

## Legislative Council.

Thursday, 19th October, 1950.

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

### CHAIRMEN (TEMPORARY) OF COMMITTEES.

#### *As to Method of Appointment.*

Hon. Sir CHARLES LATHAM: I do not know whether I am in order, Mr. President, in requesting your ruling, under Standing Order 31A, which reads:—

The President shall nominate during every session a panel of not less than two members, who shall act as Temporary Chairmen of Committees whenever requested by the President or the Chairman of Committees.

I would like to know whether you propose to carry out the usual procedure by appointing that panel.

The PRESIDENT: The point that has been raised by Sir Charles is no doubt known to a number of members. As a matter of fact, a similar request was made earlier in the session, but there are certain matters suggested in the report of the Standing Orders Committee, which has been placed before members. Among them is the question of the election of various representatives to committees instead of making appointments in the House. It was my intention therefore to leave the question of the appointment of the Deputy Chairmen of Committees in abeyance until that report was approved by the House and to suggest that the temporary chairmen might then be elected by members.

### BILL—FAUNA PROTECTION.

#### *Second Reading.*

Debate resumed from the previous day.

HON. W. J. MANN (South-West) [4.36]: I have had an opportunity of studying this Bill and whilst I agree in the main with its objects, I am a little anxious concerning some of the provisions embodied in it. Most of us who have lived in the coun-

try districts of this State are fully alive to the necessity of protecting all the wild life which it is deemed desirable to retain. We can go a long way towards preserving some of the wonderful fauna specimens we have and I think one can say that some of them are peculiar to this State alone.

There are, of course, other forms of wild life that are likely to become, and in some instances have already become, a menace and we have to deal with those species on their merits. We all know the depredations of the rabbits, emus and, in some cases, kangaroos, and it is essential, if agriculture is to be fostered and assisted, that continuous action be taken to keep their numbers down in order to ensure that they do not become so great a menace as they have done in some other countries, by forcing people off their holdings. At present I do not think we have many glaring instances in that regard, but certain other forms of wild life will rapidly disappear unless some strong action is taken to preserve them.

The introduction of foxes into this country and into the South-West particularly has caused the almost complete extinction of some of the smaller types of wild life, and those who have resided in areas where wildfowl were formerly particularly numerous have come to realise that unless something is done to protect them they, too, will rapidly become exterminated. I recollect, not so many years ago, setting out to help fill the larder with a brace or two of duck and I selected a good sized swamp which I knew was likely to be visited by duck each afternoon.

I thought I would make myself fairly snug to ascertain whether my eyesight was as good and as true as it had been in the past. The swamp covered an area of about five acres fringed with rushes and was situated in undulating country. I had hardly settled down in my point of vantage than I thought I saw a movement a couple of chains away. I kept my eyes focussed on the rushes there and in a minute or two I saw the ears of a fox.

Hon. E. H. Gray: Did you get him?

Hon. W. J. MANN: The animal was calmly adopting practically the same tactics that I had. He had paddled out and taken up a nice cosy position from which, when the birds came along, he would possibly be within pouncing distance. I badly wanted to kill the fox, but I also had in mind to get a duck or two. If it came to a question of who would get the duck first, I thought I had a pretty good chance. Inside half an hour I discovered there were at least two other brush-tailed gentlemen playing the same game, and they were scattered about the four points of the swamp. At any rate, I got two ducks and the foxes did not. I recount that incident to indicate how cute and cunning the animals are.

At that particular swamp we could go at any time years ago and in the course of a few hours secure a reasonably good bag. In these days we have the Vermin Act and a number of inspectors appointed under its provisions. For my part, I have no great knowledge of any appreciable good that has been done as a result. My impression, however, is that if the Bill under discussion is agreed to, the position subsequently is likely to be very much better. Provision is made for the appointment of wardens who will make investigations, report to a committee that is to be set up and the committee in turn will report to the Minister.

Before we appoint wardens to go round the country dealing with such matters as are indicated in the Bill, we must be extremely careful. Some people who accept policing duties on behalf of the Government become almost a bigger curse than whatever it is they are attempting to control. Some portions of the proposed legislation will, in my opinion, have a far-reaching effect. For instance, a warden may come along and because he has an idea there may be in my house or in that of some other member, something that contravenes the provisions of the legislation, he will be able, with the aid of a warrant, to go through the house, or property, and act in any way he chooses. We know that members of the Police Force can do certain of these things, but a policeman has some training. He has to comply with certain regulations and he must observe very carefully provisions of various Acts. He is not likely to do many of the things we can visualise some people, who may be appointed under the Bill, doing in pursuit of their inquiries.

