

**HOUSE OF ASSEMBLY.**

Wednesday, November 21, 1951.

The SPEAKER (Hon. Sir Robert Nicholls) took the Chair at 2 p.m. and read prayers.

**COAL SUPPLIES.**

Mr. O'HALLORAN—During his recent visit to Canberra did the Premier discuss South Australia's coal supplies with the Prime Minister, and was he able to arrange that this State would receive its quota of New South Wales coal which was established some time ago? Secondly, is this State expected to take the dearer coal which was suggested should be railed to Sydney for shipment, thereby entailing an additional cost to this State of about £4 a ton? Can he indicate the position in regard to coal stocks to carry us over the miners' Christmas holidays?

The Hon. T. PLAYFORD—I had a conference yesterday morning with the Prime Minister and the Minister for National Development, Senator Spooner, on the problem that has arisen over coal supplies for South Australia and the cost of coal to be delivered here. As I indicated to the Leader of the Opposition last week, a proposal had been submitted to this State that we should take over the next six months 5,000 tons of coal a week *ex* Sydney at £8 5s. a ton, which is about £4 a ton more than the cost of the present coal deliveries from Newcastle. I informed the Prime Minister of the views of the South Australian Government, firstly, that we demanded that we should receive our quota of 7.96 per cent of the New South Wales coal production and that that was essential to maintain industries and development in this State. Secondly, I said that the South Australian Government was strongly of the opinion that the New South Wales coal delivered here should not be less favourable to us than average price and average quality; that if there was coal being produced at a higher cost than other coal in New South Wales or was of poor quality it was fair and proper that all consumers should take their fair share of any disabilities as well as of advantages that would arise from getting good coal and cheap prices. Recently the South Australian railways have had to burn coal of the most inferior quality. This not only adds to the expenses of working the railways, but also adds terrifically to the problems of firemen on locomotives in trying to maintain steam and run to schedule. On the other hand, in northern New South Wales the railways would never under any circumstances

use anything but the best gas coal. That indicates the difference in the treatment being meted out in the distribution of coal throughout Australia. At this time last year we had about 112,000 tons of coal in stock to meet the Christmas period. Stocks are fluctuating at present, but I think that this week they have been between 20,000 and 30,000 tons, so we are probably holding only 25 per cent of the stocks we had at this time last year. The difficulty is accentuated because, as members know, in times of emergency in the past we have been able to secure some oil consignments to help out when coal has been short, but owing to the dislocation of oil supplies from Persia it has been difficult to get oil fuel, and I think the position will remain difficult in the future.

The Prime Minister took notes on the matters I brought under his notice and assured me that I will receive a reply in due course.

**FEED WHEAT PRICE.**

Mr. HEASLIP—Following on his visit to Canberra, has the Premier any information to give to the House regarding the price of stock feed wheat?

The Hon. T. PLAYFORD—The Minister of Agriculture has been associated with negotiations on this matter, but I attended the conference in Canberra last Monday as I was there on other matters. At the conference the five States which had not previously agreed to the Commonwealth's proposals—South Australia had previously agreed—after a lengthy discussion which lasted all day, drew up an alternative proposal which they submitted to the Commonwealth Minister for Commerce and Agriculture and which he in turn promised to submit to Federal Cabinet. I saw by today's *Advertiser* that the proposal has now been accepted by Federal Cabinet, and it will mean that a Bill dealing with feed wheat will be introduced in this Parliament either tomorrow or early next week, and, I hope, will be dealt with before the House rises. The proposal provides that 26,000,000 bushels of wheat a year shall be supplied to the pig, poultry, and dairying industries at a price of 2s. a bushel above the standard price for home consumption and that the Commonwealth Government will provide a subsidy on that wheat to the amount necessary to bring it up to the international wheat agreement price of 16s. 1d. Assuming that the home consumption price announced for this year is 10s., the price for stock feed for 26,000,000 bushels would be based on 12s. a bushel and the Commonwealth would pay a

subsidy of 4s. 1d. Any wheat sold for stock purposes in excess of 26,000,000 bushels will have to be paid for at the full 16s. 1d. a bushel. One or two subsidiary matters were introduced into the alternative proposal. One is that wheat will be sold in Tasmania and Queensland at the same price as wheat sold in the main producing States. It will mean that the States exporting the wheat will have to carry the cost of its importation into those States.

The legislation will provide for alternative prices, and it will be hard to police. We shall have wheat being sold at 10s. a bushel for home consumption, 12s. a bushel and 16s. 1d. a bushel for stock feed purposes, and 12s. less cost of freight for certain wheat going to Tasmania and Queensland. The scheme will have serious administrative difficulties. On the financial side, from figures available to me it seems that the Commonwealth subsidy of £4,000,000 will probably rise this year to £5,300,000, but, considering world trends, next year it will be low indeed. In fact, the Commonwealth will probably provide under the scheme, over the two-year period contemplated by it, £1,000,000 less in subsidy than was provided for in the original scheme. From that point of view it does not represent a gain for the pig and poultry industries, because, whilst the subsidy will be slightly higher this year, next year it will be lower than if the original proposal had been agreed to. Other than that, the only effect I can see is that part of the subsidy which would normally be paid to the poultry industry will be distributed to the pig and dairying industries, with the amount of the subsidy to the poultry industry being therefore correspondingly lower. A Bill will be introduced in this Parliament this session—I hope tomorrow—for consideration next week. So that members will have in authoritative language the alternative proposal submitted by the other five States, it is as follows:—

1. A limit of 26,000,000 bushels be placed on the quantity of wheat to be made available for stock feed.

2. The price of feed wheat for the poultry, pig and dairying industries be the guaranteed price plus 2s. per bushel, but with the proviso that the price would not be above 14s. next year. The price for feed wheat this year will be 12s. per bushel entailing a subsidy by the Commonwealth of 4s. 1d. per bushel.

3. The price of feed wheat for feed purposes other than poultry, pig and dairying industries be 16s. 1d. per bushel.

4. The States will undertake to co-operate with the Commonwealth Government and the Australian Wheat Board in the administration and payment of the subsidy.

5. The Ministers agreed that freight charges on wheat delivered from mainland ports to Tasmania and Queensland should be met by the Australian Wheat Board, and agreed to co-operate with the Commonwealth Government in enacting legislation to give effect to this.

6. The States will join with the Commonwealth Government in a campaign to secure increased acreage of wheat, and particularly of coarse grains.

7. The States agreed to take immediate action to enact legislation to give effect to the foregoing proposals if approved by the Commonwealth Cabinet.

8. The proposal No. 2 will involve Commonwealth subsidy on 26,000,000 bushels at 4s. 1d. per bushel—approximately £5,300,000.

Mr. STOTT—Can the Premier say whether in the next wheat year, commencing on December 1, 1952, the price will be 14s. a bushel to the pig and poultry industries, and does he consider that the five recalcitrant States, in their anxiety to create a happy position for the pig and poultry industries, have thrown them into a position worse than under the original proposal?

The Hon. T. PLAYFORD—I did not say the price would be 14s. a bushel next year. The alternative proposal limits the price to be paid for stock wheat next year to a price not exceeding 14s. a bushel. In effect, this means that the Commonwealth subsidy will fall from 4s. 1d. to 2s. 1d. a bushel. I make no secret of the fact that I believe the the first proposal was better than the alternative proposal and would not have the same administrative difficulties.

Mr. Stott—Would the industries have been better off?

The Hon. T. PLAYFORD—I think it would have left the stock feed industries in a more favourable position, but that is a matter of opinion. The other States prefer the alternative proposal.

Mr. O'HALLORAN—Am I correct in assuming that in the near future the price of wheat for milling purposes, that is for human consumption, will be increased to 10s. a bushel in Australia? If so, when will that increased price take effect, and by how much will the price of a 2lb. loaf of bread be increased as a result?

