Mr. W. HEGNEY: And the case for the final analysis would be heard by the Arbitration Court. The Government is so anxious to step in and try to influence the minds of the Collie Coal Miners' Union. It has not sufficient faith in the judge of the court to realise that he would see the public interest was protected.

Mr. Watts: He has to get the evidence.

Mr. W. HEGNEY: The Government is now showing itself in its real colours. The industrial union places a case before the tribunal and the Government steps in and is going to intervene under the provisions of the Arbitration Court. Why?

Mr. Brand: Did your Government ever intervene?

Mr. W. HEGNEY: Is the Government not satisfied that a judge of the Supreme Court, who is President of the Arbitration Court and will be involved in this determination, will see that the interests of the public are protected?

Mr. Brand: Did your Government ever intervene?

The SPEAKER: Order!

Mr. Court: What about the transport operators?

Mr. W. HEGNEY: I reiterate that this is an indication of the Government's attitude in connection with its approach to industrial matters in this State. It is in keeping with its policy on sackings. Also its action in regard to the supplementary allowance to the single unemployed men was very wrong.

Mr. Watts: If you'd left this to your Leader you would have been a lot better off.

Mr. W. HEGNEY: I am not going to oppose the Bill.

Mr. Watts: He did at least know what he was talking about.

Mr. W. HEGNEY: I indicated I am not opposing the Bill; but I thought it was an opportune time to—

Mr. Brand: To say something you should not have said.

Mr. Watts: To put your foot in it, as you have succeeded in doing.

Mr. W. HEGNEY: When the Attorney-General has finished, I will continue! I thought it an opportune time to bring before the House what I believe to be the inconsistent attitude of the Government towards the industrial workers.

On motion by Mr. Graham, debate adjourned.

House adjourned at 6.6 p.m.

Legislative Council

Tuesday, the 18th August, 1959.

CONTENTS

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

QUESTIONS ON NOTICE

TEACHERS' TRAINING COLLEGE

Applications for Admission

1. The Hon. J. M. A. CUNNINGHAM asked the Minister for Mines:

   (1) What percentage of all applicants for admission to the Teachers' Training College, came from the Eastern Goldfields districts in the years 1956, 1957, 1958?

   (2) Where does the greatest percentage per hundred head of population come from?

   The Hon. A. F. GRIFFITH replied:

   (1) 1956—44 out of 580—7½ per cent.
   1957—38 out of 664—6 per cent.
   1958—37 out of 635—6 per cent.

   (2) The metropolitan area.

CHILDREN'S COURT

Annual Report from Magistrate

2. The Hon. R. F. HUTCHISON asked the Minister for Local Government:
Why is the magistrate of the Children's Court not required to make an annual report to the Minister as is required in the Eastern States?

The Hon. L. A. LOGAN replied:

For administrative purposes the Perth Children's Court is within the framework of the Child Welfare Department, and the director of that department is required to furnish an annual report on the working of the Child Welfare Act (section 12) to his Minister. A request is sent to the Children's Court each year for data for inclusion in the report; but apart from statistics, no other information has been received.

MIDLAND JUNCTION WORKSHOPS

Repairing of Timepieces

3. The Hon. R. C. MATTISKE asked the Minister for Mines:
(1) How many timepieces, other than watches, were repaired at the W.A. Government Railway Workshops during 1958-59?
(2) What was the total cost of those repairs?

The Hon. A. GRIFFITH replied:
(1) 150.
(2) £1,381, which includes repair and painting (or varnishing) of cases and dial painting where necessary.

CLOSED RAILWAY LINES

Reopening

THE HON L. C. DIVER (Central) [4.38]: I move—

That as the Royal Commissioner's report on closed lines is based on many irrelevant matters and would appear to be considered purely on a financial basis without taking other considerations into account, this House is of the opinion that the Government should not accept all the recommendations as final and would urge that immediate steps be taken to open the Burakin-Bonnie Rock, Lake Grace-Hyden and any other agricultural lines where similar circumstances justify their reopening.

I preface my remarks by saying that I am extremely conscious of the responsibility that I am carrying on behalf of the hundreds of people in the outback who are relying on their representatives in this House, and in another place, to bring about the restoration of their rail services.

Whatever I shall say—I shall endeavour to make several points—will not adequately portray the real picture that is required to be put forward, not only on behalf of the people concerned but also of this great State of ours.

There is a remarkable untapped potential in the areas mentioned in my motion. Much of the land is not accessible by departmental heads who tour the country, but I, who have spent a life-time in the outback areas, know that there is a remarkable revenue potential there. Sceptics have often been proved wrong when they have said that there is a limit to which a place can be developed. They have been made to realise that, with the passage of time and the improvement of methods, progress can be made, and nature can be induced to produce her wealth.

This is only possible if we have people who are prepared to go into the outback areas, where there are no modern conveniences, and put up with all the necessary hardships and consequences that are attributable to isolation. If we have people of that calibre who are prepared to make the sacrifice, is there a price too big—within reason—for the State to pay to make it possible? If any notice is taken of a lot of what is to be found in the Royal Commissioner's report, we will have a State that will be limited by its boundaries —almost by the regional plan envisaged.

Let there be no doubts about the fact that every member of the Country Party is interested in this matter. I do not like the idea of leaders in this House of Review. I trust that when I address Mr. Strickland as the Leader of the Labor Party in this House, he will take it in the coin in which it is said. He stated that the question of rail suspensions was becoming a political football. I say, without hesitation, that this matter is of paramount political importance to the country people; and we offer no apologies for that because, without the Country Party to take care of, and fight for the retention of, country railway services, it must be obvious that not only will we be faced with the discontinuance of 842 miles of railway line, but with a further 1,500 miles of this State's railway services suffering a similar fate.

Might I remind members that the question of the re-opening of the railway lines —where it could be clearly demonstrated that a majority of those people concerned so desired it—was an important part of Country Party policy, as promised during the last State general elections.

The Hon. G. Bennetts: Do they still want their lines opened?

The Hon. L. C. DIVER: To that interjection I would say that had an inquiry been held into the Esperance line, a similar state of affairs would have been found which would not have left the honourable member in the position to ask the question.

I hold Mr. Smith, the Royal Commissioner whose report we are about to discuss, in high esteem; but that does not mean that I agree with many of his conclusions. There is no doubt that much time and thought has been put into the report, especially from the railway finance aspect. The report gives the impression that those settlers who had been deprived of their rail services had not established that they were materially worse off.

It seems odd that the economic effect on the State and Commonwealth was not considered by Commissioner Smith; especially in the Burakin-Bonnie Rock, and Lake Grace-Hyden districts. For instance, on page 82 of the report, it is stated that one farmer was of the opinion that only one-fifth of the land was cleared. This appears to be the only reference made on this aspect.

Does this not demonstrate the extraordinary potential of the area under review? It is established that only portion of the cleared land would be under crop and the remainder would be fallow or used for grazing. It is obvious that with an assurance that a railway would once again give service, much of the uncleared land would go into production, thus increasing the State and Commonwealth revenue.

The areas which used to be served by the two lines mentioned in the motion, had a total production, of wheat and other grain, of 2,434,350 bushels last harvest. Those figures do not include grain delivered direct by the farmers to the existing railhead bins. Doubtless the quoted figures would have been much increased had rail facilities still been provided at the nearest sidings; but at all events the income from the export of the grain which I have mentioned would be something more than one and a third million pounds. Is that not worthy of consideration, when studying the economics of the railways?

How many secondary industries in this State are earning that amount of income by the export of their products? Both of the railway lines with which I am dealing are situated in tracts of land which offer the greatest possible scope for further settlement. To the north of Bonnie Rock and to the east of the Lake Grace-Hyden railway, the land produces our best quality milling wheat; and, in both instances, there are large areas of new land available for exploitation. Can those who champion the closure of railways tell us of any similar area in the whole of the Commonwealth, where there is so great an untouched potential to produce choice quality grain?

Members must realise that, even with the restoration of the rail services in these two instances, as time passes grain will be grown still further out, thus necessitating haulage over even longer distances. With present and future advances in science, agriculture will make tremendous progress in these localities; especially in view of the good soil types in those areas. Modern types of cultivating machinery, drawn by up-to-date tractors with adequate horsepower, will ensure great development in these areas; and the potential will give people the incentive and confidence to spend their money there, thus producing more grain and lessening the cost of rail services.

The history of the Burakin-Bonnie Rock area was not fully inquired into by Commissioner Smith. He brushed over it very summarily, I thought. That railway was opened on the 27th of April, 1931; in the midst of the worldwide depression, when wheat was fetching something less than 2s. per bushel. The result was that settlers in those areas, being on the outer fringe of the developed country, could not withstand the impact of such calamitous prices; and most of them were clients of what was then known as the Agricultural Bank. It is well-known to many members here today—and especially to the older members—that quite a large proportion of the wheat produced at that time was conveyed to other parts, in order that the settlers might have enough income on which to live; and consequently their accounts with the Agricultural Bank were in a deplorable condition.

The result of these various factors was that the vast majority of the settlers concerned ultimately walked off their properties, leaving mere skeleton communities in those areas. It was then decided that that country should be abandoned for wheat production. The Agricultural Bank—through its officers giving evidence before inquiries at that time—was successful in having these outer fringes dubbed marginal areas; and, if ever a disservice was done to valuable agricultural land in this State, it was done by applying that term to the land of which I am speaking. It was presumptuous to call that country marginal.

Had an inquiry been made some years earlier into areas much closer to Perth than those to which I am referring—I go back to 1914—a similar set of circumstances would have been found prevailing there. But fortunately no such inquiry was held; and those closer areas ultimately showed their worth, and steadily and quietly our great wheatbelt developed. I believe that the words "marginal areas" should be forbidden to be applied to the districts to which they are officially applied today.

According to our law it is, even now, because of agreements entered into, an offence to sow more than 250 acres of wheat on any one settler's holding in those areas. Those agreements have never been repealed; and members can imagine that many of the settlers who have grown huge quantities of wheat have done so against the law, in that respect; but what a service that has been to our State!

The next important event in the history of the areas that I am reviewing, after they were declared marginal areas, was the

outbreak of World War II. Coinciding with the outbreak of war, much of that land which had been declared marginal, was no longer tilled and the grasshopper took possession.

Owing to the war it was only with the greatest difficulty that the Agricultural Bank was able to get contractors to go into that country and rip up the land, on a contract basis, in order to destroy the grasshopper plagues that were then prevalent. It was, however, a remarkable stroke of luck that the work was done. As a matter of fact, I think we owe the grasshoppers some acknowledgment, inasmuch as that was the first time in the history of that country that it was ever properly ripped up. When it was scarified to combat the grasshoppers, the ultimate result was that when the land was subsequently leased to farmers to produce wheat, it began to prove its real worth.

There was, of course, only a limited amount of that country which could be brought into production during wartime; because big machinery and powerful tractors were very scarce at that time. The result was that much of that country was for many years used only for grazing purposes. At that stage, together with the advent of World War II, the grasshopper plague, and the shortage of machinery, there was the rationing of superphosphate throughout the agricultural areas of Western Australia.

Consequently, there was no real production coming from those areas, but the railways still operated. With the cessation of hostilities, another chapter in the history of this area was enacted in that many farmers who leased properties for stock grazing realised its tremendous potential when it was declared a marginal area. Further, as the machinery shortage eased, these men were able to purchase heavy agricultural implements, and they took up farming on an organised basis somewhat in line with the methods used in old-established districts. As a result, the district became more settled.

That phase of its history, however, had hardly ended when officialdom again reared its head and said, "Your railway is not paying and we intend to cease operating the service." The present chapter of its history, of course, is that the trains have not been operating on that line for two years. When one considers the man-made hazards—apart from the grasshopper plague—that this Burakin-Bonnie Rock area has had to face in the short space of 27 years, it is, in fact, surprising that there are any settlers left in the district. When the Royal Commissioner made his report, he simply brushed aside the history of settlement in this area and did not refer whatsoever to the trials and tribulations of the settlers; but is it not obvious why a greater acreage has not been cleared when the future of the railways hangs in the balance?

In his report the Royal Commissioner deals with the crediting of revenue from the various lines. Although it appears, from the evidence the Royal Commissioner obtained from the farmers along the line, that exception was taken to the method of accountancy, I do not think they were objecting so much to that as to the fact that no consideration was given to the wealth they were producing from those areas as compared to the total revenue that was being obtained by the railways. They felt that their line should not be sacrificed merely because of that accountancy method. On page 9 of his report, the Royal Commissioner states—

> For example, revenue from goods consigned from Bonnie Rock to Perth, a distance of 244 miles, is credited to the Burakin-Bonnie Rock line on a mileage basis of 76 miles, that being the distance from Bonnie Rock to the junction station, Burakin. Accordingly, 76/244 or 19/61 of the revenue is credited to the line. Similarly, if goods are consigned from Perth to Bonnie Rock, the Burakin-Bonnie Rock line is credited with 19/61 of the revenue

That fact should be kept in mind, and also the fact that Fremantle is the terminal for the whole of that railway system; and that the line travels for 50 miles through country which is practically non-revenue producing so far as the railway is concerned. Therefore, in view of those facts, would it not have been reasonable for the Royal Commissioner to have said that, when crediting the 19/61 parts of the revenue, the Government should also take into consideration that there were 51 miles of the line which was unproductive purely because of a geographical accident; and that that was a factor which the State should have borne fairly and squarely?

That point is emphasised, too, in that the Royal Commissioner has mentioned in his report that the average rail haulage in South Australia is only 95 miles. That is purely good fortune, because of the geographical position of that State, and because it has many ports served by spur lines. The average rail haul of 95 miles encompasses all the wheat-producing lands. I therefore draw the attention of the House to that point, and I hope it will give it some thought. In regard to road transport costs, and the present cost per ton mile, the Royal Commissioner, at page 83 of his report, has this to say—

> Seasonal Services
>
> These are much the same as in other areas. Wheat (except premium wheat) and oats subject as aforesaid, are delivered to the old receival bins and Transport Board contractors, under the direction of Co-operative Bulk

Handling, transport the grain to convenient sidings on the open lines. The successful tenderers for the contract for 1957/58 were Messrs. Gallucio and Sinagra. Their tender rates are as follows:—

	per ton mile
Wheat	6d.
Coarse grains	8d.
Superphosphate (back loaded	6d.
Superphosphate (not back loaded	9d.

