HOUSE OF ASSEMBLY.

Tuesday, November 11, 1952.

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

LOCAL GOVERNMENT ACT AMENDMENT ACT.

His Excellency the Lieutenant-Governor intimated by message his assent to the Local Government Act Amendment Act (cities).

QUESTIONS.

TEROWIE HIGHER PRIMARY SCHOOL.

Mr. O'HALLORAN—For a considerable time repairs have been urgently needed at the Terowie higher primary school, and in fact some were authorized when the member for Torrens, Mr. Jeffries, was Minister of Education. Tenders have been called on a number of occasions for these repairs, but up to the present, as far as I know, none has been received. I understand there is a gang from the Architect-in-Chief's Department now making certain repairs at the Yongala school and school residence. Will the Minister of Works take up with the Minister of Education and perhaps the Architect-in-Chief the possibility of having at least the more urgent repairs at Terowie effected while the gang is in that area?

The Hon. M. McINTOSH—I shall be happy to do that and bring down a reply, I hope tomorrow.

REPEAL OF POTATO MARKETING ACT.

Mr. SHANNON—I have had posted to me a petition on behalf of the potato growers in areas including Forest Range, Lenswood, Lobethal, Charleston, Mount Torrens, Woodside, Oakbank and Nairne, the main potato growing areas in my part of the hills districts. It is signed by 111 registered growers and states—

The SPEAKER—I do not think the honourable member should introduce the matter in this way by way of question. It seems to me to be more a matter of the presentation of a petition.

Mr. SHANNON—The document does not contain a prayer, therefore I did not think it was eligible for presentation as a petition and I have taken this means of introducing it to the Premier. As the petition shows, my constituents are very upset about the existing state of affairs. The document states:—

We the undersigned registered potato growers in South Australia do hereby respectfully petition you as Premier for this State to take such action as is necessary to bring about the repeal of the Potato Marketing Act, 1948, and to receive a deputation appointed by us in support of such an action.

Is the Premier prepared to meet such a deputation and to consult with his Cabinet on the desirability of taking the action sought?

The Hon. T. PLAYFORD—The Potato Marketing Act sets out the procedure for terminating the work of the board. From memory, potato-growers desiring the repeal of the Act should petition the Minister, as if such a petition, signed by 100 or more potato-growers, is placed before the Minister a vote of all potato-growers must then be taken on the question. Therefore, in my opinion there is no need to ask Parliament to repeal the Act, as I think it can be done by a majority vote of the growers. I will, however, consult with the Minister of Agriculture and check the procedure to see whether my memory is accurate, and advise the honourable member if it is not.

GAWLER RAILWAY STATION.

Mr. JOHN CLARK—Has the Minister of Railways a reply to the question I asked last Thursday regarding the repair of the roof of the Gawler railway station?

The Hon. M. McINTOSH—As I promised the honourable member, I took this matter up with the Railways Commissioner and am glad to be able to say that some little time ago the Commissioner approved of repairs to the existing structure. It is hoped that that work will proceed within the next week or so.

WEEDICIDE SPRAYING.

Mr. GOLDNEY—Some time ago I asked the Minister of Agriculture for information as to the extent of the spraying with weedicides in an effort to exterminate weeds in growing grain crops. During the last year or so this has become a wider practice in agricultural areas on both wheat and barley crops, and it would be interesting to know what acreage has been so treated this season. Has the Minister of Agriculture been able to get the promised information?

The Hon. Sir GEORGE JENKINS—The information sought by the honourable member took a great deal of research to ascertain the extent of the spraying, and it is rather surprising to note the extent to which its has spread in South Australia. The Research Officer, Weeds, advises me that the areas treated with hormone-like weedkillers during the period

April-October 1952 were approximately as follows:—

1. Land in crop to cereals—approximate area treated, 620,000 acres: approximate amount of hormone-like weedicides used, 35,000gall.

2. Pasture, roadside and waste land weeds—approximate area treated, 11,000 acres: approximate amount of hormone-like weedicides used, 1,800gall.

SPARK ARRESTERS.

Mr. HAWKER—The Estimates for this year show that last year £7,000 was voted for fitting and modifying improvements to spark arresters, but nothing was spent, and this year £2,000 has been voted for the purpose. Can the Minister of Railways say whether the department is continuing with experiments to improve spark arresters, and modifying and fitting the improvements as they become available?

The Hon. M. McINTOSH—I can only say, as I have often said in this House, that so far as is known to railway authorities in Australia, and particularly South Australia, the type of spark arrester in operation in this State is the best available. A line was kept on the Estimates in the hope that something better might eventuate, and to see if Leigh Creek coal could be used to a greater extent in areas where it was regarded as somewhat dangerous. Now that better steaming coal is available it is not necessary to use Leigh Creek coal. All the experiments and research work indicate that we are using the very best type of spark arrester, and the line has been reduced to a token amount so that, if something else eventuates, we will have money available.

ANTI-MOSQUITO CAMPAIGN.

Mr. RICHES—Press reports indicate that an anti-mosquito campaign was conducted in Mildura recently, and I understand that extensive spraying was undertaken from the air and that a fog was created throughout the municipality. Will the Premier call for a report from Mildura as to the effectiveness of the spraying, and if it proved effective, will the Government give assistance in the nature of chartering aeroplanes to local governing bodies desirous of embarking on a similar campaign?

The Hon. T. PLAYFORD—I will obtain a report on the effectiveness of the compaign, but no amount is provided on the Estimates this year for such work, and the general financial position at present does not enable the State to undertake a new activity of this nature. Some useful information may have been obtained at Mildura. I fancy that the fog produced there was for horticultural purposes and I do not believe it was arranged by the Victorian Government. I think it was commercial spraying of fruit areas that produced the fog effect. Some time ago the State Government, through the Agricultural Department in this State, purchased a fog machine to test its effectiveness, and I will inquire whether it is to hand and available.

GALVANIZED IRON SUPPLIES.

Mr. GEOFFREY CLARKE—Has the Premier any further information to give following on the question I asked on November 5 whether additional supplies of galvanized iron becoming available could be released for the roofing of houses in the metropolitan area?

The Hon. T. PLAYFORD—I followed up the question by examining the position and I find that, although there is no surplus, the present position regarding arrears on approved orders is the best it has been for many years—9ft. and 10ft. sheets are practically up to date with some merchants, and 6ft., 7ft. and 8ft. sheets are only one to three months behind. Merchants agree that sales will increase considerably when the new Bill becomes law and priorities are no longer required—*e.g.*, tradesmen will buy in case lots to secure price concessions; country agents will buy for stock. Except in the unlikely event of other States refusing their share, deliveries will not be sufficient to satisfy the allowable purposes set out in the new Bill, plus metropolitan housing. Consequently I am doubtful if the time is opportune to allow Australian galvanized iron for roofing metropolitan houses. However, I find that there is a saving of about £100 a house by roofing with galvanized iron, which is a considerable item for people in the metropolitan area, and to meet that position I have approved of the release of roofing iron for 200 houses in the metropolitan area. This galvanized iron is not immediately available, but is expected within two months. Applications should be made to a merchant or direct to the Building Materials Office on an order form and application for priority certificate, and the Building Materials Office permit number should be quoted.

HOSPITAL BENEFIT SCHEMES.

Mr. FRANK WALSH—Has the Premier a reply to my question of November 6, regarding societies which qualify under the Commonwealth hospital benefits scheme?