We know what has happened in some instances where men have received appointments to do this or that in the country and coastal districts, but in very few instances have they been successful in their efforts. I shall not oppose the Bill, but when in Committee I think members should very carefully consider some of its provisions before agreeing to them. If the Bill passes the second reading stage today, I suggest the Minister might postpone the consideration of its provisions in Committee so that we may have a further opportunity of studying the Bill.

**THE HONORARY MINISTER FOR AGRICULTURE** (Hon. G. B. Wood—Central—in reply) [4.48]: I have no desire to rush the Bill through Committee, if members would like that stage delayed. I take this opportunity, however, in order to save time later, to reply to some remarks by members. Mr. Mann said that a warden could go into a person's house, but he will be armed with no such power. I do not think a policeman could go into a person's home unless he had a search warrant.

Hon. W. J. Mann: I said the warden could do so with a warrant.

**THE HONORARY MINISTER FOR AGRICULTURE**: I am sorry; I must have misunderstood the hon. member. In my opinion, a justice of the peace would prefer to grant a search warrant to a policeman rather than to a warden, provided one were available. As a matter of fact, the Bill does not provide a warden with the extensive powers suggested. He will certainly be permitted to take possession of a firearm, but he will not be allowed to keep it without the authority of the court.

Hon. W. J. Mann: He could make himself a very big nuisance.

**THE HONORARY MINISTER FOR AGRICULTURE**: Some honorary wardens will be policemen. In any case, I do not think honorary wardens would accept such appointments in order to make themselves general nuisances. Surely to goodness, people have enough to do without engaging in such tactics. Mr. Tuckey complained about inexperienced people doing certain things. The object of the Bill is to overcome such anomalies. He remarked that no notice had been put at at White Lake to assist in the protection of fauna.

Should the Bill be passed and the fauna protection committee appointed, such a matter as that could be attended to by that body. By this means anomalies of that description will be corrected. Generally speaking, the object of the Bill is to rectify mistakes of the past. A lot has been said about the Vermin Act. I reiterate that this measure will in no way override the Vermin Act. Under the provisions of the Bill rabbits, grasshoppers or foxes could not be protected. That simply could not happen.

Hon. Sir Charles Latham: They would be protected in the grounds set aside.

**THE HONORARY MINISTER FOR AGRICULTURE**: But rabbits are vermin all over Western Australia.

Hon. Sir Charles Latham: People would not be allowed to carry guns in the sanctuaries.

**THE HONORARY MINISTER FOR AGRICULTURE**: Foxes are vermin wherever they may be, and so are grasshoppers. Certainly some discrimination should be exercised in the matter of kangaroos. I think that every kangaroo above Mingenev should be regarded as vermin and exterminated, but I am not one who suggests that all kangaroos in Western Australia should be annihilated. Wherever they have become a nuisance, steps have been taken under the Game Act to have licenses issued for their destruction, though they have not necessarily been declared vermin. West of Gingin and at Pingrup, kangaroos have been a nuisance on occasion, and I have made representations to the Minister

for Fisheries with a view to the protection being lifted so that people could destroy them. I think that is only right.

Neither Mr. Tomlinson, an officer of the Agricultural Department, who is Acting Chief Inspector of Vermin, nor I would allow kangaroos or anything else to become a nuisance anywhere. Mr. Tomlinson is a permanent officer and I know his thoughts on this matter. I have been informed that emus in the far South-West and southern districts of Western Australia are not a nuisance and our expert inspectors say they are not increasing. Personally, I would not have an emu anywhere in Western Australia, because it is a useless sort of bird. But there have been people who have suggested to me that emus should be protected so that tourists could look at them in the bush and get a certain amount of pleasure from seeing these beautiful birds roaming through our wheat fields.