We have been told that road transport is cheaper than rail transport, but those contract prices do not indicate that that is so. Furthermore, road transport today is operating without any restrictions. I wonder what will happen in the future, when road transport employees are organised and are in a better position to bargain after the rail closures? They will then demand conditions similar to those enjoyed by railway employees today; conditions such as long service leave, overtime rates, living away from home allowances—

The Hon. C. H. Simpson: Penalty rates for overtime.

The Hon. L. C. DIVER: Yes. All those extra rates and charges are included in the rail costs. When road transport comes fully into its own, those in authority will have to provide for such charges in their costs; and what will the future hold for farmers who have to rely on road transport then? I ask the House to give that point every consideration. Of course, road transport today is more or less disorganised—that is, speaking from the point of view of the employees and their conditions—but the day will come when the employees will be just as highly organised as the shearers and the railway men, and all other large organisations of employees who are in a good bargaining position. It is no use looking at the position today and saying, "Of course those figures indicate that road transport is preferable to rail."

It is an unrealistic approach, and I am surprised that the Commissioner did not go into that aspect; or, at least, draw attention to what could or would happen in the future. It is only a question of time! I say that road transport is no substitute for a railway. The Commissioner stated on page 87, in regard to the Burakin-Bonnie Rock section, that five days after 128 points of rain had fallen in March—which is the end of summer—water was still lying on a section of the road.

In fairness to the Commissioner, I would say that he had been assured by the Commissioner of Main Roads that a sum of £30,000 would be spent on feeder roads; but I draw the attention of the House to what the Commissioner had to say on page 86 of the report. It reads as follows:—

> There are four roads vital to the area which clear the grain from the bins:—

	Miles
Mollerin to Burakin	29
Beacon to Bencubbin	28
Wialki to Mukinbudin	34
Bonnie Rock to Mukinbudin	40

The total number of miles is 131. I ask members: What sort of surface will we have on 131 miles of road after £30,000 has been spent on it? There will be a natural dirt road formation, with the exception of heavy topsoils, where there will be gravel sheeting. That is the proposed subsitute which the Royal Commissioner says will be satisfactory for those remarkably well-off producers outback.

To a degree, I think we might say that the Commissioner has endeavoured to pass the buck. In this report, he appears to grasp at the opportunity of passing on the financial responsibility to the motorists of this country, by using petrol tax funds to build and maintain roads, in lieu of the Commissioner of Railways discharging his duties and restoring rail services.

A policy of rail services is not as vulnerable politically as one of road transport. It must be patent to everybody that if we have a rail service, it is harder for the members who represent people concerned, and who form the Government, to discontinue that service than if we resort to road subsidies which, by the advent of one election, can, by decree, be eliminated. That is only one aspect, and perhaps a minor one, as to why these people desire to have their railway lines reopened.

There is a very important point in the Commissioner's report dealing with the subject of betterment on page 3. It is of vital importance to the railways of Western Australia; and not only to those under discussion. The Commissioner says—

> Many problems common to our own were investigated and many features stressed which have been readily apparent during my present inquiry.
>
> The reasoning adopted by the Commission in reaching its determinations, gives considerable food for thought and is well worthy of analysis.
>
> At page 73 of the report the following most pertinent passage appears:—

The Commissioner is referring to a Royal Commission held in New Zealand in 1952. To continue—

> It cannot be denied that the railways made possible the full development of New Zealand as a great agricultural and pastoral country. It is also true that the

> railways have received for their services only the freights and fares which they have earned. They have received no financial gain from the betterment which they have created, and had they received the betterment a great part of the present capital could have been written off long ago.

I agree with Commissioner Smith when he claims that such a state of affairs should have existed in Western Australia. Had it done so, many of our railway difficulties would have disappeared. We have an illustration at our back door in connection with the Midland Railway Co. That company was granted a huge tract of land by the Government of the day on condition that the company built a railway.

It was by selling this land that the company was able to pay for its railway. I feel it is rather a pity that those who have gone before us in this country did not see the importance of this policy. As pointed out by Royal Commissioner Smith, it was really only a book entry, because the Treasury would still end up with any money that was derived from betterment. However, the railways would have been relieved from the obligation of paying interest on moneys to build a facility to develop the country. The railways should have had the set-off of betterment from the areas which derived betterment. I really think the Commissioner has something there.

I would say to members of this House that, when dealing with railway finances, these matters should be given due consideration. Perhaps I could summarise the position as follows:— The Commissioner appears to have built up a case more for the Treasury to be expected to set off losses to the Commissioner of Railways rather than one of justification for the closure of these lines. There appears to be some doubt in the mind of the Commissioner as to whether the Burakin-Bonnie Rock line should be closed. On page 89 of the report, he had this to say:—

> If it is felt that the line should be re-opened, I recommend that it be subsidised from Treasury Funds because the W.A.G.R. itself, simply cannot afford to run it.

Earlier the Commissioner said:—

> If sentiment could play a part in this very important matter, I would say "Re-open the Burakin-Bonnie Rock line" but in all good conscience, I cannot do so.

I consider he is of this opinion because he has been guided by positive technicalities in the form of evidence from experts, who have submitted a case; and not by experience—I say that with all due respect to the Commissioner—of road transport in actual practice. Therefore, he was unable to assess the real wealth which will be lost to the State unless these lines are used once more. It appears to me that the Commissioner is of the opinion that production will continue at its present level.

I consider it is presumptuous to think along those lines. What will happen is this: As the people concerned obtain sufficient capital, they will sell their properties for whatever they can—even as grazing propositions—and retreat to surroundings more congenial than those in which they are living at the present time. The commissioner at page 82 of his report seems to feel that perhaps he is doing the area a disservice.

[*Resolved: That motions be continued.*]

The Hon. L. C. DIVER: The Commissioner says—

> Undoubtedly, the line was built in order to develop the district and I feel that there is still great potential for development in the whole area.

Those are the Commissioner's own words, and they speak for themselves. While he has recommended the closure, he has done so in such language that he has closed the door, but has not turned the key; he has left the matter to second thoughts. He said, "I feel that there is still great potential for development in the whole area." All I ask is, "How can this development ever occur by closing the line?"

If we continue to close the line, it will show that the parliamentary representatives have no faith or confidence in the area. We will, in effect be saying to the Government that it does not know what it is doing; that the road services are all that are wanted. A Mr. Jolley, a farmer of Bonnie Rock, testified that only one-fifth of the land in the area was cleared. That was his estimate; and it is the only recorded estimate I can see of the area of cleared land. Yet, of this amount of clearing, we find that portion is used for stock-raising; portion is in fallow; and the remainder is under crop; and the land under crop produced almost 1,300,000 bushels of grain in a season. But we are told that there is no prospect for this area; that it is a marginal area.

The Commissioner at page 78 said that last year's crop was a double crop. But his own figures do not substantiate what he has written in the report. I shall quote the figures; they are as follows:—

	Tons
1953-54	23,152
1954-55	18,110
1955-56	22,930
1956-57 (double harvest)	33,615

In a poor season, the yield was down to 18,000 tons. If people have faith in this country, it will not be many years before 30,000 to 40,000 tons of grain will be produced, not in one year, but in every year;

and, in some years, more. Consequently I have every confidence in recommending to members the re-opening of these lines.

With these remarks, I feel I should conclude; but there are certain aspects that I have not touched on. I trust that Mr. Simpson will deal in detail with such aspects as the weight of the rails that it is proposed to use in the construction of these lines, if necessary; and that he will, in this regard, draw comparisons for us. I have no doubt that Mr. Simpson will supply much food for thought in regard to many of the questions that I have not touched on.

THE HON. C. H. SIMPSON (Midland) [5.38]: In supporting the motion, I feel that the request that Mr. Diver has submitted to have the question of the rail closures reconsidered by the Government, well merits the serious consideration of members, and I hope that they will agree to the motion; particularly that part which asks the Government to consider the restoration of the services in the Burakin-Bonnie Rock area, and those in the Lake Grace-Hyden area.

We are aware that the Royal Commissioner's report has been furnished and that a precis of his findings has been published —unusually fully, as a matter of fact—in the daily Press. The Commissioner's report has been hailed as a vindication of the policy which *The West Australian* has consistently pursued for some years; but with which, I might say, many of us are not wholly in agreement.

The purpose of the present debate is not only to establish the validity of the claims which Mr. Diver has put before the House, but also to justify the attitude of those people who made vigorous protests when the closures of the lines were first mooted; and of the attitude of the party to which I belong, in its vigorous advocacy of the claims of those who protested.

The matter may be clearer if I pursue a somewhat different line from that taken by Mr. Diver. He spoke with knowledge and authority of the area he knows very well—the Burakin-Bonnie Rock section. He has asked members to bear in mind that this section is by no means fully developed, and that there is a great potential there, the development of which might well bring the line within the ambit of those lines which, though not fully recovering the expenses of operation, would be accepted amongst the lines that are worth preserving on account of the revenue they furnish.

Those who have been in the House for some time will remember that when the original closure motion was mooted by the previous Government, it was clearly understood that the suggestion to close 842 miles of railways was the first stage in a series of steps which the departmental committee had recommended. The final result would have been to close half the railway system of Western Australia.

I mention this particularly, because in the minds of those whose lines and areas were affected, there was the fear that not only would these lines be taken up, but that other lines might also be affected. In some cases, this could mean much longer leads to the nearest bin or railhead. All these factors entered into the picture and caused a feeling of unrest among the people concerned.

There was a tremendous reaction throughout the country. The people did not forget, either, that whilst the subsidy that was promised would absorb the difference between the rail and the road costs in the first year, it would be progressively reduced so that it would be extinguished at the end of seven years; and this is not a long period in the life or development of any farming property.

I am afraid that Mr. Strickland's charges of protest meetings being political, were not quite realistic. I attended one or two such meetings—notably the meeting at Northam which was attended by 600 farmers from every part of the State. They were very vocal in their views on the question of the closures.

The Hon. H. C. Strickland: So were some members.

The Hon. C. H. SIMPSON: The parliamentary Opposition leaders were present as well as a number of other parliamentarians, and other interested people. But it was the widespread nature of this gathering of farmers from every part of the State, which, I think, commanded respect and attention from the public at large.

The meeting was presided over by Mr. Maisey. Farmers claimed that while they opened up the country they created land values; they claimed that settlers were assured of railway facilities, and in their mind this constituted a contract between the Government, which had opened up the country and induced them to go there with some assurance of future railway facilities to meet their transport needs, and themselves. They also claimed that the Government's aim was to open up and develop country and promote a policy of decentralisation. They further claimed that schools and townships were created thus bringing about an increase in the local population which meant bringing into being in the districts concerned a collection of residents who were all taxpayers, both Federal and State, and who contributed greatly towards the economy of the country.

The farmers also claimed that the line closures would operate in reverse, and if that policy were carried far enough there would not only be a possibility but a probability that the areas would revert

from agricultural to pastoral production; this would mean not only a falling off in the population of those areas, but also a tremendous loss of business on the part of those who supplied the areas concerned with the necessities to carry out their agricultural functions—the supply of machinery, wheat, super and all the necessities required by the people living in those places.

In addition to that meeting, protest meetings were held up and down the country. Then, on the 29th November, 1957, a motion moved by Mr. Logan in this House was carried. It called upon the Government to empower Mr. A. G. Smith to examine the local conditions of each section and to report. The Government agreed to the motion; and Mr. Smith's report is dated the 9th June, 1959; over 18 months after the motion was agreed to. In the meantime there had been an election and a change of Government. The new Government restored in full the subsidies for road haulage in the affected areas.

The Royal Commissioner (Mr. Smith) has tendered a voluminous report covering 122 pages of typescript, called Interim Report No. 9 on the Western Australian Government Railways. This is the report we are now called upon to consider, because it is only natural that the Government must be guided, in regard to any possible action it might take, by the recommendations made in the report. Mr. Smith's earlier reports occasioned a fair amount of criticism. A considerable body of public opinion was inclined to regard his findings as a rubber stamp of approval of Government policy and Government action. The present report, which directly affects a section of the public, has been termed the Smith shield for the previous Government inasmuch as it stifled inquiry and gave the Government, particularly the previous Minister, a breathing space from some embarrassing political pressure.

The Hon. H. C. Strickland: That is not true.

The Hon. G. Bennetts: Would that mean he is a cobber of his?

The Hon. C. H. SIMPSON: It means nothing of the kind, but it did have that effect.

The Hon. H. C. Strickland: In your opinion.

The Hon. C. H. SIMPSON: Obviously when the Commissioner was engaged in conducting an inquiry it was not desirable or politic for questions to be asked which might have a direct bearing on some aspects of his investigation.

The Hon. H. C. Strickland: It did not prevent them from being asked.

The Hon. C. H. SIMPSON: It minimised them to a great extent. I used the word "stifled" and I think it was the correct word to use.

The Hon. H. C. Strickland: Or motions being moved.

The Hon. C. H. SIMPSON: As regards Mr. Smith's integrity and honesty of purpose, there is no suggestion that the report No. 9 casts any reflection on Mr. Smith, but I think we must concede that he does not lay claim to being a railway expert. In a case such as this, one would have thought that an expert railway man would have been selected—one with an expert knowledge of railways and their operation. I would have thought that would be the primary qualification. But Mr. Smith had perforce to rely on the testimony of his expert advisers.

The Hon. H. C. Strickland: You know that this House chose him.

The Hon. C. H. SIMPSON: We did not appoint Mr. Smith.

The Hon. H. C. Strickland: By the motion, this House chose him.

The Hon. F. R. H. Lavery: That is correct.

The Hon. C. H. SIMPSON: In this particular instance that may have been correct, because he was conducting an inquiry into various operations of the railways. But the point I am trying to make is that in regard to any investigation into railway matters generally, the man most competent to conduct the inquiry is an expert railway man. The McLarty-Watts Government recognised that in 1947, because when it appointed a Royal Commission to inquire into the railways the Commission consisted of Mr. Gibson, a well-qualified civil engineer, and Mr. Duplessis from South Africa—he is now the general manager of the whole railway system in South Africa, as well as the comptroller of road transport and shipping transport. He is a very highly qualified railway man, whereas Mr. Smith is a layman.

