fact that nobody can find anything out.

I do not suggest for one moment that there is the slightest ground for belief that the board, particularly the chairman, is in any way open to improper practice. But I suggest that in the minds of the ordinary people, particularly those who had made application and been refused—and their friends as well—without being given any grounds for the refusal, that is the very thing which will create these unfair and unfounded rumours. So I think the Minister would be well advised to think a little more on the amendments that he proposes to make in order to allow more information to be given—even more than he has in mind at present—to these rejected applicants in order to prevent the sort of belief to which I have referred from getting into the public mind, or any section of the public mind.

While the hon. gentleman is on the question of amending regulations, I would suggest that he complies with the law as laid down in Section 7(11) of the Act and makes yet another regulation as required by the Act which provides that the salaries and allowances of members of the board shall be as prescribed. Among all the yards and yards of regulations under the Betting Control Act, that is the only one which is not there. It should be there so that Parliament, if it chose, could have the

right to disallow that regulation, too. I propose to support the member for South Perth.

MR. YATES (South Perth—in reply) [6.11]: I thank the Minister for the careful consideration he has given to the motion for the disallowance of regulations Nos. 20 and 32 and also for his explanations regarding the various proposals. Like the Leader of the Country Party, I would still like the Minister to give further consideration to regulation No. 20 dealing with the giving of information to the person concerned. It was not my intention, when moving for the disallowance of this portion of the regulation, for it to affect the whole lot but, under Standing Orders, it is necessary to move for the disallowance of the entire regulation to enable me to gain the end I have in view. In this instance, it is most unfortunate that it was not possible to move for the disallowance of the small portion of the regulation which would have satisfied my needs and those of most members of the House.

However, I would like an assurance from the Minister that further consideration will be given to the regulation in question so that it might be possible for him in the near future to arrange for it to be redrafted, leaving out the portion dealing with the board not having to give information to applicants as to why their applications were refused. The practice of remaining silent could cause quite a lot of trouble. If the regulation were redrafted, the disgruntled applicant could be prevented from forming his own conclusions as to why his application had not been approved.

I still think the board is big enough to withstand any criticism from individuals, but in most cases the answer given would be entirely satisfactory. For the few that might be dissatisfied after having received their reply, there would be a great number who would be perfectly content after having been informed and they would not pass on information to others exaggerating the position as to why their application had been refused.

The Minister for Housing: Do you think an applicant would be satisfied if he were told he was a waster and a drunkard?

MR. YATES: The board could use its own discretion and say that the application had been refused, and that if the applicant wished to know why, he could obtain the information from the offices of the board.

MR. MAY: Do not you think 90 per cent. would know?

MR. YATES: I do not know, because I have not seen 90 per cent. of them. It is in order to bring this matter on to a fair and equitable basis that I have asked for the disallowance of these regulations. I have done so to enable the applicant to

obtain some satisfaction, even if it merely took the form of a letter from the board saying that, owing to the circumstances set out, his application had been refused. The board might state that because there were two or three applicants for the one district, and since only one person could be appointed, it had to refuse his application and that Mr. So-and-so was the successful applicant. If it were a personal matter, the board could say it would like to interview the applicant in its offices. Perhaps the letter could be slightly enlarged to give brief reasons. I do not think it is an unreasonable request and I would like further consideration given to the matter.

The Minister was very fair when he gave his reasons why the status quo should be maintained but, like some other members, I am of the opinion that the matter should be reviewed. The Minister mentioned that only four out of 100 regulations have been contested in this House so far and this, to his way of thinking, proved that the board and the Crown Law authorities had drawn up a good set of regulations. I admit that. I think that, in the main, the regulations are reasonable and that the board is doing a good job under them. Proof of this can be found in the fact that prior to Parliament opening for this session there was considerable criticism in the Press as to what was likely to happen when Parliament sat.

All sorts of dire threats were going around as to what would happen on the betting legislation when the next session started, but so far very little has eventuated. All that has taken place is a move to disallow certain regulations. Accordingly, I think that to date members are satisfied with the conduct of the Betting Control Board. We are satisfied with the type of premises that have been built, and I have heard no criticism of the types of men who have been approved as licensees of those premises. I would like to pass on my commendation to the Minister and the members of the Betting Control Board, therefore, for the firm stand they have taken from the commencement of these operations, and I trust they will continue in the same way in the future.

No doubt, as the year goes on, further anomalies will become apparent. It may not be possible for them to be remedied in this House before the end of the session, but no doubt there will be further alterations made to the Act next year. One of the provisions which will need to be amended is that dealing with clubs, both in the city and on the Goldfields. I know the Minister is aware of that anomaly which I think was unintentionally left out of the provisions when the Bill was introduced. However, I will not pursue that matter any further. The Minister said that I was quite happy for future applicants to have their money refunded. The

reverse is the case. I said that in the second place I would like the moneys put in by all applicants to be refunded. Those are the words I used. I did say, however, that even if this regulation was not disallowed, applicants, knowing they were applying under these regulations, would in future have no complaints if their money was not refunded.

The Minister for Police: They all knew that. It was put in to stop a deluge coming in.

Mr. YATES: Hundreds did not see the regulations and they were not aware of the various provisions. Since then, however, the regulations have been widely circulated in the outback areas, and they now know the position.

The Minister for Police: We are prepared to meet you in that.

Mr. YATES: I am glad the Minister has agreed to that. Finally, in regulation No. 32, the Minister has gone further than I intended, although it might be possible at a future session for something along those lines to be introduced by other members after seeing how the shops were conducted, and deciding whether it was desirable to employ females in certain sections of the shops. Generally, I am quite satisfied with the results I have achieved by bringing this matter before the House. I will not call for a division but would like the Minister, if possible, to permit this regulation to be disallowed, or give an assurance that he will look further into the matter.

Question put and negatived.

MOTION—PUBLIC WORKS ACT.

Amendments Regarding Land Resumptions.

Debate resumed from the 31st August on the following motion by Hon. L. Thorn:—

That in the opinion of this House, the Public Works Act should be amended to ensure—

- (a) that land is not resumed before reasonable notice is given to the owner to enable him to appeal against the resumption on grounds such as availability of Crown or unoccupied land or unsuitability of the land to be resumed;
- (b) also that when resumption proceeds the market value of the land plus improvements plus a percentage for resumption is paid within three months;
- (c) that the owner is to have a right of appeal, to a court, if he desires to claim any additional amount.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [6.12]: When addressing himself to the motion the other evening, the member for Toodyay said the time had arrived to amend the Public Works Act. The Government thinks so, too, and a Bill is in process of being drafted for the purpose of amending the Public Works Act and the regulations which deal with land resumption. It is expected that that Bill will be before the House within a very short time, when full opportunity will be given to debate the Government's intentions.

The motion moved by the member for Toodyay, however, affords an opportunity to correct a number of wrong ideas and misconceptions which have got abroad in relation to the administration of the present Act, the reasons why resumptions occur, and how the persons from whom land is resumed are treated. We must first ask ourselves why power exists in any Act to permit the Government to take away from a person something which he has rightfully acquired. We know that in some cases people purchase land themselves, and in other cases it has been left to them. But they have acquired a title to it and it is their property.

All over the world, however, it is considered necessary that Governments, and local authorities, shall have power to forcibly acquire such property in the public interest. Accordingly, the reason why this very strong power exists is that the interests of the community are considered to be paramount, although it might prove a real hardship to the individual. I know of a case where this is a real hardship but nevertheless, in the public interest, the Government feels it is necessary to acquire the land. Where, for sentimental reasons, a person does not wish to part with the land and will not put a price on it, there is no option but to resume it, if the land is required by the Government. I know of an instance in Cottesloe where it was necessary to enlarge a small school ground and, in order to provide that, extra land was required, and a property owned by a widow had to be resumed to ensure that this extra playground space would be provided.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR WORKS: Just as it is necessary to resume land for the enlargement of school grounds, so it is necessary to resume land for other public purposes such as roadmaking, railways, hospitals and the like. Some people will not put a price on their land because they have no desire in any circumstances to part with it. Then it becomes necessary, if the State requires the land for public use, to resume it and such resumption might occasion the individual concerned considerable hardship.

Hon. L. Thorn: You were speaking of the Cottesloe school.

The MINISTER FOR WORKS: Yes, but I have finished with that. All governments have found it essential to have this power, not only governments in this State but also governments in all States and in all countries, and development could not proceed in accordance with plan unless the power existed. That is why Parliament agreed to confer the power on the administration so that it could be exercised when necessary.

Mr. Court: Your proposition is based on the assumption that there will be prior negotiations?

The MINISTER FOR WORKS: Yes.

Mr. Court: That does not happen at the moment.

The MINISTER FOR WORKS: Yes, it does.

Mr. Court: Not in all cases.

The MINISTER FOR WORKS: At the moment, it happens in all cases.

Mr. Court: It did not happen six months ago.

The MINISTER FOR WORKS: Not in all cases, but in very many. This power to resume is to be found in the Public Works Act, the State Housing Act and the Road Districts Act—the power to acquire land compulsorily for public purposes. Let us look at the provision in the State Housing Act. Section 21, Subsection (6), states—

Notwithstanding anything to the contrary in any Act relating to local government, any local authority shall be empowered to purchase or compulsorily acquire any land in the manner provided in the Road Districts Act, 1919-1943, or other Acts relating to local government (as the case may require) in order to give or dispose of the land to the commission for the purposes of this Act.

The previous Government had an opportunity to amend the law. It brought down a Bill to amend the State Housing Act, but it made no attempt to delete that provision. The Government of the day was content that local authorities should have the power to acquire land compulsorily for the purpose of handing it to the State Housing Commission upon which to build houses. As the State Housing Commission has power to dispose of acquired land and is not obliged to offer it back to the person from whom it was acquired, the previous Government acquiesced in that policy. So it cannot take a righteous line now and complain about a course of action which is exactly similar to the one it followed.

Hon. Sir Ross McLarty: But the mover did not take that righteous line.

The MINISTER FOR WORKS: No; he was good enough to say that he would not deal with the matter in a party-political spirit, or words to that effect.

Hon. L. Thorn: I said that all previous governments had been at fault.

The MINISTER FOR WORKS: He said there were no party politics behind the motion, but I remind the Leader of the Opposition that a few weeks ago, when the member for Victoria Park was speaking and had stated that quite a lot had been heard lately about land resumptions, the Leader of the Opposition said, "And you will hear a lot more yet."

Hon. Sir Ross McLarty: A lot more has been said since then.