The Hon. T. PLAYFORD—I have received the following report from the Deputy Director of Health in South Australia, listing the organizations operating in South Australia and registered for the purposes of Part V. of the regulations. As it is in circular form I presume it has been given wide circulation:—

The Mutual Hospital Association Ltd., 74 King William Street, Adelaide.
Australian Natives Association, 45 Flinders Street, Adelaide.
Independent Order of Oddfellows, Manchester Unity Friendly Society, S.A., 14 Franklin Street, Adelaide.
Millicent District Hospital Benefits Scheme Inc., P.O. Box 78, Millicent.
Cosmopolitan Friendly Benefit Society, 65 Flinders Street, Adelaide.
Hibernian Australasian Catholic Benefit Society, Adelaide District No. 7, Pirie Street, Adelaide.
S.A. Railways Employees' Hospital Fund, c/o Comptroller's Office, S.A.R., North Terrace, Adelaide.
S.A. United A. O. of Druids Friendly Society, 87 King William Street, Adelaide.
Independent Order of Rechabites Salford Unity, The Albert District, No. 83, Victoria Square, Adelaide.
Independent Order of Oddfellows Grand Lodge of S.A., 11-13 Flinders Street, Adelaide.
S.A. Ancient Order of Foresters Friendly Society—Adelaide District, 33 Pirie Street, Adelaide.
Independent Order of Rechabites Friendly Society—S.A. District No. 81, Rechabite Hall, Grote Street, Adelaide.
S.A. Citizens' Hospital Bed Fund Inc., Peterborough.
Whyalla Hospital Inc., Whyalla.
S.A. Police Department Employees' Hospital Fund, cnr. King William and Angas Streets, Adelaide.
S.A. Public Service Association Hospital Fund, 195 Victoria Square, Adelaide.
Kimba Mutual Benefit Association Inc., Kimba.
Sons of Temperance Friendly Benefit Society, S.A. Grand Division, No. 24, 97 King William Street, Adelaide.
S.A. Grand United Order of Free Gardeners, 23 Byron Road, Black Forest.
The Eden Fund, Minlaton.
S.A. Harbours Board Employees' Hospital Fund, Dockyards, Glanville.
The Advertiser Provident Society, Adelaide.
The Commonwealth Bank Health Society, Sydney, N.S.W.
The Hospital Insurance Society Ltd. (Covers members of—Bankers Health Society, Blue Cross Health and Insurance Society Ltd.), 94 Currie Street, Adelaide.
The Electricity Trust of S.A. Leigh Creek Hospital Fund., Kelvin Building, North Terrace, Adelaide.

ESTABLISHMENT OF NEW COMPANIES.

Mr. DUNNAGE—In yesterday's *Advertiser*, under the heading "South Australia as Top Research Centre," the following was published:—

Adelaide is in the course of becoming one of the world's leading research centres for peace-time and defence development of aviation, guided missiles, radar and electronics. Leading British aviation and electrical organizations have already decided or are planning to establish laboratories and associated plants in South Australia to be near the Woomera guided weapons and radar testing range.

At least one company has already decided to build a manufacturing plant near Adelaide and others are expected to follow. British companies which have already established branch research groups in South Australia include the Fairey Clyde Organization, Vickers-Armstrong Ltd. and Electrical and Musical Industries Ltd. Other overseas organizations interested in Woomera include Hawker, Gloster, Handley Page, Rolls Royce, Smith's Aircraft Instruments, Boulton & Paul Aviation Co., Avro and the Sperry Bomb-Sight Corporation?

Is the Premier aware of all these companies which are interested in establishing themselves in Australia and, if so, are any of them being encouraged by the South Australian Government to come to this State?

The Hon. T. PLAYFORD—The activities mentioned are all associated with the defence of the Commonwealth, and more particularly with the work at the Woomera Rocket Range, so I am not in a position to make any statement on them. However, I can say without trespassing on someone else's province that the establishment of the Woomera Rocket Range constitutes a very major scheme of importance to the development of this State. I have no doubt that any of these organizations which decide to establish themselves in South Australia would be prompted to do so because of the establishment of those important facilities. That is the main attraction in South Australia at present. As the matter raised is entirely out of the province of the State Government, I am not in a position to give the honourable member any information.

WALLAROO ELECTRICITY SUPPLY.

Mr. McALEES—Has the Premier a reply to my question of November 6 regarding the air freighting of fittings required by the Electricity Trust to complete the transmission line to Wallaroo?

The Hon. T. PLAYFORD—I have received the following reply from the chairman of the trust:—

The trust has experienced great difficulty in obtaining the fittings necessary to string the class of conductor to be used on the Wallaroo line. At the worst, the general manager of the trust expects to have the line complete by the end of February next. We are endeavouring to air freight the fittings to Adelaide: if this is successful, the line should be completed by the end of January.

MURRAY BRIDGE ELECTRIC POWER LINE.

Mr. MOIR—Has the Premier a reply to my question of October 23 regarding electricity supplies for the Lower Murray?

The Hon. T. PLAYFORD—I have received the following report from the general manager of the Electricity Trust:—

The construction of the Mannum-Murray Bridge 33,000 volt transmission line has been seriously delayed due to import licence restrictions and by the non-arrival of conductor and associated fittings from Great Britain. The trust is particularly anxious to complete this line, as it can then effect economies by closing down the local diesel power station at Murray Bridge. The poles for the transmission line have been erected for several months and the completion of the line is now dependent on the arrival of conductor and accessories from overseas. At long last import licences have been granted and, although no definite information about delivery is yet available from the manufacturers, it is expected that the line will be completed by June, 1953. Spur lines, to supply the Engineering and Water Supply Department pumps at Neeta, Cowirra, Pompoota, Wall and Mypolonga, are now under construction and supply to these should be available soon after the main line is completed. We expect to begin the reticulation to general consumers shortly after, but this will take some time to complete.

NEW MOUNT GAMBIER SAWMILL.

Mr. FLETCHER—Has the Premier's attention been drawn to the sub-leader appearing in today's *Advertiser* regarding the proposed establishment of a sawmill at Mount Gambier? Does the Premier intend to consider the suggestion from the district council of Mount Gambier to select poorer types of land for a site for the mill? Is he aware that no opposition was expressed to the Public Works Committee, when it was in Mount Gambier, on the suitability of the site proposed? Is he also aware that the people of Mount Gambier are anxious to have a mill established in the area suggested because they realize that it will be of immense benefit not only to the district council, but to the town in general?

The Hon. T. PLAYFORD—Obviously, I could not know a number of the facts stated by the honourable member. He is more closely associated with the district than I and being a member of the Public Works Committee, knows better than I what evidence was given in regard to the proposed site; but very careful consideration was given by the Government at the outset before any site was secured for this work. Local opinion was consulted to the best of our ability, and the questions of where the timber would come from and what supplies would be available had also to be considered. Cartage of timber can become very costly and it is necessary for the sawmill to be central to the biggest weight of timber to be processed. I assure the honourable member that all those matters were taken into consideration, but I have not yet had an opportunity of reading the committee's report, which has now been forwarded to the Government. I will read it to see whether the Public Works Committee made any recommendations on the matters the honourable member has raised.

DECONTROL OF MUTTON PRICES.

Mr. HEASLIP—An extract from *The Farmers' Weekly*, a Western Australian newspaper, of October 30 is headed "Price Control of Meats Ended." It states:—

Fresh, chilled and frozen meats were freed from price control last week. The Minister for Prices (Mr. Abbott) said that this was in accordance with the Government's policy of removing from control goods and services which were in plentiful supply thereby bringing competition, which had the effect of keeping prices at a reasonable level.

As mutton is now very plentiful in South Australia and as the price of lamb has already been decontrolled, has the Government considered decontrolling mutton?