He had no choice but to rely on what he was entitled to consider to be the honest advice of the technical officers who were his advisers. Allowing for the factors I have just mentioned, the report before us is a very good one, and the questions raised in Mr. Logan's motion are answered fully and with a wealth of factual detail. The introduction is comprehensive and contains matter which in the view of those supporting the present motion would justify a second look at the closure question.

On page 3 of the report appears an extract from the report of a New Zealand Commission. I shall not read it because Mr. Diver has already quoted it, but the substance of it is that the railways are never credited with the betterment they create. As a matter of fact, in 1948, the Henry George League put a question to the Commissioner of Taxation as to what would be the values created by the laying down of railway lines in Western Australia. He took the values as at 1939 and

claimed that the railways in Western Australia had created a value of over £50,000,000. If we were to compare values in 1939 with those in 1948, or better still with present-day values, I think the figure would be far beyond £50,000,000. Thus the claim, that if the betterments had in some way been valued and credited to the railways, its capital would have been written off long ago, is substantially true.

It may be mentioned here that in the early days of railway operations in this State, the railways showed a profit over working expenses and the payment of interest, and the question at issue was not whether they would actually do the job —everybody expected them to do it—but how much they would contribute to Consolidated Revenue; and the railways did contribute a substantial amount. But the Treasury took it and the railways got no credit for it. Railway capital was not written down in any way but the money was simply passed on as a matter of form to the Treasury to use for ordinary governmental purposes.

It was only when the road challenge developed about 20 years afterwards that the picture was radically altered; and, of course, it has grown progressively worse since then. There is another very interesting passage on page 5 of the report. The Royal Commissioner states—

> Analysis shows that approximately 70 per cent. of railway costs are the fixed costs of the system as a whole and 30 per cent. are variable, depending on a rise or fall in costs of operation.

In other words, operational costs. The Royal Commissioner goes on—

> The railway view, therefore, is that when a line is returning its direct cost of operations together with a contribution, however small, to the fixed costs, there is every justification for its continuance.

I shall refer to that again during the course of my speech because it is a rather important point. I believe the railway view is quite correct. I think it would be a wrong principle to apply to the railways as a whole because no public utility or business could continue to survive if the actual returns to that business or utility were only 30 per cent. as against an outgoing of 100 per cent. In the case of developmental lines, and in the instances we are considering at the moment, I think the claim is a valid one; and it comes from railway people themselves. Later on I shall see how it works out.

I should now like to apply that formula to the Burakin-Bonnie Rock and Lake Grace-Hyden lines, which are the ones mentioned in Mr. Diver's motion and which he wants to be re-opened. The figures given for railway operations are based on the total cost of running a line, including overheads, ways and works, the Commissioner's office, and so on, whereas the direct costs, according to the formula mentioned by Mr. Smith, could be put down at 30 per cent.

Based on that formula, 30 per cent. of the total costs for the Burakin-Bonnie Rock line would be £19,187, while the actual earnings for the year in question, 1956-57, were £16,153, so that the real loss was £3,034 on railway running. As the potential of that district is very substantial it would not take much extra revenue to extinguish the loss and convert it into a contribution—and perhaps a substantial one—towards railway earnings. Mr. Diver has given figures which show that in one year there were £33,000 in actual earnings; but I am taking the last figure quoted in the report of £16,153.

Taking 30 per cent. of the total costs for the Lake Grace-Hyden line, the figure would be £19,252, and the actual earnings £17,822. So the margin is less. In this case the margin is only £1,403, with the prospect of still further revenue from areas being more fully developed. If we analyse the case for the reopening of those two sections we will find that on page 23 of the report it is shown that the cost of reopening the Burakin-Bonnie Rock line would be £174,800. That is the cost to reopen that line in a state to carry a 10-ton axle load at a speed of 25 miles per hour. The cost of resleepering would be £79,800, and that of ballasting £95,000 making a total of £174,800.

To reopen this line at a higher standard, to take a 30-ton axle load at 30 to 35 miles per hour, would entail an expenditure of £310,000 for resleepering and ballasting, as against the figure of £174,800 I have mentioned. In the case of the Lake Grace-Hyden line, the cost of resleepering would be £60,900 and that of ballasting £72,500, making a total of £133,400 to bring the line to a standard where it would carry a 10-ton axle load at 25 miles per hour. The total cost to reopen the two lines to take a 10-ton axle load at 25 miles per hour would be £308,200 as against a figure of £985,700 to reopen the same lines to take a 13-ton axle load at 30 to 35 miles per hour. The difference between the light traffic and the heavy traffic construction would be £677,500.

The Hon. A. L. Loton: What would be the cost for 20 miles per hour?

The Hon. C. H. SIMPSON: I think it is reasonable to take it at 25 miles per hour. If we examine the group analysis given in the report we will see that it shows that under standard 1, which is a 10-ton axle load, the cost of restoration would be £2,061,300; whereas under standard 2, the cost would be £9,506,550. I contend that the lighter standard on the

spur line is ample to meet the requirements. Those lines had a 40-lb. rail, and the department made a recommendation that they would require the installation of a 63-lb. rail. For many years the majority of our lines carried only a 45-lb. rail. The line to Meekatharra consisted of 45-lb. rails to the yard construction, and that line carried very heavy tonnages when the Wiluna mine was in operation. It served a population of 8,000 people.

When the Midland railway line from Midland Junction to Walkaway was constructed, it was only a 45-lb. line, and though it is now being converted to a 63-lb. line, so far only about half, or less than half, has been relaid. That line carries a much heavier tonnage than the lines under discussion would ever be required to carry. From a railway point of view, since the emphasis for so many years has been on economy, I cannot understand why the principle of a cheaper method of construction was not adopted, even if it entailed lower speeds. The people served would not complain as long as they had a service to carry the goods they required to keep the district going.

It seems extraordinary to me that the commissioners, or engineers, as the case may be, should have insisted on these higher-standard lines which the light traffic volume on spur lines did not warrant; and that many wagons which are very heavy were ordered. The tare ratio is so high that in some cases the wagons cannot be fully loaded, because to do so would make them topheavy.

The Hon. H. C. Strickland: Who built those?

The Hon. C. H. SIMPSON: I know some were built in my time; but we had qualified engineers to advise us on these matters. I pointed out that some of the wagons were unnecessarily heavy having regard to the lines on which they had to travel. The answer was, however, that there were plenty of the old trucks which would carry a 10-ton load with a tare of under 5 tons, which should be reserved for these lines. Accordingly I was persuaded that on the heavier lines where there was heavier traffic, and where heavier rails were even then in the process of being installed, the heavier trucks would give a more economical service, having regard to the loads they had to carry and the speeds at which they could travel.

In regard to the Meekatharra line and the Midland line, I would like to say that it is over 65 years since these lines were laid down; and there had been no extensive rerailing programme until recently when it was decided that the rails on the Midland line had practically finished their useful life. They had had over 60 years of service; whereas under the accepted formula the life of a rail is about 40 years.

In the other States the question of having to carry losses on the country lines is fully realised. In those cases the Treasury concerned makes a reimbursement to the railways. If members refer to pages 23 to 27 of the report they will find that in South Australia an amount of £4,300,000 was given to the railways for 1957-58. New South Wales, in 1957-58, made a contribution of £1,800,000 to its railways. The sum of £1,000,000 was a special grant, but the £800,000 per year to carry on the development of lines has been a feature of the financing of the railways by the Government of New South Wales for quite a number of years.

It could be claimed, of course, that the absorption by the Government of railway losses in this State is, in a sense, a subsidy to railway operations. So it is, but in my opinion—and I have always contended this—if each Treasurer made a set contribution to the railways operation, and fixed a target at which the railways would be required to work, it would be more satisfactory from the point of view of the State; and it would also encourage the Railway Commissioners to try to work within their budgetary target.

In his report, Mr. Smith gives the impression that he is inclined to discount the arguments and protests which were put up at the various meetings he attended. In some cases there were very strong protests, but he is inclined to discount them as being of local significance.

I would like to read a small passage which appeared in the *Geraldton Sun* about the time that Mr. Smith was conducting his investigation in the Northampton area. It is as follows:—

> Farmers want Line Re-opened
>
> Mr. A. G. Smith, Commissioner investigating the effect of the closing of the Geraldton-Northampton-Ajana railway line, when at Northampton last week, was left with no uncertain opinion that the majority of farmers wanted the line reopened.
>
> The case for the reopening of the line was presented by Mr. R. W. Reeves, J.P., chairman of the Railways Reinstatement Committee, supported by representatives of the Farmers' Union and Northampton Road Board. Additionally there were also present 16 farmers.
>
> Mr. Reeves told Commissioner Smith that in the three years from 1955 to 1958 a quarter of the Northampton district had been settled and had increased by 325,675 acres. During this period the wool clip had increased by 452,120 lb., and the use of artificial fertiliser had increased by 1300 tons.
>
> Future Charges
>
> Mr. Smith was told that whilst cartage of wheat by road at the moment was cheaper than rail, farmers were

concerned at what future charges would be if it were decided to close the railways permanently.

Farmers feared that carriers would increase their charges or not cart their wheat.

Since the closure of the line sheep sales had fallen from one a month to two a year. The loss of such sales affected the smaller farmer rather than the large landholder. Thus, the loss of sales affected the progress of the Northampton district.

Farmers were actually at the mercy of buyers because of the cost of re-freighting their stock back if prices available were not high enough.

Mr. Smith informed the farmers that the Northampton line was in the lowest group so far as was concerned loss to the railways.

I suppose other members will be able to quote other instances in regard to their particular areas, but that will be an indication of the reaction in areas where people attended meetings to discuss the threat of line closures during the visits of the Commissioner Smith. Mr. Smith indicates that in many cases the farmers were more concerned about the diminishing subsidy than about the line closure. That was a wholesome fear. A period of seven years in the life of a farm is not very long, and if the subsidy were to last only seven years the question would be: What would be the position at the end of seven years, if the seasons or the prices were affected, not only of themselves but of those who would come after them to carry on the operations of the farm?

There are perhaps angles to the apparent weaknesses of the protest that failed to impress the Commissioner as much as they might have. First, I think it would be admitted that in the lines listed for closure the Government selected the worst group of the lot. Accordingly it was a question as to whether there was a case to present, or whether it was presented to the best advantage. One of the reasons, I think, was the lack of organisation in relation to these protests. In the case I have quoted there was a certain amount of organisation before it was put up to the Commissioner, but in many areas that was not so. If we consider the Commissioner's angle we realise that he had his advisers to tell him, after a complete study of the whole question, as to what the answers would be to any questions that might be asked.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. C. H. SIMPSON: Before tea I was giving some of the reactions of the residents living in areas visited by the Royal Commissioner, and I spoke of their inability to state their case as clearly as they might have wished. I mentioned that there was probably a lack of cohesion and organisation amongst them, so that their very real protests and complaints could not be placed before the Royal Commissioner as well as they might have been put forward. I also stated that the Commissioner, for his part, had the advice of departmental officers who were well schooled in all aspects of the case and who could probably discourage the people concerned, so that they would be at a distinct disadvantage.

Another factor would have been the failure on the part of residents in any one area to realise the possible effects of additional closures, as envisaged by the original report of the departmental committee. What Mr. Diver has said about the full effects of the line closures and the result on road transport, was true. If the railways were closed on a sufficiently large scale, there is no question that road transport operation, particularly on the employees' side, would be organised to a much greater extent than it is now. In the main the alternative road services available to the farmers—if they are to be operated by attendant services under the control of the Transport Board—would be conducted by private contractors who, generally speaking, do their own work. For that reason they are able, as a rule, to tender a very low figure.

It may be recalled that during the metal trades strike, it was found necessary, when the railways could not handle all the traffic offering, to subsidise the transport of wheat by the Australian Wheat Board, and the transport of super by the State Government. The rates in each case meant a heavy levy on Government resources to meet those demands. Those demands on the Treasury ceased when the railways were once more able to accept all the traffic offering.

In regard to land values, the effect at the moment can hardly be felt. We have the figures supplied by the land valuators and of the Treasury Department. Up to this stage there is little evidence, according to the Royal Commissioner, that those land values have been affected. But people living in these areas, who have tried to dispose of their properties, bring forward many reports to the effect that they were advised that buyers were no longer interested. We cannot brush aside those reports; certainly not in the terms used by the Royal Commissioner about the mythical buyers from the Eastern States who immediately went back when the lines closed up. There should be evidence in that regard if that conclusion is to be a proper one; as is suggested by the Royal Commissioner.

If the programme had been proceeded with, as advised by the Railway Department and the officers of the departmental committee, then in my view it is very certain that these land values would have been seriously depreciated.

The Hon. H. C. Strickland: How do you think they fared at Marble Bar?

The Hon. C. H. SIMPSON: Marble Bar is in an entirely different category. The member for that district was in favour, when the line was being pulled up, of unrestricted road transport—supplied mostly by the owners of the land with their own vehicles. They were only too anxious to have all transport restrictions removed, so that if they could not carry their own goods they could employ carriers. They were quite happy with all restrictions being removed.

The Hon. H. C. Strickland: They asked for a subsidy.

The Hon. C. H. SIMPSON: At that time they did not get one, because the ruling railway rate for the Port Hedland line was on a par with the then ruling rate for road transport. I do not know what has happened since. That question arose in regard to one area in which the line was recommended for closure, but which has not in fact been closed; that is, the service which is still being maintained in the Southern Cross and Bullfinch districts. Personally I could not agree more that that service should be retained.

I remember the story of the Copperfield mine, and the immense amount of money which was spent in establishing the mine. If the margin of profit of the mine is so small, then every assistance which can be given to the company should be given so that the mine can carry on. I would be the first to agree that some concession should be offered to that district and to the line serving it.

The position here is similar to that which obtained at the Big Bell mine. The output of the two mines would be about the same; the number of employees at the Copperfield mine tallies almost exactly with the personnel employed at the Big Bell. The number of residents in Big Bell was almost the same as the number now at Bullfinch. The Big Bell mine asked for assistance and it was given a grant of £100,000, extending over two years, by the Commonwealth Government. Whether that would ever be the same in the case of the Copperfield mine I do not know. If the line from Mullewa to Meekatharra, which fed the Big Bell mine had been closed, as was definitely suggested in the departmental committee's report, I venture to say the Big Bell mine would have closed down years before it did, because it could not have carried on without the line. The railway bill for the Big Bell mine was about £50,000 a year.