The MINISTER FOR WORKS: So, although the Leader of the Opposition interjected a few moments ago in an endeavour to show that this matter was being dealt with in a non-party way, he himself is harbouring the idea of some advantage to be derived; otherwise he would not have made from his seat in the House the statement that was made in my hearing. I trust that a good deal will be heard about this matter because the present Government can hold its own on the question.

Hon. Sir Ross McLarty: You will be given every opportunity.

The MINISTER FOR WORKS: And we will take every advantage of it. I repeat that the previous Government acquiesced in the policy in that it brought down an amendment to the State Housing Act, but, did not attempt to amend the provision empowering local authorities to acquire land compulsorily to be given to the Housing Commission for housing purposes. Further—and this is important—Section 23 of the State Housing Act states—

Private land may be compulsorily acquired under this part of this Act only within a period of five years after the commencement of this Act.

The five-year period expired during the term of office of the McLarty-Watts Government—

The Minister for Housing: In 1951.

The MINISTER FOR WORKS: —and the McLarty-Watts Government brought down an amending Bill to extend that period for a further two years.

Hon. Sir Ross McLarty: Did not you agree with it?

The MINISTER FOR WORKS: Yes. I am trying to show that there is complete unanimity between us with regard to these resumptions. This is a policy that has been followed by all governments exercising the powers expressly placed in the Act for a definite purpose and that is the power to acquire land for the building of houses. When houses are built in large numbers—as the present Government has built them—large areas are needed upon which to build them, and house-building is much cheaper if it is possible to build the houses closely together than if they are

built, one on a vacant block in this street and another half a mile away in another street and so on.

It is much more economical and advantageous for all concerned if a contract can be let so that there can be group building—houses built closely together. For that purpose it becomes necessary to acquire land where the building may take place. The previous Government saw the necessity for that and did not hesitate to use the power and to extend it.

Hon. Sir Ross McLarty: And we built a large number of houses.

The MINISTER FOR WORKS: And the hon. member needed land which he had to resume, and he resumed quite a lot of land on which houses were not built.

Hon. Sir Ross McLarty: All the better for you.

The MINISTER FOR WORKS: I acknowledge that quite freely, but it does not leave room for the Leader of the Opposition to complain about the policy. There have been indications that the taking of such a line was a possibility.

Two examples were quoted by the member for Toodyay to show his dissatisfaction with the procedure of resumption. One case was that of Mr. Hahnel who had a block of land for which, I understand, he paid £12 in 1947. When that land was resumed, the price paid to him was £20. The member for Toodyay stated that somebody else was prepared to buy the block and pay £500 for it. I think somebody must have been pulling the hon. member's leg.

Hon. L. Thorn: I suppose that man wanted it for his business.

The MINISTER FOR WORKS: Does the hon. member believe that the block was worth £500 to somebody?

Hon. L. Thorn: I am not saying it was worth £500. I said that a produce merchant wanted it.

The MINISTER FOR WORKS: Does the hon. member know that he wanted it?

Hon. L. Thorn: I was informed that he did.

The MINISTER FOR WORKS: Did your informant say so or was he told by somebody else?

Hon. L. Thorn: He worked for the produce merchant.

The MINISTER FOR WORKS: Here is a man who in 1947 paid £12 for a block of land and, when the Government resumed it some time subsequently, he was paid £20 for it.

Hon. L. Thorn: He had paid rates on it meanwhile.

The MINISTER FOR WORKS: We might be able to calculate the amount of the rates. According to the member for Toodyay, there is somebody hovering

around who is prepared to pay £500 for this block. Well, I am pretty credulous, but I cannot swallow that.

Hon. L. Thorn: Did you check up on it at all?

The MINISTER FOR WORKS: Does the hon. member think I might have done so?

Hon. L. Thorn: I thought you might have done so. You are built that way.

The MINISTER FOR WORKS: So here is a case where, within a few years, somebody is prepared to pay £500 for a block of land for which the owner paid £12 and for which he received £20 in compensation.

Hon. Sir Ross McLarty: It was not a very wonderful spec. for him.

The MINISTER FOR WORKS: It is rather strange that, in this same locality, numerous blocks of land were selling for £10 some time after this particular block had been resumed.

Hon. L. Thorn: Tell us where they are.

The MINISTER FOR WORKS: Now we have this situation. A man paid £12 for a block of land in 1947; it was resumed and he got £20 for it, and after it was resumed, there are numerous blocks in the same locality selling at £10 each. Possibly this one had some gold in it.

Hon. L. Thorn: No, it did not.

The MINISTER FOR WORKS: Or it might have been a potential oil field.

Hon. L. Thorn: Not as far as I know.

The MINISTER FOR WORKS: It does not sound feasible at all, and that is one which the member for Toodyay selected to complain about. He made only two specific complaints—

Hon. L. Thorn: Because this man wrote to me about it.

The MINISTER FOR WORKS: That is the number one complaint. The second is that six acres of land were resumed for a schoolsite at Wanneroo. The member for Toodyay complained that it should not have been resumed but should have been left there for other purposes because it is in a business area. He thinks this constitutes a danger to the schoolchildren and says it would necessitate a traffic policeman being stationed there to see them across the road. It requires traffic policemen to see the children across the road to a school $1\frac{1}{2}$ miles from the main road.

The Attadale school is well down in the bush, as the member for Stirling knows. The children going to that school alight from their buses on Canning Highway, adjacent to Preston Point-rd. That is a bad intersection and the school is not just on the side of the highway, but well down in the scrub out of sight, yet the road board has been writing to me and asking for a traffic policeman to be stationed

there because it is considered dangerous for the children to cross the road. Therefore one cannot determine the degree of danger to the children simply on the question of whether the school is situated on the road or not.

This particular site is large enough for the school to be placed in that portion of the ground away from the road with a playing field interposed between the school and the road, so I do not think there are any grounds for complaint in that regard. In addition, there is a special School Sites Committee, comprised of the Principal Architect, who looks at the ground from the building angle, to see whether it would involve unduly costly foundations or whether it would provide a suitable foundation; a land resumption officer, who is interested from the point of view of cost and the possibility of resumption, together with the question of whether other suitable land might be obtained without the necessity to resume—the land resumption officer is not a man running around looking for land to resume. He endeavours to dodge that and if there are available alternative sites just as suitable or nearly as suitable, he would recommend them in preference to a resumption. Then there is the Director of Education, who is interested in the suitability of the site for a school, and a representative of the Treasury, who is concerned with the cost. There is also a representative of the Town Planning Commissioner to see that the site conforms to the town planning scheme. That is a pretty good set-up, and that committee recommended the resumption of this particular block of land.

Hon. L. Thorn: Because they could resume it for a mere song.

The MINISTER FOR WORKS: That is a pretty reprehensible act.

Hon. L. Thorn: To do a thing like that?

The MINISTER FOR WORKS: Yes, to take a block of land like that for a school and for a mere song. I regret that very much! These two examples which the member for Toodyay brought forward, as two cases of resumption, are resumptions made during the term of his own Government! This resumption for a song was done by the McLarty-Watts Government!

The Minister for Police: And I could tell you of some others.

The MINISTER FOR WORKS: In an endeavour to establish a case before this House, the member for Toodyay quoted two cases of resumptions of which he disapproves, and both of them took place during the period when he himself was a Minister, under the regime of the McLarty-Watts Government!

Hon. A. V. R. Abbott: Did the McLarty-Watts Government arrange for the compensation during its term?

The MINISTER FOR WORKS: I would say definitely yes, because the resumptions took place in 1949. I think that as far as the present Government is concerned we can neglect the criticism in regard to those two resumptions, because if the policy was wrong then it was the fault of the previous Government and we have since altered it considerably.

Hon. L. Thorn: It was not meant as criticism but just to get these people a fair deal. Are you aware of all the resumptions that take place under the Public Works Act?

The MINISTER FOR WORKS: I think I am. I have to approve of them. The member for Toodyay also had something to say about a severance depreciating the value of a man's property, and I agree. If severance can be avoided it should be, but there are some circumstances in which it cannot be avoided. When a man has a large property and it is necessary to put a road through it, one cannot hang the road up in the air on balloons, and so it has to go through the property, and that might occasion a bad severance, so far as the owner was concerned. The Commissioner of Main Roads invariably pays an amount for severance. A Main Roads Department officer handles the majority of resumptions for that department, and particularly in rural areas.

Compensation is payable in accordance with the Public Works Act which provides for compensation for the severance of freehold property, but there is a difficulty here. If the land is still held under conditional purchase conditions, the Land Act, under certain circumstances, may preclude the payment of compensation for severance. That is something which the then Minister for Lands had an opportunity for fixing up, but nothing was done about it.

Hon. L. Thorn: How would you have done it?

The MINISTER FOR WORKS: By bringing down a Bill and having a shot at it.

Hon. L. Thorn: But most of that land still belongs to the Crown.

The MINISTER FOR WORKS: If the hon. members thinks payment ought to be made for severance—I do, and where we can do it, we make payment—surely as a rural member it would have come to his notice that under conditional purchase conditions the payment of severance was not possible in all circumstance, and so there was an opportunity for him to demonstrate his interest in this matter of resumptions and his desire to see that the owners of land were paid for severances.

Since the war surveys have been subject to considerable delay because there has been so much development and surveyors have been in pretty short supply.

Surveys have got behind all over the place. The member for Toodyay, as an ex-Minister for Lands, knows that that was the position during his term. He could not keep up with the surveys, and neither can we.

Hon. L. Thorn: No, I employed every surveyor that came along and still could not keep up.

The MINISTER FOR WORKS: Yes, and the hon. member had a big back lag, and that is the situation today. It is unfortunate but inevitable, and it invariably holds up the payment of compensation in connection with land resumed for road purposes, because one cannot pay and one does not know what has been taken until there has been a proper survey. That is one of the reasons for the delay that has been occurring in regard to payments for resumptions in connection with roads. The member for Toodyay—quite rightly I think—emphasised a desire to prevent the necessity for appeals and indicated that full opportunity should be available to appeal where necessary. I agree with that, but it is the policy of the department as far as possible to avoid forcing a claimant to incur expenditure on valuations, legal advice or litigation and, in fact, several thousands of claims have been settled since the war and only three of them have been subject to reference to a compensation court.