I made a big stand about emus two years ago and persuaded the Government to increase the bonus on them. Subsequently I received a letter from London and one from Sydney criticising my action in taking steps to have these birds exterminated. They even went so far as to suggest that it would be a great idea and a source of revenue to the hotels in the wheatbelt to bring tourists to gaze at these lovely birds. It is almost incredible, but it is true. I know perfectly well what emus can do. It is not only that they eat or knock down the wheat crops, but they are a constant worry to the farmers and their wives and children who have to hunt them off while the harvester tries to beat them to the grain. No-one need have any fear that, if this Bill is passed, any emu will have much sympathy from me or from the permanent head of the department, who thinks along the same lines as I do.

The kangaroos are different. I know the damage they do in the North-West, and I consider that every kangaroo there should be exterminated. I would not have any compunction about wiping them off the face of the earth in that area. But that is not to say that in portions of the South-West kangaroos do not merit some, although not absolute, protection, or that places should not be reserved for their preservation. Once kangaroos start to become a nuisance, however, I can assure the House that the officers of the department, in accordance with the powers they have under the Vermin Act, will take steps to have them exterminated.

Hon. H. Tuckey: If they are protected in the sanctuaries, they will become a nuisance, but they can be controlled by issuing permits for their destruction.

The HONORARY MINISTER FOR AGRICULTURE: That is so. If they wander too far from the reserves, permits can be issued for their destruction, as was

done at Gingin and Pingrup, and they can be controlled. Mr. Roche asked why the word "vertebrate" should be used. That word enables the inclusion in the designation of fauna of mammals, birds, reptiles, amphibia and fish. Certain groups of vertebrate fauna are excluded by overriding statutes such as the Vermin Act, the Whaling Act, etc. The same member feared that the Bill would override the authority of local vermin boards; but there is nothing in this measure to detract from the powers which those boards exercise under the Vermin Act. So members need not worry about that.

In some instances kangaroos are needed for food. I know quite a lot of people, even around York, such as old-age pensioners, who shoot kangaroos for meat. It would not be advisable, where kangaroos are not causing damage in the bush country, to exterminate them altogether. If they were to go into settled areas, that would be a different tale. They are not doing that. I have lived on the edge of the forest at York for nearly 30 years and have not found kangaroos a menace—not the slightest. Sir Charles Latham knows where my paddocks are on the edge of the forest, and I can assure members who have any fears about kangaroos in that district that they need not worry.

Hon. Sir Charles Latham: There are not many there, you know.

The HONORARY MINISTER FOR AGRICULTURE: Yes, there are. Further south there are quite a number. On the south side of the road in the Darkan district there are a lot, but they seem to stay there. Whether the hunters keep them there I do not know, but there are many big ones. I have also seen emus in that country.

Hon. Sir Charles Latham: So have I.

The HONORARY MINISTER FOR AGRICULTURE: I have seen two emus and they have been there for the last 25 years. I have never seen three.

Hon. Sir Charles Latham: I saw a lot of young ones at one time.

The HONORARY MINISTER FOR AGRICULTURE: I have not seen them. But they have not increased in number. Mr. Ackland, who has recently extended operations into that forest, has told me about the wild horses and rabbits he has seen, but he has never mentioned emus, which shows that for some reason or other they do not appear to be increasing in the district. It is different in the wheat country, which seems to be their happy home. They came down from the Murchison and they were establishing themselves firmly until we increased the bonus. I am happy to say that now the position is much better, because each emu is worth 4s. or 5s. and people go out after the birds. Mr. Roche had an idea that the advisory board consisted of men with only a theoretical know-

ledge, but there is a practical man in the person of Major Whittell, of Bridgetown, who is a farmer. So that is safeguarded.

Hon. L. Craig: He is a bird man. I do not think he knows much about animals.

The HONORARY MINISTER FOR AGRICULTURE: He will soon learn while he is a member of this committee. Something has been said about proclamations. I cannot find anything in the Bill referring to proclamations being issued in regard to sanctuaries. They can be made as to close seasons. Surely we do not want to come to Parliament every time we require to alter the close season for the killing of ducks, or anything else. Surely Parliament can trust somebody to use a little commonsense in the matter of proclamations. The protected area extends from a line running from Jurien Bay to slightly north of Kellerberrin, due south to the coast. Outside that area kangaroos are not protected.

Hon. L. A. Logan: They are a decided menace in places below that line.

The HONORARY MINISTER FOR AGRICULTURE: As I have said, where I have found they were a menace, as at Gingin, I have taken steps to allow them to be shot down. I would move to shift that line lower down if it were necessary. In that case I would make strong representations to the committee, because naturally I look after the agricultural interests first rather than the protection of kangaroos anywhere.