The Hon. T. PLAYFORD—The price of lamb has been decontrolled for some time, but the Prices Department has kept a very close watch on the margins taken by the various retail selling organizations. It may surprise the honourable member to know that those margins are at present fluctuating from 4d. to 8d. above what would be regarded as a normally remunerative price. Some organizations are selling lamb at very reasonable prices, but that cannot be said about the complete range of the retailing business; indeed, although both beef and mutton have been relatively plentiful and have sold below the upset price that has been established, recently the Prices Commissioner reported to me that he had found it necessary to make a series of inspections of butcher shops and was surprised to find, even under present conditions, that one shop in four was

overcharging, and as a result he had to launch a considerable number of prosecutions. Meat has been plentiful, and in some instances the advantage has been passed on to the consumer, but in many others it has not. There is no control over the wholesale price of stock sold at the Abattoirs.

WAGES AND HOURS CASE.

Mr. LAWN—In reply to a question I asked on August 6 the Premier said that his Government did not support the employers' application now before the court for a return to the 44-hour week because (*a*) he did not think it was feasible to take away privileges already granted, and (*b*) two other States had legislation providing for a 40-hour week. Referring to the employers' application with regard to the freezing of quarterly adjustments and a reduction of the basic wage, the Premier said that his Government did not support that application either because to grant it would be unfair to the worker. He also said that his Government would be represented by Mr. Scarfe, who had been given definite instructions as to the views of the Government, and that those views would be placed before the court by him. The Full Arbitration Court is sitting in Adelaide this week, and as Mr. Scarfe has not yet carried out those instructions, will he take this opportunity to place those views before the court and, if not, when will he carry out the instructions?

The Hon. T. PLAYFORD—When this matter was first raised and it was announced that the Government would be represented at the hearing certain members concluded that the Government was supporting a lengthening of the working week and a reduction in wages. I informed the honourable member, and I think two other members who asked questions, that the Government was not supporting those two requests. I said that the case the Government would place before the Arbitration Court was that we desired two things to be examined. One was the maintenance of an effective working week of 40 hours, which in some instances is not being given at present. The other question, which was giving my Government a good deal of concern, was that over a period of years the large numbers of adjustments that had been made in the cost of living have now resulted in some instances in a distortion of the relative weight as between State and State. One or two items we have had investigated to a great extent. We are not asking for a reduction in those items, but that the relative position between the States should be in accordance with fact rather than in accordance with what we believed to be a certain amount of fiction. We have had requests for certain evidence to be given by various undertakings of the State. I believe the court itself has asked that certain information regarding the relative position of our undertakings should be disclosed to it and, in accordance with the policy that the Government has always had, that information will be supplied. I assure the honourable member that Mr. Scarfe will not depart from the policy I have outlined to the House, which is the policy of the Government.

Mr. Lawn—Then the policy is still the same?

The Hon. T. PLAYFORD—It has not been altered. We are not asking for a lengthening in the hours, a setting aside of the "C" series adjustments or for a reduction of wages. The honourable member is not quite correct when he uses the word "unfair," for I did not intend to give that impression. My view on this matter is that it is completely impracticable to take away something that a worker has had as a part of his income and on which he has built up a certain standard of commitments.

GLANVILLE PIPEWORKS.

Mr. TAPPING—Can the Premier either confirm or deny the rumour that it is intended to close the Glanville Pipeworks or reduce the number of employees there?

The Hon. T. PLAYFORD—I have not had any information to that effect. The Glanville Pipeworks is not now modern and, in fact, if it is to be maintained, a large sum will have to be spent at some future date to modernize it. I will make inquiries and the honourable member will be informed of the position in due course.

PRICE OF PIG MEATS.

Mr. O'HALLORAN—This morning's *Advertiser* contains a letter from Mr. L. B. Dean, president of the Australian Pig Society (S.A. Branch), in which he deals with a number of subjects, including the price of pig feed, the price of baconers being sold in South Australia today, and the consumer resistance which has resulted in a reduced demand for bacon and certain other pig meats in this State. He alleges that during the past six weeks the average price paid for baconers on the South Australian market has dropped by about £6 a head—almost 1s. a pound. So far as I know there has been no corresponding reduction in the price to the consumer of bacon and other processed pig meats. Will the Premier

have the Prices Branch investigate this matter to see whether there is undue exploitation of consumers, in view of the price producers are receiving, and consider the wisdom of recontrolling the prices of pig meat?

The Hon. T. PLAYFORD—The prices of bacon and pig meats were de-controlled in all States and I doubt very much if it is practicable for one State alone to institute recontrol in an economy where there is absolute freedom between the States. On the general question I will certainly have an investigation made as to the reason why there is no decrease in the prices of the consumers' products. These prices have not been controlled for a long time, and in any case the State Prices Minister has power only to fix the maximum price and not a minimum; therefore he could not fix a price for stock at the market. However, I will examine the position and obtain a report from the Prices Commissioner.

LOXTON DISTRICT COUNCIL WARD.

Mr. STOTT—It was necessary to introduce a special Act of Parliament in order that the Loxton district council could be given an additional ward. The legislation was to come into effect by proclamation. Has the Minister taken that step, and if not, will he expedite the proclamation?

The Hon. M. McINTOSH—The matter has not come to my notice, but I will follow up the question and obtain a report.

MUNICIPAL TRAMWAYS TRUST.

Mr. FRANK WALSH—Did the Premier see a recent press report that the Tramways Trust had cancelled orders for certain rolling stock, and can he say how soon an announcement may be expected as to the constitution of the new trust and whether it is likely to contain an engineer?

The Hon. T. PLAYFORD—Cabinet has not yet decided on its recommendations to Executive Council in connection with the new Tramways Trust, so I am not yet in a position to give the honourable member any information on those topics.

PIKE CREEK INLET.

Mr. STOTT—Some time ago the Premier visited the Paringa district and, with members of the district council, inspected the inlet into Pike Creek. He said he was favourably impressed with the idea of opening it wider to let the water through. Has the Minister of Irrigation looked into this matter, and if not, will he obtain a report on the possibility of opening that inlet?

The Hon. C. S. HINCKS—After the Premier's visit to that locality, he reported back and the Irrigation Department went into the matter, which has now been referred to the Engineer-in-Chief's Department for estimates in connection with the work. As soon as I receive a report I will let the honourable member have a reply.

RAILWAY GATES.

Mr. HUTCHENS—Has the Minister of Railways a reply to the question I asked last week regarding the installation of railway crossing gates?

The Hon. M. McINTOSH—Last week I indicated that the department had a number of gates on hand which would be used where the traffic was most intense. Plans have been prepared and approval given for the widening of the roadways and the installation of new patent gates at Alberton and Kilkenny, where the work will be put in hand almost forthwith. Other crossings, including Emerson, will be given attention.

LOXTON IRRIGATION SCHEME.

Mr. STOTT—Has the Minister of Repatriation concluded an agreement with the Commonwealth Government regarding the further extension of the Loxton Irrigation Scheme, and, if so, what sum is involved, how many ex-servicemen will be settled there, and when will the allocation be made?

The Hon. C. S. HINCKS—Consideration has been given to an additional area of about 1,100 or 1,200 acres near Loxton and estimates have been prepared. The scheme will be referred to the Commonwealth Government in the near future and, if accepted, it will accommodate a further 40 to 50 settlers. As soon as it is approved by the Commonwealth Government applications will be called and in due course the blocks will be allocated.

Mr. STOTT—Will this extra area be referred to our Land Settlement Committee, or has it already been the subject of a survey?

The Hon. C. S. HINCKS—I am not clear on that point. Eventually it will be referred to the committee for report. It is part of an area previously investigated.