In the motion moved by the member for Toodyay there is a suggestion that the market value plus the cost of improvements should be paid immediately and that if further allowances are claimed that question can be argued later. That is almost the position in actual practice, because I now approve of advances, pending settlement, of amounts which approximate very closely to the market value of the land. I am doing that almost every day—approving advances of large sums of money pending final settlement, in order to assist persons from whom land has been resumed.

The Public Works Act already provides for assessment on the basis of replacement value, at the market rates plus the value of the improvements, severance, contingent losses and compensation. That is already in the Act and so there is no need to amend it in that direction. I will quote some figures which I think will be of interest to the House, in connection with the administration of this section of the Public Works Act which is under consideration. In the last three years approximately 1,000 claims arising from resumptions and the purchase of properties have been settled, averaging over 330 per year.

[Mr. Hill took the Chair.]

Hon. Sir Ross McLarty: In the last three years?

The MINISTER FOR WORKS: Yes. The total expenditure involved was £1,108,000, averaging £370,000 per annum.

The actual figures for 1954-55, included in the above, were 340 claims settled for £534,000. I would emphasise that the liquid state of the real estate market necessitates the taking of time in making researches into values, in the interests of the claimants, because it is the desire of the department that the proper value shall be paid. It is remarkable what a peculiar idea some owners have of the value of the land. Some people make claims which are well below the proper value of land and others make claims which are five or even ten times as great, and considerable research is required in order to ascertain what information is available, in order to establish the value of land, in the various localities where land is resumed.

Because of progressively increasing prices and widening fields for subdivision, recorded prices are not, themselves, taken as a basis of value and extensive inquiries and investigations are undertaken to discover the highest possible assessment which can be justified. Quite frequently, when there is a wide difference of opinion, the department at its own expense engages independent valuers, in order to ensure that the departmental assessments are fair and reasonable.

Owing to the large volume of real estate business being done at present in this State a good deal of delay is occasioned when we seek the services of an outside valuer. He does not drop the work he is doing to do ours immediately. We have to take our turn. Much delay is occasioned in that way because the outside valuer is not able to give attention to the job immediately. Although the department goes to considerable lengths to achieve the most fair and reasonable basis of compensation—even to the extent of considering factors whether they are raised by the claimants or not—it is not the practice to press claimants to accept the department's assessments.

We tell the claimant what we think the value is and we then leave it to him to proceed. We make no attempt to press him to settle at that figure. We have no desire to coerce him at all. If he is prepared to accept the department's assessment, the way is quite clear as to what he should do. It is not unusual for the final departmental assessment to be higher than the claim, and the payment of the assessment is made accordingly. I repeat that it is not unusual for the department's assessment to exceed the claim made by the owner of the land and in every case when that occurs we pay the departmental assessment and not the amount of the claim.

Could anything be fairer than that? When the departmental assessment, often supported by independent valuers, is not acceptable, the initiative then rests with the claimant to establish a higher value. His course is then to produce evidence to the department in regard to such claim or to refer the matter to a compensation

court. If the claimant elects to take no such action, it is not for the department to force the issue, and so the claimant should not complain if there is no settlement.

Reasonable claims are generally settled promptly and in most cases, but not all, it is the unreasonable and generally insupportable claim which is held up and the claimant is naturally reluctant, in such instances, to accept a settlement. We receive many culpable, excessive claims. I think, when we receive those, the owners of the land are having a shot at a very high figure in the hope that they will get much more than the land is worth. Of course we cannot throw public funds around in that fashion and we are obliged to do our best to arrive at the proper value. Although, in a number of cases, people complain about the delay, that is due entirely to the claimants.

Many claims are not submitted until just before the expiry of the two-year period following the gazettal of resumption. As members know, when a resumption is gazetted, the owner of the land has a period of two years in which to lodge his claim for compensation. Many of them delay the lodgment of such claim almost up to the last day. In regard to the Maniana resumption, the last day of the two-year period is the 25th of this month and, up till yesterday, there were still two claims outstanding. One was lodged this morning. That leaves one claim, practically two years old, which has not yet been lodged.

Hon. Sir Ross McLarty: How many claims were there?

The MINISTER FOR WORKS: I could not tell the Leader of the Opposition off-hand.

The Minister for Housing: About a dozen altogether.

The MINISTER FOR WORKS: There is an instance where, in two cases, the owners have allowed the full period to elapse before lodging their claims for compensation. One of them came in this morning and there is still one outstanding, although the expiry date is on the 25th of this month. It is the common practice of the department to make advances of part payment compensation within the department's tentative assessment. We do this to meet the financial convenience of claimants until assessment can be confirmed and a final figure arrived at.

In some cases, in order to help the owners, we take this step, subject to the necessary legal precautions which, of course, we must take. We make advances before the owner has formulated and lodged a claim. Could there be any complaint on that score? After the land has been resumed, although the onus is on the

owner to lodge his claim, we will, if the case warrants it and with proper legal precautions, make an advance before the claim is formulated and lodged in order to assist the person to make other arrangements. In the last 12 months approximately 80 parcels of land have been transferred or are in the course of being transferred to previous owners in cancellation of the resumptions gazetted, where hardship has subsequently been proved and it is found that alternative arrangements can be made.

The Land Resumption Office gives up a considerable amount of time in providing material and valuable assistance to owners of land to enable them to lodge their claims promptly. The officers of the department are most courteous in this regard and they go out of their way to provide material assistance to those persons who have not much knowledge of the procedure so that they can lodge their claims as soon as possible.

Much criticism has been levelled against the resumptions made by the State Housing Commission, so I think I should give some special attention to that aspect. In 1954, to enable the extensive metropolitan area State housing resumptions to be made, 385 owners were affected, but a little more than one half of that number have yet to submit their claims. But still we hear all these complaints about delay!

Hon. Sir Ross McLarty: It is the man who wants his money most urgently that is affected.

The MINISTER FOR WORKS: That man can get an advance immediately.

Hon. Sir Ross McLarty: Well, other people are perhaps not in urgent need of money.

The MINISTER FOR WORKS: Of the claims submitted—and there have been 201 of them up to when these figures were compiled—69 have been granted compensation and of this number 12 were paid amounts in accordance with the department's assessments which were higher than the claims. In addition, 36 advance payments have been made pending final settlement. Although the resumptions were gazetted in October, 1954, it was not until January, 1955, that all releases were finalised and attention could be given to valuations and assessment of compensation.

The original resumptions and subsequent adjustments required the attention of two expert officers working overtime for some five months, and, in consequence, the other work in the Land Resumption Office has been seriously disrupted. A large proportion of the land retained by the State Housing Commission was of no immediate use or had no sale value to the individual owners and valuations and assessments of

compensation on the basis of proper values could not be judged by current sales. In the circumstances, therefore, the question was fraught with complexities.

I suggest that we have to discount much of the criticism that has been voiced about delay, unfair compensation and the like and get right down to what is a fair and reasonable proposition in the circumstances. I repeat that the Government intends to bring down legislation to amend the Act. The amendment will be in line with our experience in order to bring the Act up to date and to facilitate administration. I intend to move that all words in the motion from and including the word "ensure" down to the end of the motion be struck out with a view to inserting these words—

bring it into line with present administrative practice and to provide for prior notice, more expeditious settlement and additional rights of appeal.

If my proposition is accepted by the House the motion will then read—

That in the opinion of this House the Public Works Act should be amended to bring it into line with present administrative practice and to provide for prior notice, more expeditious settlement and additional rights of appeal.

I do that because of something which was said the other evening by way of interjection. I pointed out that the administration of the Act today was a very generous interpretation of it and payments were expedited as much as possible and the interests of the claimants were well looked after. At the time somebody said, "Well, now, that is only being done administratively; it is not being provided in the Act." There is a point in that statement. So my proposition is to bring the Act into line with present administrative practice.

Very little criticism can justifiably be levelled at the present administrative practice in regard to land resumptions and the illustrations that I have given this evening of the laxity of claimants in not lodging their claims; the assistance which the department goes out of its way to give in order to get claims lodged promptly; the advance payment of compensation made even to the extent of making payments before claims are lodged; the engaging of independent valuers to check the department's valuations in the interests of claimants—all of these steps are taken in order to ensure that fair recompense will be made when it becomes absolutely necessary to resume land. I therefore suggest that the position is more adequately met by my proposition than that put forward in the member for Toodyay's motion. I move an amendment—

That all words from and including the word "ensure" in line 3, down to the end of the motion be struck out.

MR. WILD (Dale—on amendment) [8.15]: At least one point has been brought out by the motion of the member for Toodyay, namely, that the Government is prepared to retrace its steps and agree in the main with his remarks. When I sat on the other side of the House and handled the amendments to the State Housing Act, I made it perfectly clear when the question of resumptions came up—I have had no reason to change my mind since—that the power of resumption is necessary in a system of government such as we have in this State. But it is something which must be handled with a great measure of stability. The colossal outcry that has taken place in the last few months has been so great that the Government at present is prepared to make a complete about-face.

The Minister for Education: That is a very weak point.

MR. WILD: It is not weak, because the Minister knows from experience in his 15 to 20 years here, that of all the resumptions which have taken place, irrespective of the Government in power, he has never before known of such a great public outcry as that experienced in the last 12 months.

The Minister for Education: A lot of it was inspired.

The Minister for Housing: At the instigation of the Liberal Party.

MR. WILD: I want to say this to the Minister for Housing: Never on any occasion did I go to any of the protest meetings that were held in the length and breadth of the Canning and Beeloo electorates.

The Minister for Housing: You are about the only Liberal who did not attend.

MR. WILD: That is what the Minister thinks. I was in an adjoining electorate and heard plenty about the meetings.

MR. MAY: You were about the only Liberal member who did not attend one of the meetings.

MR. WILD: I do not know about that. All I know is that public meetings were held far and wide, and I was invited to them. For many years the State Housing Commission has had very sweeping powers, and I consider that until the past few months those powers have been handled with tact.

The Minister for Housing: Like your Wanneroo land grab.

MR. WILD: I am pleased to hear about the Wanneroo resumptions. I was the Minister who heard the appeals.

HON. SIR ROSS McLARTY: You did see the appellants.

MR. WILD: I did see them all. Everyone who wanted to see me, including the late Mr. Hicks, was able to do so. Without

fear of contradiction, I can say that with the exception of the three large land-owners—the late Mr. Hicks, Estates Development Co. and T. M. Burke Pty. Ltd.—everyone who came into my office went out quite satisfied that he was either going to get an alternative block of land or fair compensation. Obviously the three large landowners I mentioned had invested their capital in long-range plans.