The Hon. T. PLAYFORD—On December 1 a new price of wheat will operate. There has been, of course, some speculation as to what the index figure will show that price to be, but that is purely speculation. It is believed that there will be a substantial rise, possibly of about 2s. The amount has not been announced by the Federal Minister and probably will not be announced until December 1. I warn speculators that at the conference on

Monday the Wheat Board formally served notice on the Agricultural Council that it had come to its notice that many persons had been buying large quantities of wheat in the expectation of a rise and that some action should be taken in the matter. It was resolved at that conference that the Federal Minister should notify the Prices Ministers of the holding of these excess stocks of wheat and flour, and I have no doubt that when Mr. Finnan, the Senior Prices Minister, receives that notification he will arrange with other State Prices Ministers to see that no undue advantage is obtained by persons through their holding large stocks of commodities against a price rise. Before any increase in the price of bread is determined a careful check will be made of the stocks of wheat and flour held by millers.

#### HOUSING TRUST HOMES AT WALLAROO.

Mr. McALEES—There has been a stoppage of work on the houses being built by the Housing Trust at Wallaroo. The reason for the stoppage is unknown to people in the district. To my knowledge work is at a standstill on two houses which have been roofed. Can the Premier do something towards getting the trust to speed up the completion of houses under construction, and the consideration of applications from people wanting houses?

The Hon. T. PLAYFORD—I shall be pleased to do it for the honourable member. I will personally discuss the matter with the chairman of the Housing Trust and ascertain what difficulties are being encountered and, if possible, remove them. I have a copy of the report which the honourable member sought last week.

#### KROEMER'S RAILWAY CROSSING.

Mr. TEUSNER—Has the Minister of Railways a reply to my question of November 1 asking him to take up with the Railways Commissioner the question of the large number of accidents which had occurred at Kroemer's railway crossing near Nuriootpa, and whether a road sign would be erected in the vicinity indicating that there was a sharp bend?

The Hon. M. McINTOSH—I took the matter up with the Railways Commissioner and the Commissioner of Highways. I doubt whether much more can be done by the railways. Improvements can be made in the way of signs by co-operation between the council and the Railways and Highways Departments. I have a full report on the matter which I will be glad to let the honourable member have to send to his district to see if the council thinks what

it contains will be of assistance. The railways are actually prepared to go further than perhaps the council would want.

#### ADELAIDE FUNERAL DIRECTORS.

Mr. LAWN—On September 25, when replying to a question from me regarding the firm known as the Adelaide Funeral Directors, the Premier said:—

In view of this report the matter is being placed before the Crown legal authorities to advise if legislation is necessary.

Has the Premier any further information to give?

The Hon. T. PLAYFORD—Cabinet has not yet approved of legislation being introduced, and I doubt whether it will be possible for it to be available this session. When dealing with agreements and private interests it is necessary to check everything carefully to see that in trying to rectify one problem one does not create another. In these matters the Government feels it is better to make sure of the character of the legislation than to rush a Bill forward which could create an anomalous position in some other way. I assure the honourable member that the matter has not been overlooked and in due course Cabinet will consider legislation in connection with it.

#### POTATO SUPPLIES.

Mr. PATTINSON—Has the Premier any information concerning supplies of potatoes coming into South Australia to relieve the shortage?

The Hon. T. PLAYFORD—I presume the honourable member has asked me this question because shipping is arranged through the Treasury Department. Actually the position is that the Potato Board, under the administration of the Minister of Agriculture, arranged earlier this year to bring in substantial quantities of potatoes from Western Australia. The fact that there have been potatoes on the table at all in the last few weeks has been largely due to the action taken by the Potato Board to bring Western Australian potatoes here, and also to the assistance we have received from Western Australia. A shipment of Western Australian potatoes, comprising 1,200 tons, is now on the water and will be available possibly towards the end of the week. It is considered that that quantity will tide us over any shortage until local crops are available.

#### WINE INDUSTRY STRIKE.

Mr. MACGILLIVRAY—Has the Premier seen the statement in today's *Advertiser* regarding the conclusion of the unfortunate and

illegal strike which has obstructed the wine industry over the last few weeks? The following appears in the press article:—

The secretary of the Trades and Labor Council (Mr. A. J. Shard) said yesterday that the Winemakers Association and the Wine and Spirit Merchants' Association had advised the council's disputes committee that the men would be received back without victimization and that their continuity of service would not be broken owing to the strike.

Then there is a further statement made on behalf of the Liquor Trades Employees Union by the secretary (Mr. C. O'Connor). The article states:—

After a meeting of the State executive of the L.T.E.U. last night Mr. O'Connor said that a barman had been fined and severely reprimanded for having served S.A.-produced whisky in defiance of the union ban on the sale of S.A. wines and spirits during the strike. Mr. O'Connor added that other barmen would be dealt with by the executive for breaches of the ban.

Is not the Premier of opinion that the spirit of forgiveness and co-operation is more in keeping with the "Call" that was made recently to the people of Australia to forgive and co-operate with the other fellow, rather than the vindictive spirit shown by the union involved in this dispute in its policy of uncompromising reprimand? Will he draw the attention of the union to the "Call," and ask that it emulate the policy of the employers and get a spirit of harmony and co-operation in the industry?

The Hon. T. PLAYFORD—I agree with the honourable member that when an industrial dispute is over it is desirable that all the matters of the dispute which have been amicably settled should be remembered and the causes of dispute forgotten. In any industry it is essential that the employer and employee work harmoniously together; and one of the important things about any industrial dispute is that when it is over there should be re-established a basis of goodwill.

Mr. Davis—After they have paid their fines.

The Hon. T. PLAYFORD—In my opinion any fine levied of the nature suggested in the paragraph this morning would come under exactly the same conditions as the levy mentioned last week. I do not think there is any legal power to collect the fines if the persons concerned ask the protection of the court against paying it.

#### MINING AT WALLAROO.

Mr. McALEES—A mining syndicate in the Wallaroo district has applied to the Mines Department for a lease, but up to the present

has had no satisfaction from the department. Last week, in compliance with a request by the secretary of the syndicate, I took the matter up with the Premier. Has he any information on the matter?

The Hon. T. PLAYFORD—No. Under the Mining Act certain powers are vested in the Director of Mines and certain powers in the Minister. In this particular instance the area involved is an area reserved from the Mining Act for some period because of exploration work undertaken by the Zinc Corporation and by the Government. The question of a lease will be considered, but before it can be considered a duly registered company or some person requiring the lease will have to be nominated and submit a case in the normal way. If the honourable member will give me the information along those lines I will bring it to the notice of the Minister of Mines.

#### SECONDARY INDUSTRIES AT CLARE.

Mr. QUIRKE—Yesterday a question was asked in which reference was made to poor water main pressures in the metropolitan area. The Clare water supply has sufficient pressure to turn garden sprinklers into jumping jacks, to burst piping and hoses and on occasions to give displays of hydraulic power which can be most spectacular. All these effects have been overcome by experience of how to handle the pressure. The people of Clare are very pleased with their water supply and, not being greedy, are willing to share it. As a gesture towards decentralization will the Minister of Works suggest to disgruntled city dwellers that there is plenty of room for them around Clare, as, now that water is plentiful and electric power available, the Clare district would welcome branches of secondary industry which could operate there under possibly the best conditions in South Australia?

The Hon. M. McINTOSH—Yesterday I promised that I would investigate the problem in a particular area, but another solution has been put forward and I have always believed it is far better to bring the people to the water than the water to the people. Therefore I suggest there is room for further production in the area without the great expense involved in laying a new main. The matter will be considered, particularly from the point of view of decentralization, with which I entirely agree.

#### ROAD ACCIDENTS.

Mr. FLETCHER—All members must be perturbed by the serious road accidents occurring at present, especially those which occurred

yesterday. Can the Premier say whether consideration will be given to the establishment of a board of inquiry to investigate these accidents in the same way as the Air Board thoroughly inquires into air accidents? I understand that at present most of the inquiries into road accidents are made by insurance companies and it has been suggested to me—and I think there is some merit in the suggestion—that a board of five or seven representing the Government, the Royal Automobile Association and other interested bodies should thoroughly inquire into these accidents to see whether they are the fault of the driver of a vehicle, the condition of the road or any other factor.