PARINGA ROAD.

Mr. STOTT—Will the Minister of Works go into the matter of raising the Paringa Road so as to make it a permanent highway, and not subject to inundation by future floods? The people at Paringa are concerned because the roadway was covered by recent floods.

The Hon. M. McINTOSH—That question has been considered from time to time. Speaking from memory, the cost of the work would be about £40,000 to £50,000. The number of times the roadway is inundated would not justify the expenditure, bearing in mind other works needing attention. We would have to do this job at the expense of another, because we have not the money, labour and material available for all jobs. Work on the roadway has not been overlooked, but in the opinion of the Highways Department the present position does not justify incurring expense in raising the level of the roadway in anticipation of a flood.

COMMONWEALTH TAXATION REIMBURSEMENTS.

Mr. O'HALLORAN (on notice)—On what specific items and amounts did the Treasurer base his statements, as recorded in *Hansard,* 1952, page 968, that—(*a*) during the last pre-war year the income tax field in South Australia was shared in the proportions of 72 per cent to the State and 28 per cent to the Commonwealth; and (*b*) during the last financial year the Commonwealth returned to this State only about 19 per cent of the taxation levied on South Australians?

The Hon. T. PLAYFORD—The replies are:—(*a*) In 1938-1939 South Australian income taxation collections were £2,102,928. Commonwealth collections for the same year were £548,562 through the South Australian office, and it is estimated that a further £280,000, approximately, was collected in central office from South Australian taxpayers. (*b*) It is estimated, from data made available by the Commonwealth Taxation Office, that the total tax levied during 1951-1952 upon incomes derived in South Australia was about £53,220,000. The tax reimbursement paid to South Australia in that year was £10,200,000, or nineteen per centum (19 per cent) of this amount. It should be noted that the reference in *Hansard,* page 968, was to taxation levied. On the other hand, it was indicated to the honourable member on October 28 last (*vide Hansard,* page 1083), in reply to another question, that Commonwealth collections in 1952 (as distinct from taxation levied) were about £48,481,000.

LAND TAX.

The Hon. S. W. JEFFRIES (on notice)—

1. Has any estimate been made of the amount of additional land tax which will become payable under the Land Tax Amendment Bill by owners of land which was exempt from Federal land tax under the Federal Land Tax Act?

2. If so, what is the amount of such estimate?

3. Will charitable organizations, under the proposed legislation, be liable to pay a greater amount of land tax than was payable when both State and Federal taxes were in operation?

4. If so, is it the intention of the Government to give sympathetic consideration to providing that charitable organizations will not be required to pay more land tax than they previously paid under both State and Federal Land Tax Acts except where the increased amount is caused by increased valuations?

The Hon. T. PLAYFORD—An amendment has been filed to provide for these matters.

COUNCIL RATING.

Mr. TAPPING (on notice)—Can the Minister of Local Government indicate how many municipal councils in South Australia use the differential method of rating?

The Hon. M. McINTOSH—Eight of the 43 municipal councils in South Australian declare differential general rates.

BITUMINIZING OF ROADS.

Mr. O'HALLORAN (on notice)—How many miles of road were bituminized—(*a*) to June 30, 1940; and (b) during the period July 1, 1940, to June 30, 1952?

The Hon. M. McINTOSH—The replies are—(*a*) As at June 30, 1940, 2,002 miles of road in South Australia were bituminized. (*b*) As at June 30, 1948, 4,687 miles were bituminized. The Government Statist, by whom the figures were supplied, has no later figures available, as these are now collected from the respective councils only at intervals of five years.

SALE OF CREAM.

Mr. MOIR (on notice)—Is it the intention of the Minister of Agriculture to confer with the Metropolitan County Board, the Central Board of Health, and the Metropolitan Milk Board concerning the sale of cream in vegetable and other shops not licensed by the County Board with a view to submitting a Bill to amend the Food and Drugs Act?

The Hon. Sir GEORGE JENKINS—Reports will be obtained, and when these have been received, consideration will be given to this matter.

OBSERVATORY SERVICES.

Mr. HUTCHENS (on notice)—

1. Is the Minister of Works aware that the Observatory has ceased to operate?

2. If so, from what source (if any) is the following information available:—(*a*) Data required by printers for the preparation of calendars throughout South Australia; (*b*) the legal time of sunrise and sunset; (*c*) for the calculation of position of sun and moon required in court proceedings in relation to motor accidents; (*d*) for the rating of chronometers used for shipping?

The Hon. M. McINTOSH—The replies are:—

1. Yes.

3. (*a*) Public Holidays.—Holidays Act, 1910-1935, or for general inquiries, the Government Printer. Tides and Phases of the Moon.—S.A. Harbors Board publication, *Tide Tables for Port Adelaide and Other Ports*, available for 2s. (*b*) Quarterly almanac in *Government Gazette* published in accordance with Proof of Sunrise and Sunset Act, 1923. (*c*) Surveyor-General. (*d*) This is regarded as a matter for individual firms who undertake the maintenance and repair of chronometers. A reply to a similar question was given to Mr. Anthoney, M.L.C., in another place on October 28, 1952.

PERSONAL EXPLANATION: USE OF OBSERVATORY.

Mr. HUTCHENS—I ask leave to make a personal explanation.

Leave granted.

Mr. HUTCHENS—On November 4, in addressing a question to the Minister of Works, I said I understood the Astronomical Society of Adelaide was prepared to repair the Observatory and supply services to the public without further cost to the State. This has led to some misunderstanding, and I have received the following letter in connection with the matter, dated November 6:—

At a meeting of the Astronomical Society of South Australia, held last night at the Institute Building, North Terrace, Adelaide, I was deputed by the Society to write to you on their behalf, to thank you for the interest you are taking in the preservation and continued use for astronomical purposes, in the public interest, of the transit room of the former Adelaide Observatory on West Terrace. The Society desires to ask, however, that you would kindly correct one portion of the statement that appeared in the press (*Advertiser*, November 5, 1952), by advising the Hons. the Minister of Public Works and the Minister of Education, that, although the Astronomical Society is desirous of supporting the project in every way possible to them, by the free services of several of their active and interested members, it is not in their power to provide costs of renovation and repair of the transit room. They understand, however, that another group of persons of standing in the community would undertake to raise funds with great hope of success, in the event of Government sanction being given for the retention and use of the transit room, as desired by them, in accordance with a resolution adopted at a public meeting in the Adelaide Town Hall, on March 7, 1952.

I fully understood the position and regret that a wrong impression may have been gained from my question.

EARLY CLOSING ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

SUCCESSION DUTIES ACT AMENDMENT BILL.

The Hon. T. PLAYFORD (Premier and Treasurer) moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—

That it is desirable to introduce a Bill for an Act to amend the Succession Duties Act, 1929-1951.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

HOMES ACT AMENDMENT BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Homes Act, 1941-1951.

Read a first time.

LAND TAX ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 23. Page 1055.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill amends the Land Tax Act by the application of a progressive land tax for the purpose of increasing revenue. It is anticipated that about £207,000 additional revenue will result from the legislation—£16,000 from rural landholders and £191,000 from urban landholders. Therefore, the great bulk of the additional impost will be borne by a limited number of landholders in and around the metropolitan area. The amendment is designed to exploit a field of

taxation vacated by the Liberal and Country Party Federal Government, which, in abolishing Federal land tax, has sought to relieve big business especially, but also rural owners, of a tax burden of about £6,000,000 throughout Australia. I think I am right in using the term "big business," because it is obvious that it is a considerable business if it owns land worth more than £10,000 in any area, particularly in a built-up area. According to the Treasurer, if the Federal legislation had remained, big business would have paid about £300,000 and rural owners about £100,000 Federal land tax in South Australia. His proposal, by comparison, gives a far greater benefit to the rural landholder. The Federal Liberal and Country Party's unstable policy of land tax is demonstrated by its original decision to raise the exemption from £5,000 to £8,750, following on the new enhanced valuations, and then its decision to abolish the tax altogether.