That is their method of business. Obviously they objected and I do not blame them for so doing. If I were in their position I would have done exactly the same. One of them had 1,000 acres resumed. Prior negotiations did take place with the three parties but obviously they wanted the highest market value. At the time our point of view was that, had it not been for the State Housing Commission opening up that area, it would probably have remained in its virgin state as at the time of resumption.

The Minister for Housing: You did not open that land up, not one acre of it.

Mr. WILD: It is interesting to hear that, because only recently the Minister for Housing embarked on the large-scale resumptions referred to. He has also purchased the Brentwood land which is now causing a considerable amount of interesting comment from this side of the House, and also from outsiders.

The Minister for Housing: Brentwood estate was bought by your Government.

Mr. WILD: The Minister told us this afternoon that he has not yet finalised the deal. We were also told this afternoon that the Minister spent £29,000 for water supplies on that parcel of land, which is six miles from Fremantle or Perth, and in one of the most inaccessible districts. That money could have been utilised in connection with the estate which was purchased four years ago, but that was not done. I suggest it did not suit the political intentions of the Government because when we look at the resumptions which have taken place in the last 12 months, it is clear that was done with one object, and one only—purely for political reasons to benefit in the forthcoming redistribution of seats. I give the Minister for Housing full marks for this action. Unfortunately I am not politically astute. Whilst I held his portfolio, I did not give any thought to that.

The Minister for Housing: You are now at the bottom of the sewer!

Mr. WILD: When we consider where the two large-scale housing projects were to be launched, it was a pretty good guess that they were either here, or there, to fix one each in the two new electorates.

The Minister for Works: Is it a fact that your Government started to buy the Brentwood land?

Mr. WILD: I am not concerned about that. I want to say a word or two about the reply of the Minister for Works. He twitted the member for Toodyay for raising two particular cases and quoted one case where land was purchased in 1947 for £10 and at the time of resumption the owner was paid £20. I do not care during which regime the resumptions took place, but I would say this: Land that was worth £10 or £12 in 1947, particularly in the case of selected or corner blocks, would have a very enhanced value a few years later. There is much land in Western Australia today that was worth £12 in 1947 but which by from 1952 to 1954 was worth up to £500.

The Minister for Housing: This land was resumed in 1949.

Mr. WILD: It does not matter when the land was resumed. Western Australia has never experienced such an increase in land values as in the last five or six years. Right opposite to where I live there are two blocks of land which I could have bought for £50 each three years ago. Twelve months ago they were sold for £250 each. So it is impossible these days to say that land which was worth £10 in 1947—

The Minister for Works: It was worth £12 in 1947.

Mr. WILD: —would not have a very greatly enhanced value in the succeeding four or five years. With the great influx of population into Western Australia, the demand for land has been terrific. I turn to the large-scale resumptions which caused all this bubble and influenced the Government to change its mind. I want to refer particularly to Maniana,—

Mr. Lawrence: What about referring to Kwinana?

Mr. WILD: —where the Minister for Works said the owners were given ample opportunity to negotiate before resumption. I would suggest that he should look at "Hansard" and see what transpired in this Chamber in the last session over the Maniana resumptions. A man named Knox received a notice of resumption on a Friday to the effect that a strip of land from the side of his property was to be taken over, and also two or three acres at the back of his house. He received the notice on a Friday, and the notice was gazetted on the same day. It is of no use for the Minister to tell the House that prior negotiations with the owners of Maniana land had been entered into.

The Minister for Works: I did not say that.

Mr. WILD: It may or may not have been done with regard to the others. I do not know about that. I quote the case of Knox to show what took place in regard to the Maniana resumptions during last session. The protest coming from all these owners scattered throughout the

Canning and Beeloo electorates is in respect of the small pieces of land taken off their domains. Let us be realistic about this. If a person saves his money and invests it in a small block of land with a view to improving it for the benefit of himself and his family, he considers it to be his and a place to which he can retire.

What a glorious sensation it is for that person to wake up one morning and receive a letter intimating that one acre of his three-acre block has been resumed. I know that there are provisions, as the Minister said, enabling people to appeal, particularly in regard to compensation. Quite a number of new Australians have approached me and pointed out in broken English that they had left their countries of origin to come to one where they thought that if a person owned a block of land it was his. But to wake up one morning and find it resumed, made them think that this country was exactly the same as the ones they left.

Mr. Lawrence: Your Government did that with Kwinana.

The Minister for Education: That was done in the case of 8,000 acres at Wanneroo.

The Minister for Housing: Owned by over 600 people.

Mr. WILD: Let me suggest again, seeing that the Minister has the files, that he takes a look at them. With the exception of the three big landholders who were disgruntled, no one in the Mt. Yokine resumptions who came to interview me indicated that he was really upset; neither did the owners do what others have been doing in the last 12 months, that is, hold public protest meetings.

The Minister for Housing: The first they knew about the resumptions was the notification sent to 660 different owners.

Mr. WILD: Then there must have been 656 satisfied owners and four disgruntled owners.

The Minister for Lands: This is one subject you should be least inclined to speak on.

Mr. WILD: It is not, because it is a subject particularly dear to my heart and one in which I took a considerable amount of interest. When I was Minister, I saw anyone who wanted to interview me in regard to resumptions, and that is more than the present Minister can say.

The Minister for Housing: More resumptions took place during the term of your Government than in the term of any other Government in the State.

Hon. Sir Ross McLarty: Yet the present Government continued with resumptions.

Mr. WILD: It is very apparent there was a sudden change of front by the Government after notices of resumption

had been given. I suggest it was due to pressure brought to bear by different people that 80 resumptions were cancelled.

The Minister for Housing: That was the original intention as announced.

Mr. WILD: What a peculiar way for the Government to go about the whole business, to hastily resume land in bits and pieces within the semicircle I mentioned, and then, because of protest meetings held all over the place, to change its mind and declare that the plans made eight months ago were not to be proceeded with and 80 blocks would be returned!

The Minister for Housing: That is exactly the same as you did at Wanneroo.

Mr. WILD: Anyhow, if nothing has been achieved, the member for Toodyay has got the Government to agree with him; because, while the wording is not quite the same, I would say that in the main the Government has awakened to the fact that it has been barking up the wrong tree.

The Minister for Works: The Government's Bill was in preparation before the member for Toodyay moved his motion.

Mr. WILD: It may or may not have been. But I say that it was as a result of the large-scale protest from one end of the Canning electorate to the other that the Government saw fit to change its mind; and, while I am going to oppose the amendment of the Minister for Works, it is in the hope that the House will agree to the motion moved by the member for Toodyay who originated this idea, the band wagon the Government has now hopped on!

HON. SIR ROSS McLARTY (Murray—on amendment) [8.31]: This amendment takes credit to the Government and might be described as an astute political move. There is no question about that, and there is no doubt that the Bill to which the Minister for Works referred as being in course of preparation is the result of public pressure. There is no doubt of that at all.

Mr. Lawrence: What rot!

Hon. Sir ROSS McLARTY: No rot about it!

Mr. Lawrence: Of course it is rot!

Hon. Sir ROSS McLARTY: The hon. member has not made a speech this session. All he has done is to sit down and mutter.

Mr. Lawrence: If I have to listen much longer to you—

Hon. Sir ROSS McLARTY: Then go out!

Mr. Lawrence: I will stop here as long as I like.

The ACTING SPEAKER: Order!

Hon. Sir ROSS McLARTY: Recently legislation was introduced in the Federal House dealing with land acquisition, and the debate on the measure lasted for several days. I hope the Minister has had an opportunity to read what was said. I have before me a copy of the Bill that was dealt with by the Federal Parliament. It is entitled, "A Bill for an Act to make provision for the acquisition by the Commonwealth of land required for public purposes and for dealing with land so acquired and for other purposes." The debate created a great deal of interest; and members on all sides took part because land acquired in the State of New South Wales particularly, was considered to have been acquired not under just terms but under very unjust terms.

In looking through the Bill, I find that in Division 3 of Part II it is stated—

Division 3—Acquisition by Compulsory Process.

9. (1) The Governor-General may authorise the acquisition by the Commonwealth of land by compulsory process for a public purpose approved by him.

In Subsection (2) it is stated—

The Minister may cause to be published in the "Gazette" notice of the authorisation by the Governor-General and, in the notice, declare that the land is acquired under this Act for the public purpose approved by the Governor-General.

But this is the point I want to make: Clause 11 states—

(1) The Minister shall cause a copy of every notice published under Subsection (2) of Section 9 of this Act to be laid before each House of the Parliament within 14 sittings days of that House after the date of publication.

Subsection (2) states—

Either House of the Parliament may, within 30 days after a copy of a notice has been laid before it in pursuance of the last preceding subsection, pass a resolution that the notice shall be void and of no effect, and thereupon the notice shall be void and of no effect and the land shall be deemed not to have been vested in the Commonwealth.

So the clause goes on; it is here if members want to read it. When land is acquired by the Commonwealth, notice of the fact has to be tabled, just as regulations are in this House; and I think that is a safeguard. I suggest that with regard to the Bill which the Minister proposes to introduce he should, if he has not already done so, give consideration to the clause in the Bill from which I have quoted, with a view to seeing if he does not consider it desirable to place a similar provision in his legislation.

The Minister for Works: To do that would place a Labour Government at the complete mercy of the Legislative Council.

Hon. Sir ROSS McLARTY: That is an excuse—

The Minister for Lands: It is a reason.

Hon. Sir ROSS McLARTY: —which I do not think is sound. The Federal Parliament saw fit to include this provision, which gives added protection to landowners. If it is good enough for the Federal Parliament to do that, it is good enough for the State.

The Minister for Works: If you gave us a proper franchise for the Council, we would do it.

Hon. Sir ROSS McLARTY: It has nothing to do with the franchise for the Council. This provision was passed, with no opposition, in the Federal House.

The Minister for Works: But the Federal House is elected differently from our Legislative Council.

Hon. Sir ROSS McLARTY: There was no opposition in the Federal House; and if this is right in regard to Federal acquisitions, then it is right with regard to State acquisitions.

The Minister for Works: Conditions being comparable, yes; but they are not.

Hon. Sir ROSS McLARTY: I still say that this is an added protection to landowners, and I think they are entitled to that protection. I support the motion moved by the member for Toodyay. I much prefer it to the Minister's amendment. The motion provides that land is not to be resumed before reasonable notice is given to the owner. That is fair. Land should not be resumed before reasonable notice is given. Just what amount of time would be regarded as reasonable is a matter for discussion. I know that when governments want land urgently there cannot be long or protracted negotiations; but I do think that the owner of land is entitled to a reasonable period of notice before acquisition takes place.

