

Legislative Assembly.

Friday, 1st December, 1950.

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QUESTIONS.

RAILWAYS.

(a) As to Passenger Service, Kalgoorlie-Boulder.

Mr. OLIVER asked the Premier:

(1) Is he aware that the railway passenger service after operating for a period of approximately 50 years between Kalgoorlie and Boulder has been terminated by his Government?

(2) Is he aware that no attempt has been made by the Railway Department to provide the people of Boulder with a substitute passenger service?

(3) Will he give an assurance that suitable passenger transport facilities will be provided to meet the needs of the Boulder people who used the railway service?

The PREMIER replied:

(1) The service provided is a passenger coach attached to a goods train which has not yet been terminated but will be shortly.

(2) A road motor service will cater for goods in less than rail truck loads and parcels traffic but a passenger substitute service is not warranted.

(3) If and when the demand for passenger transport appears to warrant it, the matter will be given further consideration.

(b) As to Welshpool-Bassendean Line, Resumptions.

Mr. BRADY asked the Minister representing the Minister for Railways:

In the event of a railway being built from Bassendean to Welshpool, how will the owners of homes resumed by the Government be compensated?

The MINISTER FOR EDUCATION replied:

It is difficult in the varying circumstances to lay down at this stage any method of compensation that will be followed in such cases. The provisions in the Bills now before Parliament have been inserted (as has already been explained) to enable in any case it may seem desirable or just, compensation to be paid to a greater extent or by means other than those normally practised under the Public Works Act. It will be quite clear, therefore, that the Government intends to deal sympathetically with all cases, and that each case must be dealt with individually.

The Railway Commission had given consideration to possible alternative areas and routes, particularly in regard to the avoidance of disturbance of existing homes, and also with regard to the necessities of railway working, curves and grades, which had to be taken into account for satisfactory and safe railway working. Any alternative route would have either been impossible for engineering reasons or would have involved tremendously greater disturbance and resumption of homes.

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

EDUCATION.

As to Manual Training Centre, Northam.

Hon. A. R. G. HAWKE asked the Minister for Education:—

When are tenders likely to be called in connection with the proposed new manual training centre to be erected at the Northam High School?

The MINISTER replied:

It is anticipated that an estimate for this work for submission for Treasury approval will be received in approximately four weeks' time. Tenders will be called as early as possible after such approval is obtained.

LIBERAL AND COUNTRY LEAGUE.

As to Use of House as Offices.

Mr. KELLY asked the Premier:

(1) Is he aware that a large residential house at 1140 Hay-street, West Perth, with basement, back and front verandahs, capable of housing comfortably two or three families, is being used as offices by the Liberal and Country League of W.A. (Inc.)?

(2) Will he take action immediately to ensure that the house is used for residential purposes?

The PREMIER replied:

(1) and (2) It is agreed in democratic countries that all political parties have a right to organisational headquarters to carry out their function. The Liberal and Country League of W.A. was obliged to relinquish its previous offices and the premises now occupied were the only suitable ones available.

SUPERPHOSPHATE MANUFACTURE.

As to Use of Sulphur from Kalgoorlie Mines.

Mr. OLIVER asked the Premier:

(1) Is he aware that approximately one hundred and fifty (150) tons of sulphur containing large quantities of sulphuric acid are discharged from three large ore treatment plants at Boulder, in the form of fumes, every day they are operating?

(2) Having regard to the anticipated shortage of sulphur for the purpose of manufacturing agricultural manures, will he have investigations made to ascertain the possibility of having this source of supply made available to the manufacturing interests?

The PREMIER replied:

(1) I am aware of the discharge of elemental sulphur in the waste gases resulting from the treatment of sulphide ore on the Golden Mile.

(2) Already discussions with the Chamber of Mines have taken place, and it is proposed to approach the Commonwealth Scientific and Industrial Research Organ-

isation with a request that research work be undertaken to ascertain whether the sulphur could be economically recovered.

WHOLEMILK INDUSTRY.

As to Appointment of Royal Commission.

Mr. HOAR asked the Premier:

(1) What steps have been taken to give effect to the motion carried in the Legislative Assembly this session to appoint a Royal Commission to inquire into all phases of the wholemilk industry?

(2) Is it his intention to appoint such a Commission? If so, when? If not, why not?

The PREMIER replied:

(1) and (2) The matter is receiving the consideration of the Government.

TIMBER.

As to Recommendation for Price Increase.

Mr. STYANTS asked the Attorney General:

Will he (without divulging any information by the Timber Millers' Association) lay upon the Table of the House the recommendation from the Prices Commission that an increase of 3s. per hundred super. feet be granted from February, 1950, and his remarks thereon?

The ATTORNEY GENERAL replied:

Under Section 10 of the Prices Control Act the Prices Control Commissioner is authorised to fix and declare maximum prices, and such matters are not referred to the Minister but dealt with by the Commissioner.

In the case referred to, no recommendation was submitted to the Minister, but the determination was made by the Commissioner in accordance with his powers.

BILL—NOXIOUS WEEDS.

Conference Managers' Report.

The MINISTER FOR LANDS: I beg to report that the conference managers met in conference on the Bill and reached the following agreement:—To delete the word "secondary" in Clauses 51 and 52. The occurrence of the words secondary being in Part VII, which deals specifically with the eradication of secondary weeds makes it appear that the rate to be levied was for the purpose of enabling the local authority to deal with secondary noxious weeds. As, however, the responsibility of the local authority extends to primary weeds it must have the power to levy a rate to cover both types of noxious weeds. Therefore the restrictive word "secondary" should be deleted. I move—

That the report be adopted.

Question put and passed, and a message accordingly returned to the Council.

BILLS (2)—FIRST READING.

- 1, Swan Lands Revestment.
Introduced by the Minister for Lands.
- 2, Constitution Acts Amendment (No. 4).

Introduced by the Attorney General.

BILL—AGRICULTURE PROTECTION BOARD.*Council's Further Message.*

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendments insisted on by the Council and had appointed Hon. L. Craig, Hon. A. L. Loton and Hon. G. B. Wood as managers for the Council, the Speaker's room as the place of meeting and the time the 5th December at 11.30 a.m.

MOTION—STATE FORESTS.*To Revoke Dedication.*

THE MINISTER FOR FORESTS (Hon. G. P. Wild—Dale) [2.25]: I move—

That the proposal for the partial revocation of State Forests Nos. 9, 14, 20, 22, 38 and 50 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 30th November, 1950, be carried out.

This is the customary revocation motion for parliamentary approval, as required by the Forests Act, for the excision of certain areas from State forests. The excisions relate to seven areas totalling 149 acres and six State forests will be affected. The particulars of the individual areas are:—

Area No. 1.—About 1½ miles south of Yornup. Approximately 38 acres of poorly timbered country applied for in conjunction with adjoining vacant Crown land.

Area No. 2.—At Holyoake: Approximately ½ acre to enable the Crown to issue a satisfactory tenure to the proprietor of the buildings erected thereon.

Area No. 3.—About ¾ mile north of Greenbushes. Approximately 11 acres, half of which is cleared, the balance carrying only poor quality timber. Requested by the Greenbushes Road Board to extend the adjoining recreation reserve.

Area No. 4.—About 1½ miles north-west of Jarrahdale. Part 1: Approximately 10 acres of open forest country sparsely timbered. Part 2: Approximately 13 acres of open forest country carrying mainly malformed and small timber. Both areas have been applied for by the adjoining owner.

Area No. 5.—About 6 miles east of Manjimup. Approximately 5½ acres to be exchanged for 5½ acres comprised in Nelson Location 7558 for inclusion in State forest.

Area No. 6.—About 2½ miles south of Contine siding. Approximately 71 acres to be exchanged for approximately 96 acres comprised in parts of Williams locations 5533 and 5534 for inclusion in State forest.

These excisions have been recommended by the Conservator of Forests and the papers have been laid on the Table of the House.

HON. F. J. S. WISE (Gascoyne) [2.28]: I have taken the opportunity to study the schedule submitted under His Excellency's signature and have no objection to the motion being agreed to.

Question put and passed.

On motion by the Minister for Forests, resolved: That the resolution be transmitted to the Legislative Council and its concurrence desired therein.

BILL—SEEDS.

Bill read a third time and transmitted to the Council.

BILL—RAILWAY (UPPER DARLING RANGE) DISCONTINUANCE.*Second Reading.*

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling) [2.29] in moving the second reading said: As the Title of the Bill denotes, this is a proposal to close the Upper Darling Range line which runs from Midland Junction to Karragullen. This line has been closed to traffic since the Australia-wide coal strike in July, 1949. The total length of the line including a small section at the Midland Junction end, which it is desired to retain, is 20 miles 52 chains. The Midland Junction-Pickering Brook section of the line was purchased from the Canning Jarrah and Timber Company in 1903 and the Pickering Brook to Canning Mills section from Millars' Karri and Jarrah Company in 1910. The remaining section, from Canning Mills to Karragullen, was constructed by the Government and opened for traffic on the 5th August, 1912. The capital cost of the line is £26,433.

The question of closing the line permanently has been considered for some time, and the results of operation for the year ended the 30th June, 1949, which I will quote, show that the retention of the line would be hard to justify:—

	£
Working Expenses	22,640
Interest	1,923
	<hr/> £24,563
Earnings	1,337
	<hr/> £23,226
Loss	

The roundabout nature of the route and the heavy grades encountered have made the working of the line most uneconomical and resulted in practically the whole of the traffic, both passenger and goods, being lost to road transport. If there were any possibility of the line again becoming a payable proposition it might be desirable to retain it; but there appears to be no prospect of that and if the portion in the vicinity of Midland Junction, which serves the Metropolitan Brickworks siding and the Army Ordnance Depot at Bushmead, were retained the remainder could be closed and serviceable material recovered, and used to advantage elsewhere by the Railway Department.

The Transport Board, in pursuance of its powers under Section 11 of the State Transport Co-Ordination Act, has investigated the proposed closure and reported that as road transport can, and does, cater satisfactorily for most loading, the retention of the line would result in the carriage of only 30 tons of bulk wheat per week to Carmel for the Sanitarium Health Food Company and occasional consignments of manure. The board is of the opinion that the retention of the line for this small volume of traffic is not justified and recommended that it be closed. I have here the report of the Transport Board in relation to the proposed closure, which is dated the 21st June, 1950, and reads as follows:—

With regard to the proposed closure of the Midland Junction-Karragullen railway, as referred to by the Chief Commissioner of Railways in his minute dated 10th ultimo, the Board made an inspection of the area affected and also sought information from the member for the district (Hon. G. P. Wild, M.L.A.) and from the Darling Range Road Board.

Replies to this correspondence are attached hereunder, from which it will be noted that as road transport can and does cater satisfactorily for most loading, the retention of the line would result in the carriage of only 30 tons of bulk wheat per week to Carmel and occasional consignments of manure.

The Board discussed the position at its last meeting and is of opinion that the retention of the line for this small volume of traffic is not justified, and it is therefore recommended that the line be closed in accordance with the proposal of the Chief Commissioner of Railways.

I move—

That the Bill be now read a second time.

On motion by Mr. Marshall, debate adjourned.

As to Procedure.

Mr. SPEAKER: Did the member for Darling Range rise to speak on this Bill?

Mr. Owen: Yes.

Mr. SPEAKER: I would appeal to members not to leave their seats just when a debate is about to be adjourned or continued. This happened yesterday and it has occurred several times and is confusing. Members are inclined to rise when a motion for the second reading of a Bill has been moved and attempt to leave the Chamber at that point. If members will refrain from doing that, confusion will be avoided. I am sorry that the member for Darling Range missed the call.