Hon. H. Tuckey: What is the northern boundary?

The HONORARY MINISTER FOR AGRICULTURE: It is a line running from Jurien Bay due east to Kellerberrin. I agree that kangaroos have been a menace below that line, and I know where they are a nuisance, because people always come to me when they are troubled in that regard. The hon. member also wished to know whether a native could get a permit to destroy fauna for purposes other than food. A native can get a permit to destroy kangaroos or any other fauna for purposes other than food, if it is necessary. I think any further items can be dealt with when the Bill is in Committee.

Hon. H. Tuckey: What do natives do with kangaroo skins?

The HONORARY MINISTER FOR AGRICULTURE: A skin off an animal classed as vermin can be sold without a royalty and therefore I understand that, where kangaroos are proclaimed vermin, no royalty is required.

Hon. H. Tuckey: A native recently told me that he had five kangaroo tails to dispose of and that he had caught all the animals before lunch one day. It would be difficult to check up on a native.

The HONORARY MINISTER FOR AGRICULTURE: It is difficult to check up on natives in any regard.

Hon. H. S. W. Parker: I cannot quite hear all this conversation.

The HONORARY MINISTER FOR AGRICULTURE: The hon. member must blame the interjector at my back. Mr. Tuckey mentioned a reserve south of Mandurah. I do not know why it is there but I recently took steps—together with other people—to have all that country between Mandurah and west of Brunswick thrown open for agricultural purposes. I very much desire to see it thrown open. There is also a native reserve, about which Mr. Tuckey may not know, immediately north of a line west of Harvey. I am desirous of having that country thrown open, and will take steps to that end. I know that the South-West Development Committee is behind me in that regard.

Question put and passed.

Bill read a second time.

#### BILL—RESERVE FUNDS (LOCAL AUTHORITIES).

##### *Second Reading.*

Debate resumed from the 11th October.

HON. E. M. DAVIES (West) [5.5]: This Bill has been brought down for the purpose of authorising local authorities to establish reserve funds from the proceeds of the sale of capital assets or a sum not exceeding five per cent. of the general revenue. This will enable local authorities to appropriate a portion of their revenue for depreciation of plant and equipment or for major renovations or alterations to public buildings. It will also allow them to place surplus revenue up to five per cent., in a reserve fund for specific purposes. I think that is reasonable.

During the war period authority was given for local authorities to create reserve funds for the purpose of carrying out delayed works. It will be remembered that during the war it was not possible to obtain labour or materials and it would therefore not have been in the best interests of local authorities if, because there were no works that could be carried out, rates had had to be levied on a very low scale. It is well known that a local authority can strike a rate annually to cover the deficiency between revenue and expenditure, but it is not permitted to budget for a credit balance.

In the event of works not being completed in the current year, after they have been budgeted for, and the money not being expended, that money has to be taken into account in striking the rate for the ensuing municipal year. I believe that is necessary. The Bill provides that a reserve fund shall be established and that will enable local authori-

ties to plan for long-term development projects and will tend to keep the annual rates on a more stable basis.

Although I do not wish to commit myself until I know more about it, I am not exactly in favour of the provision that a road board, with the consent of the Minister, or of a meeting of ratepayers convened for the purpose, may strike a special rate of 3d. in the £ on the unimproved value or 1s. in the £ on the annual value, for the purpose of establishing a reserve fund. I think that would permit a local authority to extend its rating powers, and that might be objected to as it would increase the rating limit of the road board. It would then be possible to strike a rate so that ratepayers would contribute over a number of years and eventually receive no benefit from the project for which the rate was struck. I believe the idea is to permit a road board that desires to build a hall to do so by striking this special rate to create a reserve fund for the specific purpose.

It would take a number of years to accumulate a large enough fund, and those called upon to pay the extra rate would possibly never be in a position to see the project brought to fruition. I think that would be unfair. Where facilities such as halls are provided for the benefit of posterity, I believe that posterity should bear some of the expense involved. In this case the special rate might be only one of several for reserve funds that could be established for other purposes.