The motion goes on to say that the market value of the land, plus improvements, plus a percentage for resumption, should be paid within three months. I think that in his amendment the Minister should have made some provision concerning the time in which payment must be made.

The Minister for Works: This is only an expression of opinion. When the Bill is brought down, it will do more than this.

Hon. Sir ROSS McLARTY: I hope that the Bill will provide for payment of interest. I notice, on reading the Federal Bill, that provision is made for payment

of interest when land is acquired. Clause 33, with the marginal note "Interest on compensation," provides—

(1) Subject to this Division, an amount of compensation payable in respect of an acquisition by compulsory process under this Act (other than an amount payable to a mortgagee upon which interest is payable under Section 43 of this Act) bears interest from the date of acquisition of the land to the date on which payment is made to the claimant or, where the amount is deposited in the Treasury in accordance with Section 30 of this Act, to the date upon which the amount is so deposited.

(2) The rate at which interest is payable under the last preceding subsection is—

(a) Three pounds per centum per annum for so much of the period for which the interest is payable as does not exceed two years.

The Minister for Works: That is a pretty poor rate.

Hon. Sir ROSS McLARTY: I agree that it is. The subsection continues—

(b) Four pounds ten shillings per centum per annum for so much (if any) of the period for which the interest is payable as exceeds two years.

I draw the Minister's attention to that provision in this latest Bill that has passed through the Federal Parliament—I think it has been passed. Provision is made for payment of interest when land-owners have had their land resumed and have had to wait a long time for payment.

I have had many letters from land-owners complaining that they have not been able to receive payment for their land. In fact, only a few days ago—I did not bother the Minister with this, but saw the Commissioner of Main Roads about it—a lady wrote to me and said her land had been taken by the Main Roads Department well over two years ago, and that she had not received one penny payment. The reason given was that her land could not be surveyed. I put it to the commissioner that the Main Roads Department must have had a pretty good knowledge of the amount of land it was taking, and could at least have made a payment of up to 90 per cent. of what it considered would be the value.

Tonight, the Minister said that something along these lines is being done. I certainly think that is but a reasonable proposition, and I am glad that such action is being taken. To the Minister for Railways I would also say that it is mighty difficult for people to get paid for land which his department takes. I know that interest is not received from that department.

The Minister for Railways: You have never made any complaints about it to me.

Hon. Sir ROSS McLARTY: No; I have not made complaints to the Minister, but I have complained to the Railway Commissioners. However, I cannot get very much further with it.

The Minister for Railways: You let me know about it.

Hon. Sir ROSS McLARTY: All right! I have had letters from people dealing with other departments and complaining that they were not able to receive payment for land taken from them. At Bunbury only recently I was told by a lady that her land was taken from her by the State Housing Commission over five years ago, and she has not been paid for it.

The Premier: What were you doing?

Hon. Sir ROSS McLARTY: I have been out of office for three years.

The Minister for Lands: Not long enough!

Hon. Sir ROSS McLARTY: I have been out of office for three years, and there has not been much I could do.

The Premier: Not three years.

Hon. Sir ROSS McLARTY: Two and a half years.

The Premier: What did you do about the claim?

Hon. Sir ROSS McLARTY: I did not hear anything about it during the time I was in office.

The Minister for Railways: She took it from you!

Hon. Sir ROSS McLARTY: I think the land was taken before I was in office.

The Minister for Railways: That would be 8½ years ago.

Hon. Sir ROSS McLARTY: It is still going on. The other night I read in the Federal "Hansard" where, land which was acquired by the Education Department 20 years ago, had not yet been paid for. There are still some very unsatisfactory features about land resumption, and about the time it takes to receive payment for the land.

The Minister for Works: Yes, but there are very good reasons if the claimant will not negotiate.

Hon. Sir ROSS McLARTY: These claimants have negotiated and have made their claims.

The Minister for Works: They will not accept the department's assessments.

Hon. Sir ROSS McLARTY: How long does it take to reach finality?

The Minister for Works: It is up to them, then.

Hon. Sir ROSS McLARTY: If I were selling land, the last body I would want to deal with would be the Government,

because my experience is that it takes longer to get money from the Government than it does from any other source.

Hon. J. B. Sleeman: Not a Labour Government!

Hon. Sir ROSS McLARTY: Yes, a Labour Government. Because of the provisions in the Federal Bill, that I have just read, something of this sort should be incorporated.

The Minister for Works: We are going to do better than that.

Hon. Sir ROSS McLARTY: I am glad to hear it. The Minister said that what was provided in the Bill was a pretty poor rate of interest. Well, I have no objection to a higher rate being paid because I think it will do something to hurry along finality. I am almost continuously receiving letters about land resumption, and today I received one from the Land Resumption Protest Federation, signed by Mrs. R. Chalkley, which is as follows:—

I have been instructed by my federation to bring to your notice the plight of the many people who, having had land compulsorily resumed from as far back as 1950-1951, are still awaiting payment, in some cases even a reasonable offer by way of settlement. It should be remembered that the earning capacity of moneys due to these former owners has been lost to them and if payment is now made on the valuations decided upon by the department concerned in that part of the transaction, a grave and lasting injustice will have been meted out to these people.

The branches of my federation have all received appeals for aid in this matter, and after long and earnest discussion it has been decided by the central committee that if we are to remain honest to our ideals of what we believe is fair and just, we must perforce make known to you what seems to be a reasonable request. It was resolved in the following terms:—

That all land resumed by the Western Australian Government for which a satisfactory settlement has not yet been made with the former owners be revalued and assessed at current market valuations, and the former owners be given the benefit of any increase.

It is considered by my federation that if these owners had received fair offers in the first instance, and negotiation had been the rule rather than the exception, all friction would have been nullified and these people would not now be facing actual financial loss. It is a very well known fact that while the £1 has depreciated in value, land in all districts and parts of Western Australia has soared in valuation until there is no true comparison.

We further feel that the take it or leave it attitude followed by the department concerned has not in any way helped matters, and a more realistic approach should be followed. We repeat "that the matter of payment" to all former owners still awaiting settlement be reopened and a more enlightened reasoning be brought to bear.

I do not know the number of people in this land resumption protest federation, but I know that they have been very active and that I have received much correspondence from them. Here the secretary points out that over the years people have been, and still are, awaiting payment for land that was compulsorily taken from them. I am glad to hear the Minister indicate that some provision for interest will be included in the amending Bill when it is introduced. The motion goes on to say—

Also that when resumption proceeds the market value of the land plus improvements plus a percentage for resumption is paid within three months.

I do not know that anyone can deny that the market value should be paid; that is, present-day values.

The Minister for Works: The Act provides for that now.

Hon. Sir ROSS McLARTY: Some people think they are not getting justice in that direction, that they are not getting market value. If justice is done to them, they should receive market value. I agree with the Minister that there are instances where the Government resumes, and prices far above the market value are asked. The Minister is right when he says that while the interests of the landowners should be safeguarded, the interests of the Government must also be watched.

Mr. Lawrence: Do you mean the value at the time of resumption, or at the time of settlement?

Hon. Sir ROSS McLARTY: At the time of resumption. I think that what is often referred to as the just price should be paid. I feel the Government has a decided advantage in regard to land acquisition. The owner of the land knows perfectly well that he is going to lose his land in any case. Some of these people are not particularly adept at presenting a case; they suffer from an inferiority complex when they come up against experts. The Crown certainly has an advantage when it comes to the question of the acquisition of land. I would like to see provision made so that it is easier for landowners to go to court—if they wish to—without having to face all the expense that they are put to now. As we all know, an appeal to the Supreme Court is a very costly business. I wish that a more simple approach could be devised.

Mr. O'Brien: Litigation does not pay.

The Minister for Works: We have found that, too.

Hon. Sir ROSS McLARTY: That being the case, I hope that in the amending Bill some provision will be made so that not only will a cheaper method of making an appeal be provided, but a quicker one as well. There is no doubt that many land-owners suffer an injustice, even though they have won their case, by having to appeal to the courts in order to obtain what they consider to be a fair thing. There is no doubt that the question of land acquisition has become one of great interest during the last few months, and whatever my Government may have done—

The Minister for Education: Nothing!

Hon. Sir ROSS McLARTY: The Minister is an exceedingly clever fellow, and this gives him a chance to show his wit.

The Minister for Education: What did you do in regard to amending the Public Works Act?

Hon. Sir ROSS McLARTY: Whatever was done, the fact remains that there has been much more interest and much more public agitation in regard to land resumptions during the past few months than there ever was previously.

The Minister for Lands: Stirred up by the Liberal Party.

Hon. Sir ROSS McLARTY: That is positively untrue; and I can say it in stronger language—it is a lie! I have not attended one of these land resumption meetings; nor have I in any way urged them to indulge in propaganda.

Mr. Lawrence: The members of your party have.

Hon. Sir ROSS McLARTY: No. The member for South Fremantle should realise that the agitation has been brought about purely because of a fear in the public mind that their land may be acquired and they will not be paid a just price or receive fair treatment. During the recent by-elections, I found that this matter was creating considerable interest, and I was asked what I would do about it. I have had a lot of correspondence with regard to it generally. I do not know that I want to say much more about it. I approve of the motion. When the member for Toodyay introduced it, he said there were likely to be considerable land resumptions in the future due to the Stephenson town planning report. He mentioned the sum of £3,000,000. Whether that is anywhere near the mark, I do not know, because I have not gone into that side of it. In any case, whether there are to be large scale resumptions in that regard, or otherwise, it is certainly time that the Act was amended to ensure that justice shall be done to land-owners. I support the motion, and I hope the amendment moved by the Minister will be defeated.

HON. A. V. R. ABBOTT (Mt. Lawley—on amendment) [8.58]: This motion has been of some advantage to the community because it has stirred the Government up to giving consideration to this matter of land resumption.

The Minister for Works: I told the House on the opening day, I think it was, that the Government intended to amend the Act, but you will not be convinced.

Hon. A. V. R. ABBOTT: The Minister did.

The Minister for Works: How can you say it was stirred up because of this motion?

Hon. A. V. R. ABBOTT: I say that simply because if the Government had intended to do it along the lines the Minister mentioned in his opening speech—

The ACTING SPEAKER: Order! Will the hon. member address the Chair.

