**IRRIGATION ACT AMENDMENT BILL 1928**

**House of Assembly, 14 August 1928, pages 526-7**

Second reading

**The TREASURER (Hon. R. L. Butler)—**The only method under the Irrigation Act, 1922, for the acquisition of township allotments in irrigation areas is contained in section 49, which provides that these allotments are to be offered on perpetual lease at public auction and are to be sold to the highest bidder at or above the upset price fixed by the Irrigation Commission. From time to time persons holding leases of township allotments have made representations to the Minister pointing out that it is extremely difficult to obtain loans on the security of the leasehold tenure provided by the Act, and that this fact in large measure restricts the carrying out of building improvements on these township allotments. In order to overcome this difficulty, it has been suggested that township allotments should be granted in fee simple. I think members will realise that the granting of perpetual leases only as regards town lands on the River Murray is retarding progress. At present they cannot obtain any advances on those securities. It was put to me by a storekeeper on the Murray, who helped settlers very generously during the last year when they were in trouble owing to the frost, that he could not get any credit on his own building which he had enacted on his own property.

Mr. Mclnnes—Do you know whether he had applied to the State Bank?

The TREASURER—I do not know. Under the Irrigation Act perpetual lease is the only method under which town lands can be disposed of, and that is retarding the development of these towns.

Mr. Fitzgerald—Why not make the alteration apply right through the State?

The TREASURER—I do not think the Act restricts the fee simple of town lands in other parts of the State. Clause 2 makes provision accordingly, and provides that the Governor may, on the application of the lessee of any township allotment, and on payment of the purchase price fixed by the Commission, grant the fee simple of the township allotment to the lessee in any case where (a) the Commission is satisfied that permanent improvements consisting of premises used or to be used for residential, business, or manufacturing purposes have been carried out upon the land in question or the lessee satisfies the Commission that it is his intention to carry out such permanent improvements immediately upon the grant of the fee simple thereof; and (b) the Commission recommends that the fee simple of the land be granted to the lessee. Under section 80 of the Irrigation Act, 1922, the lessee of land in an irrigation area is required to keep in good repair and keep clean all drains, channels, &c., on his land. If he neglects his duty in this regard the Commission may give him notice requiring him to comply with the requisitions of the notice. If, after the lapse of a month the default still continues, the Commission may carry out the work and recover the cost thereof from the lessee. In most cases the necessity for carrying out the work in question is urgent, and one month is too long a period to allow the default to continue. Clause 3 therefore amends section 80 so that when the Commission gives the notice required by the section, it may fix a period within which the requirements of the notice are to be complied with. The period fixed will, of course, in each case be the period necessary to meet the particular circumstances in question.

Mr. R. S. Richards—What was the object of confining these lands to perpetual leases?

The TREASURER—To stop speculation, but it has certainly retarded the progress of these towns.

The Hon. T. Butterfield—Are the Irrigation Commission in favor of giving the freehold?

The TREASURER—Yes. They recommended that that should be done. The honorable member may think it will lead to speculation, but the more one goes into the land question, not only on the River Murray, but everywhere else, he realises we will not get very much progress in this country unless we are prepared to sell land on a freehold basis. In Western Australia, where large tracts of country are being opened up, they have realised this aspect, and are prepared to sell the freehold of that land, probably in larger areas than we are disposing of our land, in order that the country may be developed. I move the second reading.

The Hon. T. BUTTERFIELD—I would not have spoken at this juncture except for the fact that I may be absent when the Bill comes up again. If provision in regard to the freehold of township allotments is insisted upon as laid down by the Treasurer I see no very great objection. While the Premier at one part of his speech insists on the advantages of selling land on a freehold basis, in his second reading speech as provided for him by the officers of the department, it is laid down that there shall be no freehold in regard to any of these blocks except those which have considerable improvements on them.

The Treasurer—Or the Commission is satisfied improvements will be placed on them.

The Hon. T. BUTTERFIELD—That gives a fairly wide discretion to the Commission. I take it the Commission will insist on some bona fides being provided by the person wishing to convert a perpetual lease into a freehold. One would think that the Premier in introducing this measure would have insisted that they all had the right, in view of his remarks as to what is being done in Western Australia. I feel sure that he is somewhat unaware of the real facts in regard to the Western State. The position is that there is no very great area of arable land in Western Australia available for settlement.

The Treasurer—About 10 million acres.

The Hon. T. BUTTERFIELD—We shall have the Premier telling us soon that there is 10 million acres available here.

The Treasurer—I said nothing of the kind.

The Hon. T. BUTTERFIELD—But you may. There is a large area of arable land in the Fowler’s Bay district, but the rainfall is somewhat scanty, and the only available Crown land in Western Australia is west of Fowler’s Bay and north of Esperance.

The SPEAKER—I ask the honorable member not to discuss the agricultural areas of Western Australia, as the Bill deals with the conversion of township allotments from perpetual lease to freehold.

The Hon. T. BUTTERFIELD—In regard to that, apparently the Commission will insist that there must be improvements on the areas converted or some bona fides given by the applicant for conversion that he will spend some money on the land to be converted. There you will see the desire of the Irrigation Commission, quite apart from the Premier’s idea, to prevent speculation in township allotments. In the second reading speech, which was prepared for and read by the Treasurer, we have the opinion of the Irrigation Commission. However, the Premier’s subsequent remarks conveyed his own private and personal views. In view of the fact that I have confidence in the Irrigation Commission, and think they will safeguard the interest of the State, I have no hesitation in supporting the second reading.

Mr. R. S. RICHARDS secured the adjournment of the debate until August 15.