I think members are familiar with what happened in the Federal sphere prior to the Commonwealth's decision earlier in the year to vacate altogether the field of land taxation. First, there was the new Federal assessment which, following the trend of the times, the trend of recent sales and the general enhancement in land values in recent years, resulted in a considerable group of new taxpayers being brought within the Federal net because the enhanced valuation had raised the unimproved value of their holdings to over £5,000, which was the figure of exemption under the original Federal law—a figure which had endured since about 1912. The Commonwealth decided to increase the exemption from £5,000 to £8,750, but not long afterwards it decided to abandon the field of land taxation altogether. This is in keeping with the Commonwealth Government's policy on most matters—not having any particular mind from week to week or any continuing policy to apply to any Commonwealth problems. An interesting consequence of the Federal Government's abolition of the land tax, and the State Government's assumption of the vacated field, is the impact on income tax. When the Federal Government abolished land tax, it did not perhaps expect that the States would exploit it, and therefore looked forward to higher income taxes, especially from large rural taxpayers. Now that the State proposes to impose land tax on very large rural properties, the Federal Government will receive less by way of income tax than it anticipated. Every £1 less on incomes of £10,000 means 15s. income tax loss. The effect will not be so great in the case of very large landholdings in the city because they are sites for business purposes conducted largely by companies.

The Premier's proposal differs from Labor's policy in two important particulars. Labor believes in progressive land tax for the purpose of breaking up large rural estates—the larger the estate, the higher the rate of tax. It was not intended to be a revenue-producing tax. The Federal land tax was instituted by a Labor Government with the intention of bringing about subdivision which most State Governments were not prepared to achieve by legislation. This tax would have gone a long way towards achieving its purpose if certain sharp practices had not prevented it from doing so. To the extent that it has failed to achieve its purpose, Labor would not defend it. Secondly, a progressive land tax can only be justified on the assumption that it has some such purpose. Merely for revenue purposes, any tax on land should be at a flat rate. I think a progressive tax on the land is an unfair method of raising revenue. Any honourable member in public life will know that in the early years the imposition of the Federal graduated land tax was highly successful in achieving its purpose. That was the era of subdivision. Many large estates were subdivided following on the imposition of this tax, until the people concerned woke up to the protection value of family arrangements, partnerships and so on.

Mr. Pattinson—Where is the sharp practice in that?

Mr. O'HALLORAN—I can recall one or two cases of land being transferred, and it was subsequently proved to be a dummy transaction and court action was taken to recover the land from the person to whom it was transferred, who properly thought it was his property. Possibly there were other cases which would have been ventilated in the court but for the futility of doing so. It was the general talk of the time that many people evaded the serious impact of the tax by the distribution of property in the way I have stated. The Act prescribes two classes of taxpayers—resident and non-resident. Resident taxpayers receive a concession compared with non-resident in that the latter have to pay an additional 20 per cent. The Bill does not seek to change this, although it might perhaps be better if some test of productivity applied instead of absence of owner, so that the person who used his land to advantage and thereby

increased the wealth of the community would obtain the benefit as against the person who did not so use his land.

An important amendment is proposed in the Bill which, although it does not involve any substantial sum of money, will have an impact on a considerable number of taxpayers. I refer to the proposal to increase the exemption. The Act provides that no tax is to be levied on land where the assessment would yield less that 1s. a year in taxation. The Bill provides that unless the assessment would yield more than 5s. no assessment will be issued. I can see merit in the proposal because it will render unnecessary the sending out of a large number of small assessments which in the aggregate would return very little in the form of taxation and, secondly, it will relieve a considerable number of people who built small homes on relatively poor land from paying land tax, but there is one class exempted from land tax under this provision which, in my opinion, is not entitled to exemption. I refer to the people who hold vacant blocks of land in areas which have been surveyed for building purposes. If one travels around our metropolitan area he will see in various suburbs thousands of vacant blocks which have been provided with all the amenities necessary for settlement, such as roads and footpaths by councils and water and sewerage services by the Engineering and Water Supply Department, but from which no revenue is being derived. The holding of these blocks results in the proper plan of development of our suburbs not being fulfilled. I suggest, as I have done before, that we might consider something in the nature of an idle lands tax to be applied so that the owners of vacant blocks may be discouraged from holding them indefinitely in the hope of capitalizing on the values created as the result of expenditure by other people in building homes and providing businesses and establishing the services I have mentioned. Though a private member cannot bring down such an amendment to this Bill, I think the Government should consider my suggestion and draft an amendment accordingly.

This measure is like the recent legislation authorizing the imposition of the so-called winnings tax; it is merely for the purpose of increasing revenue, no matter what injustice may be involved or no matter what the repercussions. There have been several references in the press to the proposal, which has been described therein as "socialistic" and, by implication, we are to understand that it is just the type of tax a wicked Labor Government would impose. But if it is socialistic the new member at least will have to oppose it, for he has given his pledge to the people of Stirling to do all in his power to oppose Socialism and Communism! On the other hand, it surely cannot be socialistic, as an anti-socialistic Government is in office in this State and has introduced this legislation. The proposal has been opposed because it amounts to a "capital levy," that is, it has no relation to the earning capacity of the land or to the actual earnings arising from its use. This may be one of the points intended by those who oppose it on the ground of its being socialistic; the word is merely being used to cover a multitude of sins. Actually, of course, the value of, say, a city property, is really determined by the amount of business (and by implication the profits) arising from its site. Land in the middle of the shopping centre is worth more than land some distance away. As a progressive land tax aims at breaking up large estates in the country areas it is essentially unsound when applied to urban sites. It is questionable whether such a tax would have the effect of subdividing urban areas, as a business generally has to be of a certain size before it is economic in the city. It is also questionable whether it is desirable to break down the large departmental store; but to the extent that the proposal places a much heavier tax burden on the very large businesses in the city it could have the effect of placing surburban businesses on a better competitive basis. This would not be a bad thing, for it would help to solve traffic problems and relieve the congestion that occurs when bargain sales are conducted by big departmental stores.

The exemption of £10,000 on present valuations of land exempts the great bulk of rural landholders, as is seen in the fact that under the Federal Act they would have paid £100,000, whereas under the proposed amendment they will pay only £16,000 additional State land tax. On the other hand, the urban proprietors will pay nearly £200,000 instead of £300,000. The scales are not equally balanced in this regard. A fact which discloses a poor system of land valuation is that only about 400 rural assessments will be affected, as against about 450 urban assessments. This gives an average additional tax for rural holdings of £40 and for urban holdings of £424. Let us see what rural holdings would qualify for the additional tax and what their respective values would have to be for them to be subject to the additional impost proposed on land with over £10,000 unimproved value. I have taken out a table showing per acre values and the number of

acres at each value that would be required in order to make the land subject to the additional impost proposed. I admit that some of my valuations may be high, but they are only used to illustrate my point:—

Value per Acre. £	No. of Acres.
100	100
50	200
40	250
30	333
20	500
10	1,000
5	2,000
4	2,500
3	3,333
2	5,000
1	10,000

The table shows that all farm properties of 2,000 acres comprising land worth up to £5 an acre, all farms comprising 2,500 acres of land worth up to £4, and all farms comprising 3,333 acres of land worth up to £3 per acre, would be exempt from additional rates. To put it in another way, it is remarkable that of about 28,000 rural landholders in this State only 400 have land valued at more than £10,000. The Statistical Register gives some interesting figures on this question. In 1949-50—the latest year for which figures are available—there were approximately 2,600 holdings averaging 1,200 acres and comprising 3,200,000 acres, about 2,500 holdings averaging 1,900 acres and comprising 4,900,000 acres, and about 2,000 holdings averaging 3,400 acres and comprising 6,800,000 acres. The great majority of these holdings are in agricultural areas and are therefore privately owned. They total about 7,000 holdings and comprise about 14,000,000 acres, yet of those 7,000 holdings only 400 have an unimproved value of more than £10,000. The first lot mentioned would have to be worth less than £8 an acre to miss the new tax; the second lot would have to be worth less than £5 an acre and the third lot would have to be worth less than £3 an acre.