Hon. A. V. R. ABBOTT: Yes. I approve of the motion. I will make one or two suggestions to the Minister, and one is that on the valuation of the land, after resumption by the Government, the money shall be paid immediately—and the assessment made at the earliest possible moment. The Government has all the facilities and advantages of a big Public Works Department to assist in ascertaining the just value. If there is an appeal against that value and the claimant recovers 75 per cent. of the Government's offer, I submit that the costs of the appeal should be paid by the Government.

The Government ought to be compelled to make a generous offer when it is taking people's property, and if a person is dissatisfied with the resumption, a reasonable opportunity should be given to have a fair price decided. The Government can afford the risk of litigation where the ordinary individual usually cannot. Therefore the Government ought to be compelled to make its offer as generous as possible. There is also another provision that I think should be inserted. There ought to be some appeal as to whether the resumption should be allowed or not.

The Minister for Works: What are you discussing?

Hon. A. V. R. ABBOTT: I am discussing the Minister's amendment.

The Minister for Works: That is not in the amendment. The amendment is not the Bill.

Hon. A. V. R. ABBOTT: I know it is not. I am discussing the Minister's amendment. I quite agree with what the Minister intends to put in his proposed Bill, which he says is here.

The Minister for Works: To bring the position into line with present administrative practice.

Hon. A. V. R. ABBOTT: Yes.

The Minister for Works: And it intends to do a few other things.

Hon. A. V. R. ABBOTT: I am putting forward a few suggestions which should be incorporated in addition to what the Minister says he intends to put in the Bill. My suggestion is that the measure should include a provision that the assessment shall be paid within a reasonable time.

The Minister for Works: You are really in favour of my amendment with a few additions.

Hon. A. V. R. ABBOTT: I am in favour of the motion as originally moved but if the House carries the Minister's amendment I suggest that it should include these additional provisions which I am setting out.

The Minister for Works: They are in the amendment.

Hon. A. V. R. ABBOTT: No, they are not.

The Minister for Works: You point out where the amendment falls short of what you are suggesting.

Hon. A. V. R. ABBOTT: First of all the Minister says that the Bill intends to bring the position into line with present administrative practice.

The Minister for Works: Yes.

Hon. A. V. R. ABBOTT: And the Minister says that present administrative practice is to make an advance.

The Minister for Works: Yes.

Hon. A. V. R. ABBOTT: All right. Instead of making an advance, I am asking the Minister to pay the full amount of the offer to the person whose land has been resumed. I am saying, further, that if the owner feels that the Government's valuation is not just and he appeals and recovers an amount which is at least 75 per cent. of the Government's offer, the Government ought to pay the costs of the appeal. My reason is that the Government has legal officers available to it; it can afford litigation, whereas the average owner whose land has been resumed cannot afford to take the risk of £300 or £400 worth of litigation. Therefore, the Government ought to be compelled to be generous and if the appellant recovers at least 75 per cent. of the Government's offer, he should get the costs of the appeal. The appellant might recover more, the same amount, or less than the Government's valuation but I think a figure of 75 per cent. is reasonable.

The other suggestion I make is that in the Commonwealth Act there was a provision whereby one or both Houses of Parliament could disallow a resumption. The Minister said that he had no objection to that principle if both Houses in Western Australia were elected on a franchise

similar to that of the Federal Parliament. I suggest, if that is his only objection, there should be an appeal to a court or some other tribunal to see whether the resumption should be allowed or disallowed. I think that is only reasonable. It is easy for a Minister of the Crown to get enthusiastic about his department and say, "I need this, and I need that: I need a tremendous area." But surely there ought to be some appeal available to people whose land has been resumed so that an independent tribunal can decide whether the resumption is essential in the interests of the community, or whether it should take place at all.

The third suggestion I make is that if land is not required for the purpose for which it has been resumed, and has not been used within a reasonable time, it should be returned to the owner.

The Minister for Works: That is present administrative practice.

Hon. A. V. R. ABBOTT: I am pleased to hear that and, as the Minister said, I think it ought to be put into the Act. As members know, some time ago there was a case in England where a Minister of the Crown resigned because he failed to return to the owner land resumed for war purposes and which was not so used. This land was resumed for the building of an aerodrome and when, at the conclusion of the war, it had not been used for an aerodrome it was used, at the instigation of the Minister, for other purposes. There was an appeal to the courts and their criticism of the Minister was such that he felt he should resign and did so.

As the Minister says he recognises that principle, I shall not argue about it. If land is not required for the purpose for which it has been resumed, it should be returned. I hope the Minister will be able to incorporate in the Bill the provisions that I have mentioned and I must apologise to the House for being so hoarse. At present I have laryngitis but I thought these comments were necessary and if the Minister's present amendment is carried, I shall move to amend it by adding to it the words—

And to provide for an appeal to a court for decision whether the resumption should be disallowed.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth—on amendment) [9.8]: We have, I think, listened to one of the most remarkable debates at least that I have listened to since I have been a member of this Chamber—just over a period of 12 years.

Hon. A. V. R. Abbott: Are you including the Minister in that?

THE MINISTER FOR HOUSING: All of the speakers from the other side were members of the Government which created

an all-time record for the number of resumptions carried out. The Leader of the Opposition might well be crowned the king of resumers.

Hon. Sir Ross McLarty: I did not do what you did—put it in the "Government Gazette" and let the people wake up in the morning and find that their land had been resumed.

[The Speaker resumed the Chair.]

The Minister for Education: Yes you did.

Hon. Sir Ross McLarty: I did nothing of the sort.

The MINISTER FOR HOUSING: It is obvious that the Leader of the Opposition knows nothing of what took place during the time that he was leading his Government. If he will restrain himself for a few moments, he will perhaps learn a few facts in connection with it. The reason that I speak in connection with the matter is that there has been a deliberate campaign waged as a consequence of resumptions effected last October by the State Housing Commission, through the machinery of the Public Works Act.

There has been a sustained campaign which has created in the minds of quite a number of people the thought that something was being undertaken by this Government that had never occurred before and on a scale not previously undertaken. That campaign which has been fostered by the morning paper, has been waged unceasingly and I think that all members in their more non-political moments would agree that there has been letter after letter printed in the newspaper but giving no new slant or no news value at all but merely beating the drum to the same old tune all the way through. The morning newspaper, or "The Worst Australian" newspaper, through its misleading articles, has been conducting this campaign for a purpose, of course. No doubt servants of that newspaper have been writing letters to themselves for the purpose of keeping the campaign going.

Hon. Sir Ross McLarty: My word; you are expecting to hit the headlines in the morning.

Hon. L. Thorn: Which is your favourite newspaper?

The MINISTER FOR HOUSING: It is certainly not the morning newspaper.

Hon. L. Thorn: No.

The MINISTER FOR HOUSING: Let me tell the interjector that I had a long and interesting discussion with the editor of that newspaper within the last fortnight and I challenged him to show me one news item that had appeared in the morning Press over the past 12 months in connection with myself or any of the departments under my administration and which was a statement of fact or truth. In every case there

was a departure from the facts; there was an inversion; there was a complete somersault with what had been done; that is to say, there was a direct contradiction or else a complete suppression. Also attempts made by myself as Minister, after I had been affronted by the paper, and by other people on my behalf who had taken exception to the misrepresentations, had been refused and ignored and all approaches to make the necessary corrections met with no success. It has not been fair or decent in any respect.

But in any event, from the time that the electors declared themselves at the last State general election, that newspaper has been carrying out a vendetta or campaign—it is perfectly entitled to do that; it is the newspaper's right, but I merely—

Mr. SPEAKER: I think the Minister had better get back to the amendment.

The MINISTER FOR HOUSING: You, Mr. Speaker, will appreciate how it is connected with the whole position. That newspaper is responsible for this unceasing campaign and for the resolution that we are considering this evening. I will give a few examples of resumptions, spelt with capital letters, where far more people were affected—where their personal welfare was affected—but there was no campaigning or no sustained effort for weeks, months, and even years.

I rose, too, because, stangely enough, and perhaps unknown to the ex-Minister for Lands, the three requirements in his motion are given effect to by the State Housing Commission; it is part and parcel of its normal procedure. In the first instance, every person from whom land is resumed by the State Housing Commission is given a right of appeal to the Minister and that person also has a right of appeal to the court.

Hon. Sir Ross McLarty: This right of appeal to the Minister! What does it really mean? Do you ever see them personally and hear their cases?

The MINISTER FOR HOUSING: I have their cases as submitted on their objection forms, and if the papers—and there are several hundred of them—could be produced they would show that the departmental officers paid heed to every one of the points set down and accordingly made what could be described as generous recommendations. Members would also find that the present Minister for Housing exceeded those recommendations by making considerable additional areas of land available and that has been returned to the people where there has been any semblance of a case or argument.

The second requirement is that when resumption proceeds, an amount representing the market value of the land plus improvements, plus a percentage for resumption is paid. That, of course, is done at the present time, but it is done

in a way more generous than is generally recognised. The value of the land is established on the record of sales that have taken place in the locality in the period immediately preceding the date of resumption. On top of that the persons from whom the land is taken are paid what the land or property is worth to them, not what it might be worth to the Government. They are paid the valuation of all improvements, and they are also paid a disturbance factor of up to 10 per cent. It could be an insignificant amount, but it is up to 10 per cent., and under the present Government, it has been the maximum of 10 per cent.

Many claims have been finalised in the course of a few weeks. The trouble is that the erstwhile land-owners have been most remiss in lodging their claims. They have had a period of two years in which to do it. Some of them did not lodge their claims even within that period. They subsequently complained that land had been taken from them 12 months ago, and they had not received a penny for it. They had not received anything for it for the very good reason that they had not lodged claims, and that is one of the requirements of the Act.

Hon. Sir Ross McLarty: A lot of them who lodged claims have complained.

THE MINISTER FOR HOUSING: I would say that it is not in respect of resumptions that were carried out last October. Perhaps we should pay some attention to those resumptions that were carried out by the previous Government. I wonder if the Leader of the Opposition recalls the resumptions carried out in my electorate of East Perth. A whole number of houses, single unit, and two-storied homes in East Perth between Hay-st and Adelaide Terrace were resumed for the purpose of providing parking space for buses.

It was not a question of vacant unimproved land being required for development but the homes of people, for the purpose of parking omnibuses. That was something that was undertaken six or more years ago, and the land is still in its original state, except that quite a number have moved out, and there are cobwebs and all sorts of things over those buildings which are falling rapidly into a state of complete disrepair.

Hon. Sir Ross McLarty: This is the first time I have heard you mention this.