BILL—LUNACY ACT AMENDMENT.

Second Reading.

Debate resumed from the 29th November.

HON. E. NULSEN (Eyre) [2.35]: I am sorry the Minister is not here today. The Lunacy Act is a relic of the 1871 Act; and although there has been a consolidation on two occasions—in 1903 and 1920—not many amendments have been made. Consequently the Act is obsolete and impracticable. That was proved when we had a Royal Commission into the behaviour of the administration and the employees of the Claremont Mental Hospital. The Inspector General has an onerous responsibility in regard to that institution, although he has a very good right-hand man in Dr. Prendergast, whose associates, in turn, are loyal to him. Between them they do a good job. I want to pay a tribute also to the matron, who has a difficult task. So have the nurses, who get knocked about considerably! People do not realise that it is not all beer and skittles for them. I feel that more members of Parliament should inspect the institution and find out exactly what those folk have to do and endure.

Mr. Marshall: Do you suggest that would be safe?

Hon. E. NULSEN: I do not know. I cannot speak for the mentality of all. Nevertheless, I think that we should know more about the work of those people engaged at the mental hospital. If we do not go there we cannot speak intelligently on the prevailing conditions. The staff—the nurses and attendants—and all connected directly with the asylum are doing an excellent job, and I would not like anyone to think for a moment that they should be depreciated in any way by rumours that have been spread since the Royal Commission inquired into conditions at Claremont.

The Board of Visitors has a great responsibility and is performing good service, but I think the responsibility placed upon its members is too great. Its power supercedes that of the administration of the mental hospitals. It can direct the Inspector General as to what he must do, and that is wrong. Under the Bill, that will be remedied and I feel that the Board

of Visitors will be pleased to have that responsibility taken from it. I do not see why the members of the board should have any right, lacking experience, to dictate to the administration, and more or less to the Government, what should be done. I suppose that when the Act was first passed there were only 200 or 300 patients at the mental hospital and the task of the Board of Visitors was simple. But now that there would be at least 1,500 patients to look after, it would be impossible for the old Act to be carried out by the administrators. The Inspector General has to report to the Minister. He could not make a general inspection every three months in accordance with the Act. I feel, also, that the Bill will be of great advantage to the administration because the onus on the Inspector General will not be nearly as severe as it has been.

I am glad the Minister has made provision for the appointment of more psychiatrists. Some have been appointed, and I believe the Government got them by offering greater inducements. A psychologist has been appointed, and he should be of great benefit to the inmates. There was also a physiotherapist at Claremont, but unfortunately the authorities could not keep her, but they are endeavouring to get another one, or possibly two. I believe that under the Public Service Act three welfare officers have been appointed. The new Act makes provision for them to be appointed strictly under the Lunacy Act. These features all point to the fact that the administration and the Government are to be highly commended. I must give credit for the making of these appointments. When I was Minister, Dr. Thompson made quite a number of recommendations, and they have been incorporated in the Bill. At the time I read them carefully and felt they were justified. The doctor had made an extensive tour of Europe and America, and on his return he made recommendations which were commendable, but I did not have the opportunity of putting them into operation because at the following election the Government of which I was a member was defeated.

I have a bit of a grouch here in connection with Wokalup. The property there is an excellent one. My predecessor made the selection, but I find now that the Government has handed it over to the Agricultural Department for use as a research station. I am sorry to know that because there is nothing more helpful to the mentally distressed than success and, the property at Wokalup being prolific, they would have enjoyed their work there, and I am sure it would have helped them in their recovery. If the Government gets a place close to the metropolitan area it will be more or less a sandhill property without the productive capacity of the Wokalup

place. I am pleased to know that the T.B. testing of the cattle at Claremont has been carried out so that the herd there now is one of the cleanest and best in the State. The dairy at Claremont supplies milk not only to the Claremont hospital but also to Greenplace, Whitby and Heathcote. The herd is doing a wonderful job, not only for the asylum, but for other institutions such as "Sunset" and the Old Women's Home.

I do not intend to waste much time on this measure because the Minister gave a full exposition of it, but I do hope that more progress will be made in this matter, and that it will not be long before there will be a school at the Claremont Hospital for the education of the suitable inmates, especially the children. Some, I think, could be trained in handicrafts. Generally speaking, I believe the Bill is a good one. I do feel, however, that we should bring down a new measure altogether, but before doing so we should make a thorough examination of the Acts in the British Empire and America so that the legislation we introduced would be in accordance with the times.

The new Bill is very useful, but it is based on the old Act of 1871. I would like to see that Act repealed and a new measure introduced containing the latest provisions that can be found in the world. I feel that, had it not been for the recent war, new legislation would have been brought down by my predecessor, who took a keen interest in mentally sick persons, and at times got hot under the collar when he could not obtain them for what he thought necessary in the matter of accommodation, etc. I am glad that the present Government has taken a similar interest in the matter. I support the second reading.

HON. J. B. SLEEMAN (Fremantle) [2.51]: It seems to me that notwithstanding the efforts of the Royal Commissioner having been slighted and his report having been said to be unbalanced, illogical and so on, that gentleman did a lot of good for the inmates of the mental hospital, as much of this Bill appears to have been based on his findings. His report dealt extensively with the Board of Visitors, as does also the Bill. I cannot understand why certain sections of the Act are to be repealed and replaced by almost identical wording. Subsection (1) of Section 95 of the Act states—

The board of any institution or a majority of such board shall, once at least in every month, and also at such other times as the Minister may direct—

- (a) visit such institution with or without any previous notice and at such hours of the day or night and for such length of time as they may think fit.

That is to be repealed and replaced, in the Bill, by the following:—

(1) The board of any institution or a majority of the board shall—

(a) visit such institution with or without any previous notice and at such hours of the day or night and for such length of time as it may think fit at least once in every month—

and tacked on to the end of that are the words—

and also at such other times as the Minister may direct.

—the addition of those words being the only alteration. Subsection (2) of Section 95 of the Act states—

After every visit the board shall transmit to the Minister a statement of the number of patients admitted or discharged since the date of the last visitation, together with a copy of the entry made by them in the Inspector General's book, and any other information they may consider necessary.

That is to be repealed and replaced, in the Bill, by the following wording:—

At each monthly visit the board shall include in its minutes a statement of the numbers of patients at the institution compared with the numbers at its last previous visitation and at each quarterly meeting shall include a report of its inspection under paragraph (b) of Subsection (1) of this section.

The section further states—

The board shall from time to time make reports to the Minister upon the management of the institution, and the observance of the regulation concerning the welfare and conduct of patients, and may make recommendations with regard to the management, and the amendments of regulations generally.

This is to be repealed and replaced, in the Bill, with the following:—

The board shall from time to time make reports to the Minister upon the management of the institution, and the observance of the regulations concerning the welfare and conduct of patients and may make recommendations with regard to the management, and amendments to regulations generally.

It seems that practically half the Bill deals with the board, deleting the provisions at present in the section and replacing them, almost word for word, with the addition of just a few more words. There was no need for that, unless the Government wished to impress on the public that it was bringing down legislation dealing with the board. The Royal Commissioner made some scathing remarks about the board.

In "The Sunday Times" of the 25th June, 1950, the Royal Commissioner is reported as follows:—

The Board has failed to attempt to pay unexpected visits to the Hospital as permitted by the Act. Dr. McWhae's evidence that "surprise" visits are impossible is in conflict with Dr. Prendergast who stated that "they might attend without my knowing anything about it."

When the Government brought down this Bill, it might have added to it the words "with apologies to the Royal Commissioner, who did so much for the patients at Claremont." Clause 11 of the Bill states—

Section one hundred and eighty of the principal Act is amended by substituting for the word "strikes" in line four the word "assaults".

That has made it much more difficult for inmates. As a legal man, Mr. Speaker, you know that an assault means little, whereas to strike a man means a lot. I take it that, if that clause is agreed to, a patient will merely have to dig a warder in the ribs with his thumb for the warder to be able to claim that he has been assaulted. We may be able to get an explanation of that from the Attorney General when the Bill is in Committee. I am sorry the Government did not conclude the Bill with the words "with apologies to the Royal Commissioner who was so slightly spoken of after he delivered his report."

Question put and passed.

Bill read a second time.

In Committee.

Mr. Hill in the Chair; the Attorney General in charge of the Bill.

Clauses 1 to 8—agreed to.

Clause 9—Section 95 amended. Repeal and new section. Powers and duties of board:

Hon. J. B. SLEEMAN: I would like the Attorney General to explain why Section 95 is to be repealed and replaced, in this clause, with almost identical wording.

The ATTORNEY GENERAL: There is a considerable distinction between the provisions of the section and the provisions of the clause. Under the section, there were a great many things that the board had to do each month.

Hon. E. Nulsen: And the board could give instructions to the Inspector General.

Hon. F. J. S. Wise: The provision here is "at least once in every month."

The ATTORNEY GENERAL: The proposed new section does not provide any particular time. No specific time for the visits is provided. The board has still to visit the institution once in every month.

Hon. J. B. Sleeman: That stipulation appears in the old section.

The ATTORNEY GENERAL: In the next subsection it states that they have to visit the institution once in every three months.

Hon. J. B. Sleeman: I am not referring to the next one.

The ATTORNEY GENERAL: Paragraph (c) deals with a visit to the institution to interview patients, and in paragraphs (d) and (e) there is no particular time limit mentioned.

Hon. J. B. SLEEMAN: The Minister cannot get away with it that easily. There are portions of the clause which might be a little different from the wording of the old section. I quoted the first part of the proposed new section, but the Minister merely rose to his feet and explained that there was a difference in the wording as to the visits made every month. In the clause the words "once in every month" are merely placed in a different line.

The Attorney General: Yes, that is the point; that is correct.

Hon. J. B. SLEEMAN: I would like the Minister to look at Subsection (2) of the proposed new section and tell me whether it is any different from the relevant section in the Act. Why repeal the old section and then put nine-tenths of it back by this amendment in the Bill? The clause is practically word for word with the section that has been struck out and I cannot see the reason for it.

The ATTORNEY GENERAL: That is purely a drafting matter. The Parliamentary Draftsman found it easier to make the amendments this way and he did so; that is the reason.

Hon. F. J. S. WISE: The answer by the Attorney General is reasonable. The section as it appears in the principal Act required amending in several places but they were only of a minor character, and rather than have to deal with such small amendments in the clause the draftsman has repealed the whole section and inserted a new one, with considerable repetition, admittedly, but all compact and easily understood. Although it is merely a question of drafting, it does bring clarity into the amendment.

Hon. J. B. SLEEMAN: It does not make any difference to me if the Leader of the Opposition does support the Minister, because he is just as likely to be wrong as the Attorney General. By a small amendment of about half-a-dozen words. Section 95 could have been amended, but instead of doing that the whole section has been repealed and five new paragraphs have been inserted similar to those which are already in the Act. I do not think it is right.

Clause put and passed.

Clauses 10 and 11, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [3.7]: I move—

That the Bill be now read a third time.

HON. J. B. SLEEMAN (Fremantle) [3.8]: A few moments ago, during the Committee stage, I referred to the striking out of the word "strikes" and inserting in lieu the word "assaults." It seems to me that this amendment is imposing a hardship on the attendants at the Claremont Mental Hospital, and they have a hard enough time now through just being there without having impositions such as this placed on them. The insertion of the word "assaults" will mean that an attendant can be charged with any trivial offence whereas before he was merely charged with the offence of "striking." It will be interesting to know why the word "striking" has been replaced with the word "assaults."