It can be seen that the State valuation for land tax purposes is much lower than the Commonwealth valuation for the same purpose. The Commonwealth values may have been a little too high, but I think the State values are too low. I realize, of course, that one cannot place a true unimproved value on land on a basis of calculation in accordance with the formula provided for in the Act and at the same time have some regard to recent sales in the particular locality, because some sales have produced extraordinary results. Some of those results were due to peculiar circumstances, but it brings home forcibly the fact that our present system of valuing land in South Australia, whether it be for land tax, probate and succession duties, or local government purposes, is not properly co-ordinated. It is not established on a basis of firm principle and we should tackle this problem to establish something in the nature of a proper basis in legislation which could be used for the purpose of assessing the value of land for taxation. For many years the Labor Party has had a policy in this respect which reads:—

The establishment of a land value Act for the following purposes:—

(*a*) To assess unimproved values of all land for all purposes of taxation within the State;

(*b*) To establish a land court of appeal.

Firstly, there would be a valuation Act properly administered and policed by experienced valuers who would assess the value of the land and that assessed value would be used for all purposes of taxation. Secondly, there would be a properly-constituted land court of appeal to which landowners who were dissatisfied with their assessment could appeal and have the value of their land settled by a tribunal which as a result of its qualifications and experience would be able to justly determine its value. At present the dissatisfied landholder must appeal to a court which, while it may be just in its constitution and its basic principles, has no continuity of jurisdiction, as an appeal may go today to one magistrate and tomorrow another appeal may be dealt with by another magistrate. The proposal of the Labor Party would provide the fairest measure of justice possible under legislation of this kind.

This Bill simply represents the moving in of the State Government on to a part of the taxation field vacated by the Commonwealth. Those people who were formerly subject to land taxation under the Commonwealth law will be better off under the State law, particularly the owners of rural land of over £10,000 unimproved land value. I do not think the principle of progressive taxation can be fairly applied in this respect, but it is a Government proposal and it would be useless for me to oppose it.

Mr. GEOFFREY CLARKE (Burnside)—The Auditor-General's report for the year ended June 30, 1952, discloses at page 118 that under the most recent assessment the unimproved value of land in this State was over £107,000,000, that there were 175,431 taxpayers, and that the cost of assessment and collection amounted to £67,593 or 7s. 8d. a taxpayer. Those figures provide the basis for some of my conclusions.

When a Government is looking for things to tax and almost all the readily measurable sources of revenue have already been taxed, the bases on which taxation is levied become much less scientific and much less equitable. Land is only a rough measure of ability to pay taxation and comes in the category of chimneys and windows which were taxed in the middle ages. The Commonwealth Grants Commission in its most recent report said that the rates of taxation on land in this State are substantially heavier than those in other States. I have discussed this matter with the Treasurer and I think that position may change shortly when the other States come into the land tax field and we may then compare favourably with those States, therefore, in order to protect our claim for a grant we are forced into taxing ourselves at a level not substantially less than that which will be imposed by other State Governments, particularly of the non-claimant States.

Mr. Hawker—We have a higher rate now.

Mr. GEOFFREY CLARKE—Yes, but that position is not likely to continue after the other States move into this field. The land tax is more likely to fall more heavily on city than on country people, and to that extent its incidence may be taken as a back-handed concession to primary producers and must therefore commend itself to all thinking people who consider that the production of food is still our most vital job. The exemption of schools from land tax is a proper one, for church and non-profit-making schools are doing a great service to this State. Apart from relieving the taxpayer and the Government by providing schools they provide a vital and necessary part of our educational structure. I am a little concerned with the use of the words "pecuniary profit" in clause 4. Can the Treasurer say whether those words specifically exempt church schools because they must be conducted at a profit although that profit goes to no individual persons?

I was glad to hear today in reply to a question a statement that foreshadowed an amendment designed to overcome the hardship which might otherwise be suffered by charitable bodies which could, under the Act as it now stands, incur taxation heavier than that of the combined Commonwealth and State land tax before the Commonwealth Government vacated this field. In the city are a number of leases on which the assessed rental includes rates and taxes. Some of these leases have been taken out for long periods, and until they come up for renewal landlords will have to bear the additional land tax. I do not know how that can be avoided, but I would like the Treasurer to consider that hardship. I agree with the principle of abandoning the collection of taxes of 5s. and under, and would have thought it equitable to abandon all assessments under 7s. 8d., for that is the cost of preparing each assessment. The Bill avoids certain harsh effects of the Federal scheme under which valuations were in the main higher than comparable State valuations on similar properties. Further, a feature under the Federal scheme which was both irksome to taxpayers and vexatious to the department was the aggregating of shareholdings of persons in companies throughout Australia and the apportioning among the shareholders of the proportion of the land which they were deemed to own by virtue of their shareholdings in those companies. Thus not only was the company as the primary land tax payer called upon to submit a land tax return, but the shareholders were regarded as secondary land tax payers because of the interest they held in the companies throughout Australia. I have seen some of those assessments which were completely impossible for any person except an assessor to verify in the slightest detail. They must have cost many pounds to compile and frequently the amount of the assessment was very small indeed.

I do not like to see the extension of taxation into these less scientific fields, but it seems that, because of requests received from all sections of the people, from the right and from the left, from big business interests and small taxpayers, the Treasurer needs more money to provide additional facilities, therefore when we scrape the bin it must inevitably, although regrettably, produce some anomalies. Until we get our income taxing powers back from the Commonwealth there is no alternative but to use these less scientific forms of taxation, such as this extension of land tax and the projected increases in succession and stamp duties, and my criticism must be tempered by the need to secure revenue. Many State projects are urgent and necessary and others will be put into effect only when we can afford them. This year's Budget encompassed those items which were desirable, necessary and in the main urgent, and, in order to complete them the resources of the State were literally grievously taxed to balance the Budget, therefore with the reservation that I hope to see amendments which will remove some apparent hardships in the Bill I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Exemption of educational institution."

Mr. GEOFFREY CLARKE—Can the Premier give an assurance that words "pecuniary profit" will not preclude a religious non-profit-making institution from spending its revenue for purposes of the institution, and not for the benefit of any individual persons?

The Hon. T. PLAYFORD (Premier and Treasurer)—A religious school is not carried on for pecuniary profit, although it may charge fees. It is established to provide education. The provision would apply only where a school or college was conducted for commercial purposes.

Clause passed.

Clauses 5 to 16 passed.

Clause 17—"Operation of Act."

Mr. STOTT—The clause refers to the financial year 1952-1953 and subsequent financial years. A taxation Bill does not usually continue beyond one year, but the clause indicates that this legislation will apply for more than one year. Can the Treasurer say if that is the position?

The Hon. T. PLAYFORD—It has not been the practice to bring land tax legislation before Parliament each year. I can only remember one previous occasion when an amendment was made to the Act.