The point is that the percentage of loss on the Bullfinch line, if it were retained, would be greater than the loss on other lines for which closure has been recommended. The actual figures based on those given in the Commissioner's report, if one accepted the 70-30 basis, show that if a line returned 30 per cent. of the total costs—that is covering the dependent costs—then that line was worth retaining. If it was over 30 per cent. it could make a contribution, however small, to the overhead costs of the railways.

If we take the Bullfinch line then the actual percentage of the 30 per cent. target aimed at, was only 74 per cent. of the target figure. If we examine the figures for the Burakin-Bonnie Rock line we will see the percentage was 84, while that for the Lake Grace-Hyden line was 92. In the Bullfinch case, the line is retained, although the percentage loss is greater; but in the other two cases, which are the subject of this motion, a better showing is obtained. I venture to say that the potential, taking into account the land still to be developed, in the areas served by those two lines is still greater than in the Bullfinch area. I shall return to that point later when I refer to the suburban lines which Mr. Smith stated in his report had a bearing on the line closure question.

I now refer to one or two of his comments. He mentions the question of loss on the railways by commenting that residents in country areas protested against their lines being closed while the suburban lines, which were showing a loss, were retained. I think that protest is quite valid, despite Mr. Smith's statement in his report that, "This is a fallacious argument. The real answer is to tackle both problems. It does not matter which is tackled first."

He then gave some figures and said that country lines showed a loss for the year 1958 of £4,252,736. He gave the suburban loss as £1,169,861. He then gave the metropolitan population as 382,000, and that for the country centres as 316,000. Those statements do not truly reflect the picture. In the first case we do know that the railways in the metropolitan area serve a small proportion of the total population. That is quite obvious from the map. There is no railway line south of the Swan River serving the population of South Perth, Como, Attadale, Canning Bridge or similar centres; nor is there a railway line serving the north of the city, or towards Scarborough on the west, and so on.

It has been estimated that the railways carry under 30 per cent. of the total residents of the metropolitan area. But that is not my argument. My argument, which I have always claimed is valid, is that there is no excuse whatever for a metropolitan transport service not covering the cost of operation. There is a heavy loss on the suburban lines, and applying the 70/30 formula I have just mentioned, the target percentage achieved would be down to just over 60 per cent. There is the spectacle of two systems of transport—road and rail—competing with each other, and both are uneconomical. What would a business man do under those circumstances? He would dispense with one of them; and that would be the less profitable one.

It was admitted in the Transport Trust Select Committee that it costs 9s. 10d. a mile to run a diesel railcar, and 2s. 6d. per mile for a road bus; or one quarter of the cost per mile for a road bus. That would be the answer. During the metal trades strike, because of the lack of rolling stock, passenger transport in the suburban areas had to be cut out altogether, and road transport improvised to absorb the whole of the rail passengers. Those road services which hitherto had found rail competition affecting them, immediately began to pay. That situation would arise in the present circumstances, if the suburban lines were closed. In that way, two losses would be obviated: the big one on the suburban railways, and the loss on the road services that compete with the rail services.

If that were done, the country people could be approached and told that economy had been effected in that way. The change-over could easily be effected without any inconvenience to the people concerned. There would then be a valid case for suggesting to country people that in certain circumstances some lines would have to be closed.

My argument, which I think is quite valid, is that the country lines by and large—and I think this applies to every line represented in the motion under discussion—contribute wealth to the economy of the State. The people depend upon the railways to make this contribution which, incidentally, shows prospects of being increased. No-one could claim that a losing suburban rail service would make any contribution to the economy of the country. Indeed, it represents a loss. Therefore, for that reason alone, some attention should be paid to the problem and it should not be lightly dismissed as it is in Mr. Smith's report.

Mr. Smith is on good ground when he says that where the railways are kept open and concessions are made—either by way of carrying pensioners and others at lower rates or the larger concessions, such as low freights to the country areas, which are undoubtedly a matter of policy—the Treasurer should reimburse the railways for such concessions. The railways should not have to bear the cost. That principle is recognised in South Australia. I have already quoted the sum of 4.3 million pounds which was given in one year to the railways in order that it might balance its budget. In New South Wales an amount of 1.8 million pounds was granted for the same reason.

The old scheme of saying, "We will let the railways do this. They are showing a loss anyhow and a little more will not make any difference," is quite fallacious. If, as a matter of policy, the Treasurer reimbursed the railways for the service they render and gave the railways a budget target to work to, then there would be an incentive on the part of the Railway Department to try to achieve that target. But it is the last straw that breaks the camel's back. The situation is, as was stated in the 1947 Royal Commission Report on Railways. One witness said:—"The Railways are a big goat, which everybody wants to milk but nobody wants to feed."

Although I have touched on a few points, there are others which might be cited. However, I think that what I have said, together with the facts submitted by Mr. Diver, form sufficient justification for this House to agree to the motion; and I hope it will do so.

On motion by the Hon. A. F. Griffith (Minister for Mines), debate adjourned.

MUNICIPAL CORPORATIONS ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [7.52] in moving the second reading said: This Bill is to make certain amendments to the Municipal Corporations Act which are considered of a more or less urgent nature. In view of the fact that the Local Government Bill is expected to be before Parliament next year, other minor matters have been omitted; and the House is, therefore, asked to deal with this small Bill as quickly as possible, because there are certain points in it which are of great importance to local authorities.

The first amendment, which deals with the disqualification of members because of an interest in a contract or transaction of the council, is to section 39 of the principal Act.

The new paragraph (b) which the Bill proposes to substitute for the existing paragraph will permit storekeepers and other business men to sell goods to a council in the ordinary course of business, without incurring any disqualification; and it will also permit a council member who is a sub contractor to a person engaged in a contract with the council, to carry on without incurring disqualification; whilst in future the exemption conferred by the absence of a written contract will apply only to work done and not goods sold.

This amendment is urgently required because in many country municipalities it is found difficult to obtain satisfactory councillors who are not engaged in trade in some way; and it is wrong that a council should be deprived of the right to secure the best councillors because of restrictions in the Act, which restrictions are universally conceded to be unduly severe. This was given point by the visit last year of a Victorian barrister who publicly stated that most of the members of councils and road boards would be disqualified if anybody took action under the existing statutes.

A further paragraph (f) is also to be added to the section so that councillors who are officers or members

of sporting, cultural, and other similar clubs, will not incur similar disqualification by reason of that membership, if the club concerned is engaged in some transaction with the council. There are two further paragraphs, (g) and (h), which have been inserted to cover the case of council members who may be engaged as bushfire officers and who could, at the present time, be held disqualified under the Act because they had given public spirited service as bushfire officers. The desirability of these amendments will, I am sure, be conceded by every member of the House.

The second amendment to section 51 of the principal Act is to provide that once a company has nominated some person to vote on behalf of the company, that nomination will continue until it is cancelled by the company itself or cancelled by the town clerk because he is fully aware that the person so registered no longer represents the company.

At present under a strict interpretation of the provisions of the statute, a company must nominate some person each year. In practice, companies nominate a representative and then assume that the nomination will continue, with the consequent result that when an election is held, many companies find themselves unable to record a vote. The purpose of the amendment is to ensure that this unsatisfactory state of affairs will be remedied.

The third amendment is to empower councils to make by-laws requiring the owners or occupiers of land to remove refuse or rubbish from that land when, in the council's opinion, the rubbish is likely to affect adversely either the value of the property or an amenity of the district. This power is permissive only, and no council can be compelled to make a by-law. However, at the present time, there are numerous pieces of land on which old rubbish, including such things as abandoned cars, etc., have been dumped; and there is no power to enforce their removal for the tidying up of the piece of land concerned. This amendment will provide councils with that power; and they will be able to use it if they so wish.

The fourth amendment is to provide that in cases of an exemption from rating by a declaration of the Governor, the power can be extended to cover a piece only of the land and not the whole of it; and a further provision is made that the Governor may cancel any declaration made under the particular section. At present the Governor has power to declare a piece of land exempt from rating. He cannot exempt portion only of it; and cases have arisen in which it would be just and equitable that only the portion of the land which is used for charitable purposes should be exempted from rating, and the remainder of the land subject to rating in the usual way. The amendment will enable this to be done.

Exemptions conferred by declaration of the Governor at present are permanent exemptions, and apply even though the purpose for which the land is being used is changed in such a way that it becomes a profit-earning venture and is not entitled to the exemption. The amendment, therefore, will permit the cancellation of a declaration of exemption in these cases.

The fifth amendment is to give to councils an express power to borrow for the establishing of kindergartens, community centres, maternal health centres, and similar amenities without securing the approval of the Governor. At present a council may borrow for these purposes, but the Governor's approval is a necessary prerequisite. It is felt that there is no need for the Governor's approval in these cases, and this amendment will alter the position.

The amendments are few, but are important, and I ask the House to deal with them on their merits. Since compiling the amendments, I have given consideration to granting to councils and road boards the right to make by-laws to control antennae and masts for the coming TV installations. During the course of the Bill through the House, I will add a further amendment to make it possible for councils and road boards to create by-laws for this purpose. In areas where the reception will not be too good, some householders will endeavour to erect the antennae to a fair height to obtain a clearer picture. I think members will agree that once the antennae start getting over 10 or 12 feet high, they could cause concern to people alongside. Therefore, I believe it is only right that councils and road boards should be given an opportunity to make by-laws if necessary. I move—

That the Bill be now read a second time.

On motion by the Hon. F. J. S. Wise, debate adjourned.

BILLS (2)—FIRST READING

1. Police Act Amendment.

   Received from the Assembly; and, on motion by the Hon. A. F. Griffith (Minister for Mines), read a first time.

2. Traffic Act Amendment.

   Received from the Assembly; and, on motion by the Hon. L. A. Logan (Minister for Local Government), read a first time.

ROAD DISTRICTS ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [8.2] in moving the second reading said: Most of the amendments sought to this Act are

identical with those sought to the Municipal Corporations Act. Members will know as well as I do, that since 1948 attempts have been made to have passed through Parliament a local government Bill, consolidating both the Road Districts Act and the Municipal Corporations Act. Members are also aware of the fate of that measure. I am now making a further attempt to have a consolidation of those two Acts ready for presentation to Parliament during the 1960 session.

I have a committee consisting of representatives of the Local Government Association and the Road Boards Association, and a councillor of the Perth City Council, working in conjunction with officers of the Local Government Department. They, in turn, will confer with the Parliamentary Draftsman; and I hope that by next session they will have found time to go through the whole of the Bill previously presented to Parliament but not passed.

The Hon. F. J. S. Wise: Are you still adhering to the principle of the Road Districts Act and the Municipal Corporations Act being incorporated in one statute?

The Hon. L. A. LOGAN: Yes. I have often stated in this House that I was not overhappy about such a consolidation; but in view of the many attempts made in that direction and the fact of such a move having so nearly reached fruition at one stage, I thought it my duty, as Minister, to make one more attempt to secure a consolidation of the two Acts. Therefore, despite my personal views on the matter, I thought I would be doing the right thing in making this further attempt. The committee to which I have referred has held three or four meeetings and is progressing well; so I hope that it will have completed its work before next session.

As the local government Bill is expected to deal with many things concerning road boards, this short measure is brought down with a view to removing certain anomalies and dangerous provisions existing in the present legislation. The measure is short and should be dealt with quite expeditiously by this House.

The first amendment is to section 24 of the principal Act; and it will remove a number of disqualifications from members of boards who, under the existing legislation, are in danger of losing their seats. The present legislation is unduly restrictive; and, as is well known to members, a visiting Victorian barrister last year publicly stated that most of the board members were probably disqualified. I had an instance only last week of a road board asking that certain sections of the Act be implemented, because five members of the board were also members of the R.S.L., which controlled the R.S.L. hall in the district. That illustrates how easy it is, in a small community, for members of a board to be disqualified under the present law.

A new paragraph (a) is to be inserted, which will permit a businessman or storekeeper in the ordinary course of business to sell goods to the board without becoming disqualified; and it will also protect a member of a board who is a subcontractor to some person engaged in a contract with the board; whilst a further provision is that the existing restriction on the use of written contracts will apply in future only to work done and not to goods sold.

Paragraphs (e), (f) and (g) are to be inserted. Paragraph (e) will cover the position of a road board member who is also a member of a sporting or cultural club and is endangered at the present time by that membership, whilst the other two paragraphs will cover the case of members of road boards who act voluntarily as bushfire control officers and who may incur disqualification by reason of that public service.

The second amendment is to provide that when a corporation has appointed a person to represent it on the electoral roll of a road board, his appointment is to continue until cancelled by a further nomination by the corporation; or until the board itself is satisfied from its own knowledge that the person appointed is no longer entitled to represent the corporation. This is a desirable amendment, as much heart-burning is caused to corporations at the present time in view of the existing provision that they must register a nominee each year, the result being that very few companies are enabled to record a vote at the present time.

The third amendment is to provide for increased fees to returning officers, deputy returning officers and poll clerks. The fees themselves have not been specified in the clause; but provision is made in a new schedule to be known as the fifth schedule. This is a provision which is not in the Municipal Corporations Act, and members will see, at the back of the Bill, what the fees are to be. At the present time it is becoming increasingly difficult to secure the services of deputy returning officers and poll clerks; because the fees prescribed in the existing legislation are far too low.

The fourth amendment is to remove a proviso from the third subsection of section 157 of the Act. This proviso states that the subsection applies only to land subdivided within a townsite; and some doubt has been expressed as to whether the proviso also applies to the remainder of the section or only to the particular subsection. The effect of the proviso is that where land is outside a townsite the subdivider is under no obligation to lodge with the road board, plans showing the roads to be constructed.

With the proviso removed there will be no difference between land within a townsite and land outside a townsite; and members will, I am sure, agree that there

should be no discrimination simply because one part of an area has been designated as a townsite and the other has not.