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott) [3.9]: The principal Act is an extremely old measure and was copied from an older Act, and I think the treatment of people in asylums has improved greatly since the days when the original Act was first drafted. The public conscience has advanced. The member for Fremantle was quite right in drawing a distinction between the two words. By altering the word to "assaults" we do place a more severe restriction on the mental hospital attendants, because that term includes many acts which are not covered by the word "strikes." An actual blow has to be struck and contact made before it comes within the meaning of the word "strikes." For example, spitting at a person constitutes an assault but it is not actually striking a person. Another example is that a severe menace with a weapon or with the fist is regarded as assault but it is not the act of striking, because contact has to be made.

Hon. J. B. Sleeman: Well, why the alteration?

The ATTORNEY GENERAL: It was felt in the public conscience that these patients, who are not responsible for their actions, should be given the ordinary protection that would be given to anyone outside; that the law of assault should be introduced into the asylum in respect of these people in the same way as the law of assault applies to persons outside such an institution. That is the whole reason. I certainly do not think that attendants wish to assault patients. If there are any who do, they should be punished when necessary. Certainly such conduct should be prevented.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILL—PERTH TOWN HALL.*Second Reading.*

Debate resumed from the previous day.

HON. F. J. S. WISE (Gascoyne) [3.11]: I support the Bill. Perhaps it would be strange if I did not because it is usual for parents to become very attached to their own children. This proposal is one that gives me considerable satisfaction. There will be found on the files, which I asked yesterday should be produced, a story clearly showing the processes necessary ultimately to reach this point of having a Bill presented to Parliament for ratification.

Many years ago, when I was Minister for Lands, there were two things that occasioned me considerable thought because of the indecision surrounding them for so very many years, legislation in connection with which had been presented to this Parliament on more than one occasion. Those two matters were an attempt to have settled in spite of the 50 or more years of dissension, the selection of sites for public buildings and for a city hall for the metropolis. In the case of the former, I was responsible three years in succession for presenting Bills to Parliament in an endeavour to solve the problem of a building site for Government departments. Although those Bills were agreed to in this Chamber by substantial majorities, on each occasion, they were defeated in the Legislative Council.

The story surrounding the selection of a site for public buildings is disclosed in the report of a Select Committee which investigated the matter. Several members who are still in this Chamber ably assisted in reaching a conclusion in spite of the opposition of those who were appointed to that body because of their opposition in the matter. The secretary of the Select Committee was the present Clerk of the Assembly, Mr. Islip, who will recall the many weeks of hard work spent in the effort to resolve that very difficult problem. Suffice to say that with the able assistance of the member for Kalgoorlie and others, those who were most opposed to the matter when Bills were presented to this Chamber in former years, became the greatest advocates for the plan that they had previously opposed.

At that time I still continued, with anxiety as well as determination, to do all I could during the time I held any responsible position of State to resolve the town hall site question. Although no mention was made of the fact in the speech of the Minister for Lands yesterday, if members interested care to look at the files, which by the courtesy of the Minister were sent to me this morning, they will see the whole story. The first document they will find in the files is a memorandum, which I drew up in the

form of a precis, in an attempt to resolve this question in the early forties. The story goes back to 1870, since which time various Bills have been presented to Parliament and been defeated. Successive Governments have made offers for the site of the town hall as it stands at present on three occasions. In one instance £45,000 was offered for the building, but the city fathers decided it was not enough. Competitive sites have been discussed over the years. The matter has been the subject of much comment in the newspapers.

A committee of men qualified to give an opinion, including representatives of the City Council—one very important person on the committee was the former Town Clerk of the City of Perth, Mr. Bold, whose knowledge on this subject was second to none—gave attention to the problem. The chairman of the committee was Mr. Fyfe and the report of that body, which is available in this Chamber, clearly shows the work that was done under Mr. Fyfe's chairmanship, in collaboration and consultation with representatives of the Perth City Council. In addition, the committee had the assistance of town planners and architects and representatives of the rate-payers, as well as of appropriate bodies interested in the matter.

All gave very serious attention to the problem involved in the attempt to arrive at a decision regarding the proper site for a civic hall for this grand City of Perth. I am quite sure that all this will be found on the records embodied in the files dealing with the decision arrived at in 1946. The second recommendation of the committee, which constitutes the subject matter of the Bill now before the House, is the right one. There will naturally be opinions differing from that which is indicated in the Bill, because of the ideas held quite properly by people who have different views regarding the desirable features and requirements of a town hall site.

That is the stage at which it was left in 1946. Although it has taken a long time to reach the present position, I think it is important that a decision should be reached as soon as is reasonably possible. I suggest to the Minister for Lands that there are other plans which would have been given to those, who have devoted any thought to this subject, a better idea of what is proposed and would have illustrated much better what is envisaged in the plan for the future town hall, than does the one which is displayed on the wall of this Chamber. There is to be found on the file a plan which shows the relationship of the site to private and public buildings, Government House, and adjacent structures including the Cathedral, and provides a very good idea of what is intended by this scheme. I do not wish to delay the passage of the Bill, but simply add that I support it absolutely, and am pleased indeed that it has been possible

to reach a conclusion with the City Council in regard to the exchange of land that meets the requirements both of the Government and of the civic fathers.

MR. TOTTERDELL (West Perth) [3.21]: I would like to express my gratitude to the Leader of the Opposition for his remarks concerning the Bill. For over 50 years this problem of an adequate city hall has been in the nature of a running sore; but by virtue of our having good civic authorities today we have been able to agree on something which should bring things to a head. I feel grateful to the Leader of the Opposition, because it was in 1946 that he and I took a stroll around Stirling Gardens, and the next morning there was a comment in the Press about two "snoopers" in those gardens having been there with a view to deciding upon something that would be to the benefit of Perth and of Western Australia as a whole.

It is a wonderful thing that at last a decision has been reached as to a site for a new hall. In my position of Lord Mayor it is my duty to try to sell the City of Perth and the State of Western Australia to visitors. I think I have done that with reasonable success; and if I can in the future point to this site and say, "That will be the site for our new city hall, and Government offices will follow eastward in St. George's-terrace," it will be an indication that the Government of today and Governments of the past have done a very good job.

In 1946, when this proposal was mooted the City Ratepayers' Association, a very influential body, thought it was a very important move and invited Dr. Langer, a Brisbane expert on town planning, to come to Perth to give his advice on sites that had been proposed. I believe 17 had been put forward at that time. In his wisdom, Dr. Langer decided that this one was the best. Sir Patrick Abercrombie also gave it his blessing, so that we have had experts of world-wide reputation who think that this is the most suitable site for our new hall.

Some people may say that the city will grow northwards. That does not mean a thing. We want it to extend north. But it is not necessary that a city hall should be in the centre of commerce. We will never move the Swan River or St. George's-terrace, and we could not have a better position for the town hall than the present suggested site. The Melbourne City Council is worried because the site of its town hall is a break in the commerce of the city. I submit that a town hall should not be in the centre of commerce, but in a quiet dignified position, which does not interfere with the line of shopping and commerce. From that point of view what better site could have been chosen than the one proposed? I hope the Bill will be passed.

HON. J. B. SLEEMAN (Fremantle) [3.25]: We know how the proposal to use this site originated. The Lord Mayor has told us that the Leader of the Opposition and he took a stroll around Stirling Gardens and this is the result. Every member should be vitally interested in this Bill because it concerns all our electors, and not merely the residents of the City of Perth. I want an assurance that not one inch of the gardens will be interfered with, because that spot is the most valuable piece of land in the city for visitors from all parts of the State.

Anybody who is feeling tired and wants a rest can go into Stirling Gardens for that purpose. Old people and pensioners can sit in the shade of the trees. I notice that a portion of the gardens is reserved, but I do not know whether any of this land is going to be taken away from the people. If the gardens are going to be interfered with, then, as the Lord Mayor said on a previous occasion, it will have to be done across my dead body.

MR. GRAHAM (East Perth) [3.26]: It is probably natural that I should have something to say with regard to this Bill, because it is proposed to set aside a site for the erection of a new town hall in what is at present a portion of my electorate. It appears to me that there is no question that the Bill will be passed. However, I desire to make a few observations, and at the outset would inform the House that I am by no means enthusiastic about this proposition. It may be convenient and it may appear appropriate at present that we should have a fine new town hall with civic offices and public offices adjacent to what is the heart of the city; but I suggest that this is an occasion when we should be prepared to look to the future, and I do not think we are doing that. Some terribly tragic mistakes have been made in the City of Perth.

Mr. Totterdell: This is not one of them.

Mr. GRAHAM: If the hon. member will allow me to proceed, perhaps he will be in a better position to judge that. We are aware that a new Perth Hospital has been erected on what I daresay is the worst possible site. Shortly there is to be the spectacle of a main artery, Wellington-street, passing through what one might call the centre of that hospital. Those in authority at the time apparently thought that a central medical institution should be in the centre of the city as then constituted, without giving any thought to the future and the problems that might be created.

If we give consideration to the City of Perth as it exists at present we find that it is a narrow, elongated strip of land bordered on the south by King's Park and the

Swan River, and on the north by the railway line. Apparently we are content, even at this stage, with all the problems we have with regard to overcrowding and traffic congestion, to believe that the boundaries I have mentioned are to be the permanent confines of the business and commercial life of this State. Accordingly, whether it be a central hospital, a new town hall, Government offices, or anything else, they must be implanted in the area of which I have spoken.

The narrow streets that exist, and the growth of this State than can be envisaged, mean that we will have a problem of a magnitude almost impossible to comprehend, because so long as we continue along these false lines we shall have to agree to the construction of buildings of six, eight or 10 storeys. Accordingly anything up to 10 times as many people and vehicles as now come into the heart of the city each day will be a regular occurrence in a few years' time. Having given considerable thought to this matter I am convinced that we are losing a glorious opportunity of causing the city to expand northwards, which is the only direction in which it can logically expand. Expansion cannot proceed southwards, on account of the river. To the east and west there are limits, in addition to which it is impossible to have a properly balanced city if it is to be half a mile wide and a number of miles long. Surely our city must take a better form than that.

I have no brief for any particular site but I do suggest that, whatever spot is chosen, it should without question be north of the railway line. I am aware that 27 different sites were suggested and that experts of one sort and another investigated the matter and eventually made a report, but experts have made mistakes in the past. A heaven-sent opportunity is presented to us now because, if the site decided upon were north of the railway line, the fact of a new town hall being erected there, together with municipal offices and civic facilities generally surrounding it—coupled with the erection of new Government offices in one block instead of having them spread over 101 different positions such as they occupy at present—would mean that approximately 5,000 employees would be housed in entirely new buildings. No business undertaking is prepared at present to take the step of moving to a position north of the railway.

Were a new town hall and municipal and government offices built north of the railway as I have suggested, banks, business houses and all other kinds of commercial premises would grow up around the nucleus that had been established. Unless some public authority takes the initiative in a big way, such as I have suggested, no commercial organisation is

likely to venture to the north of the railway. All that this measure will do, if agreed to, will be to accentuate the problems with which we are already faced and in 50 or 100 years' time the curses of succeeding generations will be heaped upon us for not having exercised sufficient foresight. It is self-evident that a move to the north of the railway line must be made sooner or later, and I cannot visualise the occurrence of another opportunity such as that with which we are now confronted. Land is comparatively cheap on the northern side of the railway.

None of us can gauge the speed with which Western Australia and the city of Perth will develop, but it will become in time a matter of sheer necessity for the city to overflow to the north. Why not grapple with the problem now? Why must we, for ever and a day, go on believing that all our activities have to be centred between the railway line and the Esplanade?

Mr. Read: We could move the railway line.