Clause passed.

New clause 5a—"Partially exempt land."

The Hon. T. PLAYFORD—I move to insert the following new clause.—

5a. The following sections are enacted and inserted in the principal Act after section 12 thereof:—

12a. (1) Where the Commissioner is satisfied with respect to any land which is not exempt from land tax under section 10 of this Act that—

(*a*) that land is used wholly or mainly for any purpose which in the Commissioner's opinion is a charitable, educational, benevolent, religious or philanthropic purpose (whether or not the purpose is charitable within the meaning of any rule of law); or

(*b*) the whole of the net income from the land is or will be applied to any such purpose as mentioned in paragraph (*a*) of this section; or

(*c*) part of the land is used as mentioned in paragraph (*a*) of this subsection and the whole of the net income from the other part is or will be applied as mentioned in paragraph (*b*) of this subsection,

he may by notice in the *Gazette* declare that land to be partially exempt from land tax.

(2) The land tax on any land which is so declared to be partially exempt shall be as follows:—

(*a*) where the unimproved value of that land does not exceed £5,000—three farthings in the pound;

(*b*) where the unimproved value of that land exceeds £5,000—fifteen pounds twelve shillings and sixpence plus one penny halfpenny for each £1 in excess of £5,000.

(3) Land which is partially exempt from land tax under this section—

(*a*) shall be separately assessed and taxed and shall not be taken into account in fixing the rate of tax on any other land owned by the same owner;

(*b*) shall not be chargeable with absentee land tax.

(4) If the Commissioner is of opinion that any land declared to be partially exempt from land tax has ceased to be used for any such purpose as mentioned in subsection (1) of this section or that the net income from any land is not or will not be applied to purposes mentioned in that subsection he may by notice in the *Gazette* cancel the declaration made under that subsection in relation to that land, and the partial exemption of the land shall thereupon cease.

(5) No proceedings shall be taken in any court to compel the Commissioner to make any declaration under this section, or to review, set aside or vary any decision or notice of the Commissioner under this section.

12b. Land which is owned by a municipal corporation or district council and is not wholly exempt from land tax under any enactment shall be deemed to be partially exempt from land tax and shall be taxable at the rates prescribed by section 12a of this Act.

The Parliamentary Draftsman's report is as follows:—

Pursuant to your instructions I have drafted the clause to provide that lands used for certain charitable, educational, benevolent, religious or philanthorpic purposes, will not be subject to the increases in land tax proposed in the Bill. Under the Land Tax Act as it now stands lands used for some religious or charitable purposes are wholly exempt. For example, sites of churches or any other land used solely for religious purposes are exempt; and charitable institutions such as hospitals or homes for aged persons are exempt if they make no charge for accommodation or a charge which, in the Commissioner's opinion, is substantially below the value of the accommodation. But other charitable, educational and religious institutions are taxable and will under the Bill pay the increased rate of tax unless some provision to the contrary is made. The increased rate of tax will also apply to land held as an investment for the purpose of producing income to be devoted to charitable, educational, benevolent and religious or philanthropic purposes. The Government has investigated the question of granting some relief in respect of such lands, and is willing to amend the Bill so that the tax on them will not be increased above the present rate. The new clause accordingly gives the Commissioner

of Land Tax power to declare by notice in the *Gazette* that any land used wholly or mainly for a purpose which, in the Commissioner's opinion, is a charitable, educational, benevolent, religious or philanthropic purpose shall be partially exempt from tax. A similar notice may be given where the net income from any land is devoted to any of the purposes mentioned. When such a notice is published the land will remain subject to tax at the present rates without any increase. The Commissioner is also empowered to take away the partial exemption of any land, by a subsequent notice, if the land is no longer used for any of the purposes entitling it to be partially exempt.

The new section also provides that any land owned by a municipal or district council, which is not wholly exempt from tax, will be exempt from increases under the Bill. Under the present rulings of the department it appears that land used for council offices is wholly exempt, but other lands of councils such as revenue-producing buildings or markets are subject to tax at the present rates. The Government's proposal is that these latter lands will continue to be taxed at the present rates. Up to the present all revenue producing lands, whoever held them, have been charged the full rates. On examining the position closely I found that under the new legislation that would create considerable hardship, because many of the charitable institutions in this State get revenue from city properties. If they were taxed in accordance with the new rates there would be a serious reduction in the amount of money available to the charitable institutions.

Mr. Pattinson—It is a generous amendment.

The Hon. T. PLAYFORD—The people who submitted the proposal said it would introduce a new taxation principle, but the properties are held for religious, philanthropic or local government purposes, and the Government felt it was justified in recommending the new clause to Parliament. It will make a concession to charitable and religious institutions of about £40,000.

Mr. O'Halloran—What was the position under the Commonwealth Act?

The Hon. T. PLAYFORD—Under that Act a number of properties were exempt, but paid the previous State land tax rates. If the rates were increased and the exemption continued, the institutions would pay more tax than previously. The Adelaide city council is the local government authority most affected. Without the exemption, tax would have to be paid on its market property and any tax imposed would be passed on to the stall holders and ultimately to the purchasers of goods.

Mr. O'HALLORAN—I am satisfied that the proposal is justified and I support the new clause.

Mr. STOTT—I take it that the new clause will give a benefit to an organization making no profit and spending its revenue on its work. From that angle I find no fault with the clause. If the Government is generous enough to provide this relief to the organizations mentioned, I was wondering whether the amendment would also include non-profit-making organizations such as benevolent societies.

The Hon. T. PLAYFORD—The whole purpose of the amendment is to include organizations which are making profits out of their properties—whether they use that profit for philanthropic, religious, charitable, benevolent, educational or local government purposes. If they do not come within that scope, there is no reason why they should not pay taxation the same as other people. The original exemptions were very wide. For instance, subsidized hospitals and all other Government subsidized institutions are excluded. I can assure the honourable member that the amendment provides the widest scope the Government can allow. It was admitted by the organizations concerned that it was a liberal response to their request.

Mr. GEOFFREY CLARKE—The provision which exempts from aggregation separate holdings of land is very fair and I think the Government should be commended for the amendment, which is a generous one.

Mr. MACGILLIVRAY—I wish to comment on the use of the word "generous."

Mr. Pattinson—I think the amendment is probably more generous than the Treasurer can afford.

Mr. MACGILLIVRAY—I doubt whether the word "generous" is the proper one to use. I would say that this is abstract justice. I cannot see the sense of taxing charitable institutions on any of their revenue resources. If charitable and similar institutions have part of their income taken away, but still have to carry out their work, their revenue must be increased from other sources, and the charitably minded public must dig deeper into their pockets and make more funds available; otherwise, it must be done through Government subsidies.

The Hon. T. Playford—Many of the purposes for which this money is used would not come within the scope covered by Government subsidies.

Mr. MACGILLIVRAY—There are certain institutions which the Government does not subsidize and they would come under the amendment, and that makes the position worse than I first expected. To me it is crass stupidity for the Government to take away revenue from

the type of charitable bodies mentioned and then make the public pay for it. For instance, consider the Adelaide Children's Hospital, which is continually asking for funds.

The Hon. T. Playford—That would not be affected by the amendment.

Mr. MACGILLIVRAY—I am glad to have that assurance. If the amendment is as far as the Treasurer can go, we must accept it, because we are asking him to administer a system which no-one on God's earth could administer and at the same time do justice. Therefore, it is wrong to use a word like "generous" in describing the amendment. The most that can be said for it is that it gives a degree of justice to the type of institution mentioned. All are working in the interests and for the benefit of the community. Even if those who asked for the concession from the Treasurer are satisfied, it does not make it generous. For instance, why should local government bodies, because they have certain land, be asked to pay, seeing that neither State nor Federal departments pay rates on any land they hold in local government areas?