THE MINISTER FOR HOUSING: That merely indicates how out of touch with conditions is the Leader of the Opposition because I have raised that question not only from my present seat, but from the opposite side of the House at the time the action was taken.

There were some other factors in connection with it which I need not go into. Suffice it to say that in the area there were two shops, one of which belonged to

a foreigner and the other to an Australian. Both shops were resumed by the McLarty-Watts Government. The foreigner was kicked out, and the Australian was allowed to open up business in the recently vacated premises in which the foreigner had conducted his business. This person, of course, is a good Liberal and a very close personal friend—

Hon. Sir Ross McLarty: That is just the sort of stuff you would indulge in.

THE MINISTER FOR HOUSING: The Leader of the Opposition does not like it. If he has a memory he may recall that one of his colleagues, a Minister, took to task a private member of the Legislative Assembly because of what he said and what he did at a meeting of the Liberal Party in connection with this same proposition. We have heard about resumptions of houses old and new, some being built and some completed only a few weeks before in the Bayswater-Bassendean area, which were resumed for railway yards. It was not vacant undeveloped land, I repeat, but developed properties with home on them. Those people were compelled to leave, and tonight we have the Leader of the Opposition shedding his crocodile tears.

Hon. A. V. R. Abbott: There was no alternative land available for that purpose.

The Minister for Lands: You wait till you get your voice back.

THE MINISTER FOR HOUSING: Perhaps history will indicate in the very near future that that interjection is not at all balanced.

Hon. Sir Ross McLarty: And every effort was made to provide homes for those people. There was an offer made to do so.

THE MINISTER FOR HOUSING: The fact remains that homes were taken from those people by the publication of a notice in the "Government Gazette."

Hon. Sir Ross McLarty: And provision made to find them other homes.

THE MINISTER FOR HOUSING: That might have happened subsequently, but the fact remains that the McLarty-Watts Government grabbed houses from people for the purpose of parking places for buses and for railway yards. We then turn our eyes to the north of the city—to the Mt. Yokine-Wanneroo area—where the best part of 8,000 acres was taken in one grab. No negotiations took place. There was no warning, but a special "Government Gazette" was published and 660 persons were issued with notices telling them that their entire properties had been taken.

Hon. Sir Ross McLarty: And yet not one protest meeting was held.

THE MINISTER FOR HOUSING: I do not know what that has to do with it.

Hon. Sir Ross McLarty: It has a lot to do with it.

The MINISTER FOR HOUSING: Over 600 people had land taken from them by people who are now bleating this evening.

Hon. Sir Ross McLarty: And no public meeting was held in protest.

The MINISTER FOR HOUSING: Developed market gardens and houses were also taken. These recent resumptions which the Liberal Party in this House and the newspaper offices are making such a song and dance about, are in the vicinity of 2,000 acres.

Hon. Sir Ross McLarty: Is that all, in addition to the 8,000 acres you had?

The MINISTER FOR HOUSING: Yes, and in every case the homes with substantial improvements were returned to the owners.

Hon. Sir Ross McLarty: When there was a public outcry, yes.

The MINISTER FOR HOUSING: It was announced, before there was any sort of public outcry whatsoever, that certain action would be taken, and, true to the form of this Government, that undertaking has been honoured. It ill becomes the Opposition to talk in the strain it is doing at present.

The Minister for Education: They do not look too comfortable now.

The MINISTER FOR HOUSING: Then, of course, we have the blanket that was thrown over the Kwinana area from just a little of south of South Fremantle right down to the other side of Rockingham.

Hon. Sir Ross McLarty: And the price fixed at the time of resumption or before when prices for land were at a higher rate.

The MINISTER FOR HOUSING: Perhaps we should enlighten the Leader of the Opposition as to the fact that under resumption procedure, compensation is based on the preceding 1st July value if the land is resumed in the second half of the year, and as at the 1st January preceding if resumed in the first half of the year. Almost identical action was taken by the McLarty-Watts Government in connection with the Kwinana resumptions. I am not quarrelling about the necessity for it, but it was nevertheless a grab of people's entire properties by the Opposition when it was in Government.

Hon. Sir Ross McLarty: The value of the land was fixed at a certain date.

The MINISTER FOR HOUSING: Precisely, and as I have said that is done in the case of every resumption which is carried out. It has been the case for 50 years in Western Australia, so there is nothing new about it.

Hon. Sir Ross McLarty: Have you heard any complaints about payment in the Kwinana resumptions?

The MINISTER FOR HOUSING: We did not hear complaints about the pegging of the basic wage because a complete curtain was drawn down.

Hon. Sir Ross McLarty: What has that got to do with it?

The MINISTER FOR HOUSING: It has this to do with it: When it suits a certain newspaper office to initiate a certain campaign, it is an easy matter. Any jackanapes can say anything derogatory about the Government and get it published. That is what has happened. The Leader of the Opposition read out a letter from a certain Mrs. Chalkley. She has a fine, well-developed area which was included in the blanket resumption. The Leader of the Opposition had better learn that every square inch of Mrs. Chalkley's land was returned to her; every square inch of it. He might be interested in the person who was putting skull and cross bones and other notices on his fences.

Hon. Sir Ross McLarty: Not a bit.

The MINISTER FOR HOUSING: He seems to be interested in anybody who makes a noise in connection with this. That person has not had one square inch of land taken from him by any Government at any time.

The Premier: I think he wrote a letter to the Leader of the Opposition.

The MINISTER FOR HOUSING: He was apparently basking in his recently found fame, or notoriety, by having this drivel published in the Press, and, fortified in his outlook on life, he chose to write letters to the wives of prominent citizens in Western Australia of differing political views in which he threatened the lives of those public men. That is the sort of thing that has been going on. Representatives of the Party which the Leader of the Opposition leads, have been going from door to door inflaming these people, scaring them and telling them what were nothing more or less than lies.

Hon. Sir Ross McLarty: I know that is not true.

The MINISTER FOR HOUSING: I know absolutely and positively that it is correct.

Hon. Sir Ross McLarty: You make political capital out of everything.

The MINISTER FOR HOUSING: If the Leader of the Opposition or any of those members who sit beside him or behind him can contradict in substance what I have said tonight, then they deserve more than a knighthood, because I am merely quoting extempore from my knowledge and experience of what occurred under the McLarty-Watts Government when I was a private member, and from what I have seen since from the records of what was done when they were the Government.

Hon. Sir Ross McLarty: We have never been able to stir them up like you have.

The MINISTER FOR HOUSING: Of course it is easy to stir things up.

The Minister for Lands: You would not expect to organise against yourself, would you?

The MINISTER FOR HOUSING: Now let us get down to land values. There is a certain suburb in which the Minister for Works would be exceedingly interested. An approach was made to a certain firm with regard to the purchase of its land. The State Housing Commission offered £20 an acre for it. The principal of this firm appeared to be incensed at the offer and he asked for £120 an acre. This was virgin bush land. Inquiries were made and it was ascertained that this firm had valued its own land for taxation purposes at £10 per acre. Negotiations proceeded for a considerable period.

There was a certain amount of bluff by the firm concerned and, ultimately, the State Housing Commission became impatient and offered that firm an increase on the £20 up to £30 an acre, and informed the firm that unless it was prepared to accept that amount, the land would be resumed and the firm's own valuation would be taken into account, and there would be some "Please explain" from another Government department. That firm thought it was entitled to £120 an acre and it received £30. I would appreciate an interjection as to what Government was at the helm when that occurred.

The Minister for Railways: One guess.

The MINISTER FOR HOUSING: There is a person very prominent in the Liberal Party who was also chairman of the Employers' Federation and who had a business that traded extensively during the war years. He desired to expand his business. There was a humble fellow with a block of land next door carrying a brick building where, until he was called up for war service, he conducted a business. Then he leased the property to someone else. He was approached and was offered £2,000 for the property. The department of the then Minister for Lands apparently had something to do with the matter of the acquisition of land for industrial purposes; I am referring to the member who is responsible for submitting this motion.

Hon. L. Thorn: I know the case to which you are referring.

The MINISTER FOR HOUSING: The department ultimately forwarded a notification to the man that his land had been acquired for industrial purposes. This humble chap approached one of the leading K.C.'s—as they were at that time—as well as quite a number of other people. The matter was taken to court and, on a technical point, that person won his case.

Hon. L. Thorn: Do you say that I signed that?

The MINISTER FOR HOUSING: I know that the member for Toodyay was Minister for Lands at the time.

Hon. L. Thorn: I did not sign it. I refused to sign, and you know it. The man's claim was false.

The MINISTER FOR HOUSING: There is no evidence to that effect on the file and nowhere was there a protest or an objection by the Minister for Lands.

Hon. L. Thorn: I stuck by him. He lived at Parkerville and his name was Paul.

The MINISTER FOR HOUSING: There is no recorded objection by the member for Toodyay in respect to that transaction. I do not want to give members of the Opposition a lesson in the application of certain Acts of Parliament. Johnston, the individual in question, approached the Department of Industrial Development which then, according to the machinery of the Act, took the necessary action to acquire the land for him. That action was appealed against; the appellant was successful, and that was the end of it.

Hon. L. Thorn: Johnston was forced to the court. I would not approve of it.

The MINISTER FOR HOUSING: No, the case was fought on a technical point as to the meaning of certain words in the Act, and it had no relationship to anything that the present member for Toodyay did or did not do.

Hon. L. Thorn: Oh, yes it had!

Hon. A. V. R. Abbott: The Minister does not know anything about this.

The MINISTER FOR HOUSING: Strangely enough, I have in my office the file of the Department of Industrial Development, the file of the Crown Law Department and the notes that were taken by the man who heard the case and gave the decision.

Hon. A. V. R. Abbott: That is all right.

The MINISTER FOR HOUSING: Therefore it is logical to assume that I do know something about it.

Hon. A. V. R. Abbott: Do you know who appealed?

The MINISTER FOR HOUSING: Yes.

The Minister for Works: Does the member for Mt. Lawley know?

The MINISTER FOR HOUSING: It was C. F. Paul and his counsel was H. C. Downing.

Hon. A. V. R. Abbott: He was not the appellant.

The MINISTER FOR HOUSING: This argument could continue all night. I am speaking of the facts revealed by three sets of papers that are in my office at the present moment. After the appellant had succeeded with his case, he sold his land

for many times what had been offered to him by Johnston through the Department of Industrial Development. So, when we have regard for the number of acres that were taken by the McLarty-Watts Government, the number of persons who were affected by the resumptions, and the number of persons and business premises and developed properties that were acquired by that Government, I ask myself what sort of hypocrisy is it that they, who were the instigators of those property-grabs, should be submitting a motion of this sort.