Mr. GRAHAM: I feel confident that if that were done the site of the present railway station would become an omnibus terminal or a public park or reserve of some sort and there would, accordingly, still remain a gap of several hundred yards between the city, as we now know it, and the no-man's land on the other side. No firm would be prepared to venture to the north of the railway, owing to the sheer impossibility of the situation.

Like the member for Fremantle, I am concerned at the effect that the present proposition will have on that most admirable breathing space, Stirling Gardens. Those gardens are in the heart of the city as it is at present constituted and are a great convenience to city workers, as a place in which to relax during the lunch hour, and to the weary shopper or the person awaiting transport. That area is readily available to such people. I realise that the new town hall, as proposed in the Bill, is to be situated on the eastern side of Stirling Gardens, but there is to be a broad approach to the town hall, cutting through the centre of the gardens, together with lesser roads and footpaths through that park. It is proposed that a further street be put through the gardens, traversing the site at present occupied by the Supreme Court. Therefore, instead of being a comparatively secluded area, the gardens, if the present proposition is put into effect, will become an exposed site.

It is suggested that a strip of 24 feet width be excised from the northern and western boundaries of the park in order to widen the present streets, thereby reducing the area of the gardens to that extent. It is also suggested that there shall be

a broad approach to the town hall, thus further reducing the area of park land available for the recreation of our people. There will of necessity be other roads constructed to allow vehicles to approach and depart from the new town hall, thus even further encroaching upon the area of the gardens. Unfortunately, I feel that the minds of members are made up, to a great extent, in regard to the Bill, and I realise that there is no sense in whipping a dead horse. It is not my usual practice to endeavour to prophesy but I am extremely confident that, probably beyond the lifetime of the majority of us now present, it will ultimately be found that a grievous error has been made in endeavouring to sandwich into the narrow confines of the present City of Perth proper, additional public facilities, instead of grasping the opportunity of spreading the city northwards.

I realise that associated with the proposition with which we are dealing is the jealousy and self-interest of large business concerns situated in Hay-street, St. George's-terrace, etc. They have no desire to see the development of the city and the attractions offered to the people shifted to areas to the north of the line, and of course those interests have a great deal of influence. I say, further, that irrespective of whatever parking plans may be envisaged in connection with the new town hall, which I dare say will become the City Hall—a tremendous building capable of accommodating in the vicinity of 2,000 people—

Mr. Totterdell: Three thousand people.

Mr. GRAHAM: —or 3,000 people, a terrific traffic problem will be created by the vehicles of persons attending functions at that hall. The queues that we now see at a few of our principal city intersections will be doubled and quadrupled, even with our present population, to say nothing of the increase that may be expected in the future. I fail to see what great urgency there is about the passing of this measure. Of course, there is necessity to do something in the matter because, as the Leader of the Opposition and the member for West Perth have said, for over half a century there has been a state of indecision concerning it. Whether the present move will prove to be right or not it is, at least, evidence of something being attempted.

No-one can deny that the construction of a public hall worthy of the City of Perth is long overdue and to that extent the Bill should commend itself to everyone. I wish the Bill had been introduced earlier in the session because, notwithstanding the eminence of those who have recommended this site, if we had more regard for the future than for the exigencies of this year 1950, the decision apparently reached might have been other than it is.

I again ask members to ponder the tragic mistake made in selecting the site of the Royal Perth Hospital and the error that was unquestionably made when, almost half a century ago, the locomotive running yards were established at East Perth. That move was, of course, an improvement on the previous situation, when everything was centred in the heart of the city, but it was only a matter of expediency, and there was no vision or foresight in it. We have a Bill on the notice paper today to correct, to some extent, a mistake that was then made.

Hon. E. Nulsen: That again might be a tragedy in fifty years' time.

Mr. GRAHAM: That may be so, but we sincerely hope that sooner or later there will be a town planning scheme drawn up to cover the metropolitan area. This scheme has been spoken of on many occasions and, because it has not been brought forward, many of our moves, and contemplated moves, have been wrong.

It would appear from history, as the present Town Hall has been in existence for 70 or 80 years, that whatever decision we make in connection with the proposed new town hall, and the site which it shall occupy, will have to suffice for the best part of a century. For that reason, we should give consideration to the situation, not only from the point of view of what might suit now and what may be brought about in ten years' time, but also the problems that will be involved with this new structure in the more distant future. We should give some real thought to what these problems might be in an aggravated form in the short space of a generation, when the population of Western Australia will probably be at least twice what it is at the moment.

The only consolation I can draw from the Bill is the fact that the City of Perth, as the capital of Western Australia, requires a new hall; it is long overdue. This Bill will be the first step in that direction, but I still feel, not after a few moments but after many years of thought, that a mistake is being made in placing it where it is. We should look to the future and take advantage of this opportunity, in association with the proposed new public offices, of transplanting several thousand people, and the central attraction that a town hall constitutes to a position that will attract future development in a northerly direction. This is the only direction in which, in a commonsense way, the City of Perth can develop. With all the reservations that I have, and without any enthusiasm, I support the second reading of the Bill.

MR. NEEDHAM (North Perth) [3.49]: In common with other members, I welcome the Bill in the hope that it will not be very long before actual finality is reached,

as far as the choice of a site for a new city hall is concerned, and a speedy commencement made with its erection. It is nearly 50 years since I arrived in this City from the Old Country, and shortly after I landed here, I heard talk of building a new city hall for the City of Perth. Whether we are nearer to building a new hall or not, I do not know because, although the Minister said that finality had been reached, I am afraid we are still a long way off.

Several Bills to determine sites for the city hall have passed through this Chamber, but have met with a different fate in another place. I do not know what members of the Legislative Council think about this measure. All I can hope is that they will agree to it. I do not altogether share the pessimistic views expressed by the member for East Perth and his contention that the site is wrong, and should have been chosen north of the line because the natural expansion of the city is in that direction. I have heard that argument repeatedly, but I feel confident that the various committees which have inquired into this all-important question know what they are doing, and am certain that they have taken all these alternative sites into consideration.

The site now chosen, although not ideal, is the best available, having regard to all the circumstances. I had my doubts at the beginning, because it was rumoured that Stirling Gardens would be taken from public use. Had that been the case, I would not have supported this Bill. But, I am informed, there will be no encroachment to any material degree on Stirling Gardens. Having that assurance, I have no hesitation in supporting the Bill. I agree with the members for East Perth and Fremantle that that breathing space in the centre of the city is too valuable for the health and well-being of our people to be taken from them.

As the gardens will not be closed, the people of the State, and visitors from overseas, will still be given an opportunity to relax in those very fine surroundings. Whether or not alternative sites, such as Milligan-street and St. George's terrace, should be considered I am not sufficiently expert to pass an opinion. I rely upon the work done by the various committees, and am prepared to support their recommendation. In that regard, I was much impressed by the speech of the Leader of the Opposition, who has had as much experience as, if not more than, many people in different professions in the city, in regard to this site. I pay particular attention to his remarks and I have no reservations in supporting the measure and expressing the hope that the Legislative Council will agree to it.

A short time ago, I went with a party through the Yanchep Caves. The guide was explaining to the visitors the mysteries of the stalactites and stalagmites. We came to a position where the two were about one inch apart. I asked the guide how often the water dripped to the bottom. He said that it dropped every second, and when I asked him how long it would be before the two met, he said, "Two hundred and fifty years." I replied, "By that time we shall have a new city hall for Perth." If Parliament agrees to this site, we shall be well within that time, and shall have what is badly needed for the prestige of this city—a new city hall.

MR. RODOREDA (Pilbara) [3.55]: I hope that the gap at the Yanchep Caves, referred to by the member for North Perth, will be closed before a town hall is built upon the site suggested in the Bill. Even if the Bill passes both Houses, the only consolation I shall have is that there will be little possibility of getting a town hall built for some considerable time. I have been very unhappy about the choice of this site ever since it was decided that Government buildings should be erected upon portion of Government House land. One of the reasons that has actuated me in this opinion is that the open land along St. George's-terrace, on the south side, should be more sacrosanct than King's Park. I think the member for West Perth and others will agree with me that we have too few open spaces in the city to take one square yard away from any of them.

Mr. Totterdell: Twenty-five per cent, of our acreage.

Mr. RODOREDA: I do not care what the percentage is.

Mr. Totterdell: Twenty-five per cent. of our acreage is open spaces.

Mr. RODOREDA: And it is all on one site. We have not nearly enough open spaces in the City and I do not think the member for West Perth would disagree with that statement.

Mr. Graham: Not in the heart of the city, at any rate.

Mr. RODOREDA: A person can traverse this city from end to end, and where would he find open spaces?

Mr. Totterdell: Twenty-five per cent. of the acreage.

Mr. RODOREDA: Yes, and it is all contained in one area; it is not spread about the city. For a start, we are taking away some of the land from Government House on which to erect Government buildings, and now we propose to take some more of this open space, that belongs to the people, and build a new town hall.

Mr. Totterdell: No, it is already occupied.

Mr. RODOREDA: A great portion of Stirling Gardens will be useless to the public if this scheme is put into operation.

Mr. Totterdell: You are wrong.

Mr. RODOREDA: It will take 20 or 30 feet from each frontage, as well as building broad drives. The whole area of the gardens will be utterly useless to the public. When building operations can be proceeded with in a normal manner, I can envisage St. George's-terrace, and Adelaide-terrace, lined with 6-storey and 8-storey flats. That is inevitable, and in Stirling Gardens the people would have a place for recreation. I have not looked at the map, but I know the site well, and members are aware that all these houses and buildings along St. George's-terrace are flats, and even more will be erected when building restrictions are eased. Where is there going to be a playground for these people and their children? If this town hall is proceeded with, their natural approach to the river will be taken from them. There will not be a decent park anywhere near these buildings.

Goodness knows, we have enough area in this city where a town hall could be erected and probably in a more central position. There will be tremendous activity north of the line, and we have already dealt with some in that direction. If a town hall were erected in that area, we could entice business premises and the mercantile section of the community north of the line, which would be of considerable advantage to us. We would hesitate to take one acre from King's Park, which is not accessible to a great number of people. Here we are encroaching upon the only playground that the workers and toilers in factories and offices have available to them. I am very unhappy about the whole situation. There is no question that the Bill will pass, although I hope that members in another place will take a different view from that of the Government. I do not know whether the member for West Perth has done any lobbying or used his influence in that direction?

Mr. Totterdell: I am not a lobbyist.

Mr. RODOREDA: Yes, I doubt whether the hon. member is that type of person, but I sincerely hope the Legislative Council will have nothing whatever to do with the Bill.

HON. J. T. TONKIN (Melville) [4.0]: It is inevitable that there should be a wide divergence of views in a matter of this kind. The history of the selection of the site proves very conclusively how difficult it has been to reconcile the different opinions that have been held. It is not my purpose to argue in any way whether the site selected is the correct one or not. I am prepared to accept that in view of the considerable time and energy spent by representative men in coming to that decision. This is a matter of considerable historic importance and I think the Minister might very well have elaborated on what led up to the successful solution of the problem. He

would have lost nothing by doing so, and he would have been doing no more than giving the Leader of the Opposition his due for the very important part he played in this matter.

Mr. Totterdell: I gave him his due.