The fifth amendment is to give road boards power to make by-laws, the first enabling power being to make a by-law to compel the owner or occupier of land to remove refuse, rubbish or other material from the land when, in the opinion of the board, its presence is likely to affect adversely the value of the adjoining properties or the amenities of the district. At present no such power exists; and there is an increasing amount of rubbish and old junk such as abandoned motorcars, wrecked bodies, etc., being deposited on land in the metropolitan area, from which there is no power to compel removal.

Not only in the metropolitan area, but also throughout the State one sees motorcar bodies, which are of no further use to anybody, becoming a nuisance. At present there is no by-law-making power under which municipalities or road boards can do anything about this nuisance. Finding some means for disposing of these old car bodies may constitute a problem, but I am sure means can be found to overcome it.

The second enabling power to be conferred is power to make a by-law to compel the removal of verandahs over footpaths or over roadways, if they are supported on posts or pillars. The power at present extends to municipalities only; and it is considered reasonable to assist road boards in encouraging the use of cantilever-type verandahs, so that there will be less obstruction on footpaths. These powers are, of course, permissive; and no road board can be compelled to make a by-law on such a subject. As I said in relation to the Muncipal Corporations Act; provision for a by-law will be inserted dealing with television masts.

The fifth amendment is to section 218 of the principal Act; and it will permit the Governor in future to declare that a portion of a piece of land is to be exempted from rating. It will also give some power to cancel any declaration previously made or made in the future under which exemption from rating is conferred. At the present time there is no power to exempt a portion of a piece of land; and cases have arisen where it would be desirable to do so, as part of the land is used for charitable purposes and worthy of an exemption, whereas the remainder of the land is used for a profit-making purpose.

There is at present no power to cancel an exemption from rating; despite the fact that the use of the land may have been so changed in the meantime that the exemption is no longer justifiable. With the amendment now suggested this could be overcome; and when it is necessary to cancel exemptions this could be done. In this regard I have in mind at the moment the premises occupied by the British and Foreign Bible Society and those occupied by the Lotteries Commission. Both those organisations can be termed charitable organisations; but because there is no provision to exempt from rates only that portion of the land which they are not renting, the City Council naturally could not exempt the whole of the properties, as other portions of them are used for revenue producing purposes. Had they exempted them in the past there would be no revocation—

The Hon. F. J. S. Wise: They try this on successive Ministers.

The Hon. L. A. LOGAN: Yes. I think the honourable member will agree that this is a good amendment; because it will enable a charitable organisation to be relieved from rating in respect of that portion of its own building that it occupies, while the remainder of the building will remain rateable. The seventh amendment is to section 329 of the principal Act. At present that section requires a road board either to publish in a newspaper, a copy of its statement of receipts and payments at a cost not exceeding £2 10s., or to have copies printed and circulated to every ratepayer. I think members will agree that one could not insert such a statement in any newspaper today for £2 10s.

It is impossible at present prices to secure the publication of the statement for the sum specified in the Act; and the cost of printing and posting can be very considerable. The amendment, therefore, is designed to provide that all that will be necessary is for the board to have printed, either by a printer or by duplicating, a sufficient number of copies of the certified statement so that one can be made available to any ratepayer or creditor who applies for a copy either immediately before the meeting of ratepayers, at the meeting, or within a reasonable time afterwards.

This amendment is very desirable as many road boards at present are committing breaches of the Act because of the extreme cost of printing and circulating, and the impossibility of complying with the publication restriction.

The eighth amendment is to incorporate a fifth schedule in which will be specified the fees to be paid to returning officers and their assistants at road board elections. It will be noticed that the schedule provides a sliding scale in respect of returning officers, but fixed fees in respect of the others; presiding officers and poll clerks being paid on an hourly basis.

The Hon. A. L. Loton: Why on an hourly basis? All the others are on a fixed fee.

The Hon. L. A. LOGAN: If they were not paid on an hourly basis they would be at a disadvantage; some would be getting more than others. I recommend these amendments to the consideration of this House and I move—

That the Bill be now read a second time.

On motion by the Hon. F. J. S. Wise, debate adjourned.

MUSEUM BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [8.16] in moving the second reading said: This Bill and the Art Gallery Bill, which I propose to introduce next, are complementary, and the majority of my present remarks will apply also to the Art Gallery Bill. The Public Library, Museum and Art Gallery Trust was established by Act of Parliament in 1911. The trustees operated these three institutions until 1955, when Parliament agreed to the Public Library being placed under the control of the Library Board of Western Australia.

On the 15th April, 1959, the trustees, in a letter signed by the President (Sir Thomas Meagher) recommended to the Minister for Education that separate trusts be constituted for the Museum and the Art Gallery. The reasons for this advice were the widely-varying functions of the two instrumentalities and the differing services they supplied to the public and the Government. Separate control exists in other States, and the directors in the Eastern States were emphatic that separate control is more efficient and practical.

Up until 1955, there was relatively little expansion of the service offered Western Australians by the Museum and the Art Gallery. Actually, retrogression occurred, this being evidenced by the fact that in 1955 the Museum staff was smaller in number than in 1911. Since 1955, however, there has been rapid growth, and both organisations are endeavouring to expand in order to catch up the backlog. As I have said, the functions of the two organisations differ considerably.

The Museum caters primarily for scientific research, the acquisition and preservation of large collections of natural history specimens, and for public display and instruction in this field. The Art Gallery deals principally with the preservation and display of historical art collections, the acquisition of contemporary art, the display of contemporary art exhibitions, and the stimulation of public interest in these through lectures and social functions.

Apart from salaries, the main expenditure of the Art Gallery is on pictures; that of the Museum is on equipment and materials for the maintenance of the collection. Both institutions are financed mainly by a Government grant which is apportioned in accordance with their separate needs; the grant for the current financial year being £45,000. There is one bequest (the Barker Bequest of £3,000 for art) for the Art Gallery.

The present Museum and Art Gallery Act of Western Australia provides for a trust of 14 persons, but at present there are only 11 trustees, this being due to the resignations of the Hon. Sir Ross McDonald, the Hon. Ross Hutchinson, and Professor R. G. Cameron. The remaining 11 trustees are Sir Thomas Meagher (Chairman), Senator H. Cant, Mrs. M. L. Fry, Dr. E. P. Hodgkin, and Messrs. J. A. B. Campbell, T. S. Edmondson, C. Lemon, M. G. Little, C. Hotchin, R. G. Summerhayes and F. A. Yeates.

Because of the variation in interest between the two organisations, the trust operates through two committees, the members of which possess specialist interest in, or knowledge of, Museum or Art Gallery matters. Decisions of the committees are subject to endorsement by the trust. The rapid growth and present size of the two institutions have caused this system to become cumbersome; and it is now limiting efficiency. It is not considered that separate control into two trusts with two budgets will of itself increase administration cost.

After a long period of relative inactivity, both the Museum and the Art Gallery are expanding. The Museum is attempting to build up its curatorial staff to provide a scientific service of which the State, in its present phase of expansion, is in great need. To serve the State, the Art Gallery must house an ever-expanding art collection, and, at the same time, extend its field of activities to other aspects of art, such as industrial design.

After a discussion with Sir Thomas Meagher, the Minister for Education recommended to Cabinet that separate trusts be constituted for the Museum and Art Gallery. The Chief Parliamentary Draftsman reported that it would be difficult to amend the Museum and Art Gallery of Western Australia Act to achieve this object, and so it was decided to introduce two separate Bills. Both Bills, in many respects, are similar to those passed in 1939 by the South Australian Parliament, and have been agreed to by the present trustees and the senior officers.

The Museum Bill does not provide for the repeal of the Museum and Art Gallery of Western Australia Act; this being done by the Art Gallery Bill. The Museum Bill provides that the Act shall come into operation on a date to be proclaimed. This is necessary, of course, as, if the Bill is agreed to, new board members will have to be appointed and other work of a machinery nature carried out. A board of five members, including a chairman and vice-chairman, is proposed in the Bill.

The term of appointment is four years, but, so that there shall be continuity of experience, the Bill provides that two members of the first board shall hold office for two years only. This, of course, is a wise provision that has been taken advantage of in the appointment of other boards. Provision is made for the appointment of a deputy for each member. Three members will represent a quorum, and the chairman is not provided with a casting vote. In the event of voting on any question being equal, the motion will be

negatived. Board members will be entitled to travelling and such other expenses as are approved by the Governor.

The board is given authority to appoint a director of the Museum, who will be entitled to similar leave and superannuation as is provided for by the Public Service and Superannuation and Family Benefits Acts. The Bill provides that the board shall be a body corporate, with perpetual succession and a common seal, with the power of acquiring and disposing of property. The Governor's approval is necessary in regard to the disposal or encumbering of any land vested in the board.

The Bill gives the board the power to care for and control the Perth Museum and all land and premises placed under the control of the board; to care for and control all coins, medals, objects of natural history, mineral specimens and exhibits and other property acquired for the Museum, and to control the moneys voted by Parliament for the purposes of the Museum. The board is also provided with authority to obtain, sell, exchange, lend or make available to other persons any of the Museum's exhibits or property and also to make a charge for admission to the Museum on those occasions when the board considers an admission fee is warranted.

The majority of the provisions in the Bill are of a machinery nature essential to the administration of the measure. For many years, the Museum had a professional staff of three, these being a director, an entomologist, and a taxidermist. In 1957, when Dr. Ride was appointed director, an extensive expansion programme was embarked upon to bring the staff into line with those of other Australian and overseas museums. At present, there is a professional staff of eight, including the director. The clerical staff of the Museum and Art Gallery comprises an administrative officer, a clerk and four typists. While the Museum and the Art Gallery remain housed in the same building, it is not considered that it will be necessary to have separate administrations, but this, of course, may eventuate if the Art Gallery moves to new quarters. I move—

That the Bill be now read a second time.

On motion by the Hon. W. F. Willesee, debate adjourned.

ART GALLERY BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [8.26] in moving the second reading said: My remarks on the Museum Bill are also relevant to this measure. It, too, provides for the appointment by the Governor of a board of five members, including a chairman and vice-chairman. Members will hold office for a term of four years, but two of the first members will be appointed for two years only. The appointment of a deputy for each member is also proposed.

As I said when discussing the Museum Bill, this Bill seeks to repeal the Museum and Art Gallery of Western Australia Act, which will become superfluous if Parliament agrees to this and the Museum Bill. The Bill empowers the board to appoint a director of the Art Gallery, and other officers, all of whom shall have similar leave and superannuation privileges to those enjoyed by officers of the Public Service.

The board is given authority to care for and control the Art Gallery and land and premises placed under the board's control; to care for and control all works of art, exhibits and property of the Art Gallery, and to administer moneys voted by Parliament. One important proposal in the Bill has been asked for by the present trustees. It is to prevent any person using the gallery as a medium for the sale of a work of art. I am informed that artists frequently request permission to exhibit works for the purpose of sale. The present trustees have always refused to countenance this, and consider that statutory refusal would be desirable.

A penalty of £100 and/or imprisonment for twelve months is provided should any person damage, mutilate, or destroy or remove any exhibit of the Art Gallery. The offender may also be required to recompense the board for any damage done.

Western Australia and Tasmania are the only States in which the same trustees control both the Art Gallery and Museum. The director of the Art Gallery in this State has discussed this matter of control with the directors in New South Wales, Victoria, South Australia and Queensland. All these gentlemen are emphatic that the greatest progress and development in their galleries has occurred since the date of separate control.

The Art Gallery has a collection of from 3,500 to 4,000 items made up of oil paintings, watercolours, drawings, prints, reproductions, sculpture, ceramics, silver, glass, furniture, etc. A large number of articles have been added in recent years. For the Western Australian Art Gallery to have a status similar to those elsewhere in Australia, it will be necessary to continue, as far as possible, a progressive purchasing policy, particularly in regard to Australian works. It is considered that the previously-held conception that an Art Gallery should merely be a building for the display of paintings and objects of art, is limited and not entirely in accordance with modern requirements.

The general thought now is that art galleries should also assist in stimulating interest in matters such as industrial design. This new field of art gallery activity is developing abroad. For instance, Canada has a National Gallery Industrial Design

Division. It is considered such a scheme would assist and encourage people and manufacturers in the development of the design of Western Australian goods and in the packaging of goods for overseas markets.

For many years the curator—a title later changed to director—was the sole professional staff of the Art Gallery. An assistant director was eventually found necessary; and, in 1955, a third appointment as Keeper of the Prints was made. Two years ago, a professional assistant was added to the staff. I move—

That the Bill be now read a second time.

On motion by the Hon. J. G. Hislop, debate adjourned.

PARLIAMENT HOUSE SITE PERMANENT RESERVE (A↑1162) ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [8.30] in moving the second reading said: This is another and, perhaps, the final episode in a story that is familiar to honourable members. It first commenced with the building on the Malcolm Street frontage of the parliamentary reserve of a building to house the Main Roads and other departments. At the time, it was decided there was no suitable alternative site. The erection elsewhere of the building, it was considered, would have created administrative and general difficulties, as the work of the occupying departments was intensively correlated with that of the Public Works and Water Supply Departments. However, be that as it may, it was discovered prior to the completion of the building that its erection on a class A reserve should have received the sanction of Parliament.

This was brought to the notice of Parliament by the Joint House Committee, it being pointed out, also, that other buildings had been erected on the site without statutory approval. These included permanent premises for the Metropolitan Water Supply Department and quarters for the Architectural Division of the Public Works Department.

To overcome this contretemps, the Government of the day, in 1951, introduced a Bill seeking Parliament's approval for the occupancy of the reserve for a period of 21 years by all buildings, other than parliamentary buildings, that had been erected or were in course of construction.

This Bill was agreed to in another place, but in this Chamber the term of tenure was reduced to 10 years. The Council's amendment, however, could not be considered by another place during the then session of Parliament, as this was prorogued suddenly, and a new session commenced five days later. The Bill, and others, therefore lapsed; and it was necessary to restore them to the notice paper when the new session started. In another place, the Council's amendment providing for a period of 10 years was reduced to five years, and agreed to by this House.