The Hon. T. PLAYFORD—It is not correct to assume that at present accidents are not investigated, as all accidents must be reported immediately to the police in accordance with the Road Traffic Act. On receiving a report a police officer immediately investigates the accident and as far as possible determines its cause. If it is serious it may, under certain conditions, be the subject of an inquiry by the Coroner. In addition, all accidents are tabulated and the annual report of the Police Commissioner contains information as to the place and time of accidents and the conditions under which they occur. The intersections where accidents occur or any other place where there have been a number are noted down to see whether it is possible to make those spots safer or control them in a better way. I do not know that there is any type of warning device which was not present at the railway crossing where a serious accident occurred yesterday. Moreover there is a clear field on either side of the approaches and one would think it was almost incomprehensible that such an accident could happen. We must remember that the modern vehicle will travel safely at high speeds, but the fact remains that it cannot be stopped quickly when travelling at speed to meet an emergency. Accidents frequently occur, not through any fault of the road or equipment, but because of excessive speed.

Mr. STEPHENS—Will the Premier ascertain the number of prosecutions during the last 12 months for exceeding the speed limit for heavy vehicles?

The Hon. T. PLAYFORD—I will get the figures for the honourable member and let him have them in due course.

#### TREATMENT OF POLIOMYELITIS PATIENTS.

Mr. QUIRKE—I understand an investigation is being made by two senior officer of the

Criminal Investigation Branch of the Police Force into the treatment of poliomyelitis patients at the Northfield hospital. I have no complaints against those officers, who are courteous and highly-skilled, but the fact that the Criminal Investigation Branch has been called into this matter has created an unfortunate impression. Can the Premier say why the investigation was placed in the hands of the C.I.B.?

The Hon. T. PLAYFORD—The honourable member asked that statements be obtained from the persons mentioned by him and the Government has only a limited number of really competent officers who can take such statements and ensure that the full facts are recorded. I have no doubt that the officers concerned are extremely competent, reliable and courteous. I have seen the statements that have been secured and they are now being investigated so that we shall have the information the honourable member desires. I assure him there was no particular significance in the selection of these officers to undertake the investigation.

LEAVE OF ABSENCE: Mr. McKENZIE.

Mr. TAPPING moved—

That leave of absence for the remainder of the session be granted to the honourable member for Murray (Mr. McKenzie) on account of illness.

Motion carried.

#### LOCAL GOVERNMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 20. Page 1358.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—In moving the second reading yesterday the Minister said that nearly all the amendments arise from suggestions from local government organizations and have been recommended by the Local Government Advisory Committee. That indicates that most of them at any rate have the approval of those who are responsible for administering local government in South Australia under legislation passed by Parliament. I have a great respect for members of local bodies working in an honorary capacity because they give competent service to the community and give up a substantial amount of their leisure and even business time to do so. Perhaps my consideration of the Bill has been tempered somewhat by the recognition of this fact, so if I happen to overlook any niggers in the many woodpiles created

by the Bill I trust I shall be forgiven. Generally speaking, this seems a Bill that might pass without any serious amendment. I believe other topics associated with local government might have been included, but apparently the powers that be are not satisfied that the time is ripe for their consideration. Clause 2 places district councils on the same basis as municipal corporations by removing the limit of 10 on the number of councillors which may be elected. I understand that the request for the removal of this limitation came from Loxton where, as a result of the recent development of an extensive soldier settlement scheme, the district has grown enormously in stature. It is felt by the council that additional representation should be given to the area, but not at the expense of other portions of the Loxton council district. The provision should have been inserted in the Act many years ago. I cannot understand why the original limitation was placed on district councils and not on municipal corporations, unless it was because in those days people visualized what would happen in this State and that the population would move from district council to municipal areas. The council areas which are fortunate in being able to develop under the present policy of the Government should be given the opportunity to increase the size and importance of their councils. This matter will be implemented by proclamation, approved by Executive Council, and the regulations will be subject to disallowance by Parliament.

The next amendment allows a councillor resigning to contest an aldermanic vacancy or the mayoralty to continue in office until after the election. I agree with this amendment because it provides for continuity of service with the council. Clause 4 provides that where a councillor and another ratepayer, who are in partnership, appeal against a rating the appeal shall be made to a local court, thus avoiding any possibility of undue influence or anything unfair resulting from the consideration of the matter by the council. This is a desirable amendment. Clause 7 deals with the matter of minimum rating. At present district councils can assess blocks of land with little or no value at a minimum of 2s. 6d. It is proposed to increase the amount to 5s., which will more nearly meet the cost of assessment, notice, etc. The limit for corporations is 10s. and when we altered the basis of assessment I do not know why the district council limitation was not raised to that amount.

Clause 8 deals with the most important amendment. It provides for an increased amount of rating. We agree with the Minister that because of certain factors the cost of the ordinary services of local government have considerably increased in recent years. If councils are to function efficiently and successfully, and to remain solvent, they should be permitted to collect sufficient rates. For municipal corporations which rate on annual values the limit is to be increased from 4s. to 5s. in the pound, and for district councils the increase is from 3s. to 4s. in the pound. I cannot understand why there should be this different maximum, because the basis of rating is the same and the service is substantially the same. No doubt in days gone by great minds determined the maximum in each case, and there may be a valid reason for it, but at the earliest opportunity we should consider whether the differentiation is necessary. Some councils assess on an unimproved land values, but in this instance there is no differentiation between district and municipal councils. The present maximum general rate which can be applied is 1s. 4d. in the pound. If there is no differentiation here, why should there be one in connection with councils which assess on the basis of annual values? It is proposed to increase the minimum rate from 1s. 4d. to 1s. 8d. in the pound. This is a substantial increase, but I am assured by people associated with local government where the system operates that the increase proposed will be not more than is adequate to meet commitments. The Act permits those councils which rate on unimproved values to levy rates for services such as hospitals to the extent of 4d. in the pound, which is not disturbed by the present Bill. If it is passed the total rate which can be levied in these instances will be 2s. in the pound.

Mr. Christian—Does the unimproved values system apply to municipal or district councils?

Mr. O'HALLORAN—As I understand it, it applies to both. The limits prescribed in the Bill are not mandatory, and I believe that any council which imposes a rate more than adequate to meet its just commitments will not last very long.

Mr. Whittle—And the councillors know that, too.

Mr. O'HALLORAN—Yes, and therefore will not use the power to impose higher rates than are justified by the circumstances. The position is left entirely in the hands of ratepayers. I do not know why there should be any limit at

all, but apparently it is considered it should be included in the Act and it is proposed to leave the power there with the modifications specified in the Bill. The revenue of a council is determined by two factors—the rate in the pound and the assessment. I have found all kinds of anomalies in this respect in South Australia. One council will have a high assessment and a low rate and another a low assessment and a high rate. That applies particularly where the rental values system is adopted. Where the unimproved values system is in operation there is always the overriding consideration that if the local authority assesses much higher than the State Land Tax Department the landholder may appeal and have the court order that the land tax assessment should be adopted for his property. That happened at Peterborough a few years ago. In one fell swoop the council, which had been getting along very nicely for a number of years on a local assessment, lost 20 per cent of its rating value because a large landholder appealed against his assessment and the court directed that the council so far as his property was concerned should use the State land tax assessment. That principle having been applied, it automatically had to apply to all other assessments in the town. In the near future we should consider some uniformity on local government assessments generally. Possibly something will be done in Committee in this regard. In all questions where assessment is involved there should be some uniform authority, and the House should consider legislation which was sponsored by this side of the House not many years ago for setting up a proper authority to determine assessments on this basis.

Clause 9 gives the council power to expend revenue on a visit of His Majesty the King or members of the Royal Family, and towards organizations in the district having as their object the development of any part of the State in which the area of the council is situated. I see no objection to that. Under clause 10 a council may provide a subsidy to a dentist to encourage him to operate in the district. According to the Minister's second reading speech, the justification for that was that councils now have power to subsidize a medical practitioner. I take it that the provision will apply mainly to country councils, particularly those in sparsely populated regions. I suppose the view is taken that if it is right to subsidize a doctor it is right to subsidize a dentist. Although I shall not oppose

this provision, I think it is fraught with some danger. A responsibility will be imposed on councils, which will have to be very careful in discharging it. The demand for the services of a dentist is somewhat different from that for a doctor. In many instances the readily available services of a doctor can save a life, but although toothache may be most uncomfortable and distracting I have not heard of anyone dying from it. In many sparsely populated areas in which numerous small towns are situated there is generally one town more important than the others because it is the centre of the area. A reasonably adequate service is now provided by visiting dentists either from other towns or from the metropolitan area, who make periodical and fairly frequent visits to those places. If a council is induced by the people in the most important town in the area to subsidize a dentist in that town visits by dentists to other towns in the area may be discontinued because the demand will not be great enough to warrant their calling. Councils should make it a condition of a subsidy that the subsidized dentist should visit all the towns in the area at certain prescribed periods. I am not opposing the clause, but issue a note of warning that councils must be careful in their administration of it, and if they decide to subsidize a dentist for a particular town they should have a good look at the possible effect on the other towns in the area, and indeed on towns in adjacent local governing areas, because it might be wise for two or more council areas to co-operate in providing the service and ensure that it will be rendered to all the people in their respective areas to the greatest extent possible.