HON. J. T. TONKIN: That is a different matter, because the hon. member speaks as a private member, whereas the Minister would speak as a member of the Government and, in doing so, would be expressing the views of the Government. The Government would not have lost anything in this matter if it had given due recognition to the work which was performed by the Leader of the Opposition. It has to be remembered that before he took this matter up in 1944 there were no signs of anything like agreement on a town hall site, and it was due to his quiet persistence and skilful direction that the solution was ultimately attained. The matter is very succinctly put on page 13 of this file, 5641/48. It makes this statement—

The Hon. F. J. S. Wise, when Minister for Lands and Agriculture, and Deputy Premier in 1944, opened negotiations with the Perth City Council for the appointment of a committee to investigate and report on the most suitable site for a Perth Town Hall. In 1946 those negotiations were successful.

In those few words a very big story is told, namely, that the Minister for Lands, the Hon. F. J. S. Wise, opened negotiations in 1944. That is the story, and when he relinquished his portfolio, consequent upon a change of Government, the whole thing was at the stage where there was no disagreement; there was unanimity of opinion, and it only remained for the Government of the day to take the necessary steps to give effect to the decision. In this connection I propose to read the final minute of the Hon. F. J. S. Wise. It appears on page 227 of Crown Law, File 1416/50. He reported that—

Lord Mayor Totterdell, Councillor Glowrey and the Town Clerk, Mr. Green, called and discussed the report of the various sites. I intimated after a close study of the information and the recommendations that I was in accord with Recommendation No. 2 made by the joint committee. I further stated that the matter was one involving a Government decision and then a decision by Parliament. An assurance was given by me that early in the year when legislative and other matters were being dealt with, I would recommend to the Government the acceptance of the proposals affecting the Stirling Gardens site. Recommendation No. 2, signed F. J. S. Wise, 18/12/46.

Therefore at this stage, when the previous Government went out of office, and the different opinions of the men who had a say in this matter had been successfully settled, agreement had been reached, and I say quite definitely and without apologies to anybody that it was reached as a result of the skilful guidance and quiet determination of the then Minister for Lands. I venture an opinion that had he not taken the matter up in the way he did in 1944 and followed it steadily through, we would not be anywhere near the stage in which we are today in having the Bill before Parliament. I think the arguments would still have been going on and those holding different views would have continued to contend in support of those divergent views. But the Leader of the Opposition was able to overcome those differences with the help of the committee and a decision was arrived at, which decision is now to receive implementation.

It is only right that the full story of this ought to be told in Parliament, so that the people can know exactly what occurred in connection with the matter. It is very nice for an incoming Government to come along and pick the plums which have grown from efforts made over a previous period.

Hon. F. J. S. Wise: That is inevitable.

Hon. J. T. TONKIN: It is inevitable for Governments to reap some benefits which they themselves do not sow. However, such Governments lose nothing if they give due recognition to those who are entitled to receive it and I feel that in this matter—a very important matter, one, I repeat, of considerable historic importance—the Leader of the Opposition should have been very closely connected with the story—

Mr. Totterdell: Hear, hear!

Hon. J. T. TONKIN: —because this Bill which is now before the House really had its genesis when the Minister for Lands of the day, the present Leader of the Opposition, decided to have a conference convened for the purposes of considering all the possible sites so that a decision could be arrived at. I want to remind those who are disposed today to disagree with the final recommendation, that when this matter was commenced in 1944 it was commenced from this basis, namely that every site which had been mentioned or suggested should receive consideration. And that is what happened. Every site which had been suggested by someone and which was worthy of attention received consideration by the committee which made the necessary inquiry and inspection, and after proper consideration reached a decision. Therefore it is extremely difficult—I will not use any other word, but will be content with that—for us with any justification to quarrel with the decision so made. My only purpose

in rising was to do what I felt the Minister might in justice have done to the Leader of the Opposition. There was no compulsion upon him to do so, it is true, and possibly he has some reason for not doing so.

The Minister for Lands: No. I would have done it with the best of grace.

Hon. J. T. TONKIN: The Minister must have had some reasons. He may have forgotten to do it, or did not think it was desirable, or it may never have occurred to him. Well, it has occurred to me, and I have risen to fill in that blank which appeared to me a very big blank and which, I think, should not have been left as it was. I think the work of the committee which has been brought to fruition so far as the Bill that has been prepared is concerned, will not now be entirely wasted. No-one can say that this Bill was rushed. It was due to a considerable amount of inquiry and brings to fruition a proposal which was very thoroughly investigated.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay—in reply) [4.12]: I appreciate to the full the discussion that has taken place in this Chamber and I think the member for Melville hit the nail on the head when he said that similar discussions to those which have been held here this afternoon have been going on for the last half-century, which will disclose that this matter has been under the public eye and discussed from all angles for at least 50 years. Finally, as an outcome of a competent committee which was appointed, this decision has been arrived at. I have no desire at all to leave the Leader of the Opposition out in any way in the part he played in these negotiations. I did mention the dates and the decisions of certain committees, which would indicate to the House that the decisions were reached during the time the Leader of the Opposition was Premier, and having had the file in my possession since I have been in the position of Minister for Lands, I have gone through it on many occasions.

I did feel in presenting the case to the House that the Leader of the Opposition would show his interest in the matter and explain to the House the part he played when he rose to speak on the Bill, and I am sure we will all agree that his contribution to the debate has been most informative and interesting. As far as the Government is concerned, it gives him full marks for developing the position to a stage when we were able, on coming into office, to take the matter up in the hope that we could reach a final conclusion. I would explain that I have seen a most interesting map on the file that gives a very good description of the town hall and the surrounding gardens, and when I put the litho. on the walls of this Chamber I did so to give an indication to members of

the whole of the arrangements and where the new town hall site would go, and where provisions were made for the extension of the Royal Perth Hospital and the widening of Wellington-street. That was the whole idea of putting the litho. on the wall.

Development north of the city has been mentioned. Whether the Perth Town Hall is situated north or not, the city will develop, it must develop, and there is no doubt that it will develop towards the north, but I claim that such an important building as the town hall in the chief civic centre should be located where it will be easy of access and where it can give service as a civic centre. We have heard references to the mistakes made in the past. If we place this most important building outside the present city area, we shall be making a big mistake, because it would not be possible for it to fulfil its functions. Even if we had an elaborate building located north of the line, we would possibly find that people would not go to it.

The member for West Perth has told us it is his intention to "sell" this wonderful city to visitors. If that is to happen, we must have a building easy of access to visitors. The member for East Perth feared that traffic jams would result, but the proposed planning in connection with the new town hall will ease the traffic position. The proposals include the widening of St. George's-terrace and Barrack-street by 20 feet, and with the preparations being made by the Perth City Council in conjunction with the Government for parking facilities, we shall be taking a good step towards relieving the traffic congestion that occurs in St. George's-terrace now. Therefore I think members need have no fear on the score of congestion, because the future programme is definitely directed towards relieving the existing congestion.

It is only natural that on such an important question, there should be a full expression of opinion in this Chamber and that some members should doubt the wisdom of adopting this site, but I repeat that there have been differences of opinion on this subject over the last 50 years. Since the various interests have been brought into closer collaboration, however, and the Surveyor General and senior officers and men associated with other bodies having a knowledge of affairs have co-operated, this decision has been reached. I believe it is a sound decision. Obviously, if we tried to reconcile all the conflicting opinions, we would never reach finality.

In moving the second reading of the Bill I made only a short speech because I believe in short speeches, as members will have realised. My opinion is that, so long as I explain the provisions of the Bill I am submitting to the House, I am fulfilling my duty. On further consideration, however, perhaps I might have given

more of the history of this movement. I had a couple of pages of notes that would have enabled me to quote certain dates had members desired them, but I did not wish to weary the House by reading them. Nevertheless, there is substance in the views expressed by the Leader of the Opposition and the member for Melville that I might have given more of the history. I did refer to the committees that had conferred at various times and the recommendations submitted in favour of different sites. The second choice by a majority of the committee was Stirling Gardens—the spot, approximately, on which the Department of Agriculture is located. I stated that the committee presented its report on the 30th July, 1946, and at that time the present Leader of the Opposition was Premier. I also stated that some time after the present Government took office in 1947, the negotiations were continued and I hoped they would be finalised.

Mr. Marshall: What were the other two sites?

The MINISTER FOR LANDS: The Esplanade and Government House grounds.

Mr. Marshall: All three sites are in the same vicinity.

The MINISTER FOR LANDS: Yes, they are all in close proximity. I should not consider it wise to clutter up the river frontage with a town hall because the Esplanade should be kept for the enjoyment of the people. If we establish the new civic building as proposed, members need have no fear that the amenities now enjoyed by the people will be decreased. Rather will they be increased. Beautiful gardens will be established around the town hall, seats will be provided, I should think, and more amenities will be available than there are today.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Authority for agreement:

Hon. J. B. SLEEMAN: Paragraph (b) contains one of the purposes of the agreement as follows:—

(b) for the vesting in The City of Perth of the lands described in the Second Schedule to this Act for the purposes of beautification and recreation.

The Second Schedule practically covers Stirling Gardens, which now are certainly beautiful, and are used largely by country visitors and by the weary seeking some rest. Why has not a proper plan to show the building been placed before us? True, a map is exhibited on the wall of the Cham-

ber showing a red blotch where the town hall is to be and a green blotch for Stirling Gardens. If we had a proper plan, it would show a lump cut off the gardens on the St. George's-terrace side and another lump off the Barrack-street side and a drive leading up to the entrance of the town hall. If we allow Stirling Gardens to be cut up in this way, it will be an act of sacrilege. This is the most valuable site in the City of Perth. It gives enjoyment to men, women and children, so why allow it to be spoilt? Not one half of the present area of the gardens will be left if this provision is allowed to pass. I move an amendment—

That paragraph (b) be struck out.

Hon. F. J. S. WISE: Members have had very little opportunity to assess the true position, and for that I blame the Minister. This question has been the subject of investigation for a very long time and one of the most important considerations is the approach to the whole problem. The main factor in making that approach is the report of the committee appointed to inquire into all the sites available and suitable. That report was not made available to us until I had requested it. I even made a special request to the Speaker that the papers should be tabled here today. Copies of that report should have been circulated weeks ago when the Government contemplated introducing the Bill this session. Let us have on record what the alternative sites were and see whether every possibility was investigated, having in view the requirements of a city hall, including an auditorium and all other vital accessories. These are the 27 sites that were considered.

Point of Order.

Hon. J. B. Sleeman: On a point of order, is the Leader of the Opposition in order in speaking along those lines at this stage, seeing that I have moved an amendment?

The Chairman: The Leader of the Opposition must confine his remarks at this stage to paragraph (b).

Hon. F. J. S. Wise: That being so, I shall wait until the amendment has been dealt with, because my remarks are appropriate to the whole clause.

Committee Resumed.

The MINISTER FOR LANDS: The member for Fremantle spoke of a red blotch and a green blotch. Often there are other blotches knocking about. The litho. on the wall of the Chamber is not a blotch and it does correctly indicate the site of the new town hall. If the hon. member can read it intelligently, he will see where it is proposed to build the town hall.

Mr. J. Hegney: Then the site is Stirling Gardens?

The MINISTER FOR LANDS: The site is correctly shown on the litho. If we do not allot a portion of Stirling Gardens,

where shall we put the town hall? We must allot some land. Some members have objected to our touching one square inch of these gardens. We have to take a portion of them in order to provide for the town hall. I hope the amendment will not be accepted.

Hon. J. B. SLEEMAN: So far as members can see, the litho. shows a blotch marked red, which we are told is to be the site of the town hall. Alongside that very small square is a blotch in green, and that is supposed to represent Stirling Gardens. We are assured that the gardens will be all right, but if we had a proper plan such as I saw on the file the Leader of the Opposition had, it would tell a different tale. It shows a lump of the gardens cut off here and another lump cut off there and a big drive right up the middle of the gardens to the doorway of the proposed town hall, and there is very little of the gardens left.