There was no possibility of the buildings being removed when the period of five years elapsed, and so Parliament approved, in 1956, of an extension of three years; the late Hon. G. Fraser, when introducing the Bill in this House, stating it was hoped that, by the end of that term, it would be possible to commence the erection of other accommodation. This, of course, has not occurred, and I am asking, therefore, that the House agree to a further extension of five years; that is, until the 21st November, 1964. The situation may occur at an earlier date, that the removal of part of the buildings may be necessary because of the construction of road approaches to the Narrows Bridge. I move—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [8.33]: As the late Mr. Fraser often assured this House that he was always co-operative, I intend to be the same in this connection. I think the Minister has explained the history clearly and thoroughly. We all remember the excitement in Parliament in 1951, when the Public Works buildings were started before Parliament had been consulted on the point whether its grounds should be made available for other buildings. We remember that the House Committee was practically ignored; and I think that was the real substance of the dissension at that time when quite a lot of debate ensued.

The late Mr. Fraser stated, in 1956, that it was hoped a three-year extension would suffice. However, the three years will elapse in November and, looking from the outside, I should say that at least another five years will pass before the Main Roads Department will move to other premises. We also know that if the Stephenson Plan is followed and the proposed design for the switch road does eventuate, the Main Roads Department and the old Barracks will be involved in either removal or demolition. The design has never been approved, but it may mean that those buildings will be involved in the proposed switch road which is to pass down St. George's Place to George Street, and across the railway.

That will take some time. During the regime of the previous Government, it was realised that before anything could be done in connection with the switch road, the marshalling yards would have to be removed to Welshpool because they were an obstruction in the way of the by-pass road. To move them to Welshpool would involve an enormous sum of money. In connection with this particular Bill, I see no

reason why the proposed five-year extension should not be acceptable; except that, perhaps, the House Committee might have been consulted in the first place. The buildings are there, and it would be ridiculous to think that they should be unoccupied after November next. I commend the Bill to the House and support the second reading.

THE HON. F. R. H. LAVERY (West) [8.36]: I intend to support the Bill. It seems to me that it is necessary that the Bill be passed. However, in regard to the switch road, I would like to know whether the engineers who are constructing the Narrows Bridge have been consulted, or if they are likely to be consulted, as to what engineering will be necessary for this purpose. I do not want to see the switch road in 20 years' time; I want to see it in operation during the next three or four years.

THE HON. J. G. HISLOP (Metropolitan) [8.38]: We have no alternative but to pass this Bill. When we granted a three-year extension, nobody believed that only that period would be necessary. I think three years was given as a term to emphasise our displeasure at what was done. When it comes to a request for five years, there is need for much clearer thinking than has been evidenced in the past. It requires a great deal of imagination on my part, and on the part of a number of other citizens, to contemplate that, in a city situated in a vast area of country, tunnels under portions of the city are, at this stage, a necessity.

Surely nobody could have been pleased with the design to dig holes through and under Mount Street; Malcolm Street, possibly; under the Public Works Department; and coming out at George Street! I have been told previously that I do not know anything about this matter; and some of the advice given to me makes it quite clear I am not talking sensibly.

The Hon. F. J. S. Wise: It is still a major operation.

The Hon. J. G. HISLOP: However, I repeat it was a tragedy not to have bought the Anglican Archbishop's property—which is now used by Legacy—so as to go up through the place known as Mia-Mia Flats. Milligan Street could then have been widened, and a flyway bridge made over the railway. Now that we have a new Town Planner I hope that when the proposition is put to him, he will make a careful study of the switch road. I do not say that because I live in Mount Street, and because it might alter the value of my property; I am beyond where the switch road will go. However, if members care to take a walk along Mount Street they will find at least one property where surveyors' pegs have been put in. The owners have been told what portions of their property will be taken for this road. Everyone knows this House will be burrowed under; but nobody knows exactly what is going to happen from the bridge to the junction of Mount Street and the Terrace.

It is unwise and unfair to hold up progress in that portion of the city for five years. I repeat that now we have a new town planner, he should be asked to say definitely whether such a plan is required.

The Hon. F. R. H. Lavery: Hear, hear!

The Hon. J. G. HISLOP: I think it would be possible to widen Milligan Street at much less cost than to dig tunnels under the Public Works building and out into George Street. Until some reasonable plan is put up, the whole of this area is going to be in difficulties. I should think that the Mount Hospital would have considered expansion on either side if it had not been for the fact that it would be completely isolated by a sea of traffic. It would be unwise to maintain a hospital on that site.

We now have a Town Planning Department, and someone should say definitely to us, as a body of people, whether this switch road is necessary, either now or in the future. We will then know what to do, and will be able to advance our city in that area. Until then, nobody will know what is going to happen; and we are holding up progress. Although I have tried to register my protest, I shall vote for the measure.

THE HON. A. L. LOTON (South) [8.43]: I see no great objection to the Bill except that it would have been wiser to continue its operation for a period of three years. This would have given Parliament, the House Committee and the new Town Planner an opportunity to look into the matter of what is going to happen below the steps of Parliament House grounds. We know that all sorts of provisional plans have been drawn up; and that suggestions have been made for a switch road and for the widening of this or something else, but nothing concrete has been decided upon.

I am also under the impression—and I think it is right according to what I have been told—that the Bill was not referred to the Joint House Committee before it was introduced to Parliament on this occasion. The original Bill was a straight-out insult to the House Committee because it was the then President (Sir Harold Seddon) who made the first protest against the Public Works Department continuing that building, which was only at the foundation stage at the time.

The matter was referred to the House Committee, which sought an injunction to stop the work from proceeding. However, the matter was brought before Parliament and Parliament gave the building a life, which was extended for a further period in 1956, of three years. As Mr. Logan pointed out, the late Mr. Fraser, when he introduced the Bill, said

he hoped that at the expiration of that time something definite would be arrived at as regards town planning.

Now, three years later, we find the Government wants an extension for another five years. On that point I disagree. I think that three years should be plenty, because we have legislation brought forward to continue legislation year by year. I would like to see someone move for the adjournment of the debate so that an opportunity may be presented to give notice of an amendment to reduce the period from five years to three years. If that were done, I would be happy.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [8.46]: I shall reply now to the debate; but I give to Mr. Loton the assurance that he will have plenty of time to put an amendment on the notice paper, if he so wishes. I am happy that members have treated the Bill as they have. Mr. Lavery mentioned the engineers giving some advice on the bridge. I cannot say that the Government has approached the engineers on the position. I think our own engineers are quite capable of giving the advice we require.

Dr. Hislop mentioned the switch road; and he spoke of the reasons why it should go along Milligan St, and said that he hoped someone would make up his mind in connection with the matter. I remind members that although we have the Stephenson Plan, we have no authority to put it into effect. The State has done a marvellous job to advance as far as it has with the Stephenson Plan, seeing it has had no authority to do so.

The Hon. L. C. Diver: It is a bit of a jigsaw puzzle now.

The Hon. L. A. LOGAN: It may be, but at least we have to a certain extent, been able to hold the situation until such time as an authority can be set up to implement the Stephenson Plan. A Bill has been introduced in another place to set up such an authority; its main function will be the implementation of the Stephenson Plan.

I shall certainly pass on to the new Town Planning Commissioner the comments made by Dr. Hislop, and I shall ask the Commissioner to make a thorough examination of what the honourable member said. I would not know the position as to the feasibility of what he suggested. At this stage we do not know just what effect the Narrows Bridge will have on traffic. The engineers of the Main Roads Department have got out quite a large book dealing with the traffic count; showing the destination of the vehicles; and so on. The information they have acquired is enlightening; but even they do not know, at this stage, just what traffic coming across the Narrows Bridge, will be required to be switched to the centre of the city. The need, in the first place, for the switch road is to get that traffic out of the city.

Whether some of the traffic should go along St. George's Place, or by way of Milligan Street, I do not know; and I am not going to advise the Town Planning Commissioner on the point. I will, however, ask him to have a look at the question.

The Hon. J. G. Hislop: I would like him to advise us.

The Hon. L. A. LOGAN: In view of the case presented not only tonight, but previously, I hope that this measure will be passed and so enable the committee and the Town Planner to get on with the job. No-one knows better than I do—from the few months I have been in my position—the frustration suffered by many people in the metropolitan area because they do not know where they are going; or where we are going. It is my earnest desire to try to clear up this period of frustration as early as possible.

The Hon. A. L. Loton: Was the Bill referred to the House Committee before it was introduced?

The Hon. L. A. LOGAN: I am sorry, but I do not know anything about that. I agree that it should have been; it would have been only courtesy to have done that. But I cannot take any blame for what was done, because I did not know that the Bill had not been put before the House Committee.

The Hon. F. R. H. Lavery: I would like to explain that I meant no reflection on our present engineers.

Question put and passeed.

Bill read a second time.

JUSTICES ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [8.50] in moving the second reading said: The principal object in the Bill is to achieve uniformity in regard to imprisonment for default in the payment of fines and penalties. Section 167 (1) of the parent Act provides for three days imprisonment for every pound payable. This rate has remained unaltered since 1919, when fines were on a much lower scale than they are today. They cannot now be regarded as appropriate to present money values. In 1957, the Traffic Act was amended extensively, one of these amendments, which is now section 69A of that Act, providing that imprisonment for non-payment of penalties and costs shall be calculated at one day for every pound payable.

This Bill seeks to amend the Justices' Act to provide for a similar rate to that in the Traffic Act; and to repeal section 69A of the latter Act so that the provision will be in the Justices Act only, which appears to be its correct place. The two other small amendments in the Bill are designed to make it clear that the cost of

issuing and executing a warrant of commitment shall be taken into consideration when calculating the term of imprisonment for default in payment. I move—

That the Bill be now read a second time.

On motion by the Hon. E. M. Heenan, debate adjourned.

FIRE BRIGADES ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [8.52] in moving the second reading said: This Bill is by no means a stranger to the House, as practically all its proposals were discussed and agreed to here in the years 1953, 1954, and 1956. On each occasion the Bill was dropped by the Government of the day because of this House's refusal to entertain an amendment designed to provide the permanent firemen with a representative on the Fire Brigades Board.

The proposals in the Bill have all been requested by the Fire Brigades Board. The first amendment seeks to redraft section 5 of the parent Act, which deals with the constitution of Fire districts. The Crown Law Department and the Fire Brigades Board consider section 5, in its present form, to be impractical and difficult to administer. The redrafting has maintained the existing provisions and has added two more. At present the district of a local authority may be constituted a fire district, and a fire brigade may be established there. The Bill seeks to permit part of a local authority district to be made a fire district. This would enable the constitution of two or more fire districts in the one local authority district, each with its own brigade. This, of course, might be necessary in the case of a large local authority district.

The other addition to section 5 proposes to rectify an anomaly in the Act. At present the Act provides that those districts in the second schedule shall be fire districts and that the Governor may constitute further districts, and may later cancel any such further district. No provision exists, however, for the cancellation of any district shown in the second schedule. As a result, Wiluna appears in the second schedule as a fire district, whereas, in actual effect, it has not been one for a number of years.

The next amendment gives effect to a recommendation by the Chief Electoral Officer that provision be made for appeal to a magistrate should the regularity or validity of any election to the board be questioned or disputed. On appeal, the magistrate's decision would be final. A problem of this nature did occur some time ago, and was the reason for the Chief Electoral Officer's advice.

The Bill seeks to increase the maximum amount of the fees that may be paid annually to the ten members of the board. The board is composed of a president and one other member, both appointed by the Governor; three representatives of the insurance companies; and one representative each from the Perth City Council, metropolitan local authorities, Goldfields local authorities, country local authorities, and the volunteer fire brigades.

The Bill proposes that the maximum fees that may be paid annually shall be £1,300. The present maximum of £850 has existed since 1949 when it was increased from £550. The basic wage in 1949 was £6 13s. 2d.; and, as the present wage is £13 18s. 7d., an increase in fees appears warranted.

A new section 25A to the Act is proposed. This empowers the Fire Brigades Board to order, in writing, the owner and occupier of any property, other than a private dwelling, to provide and install fire-fighting equipment.

At present, this authority is given to the board by regulation. In a case brought sometime ago by the Adelphi Hotel, a magistrate declared the regulation to be void because of uncertainty. The Crown Law Department is doubtful whether the regulation is a proper exercise of the regulation-making powers conferred by section 35 of the Act, and has recommended that it would be advisable to include the necessary authority in the Act itself.

The Hon. H. K. Watson: It is rather sweeping, don't you think?

The Hon. A. F. GRIFFITH: The Factories and Shops Act contains a provision which gives power to ensure that the owner shall have proper fire-fighting equipment. If the honourable member is not satisfied in this regard, I am sure he will tell me what he thinks, when the opportunity presents itself.

Section 46 (2) of the Act permits the board, with the Governor's approval, to issue debentures for the amount of moneys borrowed by the board. The Act limits the interest rate to 6½ per cent. The board has asked that this limit be removed as it could hamper the board in obtaining loans should the approval borrowing rate be increased to more than 6½ per cent. In the borrowing field the board is grouped with local governing authorities in regard to which an interest limit does not apply. In addition, the board's borrowings are subject to Treasury supervision, and the Under Treasurer has intimated that the limit should not exist.

Subsection (1) of section 65 of the Act provides that the owner of uninsured premises or property shall be liable, in the event of fire, for certain charges for the attendance of a brigade. However, the owner of an uninsured vacant block of land

successfully contended in court that as the land was not an "insurable interest," he was not liable for any costs.

The Bill seeks to clarify the postion by making owners and occupiers of uninsured premises or property liable for the board's charges, whether the premises or property are insurable or not. The revenue derived from this source is of a very minor nature, and the provision is intended mainly to encourage owners and occupiers to keep their blocks free of inflammable matter. In 1935, there were 803 calls to grass and rubbish fires, while in 1958 they increased to 1,249.

The last amendment seeks to repeal and re-enact the second schedule to the Act. This schedule details the fire districts throughout the State. They are shown in four groups, the first including the City of Perth only; and the others, the metropolitan, Goldfields, and the country districts. Each district has a representative on the board. The new schedule includes new districts that have been constituted since 1942, and excludes the cancelled district of Wiluna. I move—

> That the Bill be now read a second time.

On motion by the Hon. W. F. Willesee, debate adjourned.

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AND TRAFFIC ACT AMENDMENTS BILL.