Clause 11 simplifies and clarifies the procedure for councils to recover a moiety for making streets and footpaths. It also increases from 5s. to 7s. a running foot the amount chargeable for the making of roads, and from 1s. to 1s. 6d. a running foot for the making of footpaths. It is also laid down that where temporary roads are laid down the moiety shall not necessarily be collected until a more permanent road or footpath is provided. This provision is intended to apply mainly to newly developed areas and I see no serious danger in it. It is apparently safeguarded by the proviso that a council cannot collect twice from the same landholder. Here again difficulties could arise, because we sometimes find in newly developed areas, especially in those a little distant from the centre of administration, that it is a long time before a temporary road is

replaced by a more permanent road. About 25 years ago temporary roads were laid down in a certain town and not much has been done to them since. A council may have collected from a landowner payments on the temporary road that owner may since have sold the property and left the district, and when a more permanent road is laid the council may collect a further moiety from the new owner. However, I see no reason to oppose the clause.

Clause 14 relates to the rather important question of gates which may, with the consent of the council, be erected across unused or little used roads in country districts. Undoubtedly the erection of these gates is of great convenience to landholders, but in some cases it is carried a little too far. A council may insist that a ramp and gate be provided, although it may be content to permit a wire gate to be erected. In any event, the proposal in the clause clarifies the position and gives a council the alternative power to provide for a ramp and wire gate or a 12ft. wire gate and a wider gate for machines. However, it gives it the power to say what type of provision shall be made rather than leave it to the decision of the landowner, which is the present position. Section 416 of the Act provides that a council, for the purpose of taking soil or any other materials to carry out any work or undertaking, may enter any land not being, in the case of a municipality, 400yds. or, in the case of a council, 5 miles from the work or undertaking on which the materials are to be used. It is proposed that that limitation shall be removed, and I entirely agree with that action, particularly with regard to roads in country areas. No doubt the five-mile limit was provided in the horse-and-buggy days when the road-making was done the hard way with square or round mouthed shovels and drays were used to cart the materials, but today modern tip-trucks can easily carry suitable road-making materials for a distance much greater than five miles. More consideration should be given to this aspect of road-making by the Highways Department and district councils than in the past.

The Hon. M. McIntosh—The department has a laboratory where the qualities of various road-making materials are tested and district councils are encouraged to take full advantage of that service.

Mr. O'HALLORAN—I am pleased to know that. Country members are familiar with certain gravel and rubble pits—particularly the latter—from which an excellent type of road-

making material can be obtained while in the same area there are pits being used from which a much inferior type of material is obtained. From the standpoint of durability of roads and expense of upkeep and maintenance it would be better to cart the better type of material any distance up to 20 miles rather than use the inferior material which is obtainable comparatively near the job. Clause 16 clarifies the borrowing powers of local government authorities and requires no further comment. Clause 17 repeals section 623 of the Act and makes some modifications in the law regarding the burning of rubbish which I think are desirable and necessary. Clause 18 extends the council's power of recovery of the cost of removal of any vehicle left in a public place to include the cost of removal, custody, and maintenance of the vehicle. If it is proper that the council shall have the right to recover the cost of the removal of a vehicle which a member of the public has forgotten, it is right that it should be able to recover full costs of maintenance. Having seen some of the vehicles left on the roadside I wonder what kind of bargain the councils will strike in many instances, as some of those vehicles are apparently being removed by instalment by some persons who happen to see various parts which may fit their vehicles. Clause 20 provides that the by-law-making powers in respect of the control of premises used for the sale of raw or green hides and certain other matters shall apply both to municipalities and to townships within district council districts, and I see no reason why it should be opposed. Clause 21 provides that a municipal council may make by-laws regulating the hours during which ladders, scaffolding, and other similar appliances may be used upon footways. This is eminently desirable for the protection of the unfortunate pedestrian and I heartily approve of it.

Clause 23 contains an important provision relating to by-laws. As I understand it the present position is that Parliament, at the instance of the Government, has adopted a substantial volume of model by-laws for the guidance of local government authorities in making their own rules and regulations relating to the subjects vested in their control but not specifically mentioned in the Act. At present the procedure is that the council has to adopt the by-law and forward it to Executive Council for its approval and subsequent gazettal. Clause 23 is designed to short circuit that procedure by providing that such approval may be

dispensed with provided the Crown Solicitor certifies that it is in accordance with the provisions of the Act. At first glance, it appeared to me that this might be a means of by-passing Parliament and circumventing the very valuable work of the Joint Committee on Subordinate Legislation which investigates these matters with a view to advising Parliament, but I find that these model by-laws, which are the only by-laws which can be dealt with in this way, have already been approved by Parliament. Indeed, most of them are many years old; therefore if a council which has not adopted them either in whole or in part desires to do so it may do so in accordance with the more simple formula provided in the Bill. The provisions relating to by-laws made by a council and not included in the schedule of model by-laws still remain. They will be subject to tabling in Parliament and investigation by the Subordinate Legislation Committee and also subject to possible disallowance by Parliament in the usual way, therefore I do not oppose clause 23.

Clause 24 provides that it shall be an offence in connection with a local government election to publish an electoral advertisement or issue an electoral notice unless it bears the name and address of the person authorizing it. The present law provides that this type of published matter must be signed in the case of State and Federal elections, and I see no reason why such matter issued in connection with municipal elections should not be subject to the same provision. I do not know whether there is any substantial urge for the provision, as in my district there is generally little or no contention as to who is to be elected to the council. In fact, it is very often a case of arranging a deputation to ask somebody to stand, but there may be occasions when the provision is necessary particularly in the more thickly-populated areas, and therefore I offer no objection to it. Recently, some local bodies have apparently gone a little too far in matters of this kind and have usurped to themselves the right to prevent free speech in their areas. Whilst I say printed articles should be signed by the persons responsible for them, I also say that if the local government bodies do not use their powers a little more wisely we may have to do something about depriving them of the right to refuse their citizens their right as British people to exercise the right of free speech in their own borough. The Bill provides for certain necessary amendments to the Local Government Act which will facilitate the work-

ing of his particular branch of government. I support the second reading.

Mr. DAVIS (Port Pirie)—I, too, support the second reading. I am mostly concerned about the rating powers provided by the Bill, and I have no serious objection to any other clause. I am pleased the Government has realized the difficulties facing councils at present. I speak on behalf of one of the largest country local government bodies in South Australia, which is working under great difficulties.

The Hon. M. McIntosh—The Bill proposes an increase in the maximum amounts provided for rating.

Mr. DAVIS—Yes, but I am disappointed with the increase, because I feel sure the revenue received under the new rates will not be sufficient. In his second reading speech the Minister stated that sufficient money would be received to cover expenses. No increase in rates was made by my council for about 30 years until two years ago, when the Government granted an increase of 4d. in the pound. Unfortunately, because of heavy increases in the basic wage, the increased returns from that increase in rates was swallowed up. Today, materials cost 300 per cent more than in 1923 when the rate of 1s. in the pound was fixed. At present, with the rating of 1s. 4d., the revenue received by the Port Pirie council is only £18,000, whereas it has a wages bill of £30,000. I sincerely hope the Government will consider an increase in the rating powers of councils faced with this difficulty. I suggest that the rating be increased to 2s. in the pound instead of to 1s. 8d. The additional money accruing to the Port Pirie council would be about £4,500 per annum. We know there will be further increases in the basic wage in the near future, but even at present my council has only £6,000 a year to meet all other expenses after paying the wages bill. I therefore sincerely hope that the Government will further consider a higher rating. It should give greater assistance to councils if it expects people to accept the responsibilities of local government. Many men who are giving their services today will not be prepared to carry on unless councils receive greater revenue. Many country councils cannot carry out all the works required in their districts, and the wet winter aggravated their difficulties by ruining roads. It costs more to put down or maintain a road in the country than in the city. The Port Pirie council is in a particularly unfortunate position because it has to lay much heavier foundations for roads than in any other part of the State. I hope the

Government will adopt my suggestion to increase the rating from 1s. 8d. to 2s. in the pound, as this would give country councils some relief from their financial difficulties. I support the Bill.