Before the debate is concluded I would like to hear from the Minister what is intended by that provision of the Bill. I believe it was inserted in the Bill by an amendment, in another place, though whether the amendment was moved by a member of the Government or of the Opposition, I do not know. I feel the provision may be unwise because the building of a hall, for instance, could well be catered for by raising a loan. Although some people do not like the system, it is, unfortunately, sometimes necessary to raise loans for the development of a district. Loans are sometimes raised for purposes for which any rate that could be struck would not provide sufficient finance within a certain period. I would like to know more about this provision and in the meantime will reserve my decision as to whether I will support or oppose it.

On motion by Hon. G. Fraser, debate adjourned.

#### **BILLS (2)—FIRST READING.**

1. Bush Fires Act Amendment.
2. Natives (Citizenship Rights) Act Amendment (Hon. H. C. Strickland in charge).

Received from the Assembly.

#### **BILL—TRANSFER OF LAND ACT AMENDMENT.**

##### *Second Reading.*

Debate resumed from the 10th October.

**HON. E. M. HEENAN (North-East)** [5.15]: This is a Bill consisting of 73 clauses, and it proposes to amend the principal Act which dates back to 1893 and consists of 240 sections. It would appear, on the surface, to be a fairly comprehensive measure which, of course, it is, but I propose giving it my fullest support. As members know, the principal Act is one which deals with titles to land and practically all transactions incidental thereto. It was passed in 1893, and since then there have been 17 amendments. One of the main objects of this Bill is to achieve the very necessary aim of consolidating the Act. That, in my opinion, is in itself a justification for this measure.

It is most desirable to have the statute consolidated because, as I have mentioned, throughout the years there have been 17 amendments, and as Mr. Parker and, I think, the Minister pointed out, the Act itself is now out of print. That position has caused inconvenience and even hardship in several instances. As an example of this, I would mention to the House that only recently the Law School at the University had to send to legal practitioners requesting them to lend a number of copies of the Act. Therefore the reprinting and consolidation of the Transfer of Land Act will achieve something that is absolutely necessary.

Another commendable feature of this Bill is that it proposes to simplify the procedure in certain ways which experience has shown to be necessary and advisable. It is obvious from a perusal of the measure that it has been very carefully drafted, and the Registrar of Titles, and whoever else was responsible for drafting the Bill, have obviously given very careful thought to the matter. They deserve a great deal of commendation, because the Transfer of Land Act is largely a technical measure and the practice and experience of quite a number of years are revealed in the various amendments contained in this Bill.

Most of the proposed amendments are of a technical nature and deal with such matters as application to bring land under the Transfer of Land Act; the issue of new titles in certain circumstances; the abolition of the right of a mortgagee to distrain for interest; the protection of the rights of the second mortgagee, which is another most humane and necessary amendment to the Act; provisions relative to restrictive covenants, which have been fully outlined by the Minister and Mr. Parker in their remarks, the discharge of caveats, and so on. Summed up, the provisions of this Bill on the face of it appear

to be beneficial and desirable. I have discussed it with certain persons who are in daily conveyancing practice, and it seems to be unanimously approved and regarded, by at least seven or eight legal practitioners to whom I have spoken, as being something long overdue, which reflects credit on the people who drafted it. I feel we can support the Bill with the fullest confidence. I have noticed one lengthy amendment on the notice paper to which I propose to object, although my only ground for doing so appears to be rendered unnecessary by the last provision in the amendment. However, I shall probably deal with it in Committee.

**HON. H. K. WATSON** (Metropolitan) [5.22]: I feel that this Bill is of a nature of which I should like to see many more. If we devoted our time to considering Acts already on the statute book, some of which have been there for 50 or 60 years, with a view to bringing them up to date and making them efficient and workable, deleting obsolete provisions that have become out of date over the years, and checking them, where practice and experience have found them to be weak, it would be far better than bringing down legislation which prevents citizens from doing things they want to do, or else compelling them to do those things which they do not want to do. I have only one comment, and that is in connection with the position of leases and lessees.

The Minister for Transport: What clause would that be?

**Hon. H. K. WATSON**: Clause 16, which refers to Section 68 of the principal Act. The present position regarding leases is briefly this: When a person has a lease of premises, or portion of premises, he may, at his option, register that lease at the Titles Office; that is, if it is a lease for more than three years. At the moment, the Registrar of Titles, if I understand the position correctly, refuses to accept a lease for registration if it is for a term of less than three years. But there is no compulsion on any tenant at present to register a lease. If he so desires, he may register it, but his rights are not jeopardised if he does not register it, and I think that is as it should be.