I appeal to members not to permit these gardens to be taken from the people. They are too valuable. If it is desired to build a town hall, well and good, but do not interfere with these gardens. What would happen, Mr. Chairman, if an attempt were made to take from the people of Albany one of their parks? You would soon have something to say. The proposal is to take nearly half of these gardens and I hope not one inch will be granted.

Mr. TOTTERDELL: I am sorry the member for Fremantle should be so unintelligent.

Hon. J. B. Sleeman: I ask that that remark be withdrawn because the member for West Perth is a damned fool if he thinks I am unintelligent. I ask that it be withdrawn unreservedly. The hon. member is not in the City Council now.

Mr. TOTTERDELL: I withdraw it, but I still mean it. The member for Fremantle spoke of big pieces being cut off Stirling Gardens. That is being done for street widening. For a 20ft. piece to come off the Barrack-street and St. George's-terrace sides will not mean that the public has to make a sacrifice. The Stirling Gardens will still be there for the benefit of the people when the city hall is built. The condition of the gardens today is a disgrace to the State Gardens Board. When the City Council looks after them they will be a thing of beauty. This is one occasion when the city and the Government are in mutual agreement. When the City Council puts forward a proposition it does not do so to steal anything from the public because it is out to do the best for the benefit of Western Australia, as we all are.

Hon. J. B. SLEEMAN: The member for West Perth can assure me of nothing. I have heard of Puddin' Head Wilson, and he is a puddin' head mayor if he thinks he can put that over us. The park will

be ruined. Not half the area will be available to the people if the scheme goes on. The hon. member says he will look after the gardens. He will destroy them. I hope the Committee will agree to defeat the clause.

Mr. GRAHAM: I think the objections of the member for Fremantle are valid. The Minister has been misinformed because, apart from anything else, the plan on the wall of the Chamber is meaningless. It was only at the request of the Leader of the Opposition that the papers concerning the matter were made available and it has been possible to make only the most cursory inspection of them. They reveal that a considerable portion of the park is to be used for purposes other than the recreation of the people. The fact that the area will be criss-crossed by roads—

The Minister for Lands: That is not so. The road you are talking about is the present one in front of the Supreme Court.

Mr. GRAHAM: I suggest the Minister knows nothing about the Bill. The plans on the file show a broad expanse representing the approach to the proposed town hall.

The Minister for Lands: That is right.

Mr. GRAHAM: That is totally different from what the Minister just said. There is another road a little further south. However beautiful the gardens may be, the very fact of a wide open drive being there will destroy the privacy and seclusion which people are able to enjoy at the moment; and I am speaking particularly of mothers when I say that.

The Minister for Lands: Are not the present gardens criss-crossed with paths?

Mr. GRAHAM: With footpaths, but not roads for vehicular traffic. I do not know what extreme urgency there is about the matter. I think, to a large extent, the amendment of the member for Fremantle is a protest against the hurried action contemplated in the Bill. Surely the public is entitled to be informed and have a proper appreciation of what this means. It has been suggested to me that it is desired, if the King visits the country in 1952, that he will lay the foundation stone of the proposed new city hall. At the same time, as the proposal involves sacrificing an area which is frequently used and keenly appreciated by the public, we should take all steps possible to delay and defeat the action of the Government.

The MINISTER FOR LANDS: The member for East Perth is talking without his book when he says the public has not been informed, because when the decision was arrived at between the Perth City Council and the Government a diagram and particulars were published in "The West Australian."

Mr. Graham: That is no way to inform members.

The MINISTER FOR LANDS: It is the way to inform the public.

Mr. Graham: When was it in the Press?

The MINISTER FOR LANDS: On the 22nd December, 1949.

Mr. Graham: That was 12 months ago.

The MINISTER FOR LANDS: Cannot the hon. member think back for 12 months?

Hon. J. B. SLEEMAN: I suggest to the Minister, as he seems to disagree with the member for East Perth and me about the roads, that he report progress and give members a proper diagram showing what is to be cut off. You, Sir, could then decide who is right and who is wrong.

The MINISTER FOR EDUCATION: I was a member of the Cabinet sub-committee which in 1949 discussed the matter with representatives of the Perth City Council. We were fully aware of the situation with regard to Stirling Gardens, and we were particularly anxious and insistent that their value, as a place of beautification and recreation, should be retained. The representatives of the Perth City Council were quite agreeable to accept that responsibility if the land were vested in them. The Bill provides for the making of an agreement between the Perth City Council and the Government in respect of each of these pieces of land, but the minutes of the conference between the Cabinet sub-committee and the representatives of the Perth City Council would, of course, be taken as the fundamentals of the agreement. The minutes which are dated the 4th December, 1949, state—

Subject to Parliamentary approval, (b) the balance of Stirling Gardens area be vested in the Council in perpetuity as a reserve for beautification and recreation, the maintenance of the garden to be the major item of beautification.

Hon. J. B. Sleeman: Did you know it was to be chopped up?

The MINISTER FOR EDUCATION: The hon. member is referring to an idealistic sketch of what might be the position of the town hall buildings, and the other bits and pieces concerned in the matter, which has received the approval of nobody, I understand. I am informed that it has not been approved by the City Council, and it certainly has not by the Government.

Hon. J. B. Sleeman: The Minister said a lump was being taken—

The MINISTER FOR EDUCATION: Wait a minute. The hon. member has two objections. The first is to the widen-

ing of the streets and the second is to the intersection of the road to which he referred as a carriage way. I am dealing with the carriage way, and I say that the agreement would have to take into consideration what is going to be done with the land in connection with traversing it by roads. As the Cabinet sub-committee's insistence was on the preservation of the present type of beautification, it would be extremely adverse to a proposal which would allow of vehicular traffic through it. I assure the hon. member of that. That would be undermining, in my opinion, an essential of the agreement. With regard to pieces coming off the edges to widen Barrack-street and St. George's-terrace, it is certainly desirable that that widening take place. Most streets in the City of Perth, unfortunately, are none too safe for the public generally.

Hon. J. B. Sleeman: But the Terrace is the widest of them.

The MINISTER FOR EDUCATION: That is so. It is 99ft. wide, but Barrack-street is not. There would have been some question in my mind about this had it not been for the fact that it was suggested by the committee in 1946, which went into this business and recommended this site as its second choice.

Hon. F. J. S. Wise: I was not allowed to make a speech of this kind on the amendment.

The Premier: It is explaining the position.

Hon. F. J. S. Wise: I was endeavouring to, but I was stopped.

The Minister for Lands: The member for Fremantle would not let you.

The MINISTER FOR EDUCATION: The member for Fremantle took the objection. I was endeavouring to point out only two things, firstly that item (b), which the amendment proposes to strike out, consists at present of reserving Stirling Gardens for beautification and recreation and there were two objections raised to the proposal, which I am endeavouring to clear up. So the member for Fremantle need not be concerned over this matter, except insofar as he perhaps dislikes the idea of widening the streets by taking small pieces of areas, but I submit to him and the Committee that they have been recommended by the committee which inquired into this matter and its members certainly had ample justification in view of what may take place in the City of Perth and in the area generally.

On the 22nd December, 1949, there was a joint statement on behalf of the Government and the Perth City Council which again made specific reference to this section, to which the member for Fremantle has raised objection. It has

also been agreed to vest in perpetuity the remainder of the area of Stirling Gardens in the council under conditions which will secure the development and use of this land for gardens and recreation purposes for all time. I do not think we can reasonably ask it to do any more than that.

Although there are times when frankly, I admit, I am not one of its admirers, I will say that the Perth City Council, when it undertakes the beautification and laying out of gardens, makes a reasonably good job of it. So I believe—in fact, it is more than likely—that if this area is vested in the Perth City Council it will ultimately become a thing of beauty as the member for West Perth has observed.

Hon. J. B. SLEEMAN: I have every admiration for the City Gardener and I will say he makes an excellent job of whatever he undertakes, although I do not know the gentleman. But what I suggested was that there will not be room for people to use this park as they have done in years past. The City Gardener may make it beautiful, but that is of no use to Mrs. Jones and her children who may want to go there and have a rest.

Mr. J. HEGNEY: I support the member for Fremantle in his point of view. There is no doubt that over the years when it has been proposed to excise any part of Stirling Gardens for other purposes it has always been opposed. Apart from being a place of rest, it acts as one of the lungs of the city, and all the young people who are employed in city shops and offices use those gardens as a place where they can eat their lunch and recline at leisure. If it is going to be whittled away for use as a roadway and other purposes it will definitely destroy the beauty and utility of the area. I hope the Committee will agree to the amendment of the member for Fremantle.

When visitors come to this State the first thing they say about our city is that our parks and gardens are extremely beautiful and are undoubtedly a great attraction. The consensus of opinion is that Perth should not be allowed to grow much larger because, if it does, it will suffer all the disadvantages which are met with in larger cities. For people who are in boarding-houses and in lodgings this reserve constitutes an excellent spot for them to eat their lunch and to have a rest. All along the indications have been that Stirling Gardens would not be interfered with and would be preserved for all time.

Hon. F. J. S. WISE: The debate on this amendment has assumed extremely broad proportions, and though I oppose the amendment moved by the member for

Fremantle I entirely agree with the remarks that he and the member for Middle Swan have made on the proposal being unfairly before members without information, although at hand, being available to members. It is all very well to suggest that in 1939 certain sketchy plans were published, but it is incumbent upon a Government when presenting a case of this kind to Parliament to present all the facts available, and in connection with this site and other sites all the facts are available. The plan on the wall of the Chamber does not give any information whatsoever, and though it is produced by the Lands Department at a scale which is usual in the presentation of such a matter it does not clearly set out the intentions of the Bill.

Mr. Rodoreda: There is a plan which shows the site quite clearly.

Hon. F. J. S. WISE: Yes, there is a plan and it is on the file.

The Minister for Lands: Is it an official plan?

Hon. F. J. S. WISE: Yes, and that official plan, which is one of many, if it had been circulated among members would have given a much clearer conception of the Bill.

The Minister for Lands: A survey has only been made in the last fortnight.

Hon. F. J. S. WISE: The plan which is produced as the recommendation for the area clearly show the alignment of public offices with the position of Government House and the Supreme Court, not according to the sketch but according to an excellent plan showing the position of the contemplated hall. Members would not have had misgivings or misunderstandings if the fair thing had been done by the House. The plan shows that the proposed town hall even encroaches as far as the eastern side of Cathedral-avenue, opposite which there is a path leading down to the Supreme Court, but it is proposed to take in the area at present occupied by the Department of Agriculture, Broadcast House, and the boundary comes to within 70 feet of the alignment of the Supreme Court.

Hon. J. B. Sleeman: Tell the Committee what it does to that other block.

Hon. F. J. S. WISE: I was speaking specifically of the area set out in paragraph (2) of this clause, which is really the Bill. It is Stirling Gardens, plus Broadcast House, and the Department of Agriculture. That plan clearly shows that from the eastern edge of the Supreme Court alignment, the proposed town hall comes to within 70 feet of the roadway and the entire front of the town hall, with all its embellishments and ornate approach, is only parallel with the eastern

edge of the front door of the Supreme Court building. But members have had no opportunity of getting a clear picture of this position.

This matter has been resolved after an examination of something like 27 sites, all of which are mentioned in this report, described and weighed. They include sites north, south, east and west of the present town hall. So I submit that whatever criticism has been brought upon the Minister in this matter, he has brought it upon himself. The report was prepared in 1946, by a committee consisting of town planners, surveyors, city designers and members who were asked by their appropriate organisations to be on the committee. They pondered over this matter for many months, and decided, after seeking all the alternatives, that this will mean not only an addition to the aesthetic beauty of Perth—whatever that may be—but also a better laying out of the gardens surrounding the city hall. Indeed, sites such as the Esplanade, all the areas north of the railway line, the old Cloisters, and many others were weighed, but they were found wanting in comparison to this site.