Bill read a second time.

The Hon. S. W. JEFFRIES (Torrens) moved—

That it be an instruction to the Committee that it has power to consider an amendment authorizing local governing bodies to pass by-laws prohibiting the consumption of any liquor within the meaning of the Licensing Act, 1932-1949, on any footpath within a distance of 300 yards of any premises licensed under the Licensing Act, 1932-1949.

Motion carried.

Mr. WHITTLE (Prospect) moved—

That it be an instruction to the Committee that it has power to consider an amendment to enable municipal councils to adopt waterworks assessments.

Motion carried.

Mr. FLETCHER (Mount Gambier) moved—

That it be an instruction to the Committee that it has power to consider amendments to section 27 of the Local Government Act giving the Governor power to increase or decrease the area of any local government body, provided that the council from which any such area is to be taken and the council to which it is to be added shall both have previously approved such alteration as it affects them.

Motion carried.

In Committee.

Clauses 1 to 8 passed.

Clause 9—"Expenditure by councils."

Mr. TAPPING—I do not oppose this clause, which authorizes expenditure for public entertainment in connection with the visit next year by the Royal family, but I am perturbed about the added expenditure that has been thrust upon councils in recent years and their inability to meet increasing costs from revenue. A limit should be placed on the amount that can be expended by councils under this clause because some of them, zealous and inspired by a desire to show themselves patriotic, may spend too much of the ratepayers' money and thereby cause further financial embarrassment. Many ratepayers are complaining that, although they are paying increased rates, they are getting little in return. This has been caused by the shortage of manpower and the meagre financial resources of councils. Members should safeguard the interests of ratepayers and I hope the Minister will consider fixing a limit on the amount councils may spend in connection with the visit of the Royal Family.

Clause 9 contains wide provisions. Under it a council could assist local progress associations. An over-zealous council could vote council money to certain organizations, when it should not be done. I would like an explanation from the Minister of this matter.

The Hon. M. McINTOSH (Minister of Local Government)—Paragraph (j2) relates to the visit of members of the Royal Family. This occurs so rarely that I do not think the finances of any council would be impoverished by entertaining them. All the complaints we have had about the proposed visit of Princess Elizabeth and the Duke of Edinburgh are that they are not to go to many council areas. The money spent in this direction will be infinitesimal. It was with some diffidence that the Government agreed to the provision in paragraph (j3) because there may be high pressure for money to be made available to, say, local progress associations. The provision was inserted because of payments already made to the River Murray Development League. Mr. Macgillivray knows that it has been done in Victoria and New South Wales, and that some councils in South Australia have already done it; therefore, this is more in ratification of what has been done rather than an indication of what should be done. I think it is an entirely wrong practice because the council itself should act as a progress association. It should not make subsidies to organizations and tell them how to do their work. If councils shirk their responsibilities and listen too much to requests for money from organizations, it will have to be considered when Government grants to councils are under review. I think councils can be entrusted in the main to do the right thing.

Mr. MACGILLIVRAY—I commend the Government for including the provision in paragraph (j3). The Minister has pointed out that some councils have already done what is provided for in the paragraph. The Minister says that the council should be the progress association in a district. It is that already, because it always takes a leading part in local activities. Payments have been made to the River Murray Development League. It started off at the rate of 1d. per head of population; I believe it is now 2d. It is not a heavy burden on the resources of a council and members can be assured that councils will fully consider their responsibilities when spending ratepayers' money, and will not do what Mr. Tapping suggested could be done. In

these matters it is essential for everybody to work together and not individually.

Mr. MICHAEL—Because of difficulties which arose in connection with payments to the River Murray Development League I am glad that paragraph (j3) has been inserted. We live in an age where in order to get anywhere we must work with other people for the same end. After travelling in the Murray Valley I have realized the great possibilities of development there, and the development can be achieved only by everybody working together in a common interest. There can be no harm in councils having the power to contribute to the organizations mentioned. In any case, it is a good provision to have in the Act and councils should be able to decide whether or not contributions should be made to organizations.

Mr. FLETCHER—I support the clause and commend the Government for introducing it. It shows the confidence the Government has in councils. The more councils can be entrusted to carry out local affairs the better it will be for the State. There may be times when the provisions in the clause will be found to be most useful. It may result in something really worthwhile being adopted.

Mr. WHITTLE—I was impressed by Mr. Tapping's remarks about what could be done under section 287. The clause permits money to be spent by councils for developmental work and as contributions to certain organizations. Reference was made to progressive associations. Mr. O'Halloran said that it was up to councils to do the right thing. The clause was drafted to permit councils in the River Murray area to subscribe to the River Murray Development League. I trust the Committee will agree to the clause without amendment.

Clause passed.

Clauses 10 to 15 passed.

Clause 16—"Borrowing for reproductive purposes."

Mr. MACGILLIVRAY—I congratulate the Minister on having included this clause in the Bill. There has been much confusion of thought among local authorities and banking institutions as to the administration of sections 424 and 435 of the Act. Councils have been caused much worry because of the two interpretations, but this clause will clarify the position.

Clause passed.

Clauses 17 to 19 passed.

Clause 20—"Public health."

Mr. HUTCHENS—I should like the Minister to explain the reference to the sale of raw or green hides or skins. Local boards of health consider that under the present provision they are unable to secure a prosecution for the non-observance of some of the board's regulations. Some skins and hides which are partly cured and partly dried are actually more offensive than green skins and hides.

The Hon. M. McINTOSH—I cannot explain the position because I am not an authority on this subject. Whether a hide was raw or green would be a matter of fact and no statement I made would be of guidance to the court, because it would hold to the provision of the Act. All the clause says is that the by-law-making powers shall apply to both municipal and district councils.

Mr. TAPPING—Under this clause a person within a municipality or township will be prevented from keeping animals or birds of any kind which are a nuisance or injurious to health. I think it is wrong in practice to give a council power to do something which is impracticable. It would be very difficult to police. Under this clause a barking dog, a screaming parrot, or a crowing rooster could be a nuisance, but they cannot be controlled. How could anyone subdue the greatest nuisance of all—the cat?

The Hon. M. McINTOSH—This clause does not alter the law in relation to municipalities, but applies the same by-law-making powers to district councils.

Clause passed.

Clauses 21 to 23 passed.

Clause 24—"Publishing unauthorized electoral advertisements."

Mr. TAPPING—Most streamers and other propaganda for elections contain the name of the person authorizing it, but no address. I consider it is wrong to insist that the address should be placed on the advertisement. Having the name only would serve the purpose.

The Hon. M. McINTOSH—The name appearing may be the same name as that of a hundred other persons and without the address the name would be worthless. It may be "John Jones" and no-one would know the actual person sponsoring the advertisement.

Mr. WHITTLE—This power was sought by one of the largest municipal councils as a result of an advertisement published several years ago purporting to support a candidate for council office. It was not authorized by the

candidate himself and he took exception to it. The name and address of the person authorizing an advertisement has to be given in State and Federal elections. I am pleased to see the provision included in the Bill.

Clause passed.

New clause 1a—"Petition for severance."

Mr. FLETCHER—I move to insert the following new clause—

1a. Section 27 of the principal Act is amended by striking out the words "or shall be annexed to another area" in the second and third lines thereof.

This clause must be read in conjunction with my proposed new clause 1b. The amendment is a result of representations by members of the Mount Gambier Council and provides that where councils and corporations agree a corporation or district council area may be enlarged without consulting the ratepayers, who may, if they object to such arrangements, petition the Minister.