Hon. Sir Ross McLarty: They never created the present outcry.

The Minister for Railways: "The West Australian" did that.

The MINISTER FOR HOUSING: Consequently I have the gravest doubt as to the motive that actuated the mover of the motion. I look forward a few months; a general election is approaching, and this is probably as good a stick as any with which to beat a dog.

Hon. Sir Ross McLarty: A dog, eh?

The MINISTER FOR HOUSING: There is probably some saving grace in the fact that the present Government has decided that certain amendments should be made to the Public Works Act for the purpose of streamlining and speeding up the various processes, and incidentally for speeding up action on the part of the appellants as well, so that these matters will not be drawn out over many years. There will be certain safeguards in the legislation. I suppose that sooner or later the political pendulum will swing, and the public may be satisfied that if we again have a McLarty-Watts Government in office, it will not be able, to the same extent, to ride rough-shod over the rights of hundreds or thousands of people in the manner it did.

Regarding the powers of land acquisition under the State Housing Act, as already indicated, substantially the three provisions in the motion are contained in that legislation. In any event, the powers of acquisition will expire in a few months' time, certainly before the general election takes place, so there will be no need to worry on that account at least until such time as the matter may be re-submitted to Parliament.

I look into the future. There is a Stephenson plan covering the greater metropolitan area. As has already been mentioned, if substantial effect is to be given to that plan, it will entail many thousands of resumptions, involving not only undeveloped land but also front gardens, houses, offices, factories and so on. Strangely enough, we have an advisory committee which has agreed to propositions involving thousands of acres in the metropolitan area, and I have been informed that those propositions have been unanimously approved by that committee.

In other words, the representations of the Opposition parties on the committee agree that it is essential in the public interest that the State should have power to resume and, in fact, that the State should proceed with those resumptions. Yet we have before us the sort of motion we have been debating this evening!

I think sufficient has been said to indicate that there has been in the recent months, a designed campaign in connection with resumptions, and whatever has been undertaken by the present Government pales into insignificance in comparison with what was done by the McLarty-Watts Government.

Hon. Sir Ross McLarty: I see now why you invited us to join the advisory committee. You are already making good political use of it.

The MINISTER FOR HOUSING: That is not so. There has been such a deliberate attempt to create panic in the minds of people whose properties have been affected that I consider it necessary for all of us to be honest in connection with this matter.

Mr. Hearman: What about making a start yourself?

The Premier: That would be impossible for the member for Blackwood.

The MINISTER FOR HOUSING: We must realise that there is a recognition by the committee, irrespective of political colour, that resumptions are inevitable as they have been over the years for a hundred and one different purposes. It is a constant process. Anyone who studies the "Government Gazette" must realise that scarcely a week passes without resumptions of one sort or another being undertaken.

Yet, because of one set of resumptions effected to provide homes for the people—this I suppose is the greatest possible bulwark against communism—because of such resumptions, not for the first time in the history of the State and not the largest resumptions made in the history of the State, but because they have been made by the present Government and through a Minister who is in disfavour with a certain journal, these people have been treated with the sort of entertainment—which it would be if the matter were not so serious—of which we have had experience over the last 11 months. Some of the things that have been said have been shocking and disgusting in the extreme, and certain members of this Parliament are not blameless in that connection.

And so, as you have probably gathered, Mr. Speaker, I have very little regard indeed for this motion which has been submitted to the House, notwithstanding the protestations of its mover that it was prompted by a non-party spirit. Why was not a proposition such as this—not

by way of motion but by way of amendment to the Act, introduced at some time during the six years when the present Opposition occupied the Treasury benches? The same sort of procedure was being taken, only in an aggravated form—

Hon. Sir Ross McLarty: There was not the same public concern and outcry.

The MINISTER FOR HOUSING: How is it that there is this terrific outcry when there are approximately 400 people affected, when apparently all was peace and quiet in the land when more than 600 people were affected by a single resumption, without any regard to all the other resumptions which involved solid structures, new houses, the changing of living places, and so on? How does it come about?

Hon. Sir Ross McLarty: Because of the dissatisfaction of the people with your actions.

The MINISTER FOR HOUSING: Why are they more dissatisfied with the lesser resumptions as against the greater? I think it is perfectly obvious.

Mr. Court: You always get a reaction based on the immediate effect of the resumption rather than the size of the areas concerned, and this last resumption had an effect entirely different from that of the large-scale resumption to which you referred.

The MINISTER FOR HOUSING: That could not be so—

Hon. Sir Ross McLarty: Did you not see the result of the election for the South-West Province?

The MINISTER FOR HOUSING: In view of the instances I have given where resumptions were undertaken by the McLarty Government—entire areas almost without exception, where, if there were a blanket resumption thrown over an area, the whole of it was taken—I would point out that the resumptions undertaken by the present Government were made in the interests of housing and where there were homes or substantial grounds advanced by claimants that they had half-a-dozen children and wanted blocks for each of them, or something of that nature, all that land was returned to them. Therefore the effect on the individual in this instance could not have been, and indeed was not, nearly as damaging as that in the case of the resumptions undertaken by the Opposition when the Government.

Further than that, in collaboration with my colleague, the Minister for Works, I have ensured that more prompt and generous compensation is being paid. It might surprise some members opposite to know that persons have actually made approaches for us to take more of their land, and others whose land was not taken at all have asked us to resume areas of

their land. A classic example is that of a woman who protested against the resumption of her land because she had almost effected the sale of it for £1,000, and the valuation of the Public Works Department of that land was in the vicinity of £2,500! Because of this resumption, instead of that woman selling her land for £1,000, she will now receive £2,500 for it.

That gives some idea of the approach of the present Government to this question. It would have been a simple matter for the Government to accept that woman's figure of £1,000, and I might add that there are many such instances. As the Minister for Works has already said, there have been numerous occasions on which more money has been paid than the amount mentioned in the claim lodged by the affected person.

Mr. Court: Reverting to my original interjection—if you look at the map of the October, 1954, resumptions, you will see why more irritation was caused there than resulted from the large-scale resumptions to the north of the town.

The MINISTER FOR HOUSING: I cannot see that for one moment. If one looks at the map, one sees that the McLarty Government resumptions are nothing less than a big blob of resumptions, and not paid for—

Hon. Sir Ross McLarty: Why do you not do your job, and pay for it?

The Premier: You did not leave us any money.

Hon. Sir Ross McLarty: I do not know what you are doing with all the money. What are you doing with the huge sums you are receiving from the betting tax?

The MINISTER FOR HOUSING: In connection with the resumptions effected in the last 12 months, there have been no delays in payment of compensation where a proper claim for compensation has been lodged.

Mr. Court: Do you agree that there has been a complete change of heart as regards the administrative approach to resumptions in the last nine months?

The MINISTER FOR HOUSING: When the resumptions were first announced, there was a statement published in "The West Australian", and the "Daily News" and broadcast over the air by the A.B.C., explaining exactly what the procedure would be, how much would be returned, and so on. That was all explained, and therefore I deny that there has been any change of heart in the matter. We have merely conformed to the initial announcement, but, of course, there have been these distortions and perversions since then; but that has not deterred the Government, which has proceeded to carry out the original undertaking given to the public.

The Leader of the Opposition seems to think that because he was such a champion at resuming land there must be unlimited

areas available to the State Housing Commission in the metropolitan area and that therefore there could have been no need to acquire further land. I have on several occasions announced that we were reaching the stage—if we continue building houses at the present rate we will be at that stage in a matter of months in the Fremantle district—of having no land in particular localities, and I ask what is the good of having 8,000 acres at Wanneroo to house people whose employment takes them to South Fremantle, or somewhere else—

Mr. Bovell: Why not build some houses in the country?

The MINISTER FOR HOUSING: If the member for Vasse wishes to discuss housing, we can do that on some other occasion, but the gigantic resumptions undertaken by the previous Government were ill-conceived in every respect. Fancy, in a metropolis the size of ours, acquiring enormous areas such as that, as though every person could be made to reside in the one area! Obviously, there must be areas of land available to serve the people in Midland Junction, Bassendean, Welshpool, Fremantle and so on—

The Premier: And in Pinjarra.

The MINISTER FOR HOUSING: Land is required in many different localities and notwithstanding the fact that grandiose resumptions were carried out by the McLarty Government, it was necessary, in order to have a reasonably balanced programme, that land should be acquired in other areas.

Hon. Sir Ross McLarty: We did not put the wind up the people, as you did.

On motion by Mr. May, debate adjourned.

House adjourned at 9.53 p.m.

Legislative Council

Thursday, 15th September, 1955.

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

QUESTIONS.

WATER SUPPLIES.

Allanson Reticulation Scheme.

Hon. J. MURRAY asked the Chief Secretary:

Will he inform the House—

(1) Whether the Government is satisfied with the water supply at Allanson?

(2) When, if ever, residents in Allanson can expect a reticulated supply from the present dead-end supply?

(3) What is the estimated cost of a reticulated scheme?

The CHIEF SECRETARY replied:

(1) No.

(2) As soon as funds can be made available without affecting progress on higher priority water supply works already in hand.

(3) £5,000.

WITTENOOM GORGE ASBESTOS.

Decision by Tariff Board.

Hon. H. K. WATSON (without notice) asked the Chief Secretary:

(1) Has the Government given consideration to the effects of the Tariff Board's decision regarding asbestos from Wittenoom Gorge?

(2) If so, what is proposed to overcome the problem besetting the industry in the district?

(3) If not, will he make an early announcement?

The CHIEF SECRETARY replied:

I will pass the question on to the Minister for the North-West, who is the one concerned in this instance, so that the hon. member may have an answer to his questions at the next sitting of the House.

WAR SERVICE LAND SETTLEMENT SCHEME ACT.

To Disallow Fee Simple Regulation.

HON. J. McI. THOMSON (South) [3.35]: I move—

That regulation No. 23 made under the War Service Land Settlement Scheme Act, 1954, published in the "Government Gazette" on the 4th February, 1955, and laid on the Table of the House on the 9th August, 1955, be and is hereby disallowed.

If this regulation is allowed to remain in its present form it will give the Minister and his officers powers that are far too sweeping in regard to the purchase of war service properties by the settlers. It places a settler completely in the hands of the Minister in this regard. It will