That position has worked pretty satisfactorily over the last 60 years. It becomes important in connection with the sale of a building. The present position in regard to a person buying a building is that he buys it subject to all existing tenancies. The reservation under Section 68 provides that although a purchaser gets an indefeasible title to the land and the premises, it is subject to the interest of any tenants. As I have said, that has worked satisfactorily in this State over a long period, and I do not know of any case where a purchaser has been prejudiced by the existence of that provision.

I understand, however, that in respect of a similar provision in the Victorian Act under the interpretation placed upon it by the courts its term has been somewhat extended, and developed away from the true intention of the section to the extent that the interest of any tenant has been interpreted by the Victorian courts as including unregistered purchasers, tenants for life and other rights, quite apart from what are generally understood as tenants' rights. That particular point is one which I think should be corrected, because under Section 68 all that the Act did intend to preserve were tenants' rights as they are ordinarily understood. The question which I put to the Minister, and on which I would like enlightenment in his reply, is whether the method whereby this Bill seeks to overcome the disability which I have just mentioned is really the most appropriate one. I should have thought that the position would have been met if Section 68 of the principal Act were amended to make it clear, beyond the possibility of dispute, that the words "interest of any tenant" meant what they indicated, and that they were not intended to include unregistered purchasers and other similar circumstances.

But the Bill does not seek to amend Section 68 in that direction. It seeks to overcome the difficulty by providing that a lease for a term of five years or more must be registered, and that if the lease for a period of five years or more is not registered, then that lease is of no benefit to the tenant in the event of the property being sold by a vendor to a purchaser. It goes further. A five-year lease would not be the only class of lease that would be invalidated because, as I read the Bill, a lease of three years with the option of a further three years, would likewise have to be registered. If it were not registered it would be no protection to the tenant in the event of that building being sold; his option would be valueless. I have discussed this with some of my legal friends and I understand that is their interpretation—though I know we have only to get two legal gentlemen together—

**Hon. Sir Charles Latham**: To get disagreement, sometimes.

**Hon. H. K. WATSON**:—and we can rely on getting two different opinions! In regard to this matter of registration of leases, it seems that if a man had a lease of over five years and, after a period of 50 years of not having to register leases, he inadvertently failed to register his lease, his tenancy would not be protected. That would surely cause hardship.

Again, we have the question of leases of part of a building, perhaps part of the first floor, as distinct from leases of the whole building. If one sought to register a lease of part of a floor, considerable difficulty would be experienced. The Registrar of Titles refuses to accept a lease of part of a floor of a building unless it is clearly defined so that there is some method of

identification. The Bill in its present form would mean that a person with a five-year lease of part of a building would need, in addition to holding the documentary lease, to have a survey made and a plan drawn in such a manner as to enable it to be identified beyond the possibility of dispute. These points are worthy of consideration. The question is whether, in order to correct a weakness in the Act whereby tenants' rights have been given an interpretation far beyond what was intended by Parliament, we are going to create a new position whereby some tenants may run the risk of having their rights prejudiced through oversight, inadvertence or some other reason.

On motion by Hon. H. C. Strickland, debate adjourned.

### BILL—STATE HOUSING ACT AMENDMENT.

#### *Second Reading.*

Debate resumed from the 11th October.

**HON. E. H. GRAY** (West) [5.32]: This Bill will be very welcome to people requiring homes. It is a short measure containing three main amendments. The first one relates to the definition of worker and proposes to increase the amount of the permissible earnings of an applicant for a worker's home from £500 to £750. This is necessary because, under existing conditions, a skilled tradesman would not be eligible to apply for a worker's home or a home under the State Housing Commission as he would be receiving more than £500. Thus tradesmen would be practically shut out from benefiting under the provisions of the Act.

The next amendment proposes to increase the amount that may be expended on a home from £1,500 to £2,000. This increase has been rendered necessary owing to the high prices of building material, etc. It seems improbable that a working man having one of these homes would be able to pay the price of £2,000 for it, but the Honorary Minister for Housing in another place stated that under a 40-year lease, which applies to the workers homes section of the Act, interest at 4½ per cent. would mean a worker's paying £8 13s. 6d. per month on a £2,000 home and £6 13s. 6d. per month on a £1,500 home. Many families are paying more than those amounts by way of rent and I am pleased that the Government has decided to resume the erection of homes under this part of the Act.