The Hon. M. McINTOSH—I raise no objection to the new clause, which has been framed in pursuance of negotiations between the honourable member and the members for the Southern District in another place who have also been in touch with me on the matter. The area concerned is growing and in some cases it is rather difficult to say where a town begins and where a district ends. Ratepayers will be given the right to petition the Minister in cases where they disagree with any action by council or corporation, and their rights are thus adequately protected. I commend the amendment.

Mr. O'HALLORAN—At first glance I was inclined to think that the amendment would interfere with the rights of ratepayers, but after perusing it I see their right to have some say regarding the proposed alteration is preserved, and I offer no objection to it.

New clause inserted.

New clause 1b—"Petition for severance and annexation."

Mr. FLETCHER—I move to insert the following new clause—

1b. The following section is enacted and inserted in the principal Act after section 27 thereof:—

27a. (1) Every petition to sever a portion of an area and to annex that portion to another area shall either be signed by persons who are a majority of the ratepayers of that portion and are owners in occupation of more than one-half in value of the ratable property within that portion or shall be under the common seals of the council of the area from which

the portion is proposed to be severed and the council of the area to which the portion is proposed to be annexed.

(2) Before any such petition is presented by any such councils, the council for the area from which it is proposed to sever a portion thereof shall give notice in writing to each owner or occupier of ratable property within that portion. The notice shall state what is proposed in the petition of the council and shall inform the person to whom it is given that any persons concerned may, within six weeks of the presentation of the petition, present to the Minister a counter-petition as provided by this Act.

New clause inserted.

New clause 3a—"Supply of waterworks assessment."

Mr. WHITTLE—I move to insert the following new clause:—

3a. The following section is enacted and inserted in the principal Act after section 173 thereof:—

173a. (1) The Minister of Works may, upon request of any council, supply to the council a copy of the assessment for the time being in force under the Waterworks Act, 1932-1936 (which assessment is in this Act referred to as "the waterworks assessment") so far as that assessment relates to land within the area of the council.

(2) The council shall pay to the Minister of Works such appropriate charge for the copy aforesaid as the Minister of Works from time to time determines.

(3) The council, instead of causing an assessment to be made as provided by this division, may, in respect of any financial year, adopt the waterworks assessment for the time being in force and the assessment so adopted shall be the assessment of the council.

(4) If the waterworks assessment is adopted by the council and—

(a) any land within the area is not included in the waterworks assessment; or

(b) any land within the area is included in the waterworks assessment in one assessment with other land not situate within the area; or

(c) any land included in the waterworks assessment as an entirety is divided or is subsequently divided between two or more owners,

the council may cause to be made a fresh assessment or fresh assessment thereof which shall, so far as practicable, be founded upon the waterworks assessment.

For a considerable time there has been a feeling amongst suburban municipalities that there should be more uniformity in assessments. A committee was appointed to go into the matter and it was found that the inconsistencies were due to valuations by different valuers. After several conferences it was decided to request the Government to make available to councils the waterworks assess-

ments, which would obviously give consistent valuations. Under the new clause it will not be incumbent on councils to use waterworks assessment; if they so desire they may continue with a separate assessment. The land tax assessment is available to any council rating on unimproved land values, and this amendment will bring the councils rating on annual values into line with those rating on land values as regards the adoption of a uniform assessment.

The Hon. M. McINTOSH—I have had an opportunity to discuss this matter with the member for Prospect, and I commend his amendment to members. If councils wish to adopt the waterworks assessment it will bring about uniformity, because from time to time there has been a disparity between different valuations. In cases of appeal the appellant will always use the lower assessment to substantiate his case. Under the new clause it will be optional for a council to adopt the waterworks assessment.

Mr. O'HALLORAN—In my second reading speech I referred to the necessity for uniformity of assessment. The proposed new clause is a step in the right direction and I support it.

New clause inserted.

New clause 19a.

The Hon. S. W. JEFFRIES—I move to insert the following new clause—

19a. Section 667 of the principal Act is amended by inserting after paragraph (27) thereof the following paragraph:—

(27a) For prohibiting the consumption of any liquor (within the meaning of the Licensing Act, 1932-1949), on any footpath within a distance of 300 yards of any premises licensed under the Licensing Act, 1932-1949.

Section 667 gives councils power to make by-laws. The proposed new paragraph has been requested by some metropolitan corporations. They gave instructions to their solicitors to prepare a by-law for the purpose of prohibiting the consumption of liquor on footpaths, but found they did not have the necessary power. The distance of 300yds. is identical with that stipulated for the consumption of liquor near dance halls. My amendment merely gives councils further powers to control conduct on streets in their districts. We should have sufficient confidence in the wisdom of local government bodies to believe that they will exercise their powers judiciously.

The Hon. M. McINTOSH—The amendment seems reasonable and I think it is desirable

and practicable. It will still enable a man to take a glass of beer to his wife sitting in a motor car outside the premises. In many localities people have obtained liquor from a hotel and drunk it on the street. This hinders pedestrians.

Mr. Lawn—You should provide better hotel facilities.

The Hon. M. McINTOSH—The amendment might force hotel keepers to do that. Footpaths were not designed to enable people to stand around and consume liquor. If councils exercise this new power they will have to make a by-law which will come before the House for confirmation or rejection. It is only aimed at giving pedestrians the right-of-way and that is fair enough.

Mr. O'HALLORAN—I oppose the amendment. The responsibility should not be thrust on local government authorities, but should be accepted by the Government. If passed the new clause will be the cause of much local contention. I have not seen any extensive drinking on footpaths, and it is no more wrong to drink liquor on the footpath than on the street or road. Drinking is adequately controlled by the Licensing Act and if it is necessary to restrict drinking even further the Licensing Act should be amended.

The Hon. S. W. Jeffries—Councils have asked for this amendment.

Mr. O'HALLORAN—Perhaps some have, but I challenge the honourable member to state that it has been supported by any responsible conference of local government bodies in South Australia. Has it been recommended by the Local Government Advisory Committee?

The Hon. M. McIntosh—It has not been before it.

Mr. O'HALLORAN—If councils have this new power one section of the community will press for a by-law to restrict drinking outside a hotel and another will oppose it. Local government elections will be determined on this issue, and they should not be. At any rate, the distance of 300yds. should be reduced.

Mr. WHITTLE—Councils already have the power to prohibit the consumption of liquor in parks, reserves, and other property under their control. It is unlawful for anyone to consume liquor in any of the city of Adelaide's parklands, and there is little difference between drinking on a footpath outside a hotel and in the park lands. The amendment merely gives councils a little more power, and is quite reasonable. We often see a man taking a drink to his wife in a car.

Mr. Lawn—What is the difference between drinking on the footpath and drinking on the roadway?

Mr. WHITTLE—If drinking on the roadway were prohibited it would prevent a man taking a glass of ale to his wife comfortably seated in a car. Further, she might have to put up with the inconvenience of an overcrowded hotel.

Mr. LAWN—I understand the reason for the proposal is to keep the footpaths clear for pedestrians. That sounds reasonable, but there is already power for the police to keep them clear by asking people to move on. Licensing conditions should be fixed by Parliament and we should have uniform licensing laws throughout the State. I can visualize a candidate at a council election telling the ratepayers in his ward that if elected he will move to repeal a by-law prohibiting the consumption of liquor on footpaths, or telling them that he will move for a by-law approving it.

Mr. SHANNON—I commend Mr. Jeffries for bringing this matter forward. Some hotels are so well patronized that some customers have to be served on the footpath because of insufficient room inside the hotel. That is an undesirable state of affairs, but whether his proposal is the proper way to deal with the matter I have some doubts. I would give my full support to the proposal if the local government advisory committee supported it. It would be unwise to have a by-law in one council area prohibiting the consumption of liquor on a footpath whilst on the other side of the road in another council area a similar by-law did not apply. As pointed out by the Leader of the Opposition, there are ample laws now to prevent people from deliberately blocking footpaths, but the serving of liquor to customers of an hotel on a footpath should be an offence in any part of the State. Liquor should not be sold except on licensed premises.

Mr. O'Halloran—Is not that the law today?

Mr. SHANNON—If it is, and if properly interpreted nobody should be served with liquor except on hotel premises.