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [9.0] in moving the second reading said: The notes on this Bill have not been presented to me, but I think I can explain the provisions contained in it. There are two principles and they involve two different Acts—the Motor Vehicle (Third Party Insurance) Act and the Traffic Act.

At the moment it is possible and feasible for a person to be charged and convicted under the Motor Vehicle (Third Party Insurance) Act, and then be charged for exactly the same offence under the Traffic act. If he is found guilty under the first Act he can be fined up to a maximum of £100 for the first offence; and, if he is convicted under the Traffic Act, he can be fined up to a maximum of £25 for the first offence, even though in effect it is the same offence. The proposal in this Bill is that he shall be charged under only one Act, providing the offences under the two Acts concerned were committed simultaneously.

Let us take the case of a man involved in a collision in which somebody has been injured, and the driver of the vehicle has no third party insurance cover. At present he can be charged under the Motor Vehicle (Third Party Insurance) Act, and whether he is found guilty or not he can be charged with negligent driving for the same offence under the Traffic Act—both offences being committed simultaneously. We think it is right that a man should be charged only once for the offence.

The Hon. A. R. Jones: It is good for revenue.

The Hon. L. A. LOGAN: We intend to amend section 4 of the Motor Vehicle (Third Party Insurance) Act as follows:—

> (b) by adding the following paragraphs—
>
> (b) after the coming into operation of the Motor Vehicle (Third Party Insurance) Act and Traffic Act Amendments Act of 1959, a person shall not be convicted or punished for an offence under para (a) of this subsection if—
>
> he has already been convicted or acquitted of an offence under section 5 of the Traffic act
>
> and
>
> both those offences had been committed simultaneously.

The same will apply under the Traffic Act and the amendment reads—

> (b) by adding after the proviso to para. (b), paras as follows:—
>
> (c) after the coming into operation of the Motor Vehicle (Third Party Insurance) Act and Traffic Act Amendments Act, 1959, a person shall not be convicted or punished for an offence under para (b) of this subsection if
>
> he has already been convicted or acquitted of an offence under para (a) of subsection (3) of section 4 of the Motor Vehicle (Third Party Insurance) Act, 1943, as amended,
>
> and
>
> both those offences had been committed simultaneously.

It is intended to remove the maximum fine now applicable under the Traffic Act and make it the same as that which is applicable under the Motor Vehicle (Third Party Insurance) Act: a maximum of £100 for the first offence and a maximum of £200 for the second offence. At the same time where a person is convicted under this Act, and he is not the holder of a third party insurance policy, he shall be charged and made to pay the annual fees which he would have paid had he been the holder of such a policy, in addition to the penalty imposed upon him for his offence under the Act. It is thought only

right that he should pay the fees which he has been dodging; and a provision to that effect is included in the Bill. I move—

That the Bill be now read a second time.

On motion by the Hon. E. M. Heenan, debate adjourned.

CHILD WELFARE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th August.

THE HON. J. G. HISLOP (Metropolitan) [9.5]: On reading this Bill and the Minister's notes, which he was courteous enough to present to me, his intentions become quite clear. One can see the difficulty which has arisen regarding the decisions of a magistrate in some of these relatively minor cases when an indvidual has been committed to an institution. The director has no power to alter the magistrate's findings unless he goes to the Minister, and the Minister decides to use his prerogative and alter the magistrate's decision. What the Bill really means is that Peter is being robbed to pay Paul; in other words the privilege is being taken away from the magistrate and given to the director; and so we will simply be changing one person for another.

My main difficulty about the Bill is that it still does not give the public the insight into the institutions that they should have. I cannot produce to the House the report of the New South Wales director regarding investigations he made into the institutions in this State, because the report was never published. My only reading of it was as a result of a courtesy extended to me by the then Premier (Mr. Hawke). However, I can picture the pages of that report, and the remarks on some of our institutions.

The Hon. L. A. Logan: That is Mr. Hicks' report.

The Hon. J. G. HISLOP: Yes. Certain things were being done at some institutions which, had they been known, would have raised the public ire. Members must forgive me if I am not completely accurate, because I am relying on my memory now, but I can recall one institution where the children were given hessian bags on which to dry themselves after they had taken a bath—if a bath was available—instead of having towels, even though it was laid down by the department that towels were to be made available.

In another institution, quite old children were coming to meals without having washed themselves or combed their hair. There was a disreputable appearance about the place, and a complete lack of discipline so far as the children were concerned. There were a number of other similar incidents which I cannot recall; but I know that the report was one which it would have been unwise to publish. I do not say that the same conditions exist now. But we are not legislating for today; we are legislating for today and tomorrow. Tomorrow there may be a change of directors; and a change for the better so far as some of these institutions are concerned.

I can remember two years ago when I was a member of a committee which had been appointed by some private individuals to look into this question of how best we could give service to these institutions and make the public aware of what was happening. We decided that the correct thing to do would be to appoint a board of visitors for these institutions. I cannot think of any better way than to adopt the board of visitors scheme which has been such a success with our asylums for a number of years.

I could outline now amendments which will be on tomorrow's notice paper, a copy of which I have already given to the Minister. However, I should like to point out that they could be disallowed on the grounds that they might in some indirect way cause an increase in public expenditure. Because of that I have purposely not offered any reward to any members of the committees or boards which I have suggested, realising that to do so would automatically infringe the rights of this House, or of any individual member of it. I believe there are a number of people in the community who would take up this work in an honorary capacity. The amount of expense involved by such an honorary board would be very small—possibly only some secretarial expenses—but it would be open to the Minister, if he wished, and if he approved of the scheme along the lines I have suggested, to make some small financial payment to the members concerned.

I suggest to the Minister in all seriousness that an arrangement of this sort would meet with wide public approval. During the second reading stage, I do not intend to read the whole of the amendments I propose to move because they are lengthy, but they give authority and powers for a board of citizens to enter these institutions at any time they might think fit.

This committee could see the conditions under which the children were kept; its members could see the amusements or occupations provided for the children, the diet arranged for them, and so on; and they could advise the Minister in any way they thought necessary regarding the administration of any institution or of the Act itself. The members of the committee might even be called upon by the Minister to investigate an institution; and they could be invited, or they could of their own power, investigate the case of any one particular child. They would be there to be seen by children if the children had

any complaints to raise about the conditions under which they were being housed and cared for; and I am quite certain that if the reports of the board of visitors were laid on the Table of the House, in the same way as are the reports of the board of visitors to our asylums, it would still any public opinion there might be regarding the conduct of any of our children's institutions.

In my opinion it would also give the Minister some relief from the position of having to override the actions of any member of the staff; and he could refer such actions or decisions in regard to any child to the board of visitors. In many ways I feel that this type of administration would be in the interests of the children; in the interests of the department; and it certainly would be acceptable to the general public. I will leave it at that at this stage.

I should now like to make one or two comments on the Bill itself. I note that early in the Bill it says the definition of "director" is to be added, but "director" is not defined. All the Bill contains is the word "director" and it says that that is to be inserted in the Act; but it does not mean anything. It should state "the director in charge of a department," or something of that nature.

The Hon. L. A. Logan: Did you look at the principal Act?

The Hon. J. G. HISLOP: As far as I can see it is not in the principal Act. I have gone through two copies of it and I have not been able to find it. There is one other interesting point. On page 2 of the Bill we find that "parents" mean the father, mother, etc., but in relation to an illegitimate child it means the mother only. But section 67 of the principal Act seems to be at variance with the provision in the Bill because it reads—

> The near relatives of any child shall be liable to pay or contribute towards the maintenance of such child according to their several abilities, and in the following order, namely:—
>
> (a) In the case of a legitimate child—Father, mother, stepfather, step-mother.

So, surely, if the father is to be charged with payment he must have some element of parental responsibility.

The Hon. L. A. Logan: If you can find him.

The Hon. J. G. HISLOP: Even if he can be found, he is not regarded as the parent under the Act; nor has he any liability. It might be wise to have him recognised, if known, so that he can take his share of responsibility. I have no quarrel with the rest of the Bill, because I believe it will do a lot to improve the standard of child welfare care and guidance.

My only feeling, however, is that all it does is to transfer the authority from one person to the department; and I feel the public is entitled—in view of the number of reports given in regard to some of these institutions—to be told, from time to time, exactly what is the conduct and the standard of these institutions. I do not mean for one moment that any visiting committee shall have power to override the director or the management. The Minister will have complete authority over the Act; but the actual handling of the children from the point of view of health or occupation; the standard of the home in which they are placed; and the conduct of those in authority in any institution, should be open to some inspection by a small body of citizens representing the public at large. With the addition of my amendments I think the Bill will be an excellent one. In the meantime, I support the second reading.

THE HON. F. R. H. LAVERY (West) [9.18]: I wish to make it clear that I intend to support the Bill, and in doing so I only want to comment following on the remarks made by Dr. Hislop. I have visited the building concerned, and I have no doubt in my mind that it will prove to be a most effective means of incarcerating children who have been sent there for a particular misdemeanour. These children will virtually be imprisoned in this building; they will not be able to scale the wall, or get out by any other means. That is most satisfactory.

We all know that boys and girls who have been committed to institutions previously have been charged on one count; they later tie up with other children and before long they find themselves charged on six or seven counts. I would advise members who have not done so to pay a visit to this building. It will be a fine structure when it is finished; and it will be a complete gaol. There is no doubt about that.

The Hon. L. A. Logan: Closed reform.

The Hon. F. R. H. LAVERY: I made some comments on this aspect when speaking to the motion for the adoption of the Address-in-reply, but having seen the building and the fine workshops that are being provided for the children, I would like to say to the Minister that my previous doubts were ill-founded insofar as they related to the training of the man to take over control of the institution. I still feel, however, that whoever is to be in charge of the institution will need to be a man of great sympathy. I consider that the suggestion made by Dr. Hislop in relation to a board of visitors is a very good one. If there is this co-ordination between the public, the department and the Minister, it will be a very happy set-up, because everybody will know what is happening.

I happen to have a friend who has been associated quite a lot with children's courts, and I know that an unfortunate circumstance does exist as between the Children's Court and the Child Welfare Department. The Bill will give the department the right to decide what best to do for the benefit of the children who have beeen charged and found guilty, by the magistrate. I would like to refer to pararaph (g) of clause 2 which reads as follows:—

> adding after the interpretation, "Subsidised institution" the following interpretation—
>
> "treatment, discipline and training" in its application to a ward includes admission of the ward to an industrial school or other institution, attendance by the ward at classes conducted by the department for wards who are released on parole, attendance by the ward on Saturdays at certain centres appointed by the department and the use by the ward of such other facilities for advancing his moral, material or educational welfare as the department may from time to time provide;

I believe this paragraph will be the crux of the whole matter. These children will have every opportunity to emerge much better citizens than they were when they fell by the wayside. The provision which gives the department the right to decide that the child can be left on parole under the care of the parent is, to my mind, very clearly set out; and it gives me great pleasure to see it there. If a board of visitors is eventually provided for, I hope its members will be drawn from a wide section of the community. With those few remarks I support the second reading.

On motion by the Hon. J. M. A. Cunningham, debate adjourned.

STATE ELECTRICITY COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th August.

THE HON. E. M. DAVIES (West) [9.24]: This is a small Bill to amend the State Electricity Commission Act. It is necessary, because of the taking over by the State Government of the electricity and gas undertaking of the Perth City Council in 1948, and the placing of it under the control of the State Electricity Commission.

The agreement provided that all employees should be taken over by the Commission on terms not less favourable than the existing ones, including superannuation. It was apparent that the City of Perth superannuation fund was on a different basis from the larger State fund, and it was not possible to transfer contributors from one fund to another. The Commission created a new fund identical with the City of Perth fund, and only employees who were taken over from the City of Perth were admitted. Accordingly, as no new members can be admitted, the commission's scheme will eventually die out. The Bill will permit the State Electricity Commission, with the Governor's approval, to alter any terms or conditions of the superannuation scheme.

The arrangement was that any improved benefits of the council scheme should be followed by the commission. Accordingly, it is a beneficial amendment to the Act; and having examined the measure and studied it from different angles, I feel it will be of great benefit. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee

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

FOOT AND MOUTH DISEASE ERADICATION FUND BILL

Second Reading

Debate resumed from the 13th August.

THE HON. A. R. JONES (Midland) [9.28]: I secured the adjournment of the debate on this measure merely to enable me to check the details, so that I would, perhaps, be better informed. As a result I have come to the conclusion that the measure is well merited, because, as was pointed out by the Minister when introducing it, we never know just when this dreadful disease could hit this country and cause great losses.

If we do not have the machinery ready to deal with it, then of course there could be a spread of the disease from one part of the State to another; or even from one State to another. It would then become Commonwealth-wide. It seems it is necessary to have the power to enable all States to participate, including the Commonwealth, to enable sufficient funds to be made available in the event of any outbreak so that precautions in the extreme, if necessary, can be taken. While the precautions may seem at the time to be extreme, I feel, from the remarks of the Minister when he introduced the Bill, that we cannot be too certain, or take too many precautions should there be an outbreak of the dread disease. Only by having the financial resources of all the States and the Commonwealth behind any compensation scheme, or any measures which have to be taken to eradicate the disease, will we be able to foot the bill; because the amount of compensation and the expenses

which could be incurred in fighting an outbreak of foot and mouth disease would be considerable.

In examining the Bill I find there is provision covering varying opinions as to the values of stock and property which may have to be destroyed or confiscated. The Bill leaves nothing to be desired. It should be hurried through so that the legislation throughout the Commonwealth will be uniform. I support the second reading.

THE HON. A. L. LOTON (South) [9.32]: I am also in agreement with most of the provisions in the Bill, but there are several points on which I seek clarification. I mentioned a few of those points to the Minister after the House rose the other evening; and he said that he would look into them. On further consideration of the measure I find there are other points on which I am not too happy.

In the Pig Industry Compensation Act, introduced in 1942, the sum of £10 was set down as the maximum compensation payable in respect of any one animal. In 1951, the amount was raised to £15; and in 1956, it was increased to £24. When one considers the amount which pigs brought on the market in the last 12 months—in one case 1,500 guineas was paid for a Land Race sow—one can imagine what will happen if such pedigreed pigs become infected with swine fever.