A most important amendment affects local authorities. For some time there has been great agitation, particularly in the metropolitan area, by reason of local authorities having been adversely affected in the matter of land purchased by the State Housing Commission for the erection of homes. Under existing legislation, such

land is not rated for two years, and then the rating is fixed on the basis of the valuation at the time of purchase. Land in the metropolitan area might have been held for six or eight years. I know of land that the Workers' Homes Board purchased before the State Housing Commission was constituted, and I believe it has increased in value over 300 per cent. That is good business for the commission but it is not very encouraging for local authorities.

The amendment will correct the injustice to local authorities as regards subdivided land and it is clear that the rates to be paid shall be the amount imposed by the local authority in the financial year preceding the date of purchase. I want the Minister to assure us that, under the amendment, the Commission will pay the current rate levied on other ratepayers in the district. The amendment appears to be fairly satisfactory and will be quite acceptable to the local authorities, subject to the safeguard I have mentioned.

The other amendment deals with unsubdivided land. I am pleased that Mr. Watson has placed amendments on the Notice Paper; I propose to support them. It would not be fair to the local authorities if the land were not rated for two years. In cases where land has been held for some years, the local authority should receive the full rates. I would go further because I believe we should encourage as much as possible the work of local government. Under existing legislation, local authorities have been seriously handicapped.

Property such as police stations, school residences and homes provided by the Government for railwaymen and other employees should not be exempt from the payment of rates. The local authorities have to provide amenities which these people share, and the Government should bear the same burden of rates as the average resident has to carry. Every local authority is desirous of seeing its district prosper and its object is to provide good roads and footpaths, approaches to factories, etc., and I certainly think that Government enterprises of a competitive nature should pay rates just as private enterprise has to do.

I know that the Minister will object to Mr. Watson's proposed amendments, but I hope members will give them serious consideration because every possible encouragement should be given to local authorities. The proposal that the Commission should be able to wait for two years before paying rates ought to be amended to provide that in all cases the Commission shall pay the current rates applicable in the district. Local authorities feel concerned about this matter and I hope they will receive the support of members of this House. This is an opportunity to do justice to the local authorities and I

hope that, even if the Minister cannot be persuaded to accept Mr. Watson's amendments, other members will support them.

On motion by Hon. H. K. Watson, debate adjourned.

#### BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

##### *Second Reading.*

Debate resumed from the 11th October.

**HON. J. M. THOMSON** (South) [5.43]: I have studied the provisions of the Bill and do not feel quite as satisfied with them as previous speakers appear to be. I do not feel disposed to support the proposal for power to be given to any person to direct or approve of scaffolding unless some limitation is placed upon the power to be exercised. Many inspectors in carrying out their duties exercise tact and discretion, but the same cannot be said of quite a number of others, who seem to be obsessed with the authority vested in them and inclined to overrate their own importance. As the Bill deals with the nature of the scaffolding to be required, some safeguarding provision should be included.

Hon. L. Craig: Would you define the limitation of that power?

**Hon. J. M. THOMSON**: We could define their powers by stating what was required in the legislation, and the builder and the inspector would then know that they were bound within the compass of those requirements. I would like to see such a provision embodied in the measure because it would be in the interests of both parties, the builders and the inspectors. It is reasonable to expect that the department should be able to submit its specifications of timber for scaffolding, and what it wants with respect to tubular scaffolding, and leave no doubt about what is required.

The Bill, at its conclusion, seeks to repeal the schedule to the Act. A new set of regulations will be drawn up. I am a little fearful that the regulations will not be submitted to Parliament before the end of the session, and as a result, if, when they do come into force they cause inconvenience and dissatisfaction, we will be able to do nothing until we reassemble next year. We cannot do much about that. The only thing we can do to get over the difficulty is to vote the Bill out, and I am not desirous of doing that.

Hon. L. A. Logan: Why not?

**Hon. J. M. THOMSON**: From the contacts I have made with various contractors—and I am one myself and so speak from practical experience—I know that the Bill contains quite a few provisions which are acceptable and necessary. In conclusion, I trust that every effort will be made to have the regulations, to which I have referred, placed on the Table of the House

before the end of the session so that we may peruse them, and, if necessary, seek to have them altered.

On motion by Hon. L. A. Logan, debate adjourned.