Mr. Frank Walsh—Someone inside the hotel may buy the liquor and pass it out to a friend on the footpath.

Mr. SHANNON—That is an undesirable practice. If the amendment dealt with that matter I would support it, but I think the amendment goes further, and it needs more consideration.

Mr. TAPPING—Last year I was asked by an organization in my district to assist in

suppressing the practice of drinking liquor on the footpath in front of an hotel. After being approached by the Woodville Council, which is determined to stamp out the practice, I made some inquiries and found that at one hotel the hotelkeeper would not provide more accommodation to cater for his customers, and some of them had to drink on the footpath. It would be unwise to penalize people who drink on footpaths because of the lack of accommodation in hotel premises. I think the distance of 300yds. is too severe.

The Hon. S. W. Jeffries—Why not leave the distance to the council?

Mr. TAPPING—The distance is set out in the new clause. Mr. Lawn spoke about uniform licensing conditions. In the Semaphore district no person can consume liquor on a reclaimed area without committing an offence, but that does not apply at other seaside resorts; so people are frequently fined because they do not know the position. A man may have a bottle of beer in his possession without consuming it, yet be guilty of an offence. Unless Mr. Jeffries can give a better reason for a distance of 300yds. I must vote against the proposal.

The Committee divided on the new clause—

Ayes (19).—Messrs. Clarke, Dunn, Dunnage, Fletcher, Goldney, and Heaslip, Hons. C. S. Hincks, S. W. Jeffries (teller), and Sir George Jenkins, Mr. Macgillivray, Hon. M. McIntosh, Messrs. McLachlan, Michael, Moir, Pattinson, and Pearson, Hon. T. Playford, Messrs. Quirke, and Whittle.

Noes (11).—Messrs. Davis, Duncan, Hawker, Hutchens, Lawn, McAlees, O'Halloran (teller), Shannon, Stephens, Tapping, and Frank Walsh.

Majority of 8 for the Ayes.

New clause thus inserted.

Title passed. Bill read a third time and passed.

#### ROAD TRAFFIC ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments and suggested amendments.

#### SUPERANNUATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

## HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 20. Page 1354.)

Mr. QUIRKE (Stanley)—Once again we have before us a measure that places the cart before the horse. Such a vehicle is very unwieldy and difficult to manoeuvre. In the first place this legislation aims at discovering the presence of tuberculosis and providing for the segregation of infected persons from the rest of the community. The disease is always the result of a primary cause, and although the Bill proposes to handle the effect of that cause, it does nothing at all about the cause itself. It is accepted that tuberculosis is with us, but apparently little can be done about it except to counteract the conveyance of infection to persons at present unaffected.

The Hon. S. W. Jeffries—There are cures.

Mr. QUIRKE—That is so. I shall not propound what they are, but the causes are well known. I want to see conditions provided that will prevent tuberculosis. I do not think that can be done by legislation. Not all people contract this disease; many do and resist it. Mass X-ray surveys made in America have proved that at least 20 per cent of the population become infected at some time or other with tuberculosis, resist the attacks, and throw them off. The scars of those attacks are often discernible in an X-ray photograph. A person who throws off an attack is automatically cured by his own resistance from within. I think any attack on tuberculosis must proceed along the line of building up the resistance of the population to it. Whilst removing the active disseminators of it through segregation, we have done little to helping those who are susceptible to tuberculosis to build up sufficient resistance to defeat it. We may have removed the active agent that can affect susceptible people, but that is the only thing we have achieved. Is our population advised through our health authorities how to throw off an attack? I believe that even if every active conveyor of tuberculosis were removed from the community, conditions could be brought about in human beings whereby they could become susceptible to it and, notwithstanding the removal of those active conveyors, they would still contract it, because its source is not only in people who have it in an active condition: it is with us all the time.

The Hon. S. W. Jeffries—The germ may be conveyed in milk.

Mr. QUIRKE—The active germ may be conveyed in many ways. In South Australia this disease killed 167 people in 1948, 144 in 1949, and 132 in 1950—figures which show a marked decrease in its occurrence; but whilst we are taking such an active interest in this disease—and I see no reason why we should not—I point out it is not by any means the most active killer in this State, for in 1949-50 road accidents were responsible for 170 killed and 2,514 injured. Yet no attempt is made to segregate or deprive anybody of his liberty because of such accidents.

Mr. Macgillivray—What is the position with regard to cancer?

Mr. QUIRKE—I have not gone into that matter, but the figure must be high. In the case of tuberculosis the cart is being placed before the horse, for nothing is being done to build up the resistance of people who under certain conditions are susceptible to it. I applaud the efforts of those devoted members of the medical profession who sponsor this type of legislation, but I am asked to vote for compulsory segregation of advanced cases of tuberculosis whilst the causes of the disease are being practically ignored. All forms of life—plant, animal, and human—are being constantly attacked by elements designed to destroy them. Those attacks can be thrown off only if there is sufficient resistance to them, and that resistance is built up mainly through the intake of nourishment.

Mr. Christian—What about resistance by immunization?

Mr. QUIRKE—That is another form of resistance, but I am considering the natural inherent resistance which can not only prevent but cure tuberculosis. Recently I read an interesting English book called *Fertility Farming*. There can be no challenging of its statements, for they are substantiated by official sources. The book tells of a man who purchased a bull of very high value which had to be tested for tuberculosis. It was found to be actively infected and therefore could not be registered, but, through his processes of feeding, within two years that bull was certified free from tuberculosis and put to active work. He did that by a process of nutrition. Tuberculosis is caught as a result of nervous trouble, worry, overwork and, above all, malnutrition. The cure consists of plenty of rest and good nourishment. Australia is blessed with everything that should make life worth while and ensure the good health of the people, yet the nation is greatly afflicted by disease.

Mr. Brookman—How can you explain hereditary disposition to tuberculosis?

Mr. QUIRKE—It can be inherited, but resistance can be built up. I am more convinced than ever that the incidence of disease in Australia is primarily associated with malnutrition, which can be traced to soil conditions. Cereals grown on the soils of poor fertility cannot provide adequate nourishment for the people, many of whom develop a constitutional weakness. Many primary producers in the South-East have hospital paddocks that are not highly developed but grow natural grasses. Those low capacity fields are sufficient to maintain healthy life and when flocks and herds are afflicted by disease they are turned out into the hospital paddocks and recover without further attention. Under the Bill some unfortunates who have contracted the disease through ignorance or neglect, are to be segregated, but we are not propagating the necessary information to enable people to become resistant to the disease. Many consume ample quantities of food but not food of high quality, food which has been produced on land of low fertility. Until people are well nourished we shall not get rid of tuberculosis. Admittedly, some people break down their resistance by abuse, but most sufferers are innocent victims and do not abuse their health in any way: they have been broken down in health through malnutrition. One will always see some dead trees in a virginal forest, but there always seems to be vitality in the forest. That vitality is the result of diversification of nutrition that comes from the diversification of the forest itself.

When we try to transpose that notion into civilized life we immediately come up against a dead-end, particularly in the big cities where people are for ever fighting for survival. The greater the aggregation of people the greater the amount of preservatized and poor food that they consume. For instance, how can fresh milk be supplied to hundreds of thousands of people in a city? The milk is pasteurized and is sometimes kept for a week or more before being sold as fresh milk. Many other foods are preservatized or frozen and little fresh food comes into the cities. The vegetables are usually stale and wilting. Everyone knows that vegetables deteriorate after they are cut. All those factors come into the problem, yet we are asked to deal with the effect and not the cause of disease. I will only vote for a measure to segregate sufferers from tuberculosis when every cow infected with the

disease and supplying milk to the metropolitan area has been excised from the herds. The health of human beings is one matter and the profits made from dairying are another. If every cow suffering from tuberculosis were removed there would be a drought in Adelaide's milk supply.

The Hon. Sir George Jenkins—I think you are entirely wrong.

Mr. QUIRKE—The Minister cannot refute my statement because not every herd is tested.

The Hon. Sir George Jenkins—No, but a great number are. The incidence of tuberculosis among tested herds is very low.

Mr. QUIRKE—I want every herd tested. It is essential that every cow be healthy.

The Hon. Sir George Jenkins—None is infected after the herd has been dealt with.