It is not for me to state a case, which should be stated by the Government. Although I support the Bill, I say there is absolute justification for the attitude members have taken in expressing their objection, because they have not had a chance of knowing what the whole scheme involves. Suppose a plan had been shown on the scale which is actually the subject of the Bill and which gave the actual position recommended in two reports, from the Christian Brothers' College to the Barrack-street St. George's-terrace corner, would members not have had a better perspective of the whole proposal? I am absolutely off-side with the Minister because of the manner in which he has presented the Bill to the House.

Hon. J. B. SLEEMAN: After the appeal by the Leader of the Opposition, the least the Minister can do is to report progress and let members of the Committee have a plan, and so allow them to see what is going on. It is no use going on like this. The Minister brings down a Bill a few hours before the close of the session, with no plan or anything else to go on, and he expects us to do justice to the proposal in that manner.

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

Ayes	7
Noes	31
Majority against				24

Ayes.

Mr. Graham
Mr. J. Hegney
Mr. W. Hegney
Mr. Oliver

Mr. Rodoreda
Mr. Shearn
Mr. Brady

(Teller.)

Noes.

Mr. Abbott	Mr. North
Mr. Ackland	Mr. Nilsen
Mr. Brand	Mr. Owen
Mr. Coverley	Mr. Read
Mr. Doney	Mr. Sewell
Mr. Grayden	Mr. Shearn
Mr. Griffith	Mr. Styants
Mr. Hearnham	Mr. Thorn
Mr. Hoar	Mr. Tonkin
Mr. Hutchinson	Mr. Totterdell
Mr. Manning	Mr. Watts
Mr. Marshall	Mr. Wild
Mr. McCulloch	Mr. Wise
Mr. McLarty	Mr. Yates
Mr. Needham	Mr. Bovell
Mr. Nimmo	

(Teller.)

Amendment thus negated.

Mr. GRAHAM: I move an amendment—

That at the end of paragraph (b) the following words be added:—"Provided that no carriage-way shall be constructed thereon other than for the purpose of widening St. George's-terrace and Barrack-street."

The object is to ensure that Stirling Gardens will be retained. We have been informed that the plans on the file are not official documents and may bear no relationship to the building to be erected or to its approaches. I understand that certain members of the Government are opposed to vehicular traffic passing through Stirling Gardens. If the amendment is opposed by the Minister, it will reveal that the Government intends a roadway to be constructed there and so ruin the gardens from the standpoint of the public. It would be far better if the entrance to the new town hall were from St. George's-terrace. The building could be set back and gardens plotted in front.

The MINISTER FOR LANDS: I hope the Committee will not agree to the amendment. The Bill states very clearly that the purpose of the dedication of this Class "A" reserve is for gardens and beautification. There is no official plan on the file to which the Government has agreed. The Bill provides for an agreement to be reached between the Government and the Perth City Council. All that has been done to date is to have a survey made, and the only official plan is that which has been displayed. The other plans do not affect the position.

Hon. F. J. S. Wise: You question that?

The MINISTER FOR LANDS: Yes.

Hon. F. J. S. Wise: You had better be careful.

The MINISTER FOR LANDS: The Bill simply provides for an agreement to be reached with the City Council.

Hon. F. J. S. Wise: That plan was the subject of an agreement between the Government and the City Council. You ask the Lord Mayor.

The MINISTER FOR LANDS: I was a member of the committee that has been referred to. There is no suggestion of a roadway going through Stirling Gardens.

Mr. Graham: Evidently there is; otherwise you would not oppose the amendment.

The MINISTER FOR LANDS: The hon. member has put that very cleverly. I suggest that the Committee leave this matter for the Government to discuss with the City Council. I can assure members that the Government will protect the gardens.

Mr. Graham: You will not be able to do so if they are handed over to the City Council.

The MINISTER FOR LANDS: The area constitutes a Class "A" reserve, and should the council attempt to do anything in opposition to the purposes for which a Class "A" reserve is set aside, it will be on the mat.

Hon. J. B. SLEEMAN: After the speech by the Deputy Premier, I should have thought the Minister would have welcomed the amendment moved by the member for East Perth. If no roadway is to be put through the gardens, why does the Minister object? The amendment is reasonable.

Mr. TOTTERDELL: By way of clarification, so far as I am concerned I do not know of any proposal to put a roadway through Stirling Gardens. The first step is to get a site for the city hall, and at present there is no plan. Before we can build a house, we must get a block. We are endeavouring, by paying very heavily for it, to get a block upon which the hall may be erected. When the land is acquired, the council will call for competitive designs for a hall that will meet requirements for the next hundred years. As for a roadway through Stirling Gardens, all I can say is that at this stage I know nothing at all about it. The City Council, in conjunction with the Deputy Premier and the Minister for Lands, is acting in good faith. I know of no suggestion for a carriage-way from Barrack-street.

Mr. Graham: Do you think there should be one?

Mr. TOTTERDELL: I could not say. I first want to see the design.

Mr. Graham: It will be too late then.

Mr. TOTTERDELL: The City Council is not trying to slip a quick one over Parliament. It is endeavouring to secure the block in exchange for land situated in Wellington-street that was recently valued at over £110,000.

The ATTORNEY GENERAL: I also was a member of the committee to which reference has been made. The Leader of the Opposition is aware that the City Council first asked for the whole of the area to be vested in it, without any qualifications or restrictions.

Mr. W. Hegney: Including the part where the present Department of Agriculture is?

The ATTORNEY GENERAL: For the whole block, including Stirling Gardens. The council certainly stated that there was no intention of doing away with the gardens.

Mr. Totterdell: Of course not.

The ATTORNEY GENERAL: The Government was not prepared to grant the whole of the area, because it wished to retain Stirling Gardens. That is the reason why that area is not to be vested in the City Council in the same way as is the portion referred to in the Bill. We tried to protect the Stirling Gardens in every way possible, compatible with the City Council being responsible for the gardens, which was only reasonable as the council was to occupy the area immediately behind the gardens. That is the reason it is classed as an "A" reserve. Nothing can be done lawfully that is unreasonable, having in view the object of a Class "A" reserve. There are pathways in King's Park and there is a pathway through these gardens at present.

Mr. Graham: A carriage-way?

The ATTORNEY GENERAL: A pathway.

Mr. Graham: That is different altogether.

The ATTORNEY GENERAL: I did not say there was a carriage-way. There is a main pathway.

Mr. Graham: The amendment refers to a carriage-way.

The ATTORNEY GENERAL: That is so. I agree.

Mr. W. Hegney: With what?

The ATTORNEY GENERAL: If any carriage-way were constructed in contradiction to the trust of recreation and beautification it would not be lawful. If the carriage-way were of such a nature that it was detrimental to that trust it would not be lawful.

Mr. Graham: The Council would call it beautification.

The ATTORNEY GENERAL: It does not matter what the Council would call it but what the court would call it. I suggest members need have no fear in that respect. Naturally in matters of this kind the Government of the day has to be trusted. Who knows what Government will be in power when these buildings are erected, because they will not be erected for a number of years?

Mr. Graham: You think there should be a carriage-way through Stirling Gardens?

The ATTORNEY GENERAL: I have no objection to a carriage-way if it is not detrimental to the gardens.

Mr. Graham: How could it be anything else?

The ATTORNEY GENERAL: Why should it be detrimental? There is a carriage-way in front of the Supreme Court now, is there not?

The Minister for Lands: Yes.

The ATTORNEY GENERAL: There is a wide path that traverses the centre of the gardens. If there was necessity for a carriage-way, mainly on the portion of the land coloured red and perhaps a small portion of the pathway in existence, would that be detrimental? This arrangement was reached only after long negotiations with the City Council. We certainly did not get all we asked for. In those circumstances I do not think it is reasonable that this trust should be permitted to go on the title in the form suggested.

Mr. READ: I think it is undesirable at this stage to impose any condition such as the amendment envisages. We have to consider that the portion proposed to be excised in order to build a city hall is at present occupied by the A.B.C. and the Agriculture Department. Behind that there is a potting shed used in connection with the gardens, and a glasshouse. We have on that area more macadamised or gravel footpaths than roads. As the result of haphazard methods of cutting down trees, doing away with garden plots and putting in various gravel paths, there is at present no definite layout. If we are to provide authority for the building of a city hall for the people, not of Perth alone but of the whole State, we should be able to secure surrounding amenities in keeping with that structure, at the same time never losing sight of the fact that the gardens are a place for the people to rest on the grass and in the shade. I contend that with the extra layout of those grounds in conformity with what is to be built there, more grass plots will be available to the people than at present.

Mr. NEEDHAM: I think there is some merit in the amendment. Even if both Houses agree to this Bill we shall have a long time to wait before the new city hall is commenced. Governments do not go on for ever, and members of the City Council may change, and there may be a change in departmental officers. Though I do not doubt the intentions of the Government of the day, and the City Council, and the departmental officers, who knows what might happen between now and the actual commencement of the building to change these plans? I do not think the present authorities would encroach to any considerable degrees on the people's gardens, but I cannot see any reflection on them by our accepting the amendment, which will ensure that Parliament, the supreme authority, will be able to see that Stirling Gardens

are sacrosanct for the people and under no condition will be infringed or encroached upon.

Hon. F. J. S. WISE: The member for West Perth quite rightly said that plans for the new city hall have not been drawn. It may be that an Australia-wide competition will invite plans for a city hall suited particularly to this area, and it may be that some of those plans will have as an implicit part of them certain roadway approaches. As this city hall is not going to be built in 1951 or 1952, and since I still firmly adhere to my first convictions following the inquiries and investigations made, if the member for East Perth will agree to an amendment on his amendment, I will be prepared to support him. The original sketch plan, the subject of the recommendation in this Bill, clearly shows what was intended and what is intended. The front of the design which was on the plan recommended is even further from the path than the front of the McNess Memorial.

The Minister for Lands: Were not these plans on the basis of the Perth City Council getting the whole of Stirling Gardens?

Hon. F. J. S. WISE: They were the subject of the recommendation which ultimately became the subject of the agreement covering the exchange of land for the city hall site.

The Minister for Lands: They never came into discussion between the Cabinet sub-committee and the Perth City Council.

Hon. F. J. S. WISE: All right. That does not strengthen the Minister's case. I move—

That the amendment be amended by adding the words "without the approval of Parliament."

Ten years hence it may be that there will be a design which will not interfere with anything but garden shrubs and will improve the layout. But Parliament at that stage should have the right to say whether roadways shall be constructed at all.

The MINISTER FOR LANDS: I oppose the amendment on the amendment. I feel that we can trust the Perth City Council to do a good job.

Mr. Graham: The Lord Mayor is not opposed to the amendment.

The MINISTER FOR LANDS: He is not in charge of the Bill.

Mr. Rodoreda: Who is?

The MINISTER FOR LANDS: I am.

Mr. Graham: The Committee will decide.

The MINISTER FOR LANDS: Yes, the Committee will decide the final issue, but it is my job to handle the Bill. The Perth City Council can be trusted in this matter. It is not likely to construct carriage-ways

that will spoil the beautification of the reserve and the reserve is dedicated for beautification and recreation.

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

Ayes	23
Noes	12

Majority for	11
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Ayes.