#### MOTION—MINING.

*As to Government Advance to Prospectors.*

Debate resumed from the previous day on the following motion by Hon. E. M. Heenan:—

That this House is of the opinion—

- (a) that the weekly amount of 30s. per week advanced to prospectors under the Government prospecting scheme is quite inadequate for present day requirements; and
- (b) that with a view to assisting bona fide prospectors and reviving interest in prospecting, the scheme generally should be revised and in particular the weekly advance of 30s. should be substantially increased.

**HON. W. J. MANN** (South-West) [5.50]: I feel I can conscientiously support the motion because I have some vivid recollections of the great service rendered by pioneer prospectors half a century ago. I realise that the prospector today is a different type of man from the one we knew in the early 1900's. Unfortunately, in some ways, and fortunately, in others, the man who goes out prospecting today does not do so because of the circumstances that forced men out years ago. The old prospectors went out into the back country almost in desperation because positions were difficult to obtain. There was not then the same demand for labour as there is today. The need to make provision for themselves and their families was a great spur to their prospecting activities.

It was rather sad to hear Mr. Heenan detailing how the prospectors have diminished in numbers until today they are just a mere handful. In a State like Western Australia, where most people believe there are immense quantities of gold and other minerals yet to be mined, it is a matter of some anxiety to know that the art of prospecting is being allowed to die. It would be a good form of insurance for the State to provide an increased incentive for men to go prospecting, and for that reason I support the motion. At the same time, we must take into consideration the fact that there is only a certain type of man who is fitted, or temperamentally inclined to endeavour to win from Nature some of her riches.

Whilst I understand that the Kalgoorlie School of Mines and its branch at Norseman are assisting in this matter, I think there is still opportunity for further instruction and training to be provided. I

am not in a position to indicate the sort of lectures that are delivered at the School of Mines, or what comprises the curriculum of the course, but I would say, if it is not already done, that it would be a good scheme for the minerals section of the Mines Department, together with the geological department of the University to assist the men who go out by giving them a better idea of where to look for minerals, and some method of identifying the different metals that occur throughout the State.

A great deal can still be done to help prospectors. In the past there have been taunts at the idea of assisting prospectors because it has been said that the Government was merely handing out a dole to men who went a mile or so out of town and reclined under a shady bush without doing anything for the contributions they received. That state of affairs could easily be overcome by devising a method whereby some control could be exercised and reasonable records made of the work of the men; although I quite agree that if we asked an old-time prospector to keep a written record of where he had prospected and what he had done, we would get a sharp answer. I think we could do much to revitalise mining in this State. Members may have read in this morning's paper of a woman prospector—and, of course, that is the proper description of that lady—

The Minister for Mines: You do not mean a gold digger, do you?

Hon. W. J. MANN: No; in this case the metal was wolfram. This lady by her persistence and personal interest in a mine discovered a valuable deposit of wolfram. I say, good luck to all prospectors whether they be men or women—and quite a number of women have assisted their husbands in prospecting in the past, as we all know. I do not think any apology is required when we ask the State to contribute a relatively small amount to see whether further valuable mineral deposits can be unearthed.

Conditions today are such that mining development requires a great deal of capital and a fair amount of scientific research, but I believe that the prospector can be well and truly utilised in conjunction with that research. The late Hon. J. Scaddan had the idea that the proper way to encourage the prospector was to say to him, "Here is an amount of money that will keep you going for a wee bit. Go out and see what you can find. If you find anything that is worth while, come back to me and I will see that sufficient money is made available for the carrying out of a proper investigation." That was a sound policy. The late hon. gentleman knew his mining—I think, none better in this State. We can, with perfect safety, pass the motion and trust that the Government

will make some real effort to get the right type of men to go out to see what they can find.

On motion by the Minister for Mines, debate adjourned.

*House adjourned at 6 p.m.*

## Legislative Assembly.

Thursday, 19th October, 1950.

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

### QUESTIONS.

#### ROADS.

(a) *As to Commonwealth Aid Road Funds.*

Mr. ACKLAND asked the Minister for Works:

On the 15th August, in reply to a question in the Legislative Council it was stated that the sum of £1,373,894 of Federal aid road money was unspent at the 30th June, 1950. Will he supply a detailed statement showing to what public works this money has been allocated—

- (a) in the metropolitan area
- (b) for what public works in the metropolitan area;