The Bill provides that compensation will be fixed on the market value of the animal immediately before it became affected, or immediately before it was slaughtered. I would point out that under the Milk Act, a provision in regard to compensation was passed in 1952 to cope with the increased prices which dairy cattle were bringing. The maximum compensation was increased from £15 to £35.

The amendment passed in 1952 stated that section 61 of the principal Act was to be amended by deleting the words "twenty pounds" and substituting the words "the amount recommended at least once annually by the Minister and approved by the Governor." So every year the market value of cattle is fixed by regulation, and is set around the ruling market price. If an outbreak of foot and mouth disease occurred, the mode of valuation is set out in clause 7 of the Bill which states—

> The value of any animal or property for the purposes of this Act shall be determined by agreement between the owner and a stock inspector and in default of such agreement the value shall be determined either by some competent and impartial person nominated for the purpose by the Minister or if the claimant so requires by a magistrate to whom a local court is assigned and in either case the determination of such person or magistrate is final and conclusive.

I wonder what the conditions would be like during a hot burst of summer when after a week's negotiations the local court was called on to adjudicate. The magistrate would not be able to go anywhere near an animal after that period. He would not be able to determine what the animal looked like a week previously.

I would much prefer the provision in the Milk Act which prescribes that once every year the Governor shall proclaim the maximum compensation for stock. He would only have to deal with cattle, sheep, pigs, and goats—the four animals covered by this measure. I do not think horses are included, but I may be wrong.

In an epidemic, every party concerned has to suffer to some extent. It is absurd to have such a wide variation in pig values as we have seen—in the case of a Land Race sow the valuation being 1,500 guineas, and in the case of a prize white sow, equally as well-bred, the valuation being between 40 and 50 guineas. If compensation is to be fixed on the market value of the animal immediately before it became affected, many people would claim to have pigs of the popular breed. It is only human nature for people to claim the possession of pedigree animals should an outbreak occur. When the rinderpest outbreak occurred in this State in 1923 or 1924, large numbers of cattle were slaughtered, and great financial loss was suffered.

The Hon. F. J. S. Wise: We had an outbreak of swine fever after that.

The Hon. A. L. LOTON: I was referring to rinderpest. Then there was an outbreak of swine fever as a result of which the Pig Industry Compensation Act was passed. That legislation has worked satisfactorily, and the amount of compensation has been increased over the years. If the Minister has not already examined the points which I raised with him the other evening, I ask him to consider the fixing of the amount of compensation each year for all animals when he is dealing with the matter. I support the second reading.

THE HON. F. J. S. WISE (North) [9.40]: My remarks will be very brief. The provision being made in all the States and by the Commonwealth for a fund to compensate the owners of animals which may be destroyed in an outbreak of foot and mouth disease, is a very important one. This disease occurs in herds of indigenous animals in countries not very far from us.

In Africa the two diseases of foot and mouth, and blue tongue, have cost the Union of South Africa millions of pounds. In the United States of America, although red water fever has been eradicated entirely, and the country has been rid of pleuro-pneumonia, there are two dire diseases which that country has not been able to control; and one of them is foot and mouth disease.

If we consider how easy it is in these days to transmit foot and mouth disease into Australia, I am sure we will all agree that no provision is too rigid, and no action is too strict, which the Australian authorities should be capable of taking in the event of an epidemic occurring.

The aeroplanes which travel tri-weekly from Johannesburg through Mauritius, and Cocos Island, to Perth or Darwin, leave a country in which foot and mouth disease is very rampant. The planes coming from London or Tokyo, via Manilla and Malaya, traverse countries in which this disease is evident. Within a few hours of leaving a place where the disease is rampant, the planes land on our soil.

Let us imagine a situation of this kind: Meals are served on an aeroplane somewhere between South Africa and Perth, or somewhere on its journey via Manilla, Singapore, Java, to Darwin or Perth. The refuse from the meals is deposited in a receptacle which is not destroyed on arrival. It is possible for such refuse to be carted away and fed to pigs in this country. The pigs could be converted into pork, and the pork eaten in a remote part of the State where cattle raising or the dairying industry was carried on. Should the refuse fed to the pigs be untreated, and should it contain the germs of foot and mouth disease, an outbreak could occur.

As the Minister said when introducing the Bill, in countries like Great Britain, hundreds of thousands of pounds have been spent, and in Mexico and other parts of the world, millions of pounds, on precautionary measures. It is, therefore, a matter of paramount importance that everything humanly possibly should be done to prevent the introduction of this disease here. That is the main point I wish to make. An assurance should be given that no particles of food which may have an origin in countries where this disease is in evidence, will be fed to pigs in this State An examination should be made of what happens to such food particles.

Mr. Strickland had an experience of the precautions that are taken when he was with the Governor-General in the northern part of this State. A cattle boat from overseas arrived from a counry in which there existed such diseases. It tied up to a wharf. The people disembarking had to step into a disinfectant, in case on their boots some germs should remain. As the quarantine laws administered by the officers of the Agricultural Department in this State are as rigid as that, we should not allow any loophole to pass unnoticed. Although every safeguard may be taken in regard to food particles, I repeat that we cannot be too careful.

Some of us will recall the time when an outbreak of swine fever occurred in this State. I was the Minister in charge of the department, and I am aware of the serious circumstances which arose, and the dreadful action which had to be taken.

We must realise that this is a national matter, and ensure that Australia is safeguarded at every point of contact. So far as the provisions in the Bill are concerned, with regard to the creation of a fund and the disbursement from that fund, I can see nothing that is abhorrent or objectionable. There are points, such as those raised by Mr. Loton, which I think should be given consideration, but it must be borne in mind that insurance covers very valuable animals today no matter from what studs they come—pigs, cattle and goats are well insured.

The Hon. A. L. Loton: They are outside this Bill.

The Hon. F. J. S. WISE: And therefore do not come within the ambit of the measure. But the owners of all herd stock should make a contribution to ensure the safeguarding of their own stock as well as the stock of the whole community. In general, therefore, I support the Bill, and would support the most rigid action being taken in regard to importations from countries where such diseases exist. I can give an illustration of the importance of quarantine.

I was privileged to be at King Ranch in Texas before Santa Gertrudis cattle came to this country. I was at the veterinary research station at—this will be a difficult one for *Hansard*—Oondersenpoort, outside Pretoria. It is perhaps the greatest veterinary station extant, because of the diseases they must keep from their domestic herds and their other industries. The resistant type of early-maturing cattle has been built up in that region; and on behalf of the South African Government I was presented with a herd of such cattle for Australia. I had to refuse it because there is no safe type of quarantine in the transference of the stock. This would apply even if the herd were kept on an island off the coast for a long period. It could not be ensured that some latent germ would not develop and be disseminated among the herds in this country. Therefore I support this Bill wholeheartedly and hope that the most rigid inspection and examination will be made and every possible avenue explored to prevent such disease entering Australia.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [9.48]: I want to take the opportunity first to thank members who have spoken on this Bill. I appreciated very much the co-operation exercised by Mr. Loton. It is useful to a Minister to experience the co-operation illustrated by Mr. Loton last week when, after the adjournment of the House, he came to me and told me that there were two or three matters he wanted to raise and it would be an advantage if I could

obtain the answers to his problems for today's sitting of the House in order that no further time would be wasted.

There were really four matters he mentioned. One concerned the Pig Industry Compensation Act; another concerned who pays under the Bill; another the question of valuation in respect to the diseased animal; and the fourth was the question of a dispute.

In the first place, the Pig Industry Compensation Act was a little different from this measure, in two respects. The first was that the breeders or owners contributed to the creation of the fund. The Act dealt principally with the question of swine fever, and not foot and mouth disease which is the subject of this particular Bill. It did, however, stipulate certain standards of valuation. In respect to "who pays," as I explained in the second reading of the Bill, the Government pays in the proportion I quoted. That was on the basis of the Commonwealth 50 per cent., and the other 50 per cent. by the States in proportion. N.S.W. pays 14.5 per cent.; Queensland 10.25 per cent.; Victoria 9.125 per cent.; Western Australia and South Australia 5 per cent. each; Tasmania 3.125 per cent.; and the Australian Capital Territory 3 per cent. I consulted with the Minister for Agriculture concerning the questions of payment and compensation. The advice I received was that the Commonwealth Government and State Governments are prepared to accept the responsibility and the obligations that have faced the conferences which have taken place over a long period of time—not during the brief space of time that this Government has been in office, but also during the years the previous Government was in office.

The various States met and conferred upon the introduction of legislation on a Commonwealth-wide basis to control foot and mouth disease; and, as I have said before, effect has been given to legislation in these States. Therefore, the question of valuation is not necessary because the Government is prepared to accept whatever the form of compensation may be in the event of such an outbreak taking place. Mr. Loton mentioned the need for the provision of some maximum payment, in the same way as a maximum is provided for in the Pig Industry Compensation Act.

The Hon. A. L. Loton: Or under the Milk Act.

The Hon. A. F. GRIFFITH: Yes, in the case of T.B. cows having to be destroyed. If we fix some maximum compensation, then it could easily be that a breeder would be deprived of a much larger sum than he would have been entitled to in the event of losing, say, stud stock. I am informed that no matter what the compensation is in the case of stud stock, it will be paid.

The other point raised by Mr. Loton was that of a dispute. It must be appreciated that an outbreak of foot and mouth disease will be an extremely sudden occurrence, as has been pointed out by Mr. Wise. I am informed that it is a devastating disease. Its incubation period is so rapid that it will not be a question of discovering a dead animal in a paddock after it has been there a week; because, wherever the outbreak occurs, the whole of the area will be immedately cordoned off and quarantined. The situation would be so grim that—this might sound melodramatic—if necessary the troops would be called out to assist in the quarantine and protection of the particular area. It is not at all melodramatic to say that; because, as has been said, the experience of other countries in respect of this disease has indeed been devastating.

Perhaps this legislation should have been introduced long before now. The fact that it was not, and that we have not been called upon to introduce it, is a blessing indeed. I sincerely hope, as I said when introducing the Bill, that the necessity for proclaiming the Act will never arise in Western Australia.

I think that mainly covers the points that have been raised, except the one mentioned by Mr. Wise in respect of the checking of rubbish and other deposits that come into the country by various means of transport, and particularly by aerial transport. In that regard I wholeheartedly agree with the suggestion he made and will submit it to the Minister for Agriculture, because I am well aware of the danger so far as foot and mouth disease is concerned.

The situation could become intensified as more aeroplanes come to Western Australia from various parts of the world. With the extensions to the Perth Airport as a result of its being made an international airport, greater risk will be created in regard to bringing the infection to Western Australia. I once again thank members for their contributions to this debate.

Question put and passed.

Bill read a second time.

In Committee

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

MEMBERS' REFERENCE COMMITTEE

Proposed Appointment

Debate resumed from the 12th August on the following motion by the Hon. C. H. Simpson (Midland):—

> That this House set up a further Standing Committee to be known as the Members' Reference Committee,

such committee to consist of three members and to be empowered to consider and make recommendations regarding the allowances, emoluments and concessions of members of Parliament.

That the substance of this motion be communicated to the Legislative Assembly and that the Legislative Assembly be requested to appoint a similar committee to combine as a joint committee of both Houses.

Such joint committee to elect one of its members as chairman and to be provided with a secretary.

THE HON. H. K. WATSON (Metropolitan) [10.25]: I have read carefully the terms of this motion and listened closely to the remarks that Mr. Simpson made in support of it. However, when the honourable member compares—as I understood him to do—this proposed committee with the Rights and Privileges Committee, it seems to me that we are getting right off the beam; and, as members of Parliament, we should take our bearings and remind ourselves of the real function of the Rights and Privileges Committee.

A letter from the Clerk of the House of Representatives was read by Mr. Simpson outlining the duties of the Rights and Privileges Committee of that House. However, that committee is a standing committee designed, as I have said, to deal with the rights and privileges of members of Parliament as they have been handed down to us over the centuries. For example, we have no need to look beyond our own legislation for proof of that. The Act of 1891 defines the privileges, immunities, and powers of members of the Legislative Council and the Legislative Assembly of Western Australia.

That Act provides that the rights and privileges of members of both Houses of Parliament of Western Australia shall be the same as those enjoyed by members of the House of Commons. Further, when rights and privileges are referred to, what is meant are those rights and privileges without which it would be impossible for the House to function and to maintain its right of action as the guardian of its own rights and privileges.

It is for that reason that, in this House, at the opening of every new Parliament, one of the first duties of the Leader of the House is to move, without notice, for leave to introduce a Bill in order to maintain and establish the rights and privileges of members to initiate legislation here.

I would be sorry to think that such a committee—or even the formation of one to deal with members' salaries, allowances, and concessions—could, by any stretch of imagination, be regarded as being the same as or compared with, a rights and privileges committee. When we talk of rights and privileges, they represent something that has been established by legislation and by the journals, and Acts of the House of Commons from as far back as the year 1512; and by no stretch of the imagination can it be said that they have anything to do with such matters as members' salaries.

Mr. Simpson mentioned that *May* quoted some of the rights and privileges; and I would think that even the instances he quoted would be a clear indication as to what is implied by the term "rights and privileges." We have freedom of speech, and no action can be maintained against a member of Parliament for anything he says in the House. They are ancient and very valued rights and privileges; but I suggest they have nothing to do with the question before the House in this motion. The only virtue I can see in this motion is its frankness.

It proposes a committee to be known as a Members' Reference Committee to consist of three members and to be empowered to consider and make recommendations regarding the allowances, emoluments, and concessions of members of Parliament. It is also proposed to elevate it into a standing committee—not only a standing committee of this House, but a joint standing committee of both Houses—to be provided with a secretary. I must confess I fail to see any justification for such a committee.

So far as names are concerned, it seems to me that but for the fact that we have had a Ways and Means Committee in another place, and in the House of Commons for a few hundred years, that name may have been a bit more appropriate for this proposed committee—a Ways and Means Committee to devise ways and means of enabling members to raid the Treasury. There is nothing more calculated to demean the high character of Parliament than the appointment of a committee such as this.

I feel that parliamentary life should still retain some semblance and some element of real public service; and I can see no good purpose at all in the formation of such a committee. I propose to oppose the motion.

On motion by the Hon. A. R. Jones, debate adjourned.

House adjourned at 10.33 p.m.