Mr. Brady	Mr. Oliver
Mr. Graham	Mr. Read
Mr. Grayden	Mr. Rodoreda
Mr. Griffith	Mr. Sewell
Mr. Hearman	Mr. Shearn
Mr. J. Hegney	Mr. Sleeman
Mr. W. Hegney	Mr. Styants
Mr. Hoar	Mr. Tonkin
Mr. Marshall	Mr. Totterdell
Mr. May	Mr. Wise
Mr. McCulloch	Mr. Nuisen
Mr. Needham	

(Teller.)

Noes.

Mr. Abbott	Mr. Owen
Mr. Ackland	Mr. Thorn
Mr. Brand	Mr. Watts
Mr. Doney	Mr. Wild
Mr. Hutchinson	Mr. Yates
Mr. McLarty	Mr. Bovell

(Teller.)

Amendment on amendment thus passed.

The MINISTER FOR LANDS: I hope the Committee will reject the amendment as amended, as it would debar the construction of any roadway or path through the gardens without the matter first being brought before Parliament.

Mr. YATES: I agree with the Minister. The new town hall will be a very large building and a roadway will have to be constructed in order to allow the necessary materials to be carted to the site.

Mr. Graham: What is wrong with the St. George's-terrace entrance?

Mr. YATES: The footpath of St. George's-terrace at that place is utilised for bus queues. There is a right-of-way from Cambridge-street to the rear of the Leederville Town Hall, for the use of caterers and others, and a similar right-of-way would be necessary in this case.

Hon. J. T. Tonkin: Are you against Parliament having a say in these matters?

Mr. YATES: This right-of-way should be incorporated in any plans that are adopted. I do not think a large road should be built through the gardens but believe a right-of-way is necessary.

The ATTORNEY GENERAL: The Government entered into an agreement with the Perth City Council, subject to the understanding being ratified by Parliament. The Government must endeavour to honour that agreement, but if the Committee votes against that course, the Government cannot be blamed. Obviously some widening of the pathway will be necessary.

Hon. J. T. Tonkin: The amendment would not necessarily prevent that.

The ATTORNEY GENERAL: In law there is no distinction between a roadway and a pathway.

Mr. Graham: You should learn something about the law.

The ATTORNEY GENERAL: The mere fact that the hon. member calls it a roadway—

Mr. Graham: A carriage way.

The ATTORNEY GENERAL: There is a distinction between a right of carriage way and a right of footway. Some way for vehicular traffic will be necessary. We should trust the City Council.

Hon. J. T. Tonkin: Is it not reasonable to trust Parliament?

The ATTORNEY GENERAL: No. I mean it is reasonable to trust Parliament. How can the City Council call for designs until they know what land and what rights are available?

Mr. W. Hegney: What about an alternative design?

The ATTORNEY GENERAL: I have no doubt that this scheme originated with the Leader of the Opposition, or that the plans he mentioned were largely his own idea, and I think the suggestion a good one. The plan shows clearly that the proposed building comes behind the McNess Memorial and the pathway. I do not think the Committee should reject the understanding that has been reached on the plan.

Hon. F. J. S. WISE: I hope the Attorney General is no more successful in his pleadings to the member for West Perth than he has been in convincing me. The amendment mentions the words "carriage way". There is nothing in the Attorney General's argument that because an understanding has been reached with the City Council, Parliament should endorse it as a whole. This is not the law of the Medes and Persians, even if it is passed. We are attempting to show the bona fides of the Lord Mayor and one of his councillors in that their vote indicated that they have no desire to despoil more than is necessary any part of Stirling Gardens. When it is eventually necessary to call for designs for a city hall, if the plans involve a roadway, let Parliament then decide the matter.

Mr. TOTTERDELL: This has developed into a dog fight and I think it is much ado about nothing. As far as the City Council is concerned we have no intention, at present, of building a big magnificent highway across Stirling Gardens. When we widen Barrack-street by 20 ft., the portico to the new town hall will be facing west in Stirling Gardens; probably the walk from Barrack-street

to the entrance would not be more than 120 ft. I am quite happy about the amendment and I ask the Government to agree to it. We do not intend to build a wide roadway to the new town hall when it is erected, but we will certainly have a walk about 10 or 20 ft. wide which will be bordered with beautiful flowers and garden seats. It will be a thing of beauty and visitors to the city will be able to walk up this drive to the new city hall.

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

Clauses 3 and 4, Schedules, Title—agreed to.

Bill reported with an amendment and the report adopted.

BILL—NOXIOUS WEEDS.

Council's Message.

Message from the Council received and read notifying that it had agreed to the conference managers' report.

BILLS (9)—RETURNED.

- 1, Physiotherapists.
With amendments.
- 2, Road Closure.
- 3, Reserves.
- 4, Timber Industry Regulation Act Amendment.
- 5, Coal Mine Workers (Pensions) Act Amendment.
- 6, Superannuation and Family Benefits Act Amendment.
- 7, City of Perth (Lathlain Park Reserves).
- 8, Administration Act Amendment.
- 9, Land Act Amendment.
Without amendment.

RESOLUTION—STATE FORESTS.

Council's Message.

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

BILL—COAL MINING INDUSTRY LONG SERVICE LEAVE.

Council's Amendment.

Bill returned from the Council with an amendment which was now considered.

In Committee.

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

The CHAIRMAN: The Council's amendment is as follows:—

Clause 2, page 2, line 22:—After the word "award" add the words "and also includes any award of the Coal

Reference Board applying the provisions of the said award made by the Coal Industry Tribunal to the Collie Coal Miners' Industrial Union of Workers of Western Australia and the members thereof."

THE MINISTER FOR HOUSING: When this measure was before the Committee recently I mentioned that the Coal Industry Tribunal was a little uncertain as to the wording of Clause 2. Subsequently the Mines Department received an indication from the Tribunal that the amendment, as inserted by another place, makes the clause correct. I have conferred with the member for Collie who agrees with the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Council.

ANNUAL ESTIMATES, 1950-51.

In Committee of Supply.

Resumed from the previous day; Mr. Hill in the Chair.

*Vote—Public Works and Buildings,
£744,930 (partly considered):*

MR. OLIVER (Boulder) [5.56]: The Minister for Works should be commended for the comprehensive survey he gave of his important department. I am concerned only with the amount of money that is held in Consolidated Revenue on account of main roads; it shows a sum of £1,789,000. I wonder how much of this money will be spent on improving conditions of workers employed in the department. I refer particularly to workers employed in such a nomadic occupation as the construction as maintenance of main roads. These men are continually moving as the roads are made and I have repeatedly referred in this House to the deplorable conditions under which they live. Therefore, with this sum of money available, I am curious to know what the Minister intends to do to improve their position. I ask him to make some comparisons of work done under similar conditions.

South of Kalgoorlie there is a big fire-wood undertaking which has been operating for some 40 or 50 years. That undertaking has developed a system so that all employees are reasonably housed and have a considerable number of amenities available to them. The camp never stays in the one place for more than five or six months but the men are provided with eating houses, showers and recreational facilities such as dance floors and so on. I am not suggesting that the Minister

should go as far as that but surely a department as important as this warrants better conditions for its employees.

The Minister for Works: I am not saying that the conditions could not be improved, but have you any suggestions?

Mr. Oliver: Yes, if the Minister wants to confer with me at any time I will tell him what I think should be done. If the department the Minister controls would only carry out the award that would improve the conditions of its workers considerably. However, I feel sure that the Minister is concerned about these workers and that he will do something to improve their conditions if the ideas are given to him. I feel sure of that and I know the Minister will give us that undertaking.

Another matter is that since the previous debate in this Chamber I have given a lot of consideration to the question of water supply which we discussed some time ago. I have also made a number of inquiries and I know that at the time when this was first discussed the Minister was not fully aware of all that was implied in what is now referred to as the comprehensive water scheme. I have still to be assured that when this water supply is put through to such places as Kondinin, Wyalkatchem and Koorda it will not deplete the already depleted supply of water in Kalgoorlie. I would like to know whether the Minister is perfectly satisfied that the pipe-line from Mundaring to Northam can take sufficient water to supply all these proposed places in addition, not only to giving the present supply to Kalgoorlie but possibly with a view to increasing that supply.

What the Minister has to keep in mind is that there are tremendous mining developments going on along the pipe-line. Coolgardie is almost back to where it was in 1907 and Bulfinch and Southern Cross are developing rapidly. Those are only a couple of places, but there are large developments south of the Golden Mile that could be a means of depleting the supply to Kalgoorlie. Those are the things which I would like the Minister to look at, and on which I would like his assurance that he will continually bear them in mind. I want to know that he is satisfied in his own mind that the present water supply pipe-line between Northam and Mundaring will be able to take that extra supply of water. My information is that it is impossible, because only so much water can be put through a pipe-line, and it is already loaded to its capacity. I do not want to worry the Minister much because I know how onerous his work is, but I do want those assurances from him in regard to works and water supply.

MR. HEARMAN (Blackwood) [6.3]: I do not want to take up much of the Committee's time, but I would like the Minis-

cer in his reply to cover certain queries which affect matters in my electorate. I intend to discuss only the matter of water. I know there are a number of places where water might appear to be more important than in my electorate. But in connection with the flax industry at Boyup Brook, I would point out that this is an important industry not only to the State but to the Commonwealth generally. It is the biggest flax mill in Australia. Normally it produces about one-fifth of Australia's flax production. This year's crop will be about one-third of Australia's flax production. Therefore, it is important not only to the State but to the Commonwealth generally that it should operate, and operate efficiently. When the mill was established a large dam was built and it was hoped that that would supply sufficient water not only for the town but also for the mill itself.

It is the only mill in Australia where they have what is known as tank reting facilities which take a large amount of water. The catchment area associated with that dam has fallen very far short of the requirements, and although this year's rainfall is about normal for that area, the dam is about only a quarter full, with the result that the flax mill will be forced to use water from the Blackwood River, which is not satisfactory. In fact it means that the quality of fibre produced is lower and is down to about two grades, which is approximately £24 per ton to the mill in return. I would like the Minister to give consideration to that matter. If nothing can be done about the catchment area, though I think it would be a far more satisfactory solution, perhaps some consideration could be given to the treatment of the river water if that is possible. I would like to emphasise that the rainfall in my electorate is very steady one of 24 inches, and any money expended on catchments there would be guaranteed to show a regular return in the form of greater conservation every year.

I now turn to the water position in Bridgetown. I hope that we are not going to witness the apparent paradox of the railways continuing to cart water every summer to Bridgetown, which has a rainfall of 35 inches. It certainly may not have had the heavy storms we associate with it this year, but I hope that we are not going to continue this paradox of carting water to Bridgetown, particularly as a survey of Mill Stream is most promising—about 400,000 gallons of water a day last summer were running to waste. I do hope the Minister will be able to give us some indication of the progress he hopes to be able to make in the current year as to the utilisation of that water.

The matter becomes rather more pressing really, because any increase in the activity of tin-mining in Greenbushes will also depend to an extent on the question

of harnessing the water of the Mill Stream. I know the Minister has been down there and that he is sympathetic towards the problems I have posed him, but I do hope he is able to give us some satisfactory assurance. In connection with Donnybrook, the board is at the stage when it now requires a test pump. The pump is to be forthcoming shortly and I hope that it does not get diverted to another town, as did happen on a previous occasion. I trust that the Minister will be able to give some information on these matters.

Progress reported.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray): I move—

That the House at its rising adjourn till 2.15 p.m. on Tuesday, the 5th December.

Question put and passed.

House adjourned at 6.10 p.m.

Legislative Council.

Tuesday, 5th December, 1950.

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The **PRESIDENT** took the Chair at 3 p.m., and read prayers.