Mr. QUIRKE—But the Minister has just admitted that they are not all dealt with. Put the milk from one infected cow into a 3,000gall. container and the whole of the milk is infected. If one cow is infected the incidence is in the container bringing the milk to Adelaide. If the 3,000gall. is distributed in Adelaide it is all tubercular infected.

The Hon. Sir George Jenkins—You are saying that the milk from one cow infects all the 3,000gall.

Mr. QUIRKE—No. I said that if milk from one tubercular infected cow is put in 3,000gall. of non-infected milk all the 3,000gall. becomes infected. The Minister is making excuses.

The Hon. Sir George Jenkins—You are making wild statements.

Mr. QUIRKE—No. As a member of the Government the Minister is responsible for the position. If he could assure me that all milk coming to Adelaide had been tested for infection I would vote for the Bill, but he cannot give me that assurance. I have seen some pretty bad milk brought into Adelaide. What I saw on one occasion beggars description. We are not taking elementary steps to prevent milk from being tubercular infected. We should see that no tubercular infected milk comes to the city. It is loosely said that pasteurization of milk is a success, but it is not. What degree of heat is necessary to kill the bacillus of tuberculosis? Pasteurization takes place at a temperature of 160deg., but how long is the temperature sustained at 160deg.? We fool ourselves about pasteurization. The public believe that it provides a protection, but that is not so. There are authorities in South Australia, without going to other parts of the

world, who say that pasteurization is ineffective, and that pasteurized milk loses its value as a milk. We are asked to support the Bill but elementary precautions are not taken to prevent infected milk from coming to Adelaide. Any member of this House can make a milk test. Let him take a bottle of fresh milk and a bottle of pasteurized milk and keep them at a temperature of 70deg., and then watch the natural processes work. He will see the sweet curds forming in the fresh milk but the pasteurized milk, which is rotten from the start, will not curdle. The nearest approach to the rotten smell of pasteurized milk is the smell of a dead snake which has been hanging on a fence for a week.

Mr. Heaslip—Do you think it best not to have pasteurized milk?

Mr. QUIRKE—Yes, if it is possible to get fresh milk, but with the thousands of people in a city it is impossible to supply them with fresh milk every day and that is why we have pasteurized milk. The vital factors found in fresh milk are not to be found in pasteurized milk. This can also be checked with South Australian authorities. Pasteurized milk retains the calcium and other mineral constituents, but it becomes a dead product. There can be an adverse effect following the consumption of pasteurized milk, but I will not go into that.

Mr. Whittle—Do you say that pasteurized milk is unnecessary?

Mr. QUIRKE—No, I said that pasteurization is necessary in a city where there are thousands of people who cannot be supplied with fresh milk every day. Pasteurization is a necessary evil, and people who get pasteurized milk are deluded into believing that they are getting fresh milk.

Mr. Brookman—You say that with pasteurized milk there is no guarantee against its being tubercular infected?

Mr. QUIRKE—My point is that the degree of heat necessary to kill the bacillus of tuberculosis is not sustained.

Mr. Whittle—It will kill all the germs.

Mr. QUIRKE—Not at a temperature of 160deg. There can be spontaneous combustion in a haystack, but even a temperature of 160deg. does not kill all the wogs in the haystack. At that temperature all the germs are not killed when milk is pasteurized.

Mr. Brookman—Most authorities agree that they are killed.

Mr. QUIRKE—If it kills the bacillus of tuberculosis it kills everything else in the milk.

Mr. Heaslip—Then the supplying of pasteurized milk for school children is a waste?

Mr. QUIRKE—No-one will give my children pasteurized milk.

Mr. Macgillivray—You could not rear a calf on pasteurized milk.

Mr. QUIRKE—That is a good test; it cannot be done. Clean skim milk is better than pasteurized milk. The only thing taken out of skim milk is the fats, all the minerals remaining. It is a perfectly good food provided it is fresh and sweet. Because it is proposed to segregate the sufferers of tuberculosis, it is considered that the job has been completed, but we fail to take the primary step to see that no milk coming into the metropolitan area is from other than guaranteed tuberculosis-free herds. If a certificate is granted a herd that it is free from tuberculosis today, will that herd be free from the disease in three months? It need not be. Whereas cattle could be tuberculosis free today, within six months the whole herd might be infected. If we are to handle tuberculosis effectively, we must take the first step I have mentioned.

Mr. Moir—Even if every cow was tuberculosis free and the man who delivered the milk was infected with the disease, what would be the protection to the public?

Mr. QUIRKE—Before you tackle the driver, tackle the milk in the containers, because probably that is where he got it. I am not in disagreement with the segregation of these people, but first I want to know that the other active disseminators of the disease have been taken care of—the non-human forces, the principal one being tuberculosis infected milk. We shall never be sure of tuberculosis free milk until there is a three-monthly test of every herd which supplies milk. Even if one cow in a herd is infected and its milk goes into a container of 3,000 gallons, all the milk will be infected, and that is the reason for my opposition to the Bill.

Mr. WHITTLE (Prospect)—I would not like the debate to finish on that note. Mr. Quirke is opposed to the Bill because he contends that sufficient safeguards have not been taken, particularly in regard to the education of the public. The Bill comes to the House on the recommendation of a special committee appointed to consider the best ways to deal with this scourge. As children, we were always warned about doing certain things because "they would give us consumption." I suppose every honourable member has had

personal contact with the great distress caused by the disease. All Australian Governments have been seized with the necessity to do something drastic to protect the community against the effects of tuberculosis. I am not saying that many of Mr. Quirke's remarks are not true. Undoubtedly the effect of this disease on humans can be largely counteracted by strict attention to hygienic habits and by taking away from the patient the necessity to worry. About 30 years ago I came in contact with a relative who suffered from tuberculosis and was told that the disease had an effect upon the system similar to the formation of a pearl in an oyster. A grain of sand gets into the shell and the oyster protects itself from the irritation by putting around the grain of sand a substance which ultimately becomes the pearl. As the doctor explained to me at the time, the majority of people probably have the tuberculosis germ in their system, but the healthy body is able to protect itself by placing the germ in confinement. The germ may be present for 30 or 40 years and be almost innocuous because the body is perfectly healthy. Helpful advice based on that theory has been expounded to the patients at Bedford Park and Kalyra. Local boards of health have inspectors and nurses who periodically attend to sufferers from this disease and advise them to free themselves from worry and build up their system and then ultimately they will become perfectly well.

We know that many people in their adolescence had traces of tuberculosis, but have been able to build up their physical system by going to a climate which helps to counteract the disease, such as that in Central Australia. However, some people will take no precautions and are careful neither for their own health nor for that of others. This Bill insists that they shall notify the authorities and take every precaution. If they are not prepared to do that they should be compelled to take proper precautions. If the Bill had come to this House as introduced in another place I would have supported those

clauses which have been taken from it and which would have compelled people suffering from the disease to be treated for it. Dr. Cowan, who made the report on which this Bill is based, has had a tremendous amount of experience. The ex-Leader of the Opposition, Mr. Richards, often quoted him as an authority who should be followed, and the Government would be well advised to carry out his recommendations. With all due respect to the member for Stanley, I disagree with his view that there is great danger to the community through the use of pasteurized milk. I do not think his theory is borne out by experience, nor is it supported by many people who have made a lifelong study of that method of food preservation. I support the Bill and sincerely trust it will be another step in the betterment of the health of the community.

Mr. MACGILLIVRAY secured the adjournment of the debate.

#### JOINT COMMITTEE ON SUBORDINATE LEGISLATION.

The Legislative Council intimated that it had agreed to the report of the Standing Orders Committee recommending amendments to Joint Standing Orders Nos. 20 and 23.

#### TRAVELLING STOCK RESERVE: HUNDRED OF BLACK ROCK PLAIN.

The Legislative Council intimated that it had agreed to the resolution.

#### TRAVELLING STOCK RESERVE: HUNDRED OF AYERS.

The Legislative Council intimated that it had agreed to the resolution.

#### HOSPITALS ACT AMENDMENT BILL.

The Legislative Council intimated that it had agreed to the House of Assembly's amendment without amendment.

#### ADJOURNMENT.

At 5.57 p.m. the House adjourned until Thursday, November 22, at 2 p.m.