The Hon. T. PLAYFORD—The honourable member has completely misunderstood the term. There is no suggestion of the Treasurer being generous in imposing taxation. Probably what members mean is that the amendment is far-reaching. It includes all kinds of commercial properties. For instance, among them are one of the largest picture theatres and one of the largest motor houses in Adelaide. The total amount of money required to run the services of the State has already been appropriated by Parliament and that amount must be provided by taxation. If an exemption is made in one case it must be at the expense of other taxpayers. That is the way in which the term "generous" was used. These institutions are to be relieved of paying their share towards the general maintenance of the police force, roads, and so on, which help to make their properties prosperous. There is one thing we must remember when discussing taxation—much of the value enjoyed by property owners is a community value established by the fact that other people have invested and built in the area around them. It is not in every instance something resulting from the initiative of the person who owns the property. I think the honourable member's suggestion is quite a good one—if we make concessions in one place we must make them up elsewhere, and in due course I will hold him to it.

New clause inserted.

Title passed. Bill read a third time and passed.

BARLEY MARKETING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 14. Page 925.)

Mr. STOTT (Ridley)—The Bill extends for five years the operation of legislation that has been in force since 1947. The Barley Board has the confidence of South Australian growers. Several meetings held at important barley growing centres unanimously favoured extending the Act. All growers believe that the board has done a magnificent job. Many of them have paid tributes to the board members, including the member for Flinders (Mr. Pearson), Mr. S. Coleman of Maitland, and Mr. Roy Shannon of Birchip in Victoria. Mr. Tomlinson, the general manager, is at present in Japan on Barley Board matters. He is held in very high esteem and there is no question about his integrity or ability. The chairman is the former Director of Agriculture, Mr. Spafford. He is doing a great job as chairman. The Secretary, Mr. Angel, rarely comes into the limelight, but he is an excellent officer and a first class accountant. The production of barley in South Australia has increased enormously; in fact, beyond all expectations. In 1948-49, 3,067,527 bushels were produced in Victoria and in 1951-52, 3,323,660; the total for the four seasons 1948-49 to 1951-52 was 15,312,000. Production in South Australia jumped from 10,918,000 bushels in 1948-49 to 16,010,565 in 1951-52; the total for the four seasons was 54,234,000. Farmers are swinging from wheat to barley production because barley has become more profitable to grow and because barley straw is of greater value for feeding stock than is wheat stubble. Further, there is no need to fallow for growing barley. I think in the future we will find an even greater swing to barley growing. The yield for this season may even go above 20,000,000 bushels. We have some wonderful crops in the State and the recent cool weather has helped them to mature properly.

Before this year the price of barley for malting was fixed by the Prices Commissioner. He had some regard for the prices of other cereals and fixed it at 11s. 2d. a bushel. The price for stock feed purposes was fixed at slightly over 15s. The Barley Board has worked out a formula for fixing the price for malting purposes, which is now 16s. 6d. a bushel. The board did not unduly penalize consumers in South Australia because the export price has been up to 20s., and at the same time it fixed a reasonable price for producers. I believe this

will have the effect of increasing barley production in South Australia. The total quantity of barley sold on the Australian market in the past four seasons was 24,160,000 bushels, and on the overseas market 45,749,000. The average selling price on the Australian market in 1948-49 was 6s. 3.916d. and on the overseas market 9s. 8.878d. In 1951-52 the average price on the Australian market was 11s. 9.831d. and on the overseas market 18s. 5.841d. Those figures show big differences in the price obtained on the Australian and overseas markets.

Mr. O'Halloran—Was the overseas price the net price to the grower?

Mr. STOTT—Yes. In 1948-49 the difference between the Australian and overseas prices was only 3s. 4.962d., but in 1951-52 it had jumped to 6s. 8d. The Barley Board should be commended for its wise and reasonable course in adopting a formula fixing 16s. 6d. as the price for the Australian market. That has lessened the disparity between the Australian and overseas prices without unduly penalizing local consumers. When fixing prices the board must consider the quantity available for malting purposes as well as the quality. All the barley is classified by the board's officers, but whereas a sample may suit some maltsters it may not suit others. Therefore I am perturbed about any move that may be made to ham-string the board in determining prices. From experience Parliament can place every confidence in the board to do a good job in the interests of South Australia and Victoria. It works in the interests of the growers in looking after country stacks and seeing that the barley is shipped expeditiously by rail and sea. The difference in the quantity of barley delivered by the farmer and that shipped by the board represents the surplus in out-turn due to increase in weight, and as the board is credited with the proceeds of this surplus which far exceed the board's total administrative costs it may be said that the pooling system costs the grower nothing.

Mr. O'Halloran—If the barley were marketed by merchants as it was formerly that profit would go to the merchant.

Mr. STOTT—Yes. In 1948-49 the surplus in out-turn was 101,538 bushels, valued at £42,888, in 1949-50, 85,496 bushels valued at £45,158, and in 1950-51, 176,394 bushels valued at £102,516. The figures for the 1951-52 season are not yet available, but the value of the surplus in out-turn for those three seasons was £190,562, whereas over the same period the administrative expenses of the board were £107,381, resulting in an excess of the value of the surplus in out-turn over administrative expenses of £83,181. Details of advances per bushel paid to growers in South Australia on two-row malting and milling barley are as follows:—

	No. 10 Pool, Season 1948-49.	No. 11 Pool, Season 1949-50.	No. 12 Pool, Season 1950-51.
	s. d.	s. d.	s. d.
First advance, less freight	5 0	6 0	6 0
Second advance	1 6	2 6	2 6
Third advance	0 9	1 3	2 0
Fourth and final advance	0 8.942	0 5.196	0 8.488
Total advances, less freight	7 11.942	10 2.196	11 2.488

During the 1951-52 season advances of 8s., 4s., and 2s. 9d. were made, and about 9d. is still left in the pool. During the last four seasons the difference between two-row and six-row malting and milling barley has been 9d. a bushel and the difference between two-row and six-row feed barley 3d. a bushel. The differences between the prices per bushel realized for two-row malting and milling barley and two-row feed barley have been as follows:—No. 10 pool 2s. 2d., No. 11 2s. 4d., No. 12 3s. 1d. At September 30, 1952, it was estimated that a further 3s. 6d. a bushel would be paid on two-row malting and milling barley on the No. 13 pool, season 1951-52, and 2s. 9d. has since been paid, leaving 9d. in the pool.

This Bill has been introduced to enable the board to continue its operations in Victoria and South Australia. In his second reading speech the Minister said that he had conferred with the Victorian Minister of Agriculture on the legislation and that similar legislation would be introduced in the Victorian Parliament, but there is no guarantee that the new Victorian Parliament will support such legislation, as its composition is a matter for conjecture. I hope that after the elections it will be called together before Christmas to pass this legislation so that the Barley Board may continue its work in Victoria, but if the new Parliament opposes this scheme there will be no Victorian growers' representative on the board and it might be necessary for the South

Australian Government next session to introduce amending legislation to rectify the position. The Barley Board is in rather an awkward position in that it cannot plan ahead, and I hope that if the Minister finds it necessary to amend this legislation next session members who are rather lukewarm in their support of this Bill will understand the reason for such amendment.

I commend the Bill to the House, for the Barley Board has done a magnificent job in watching over the interests of growers and in the consumers' interests exercising skill in justly fixing the price of 16s. 6d. for the local market. This Parliament should make no move to hamstring the board in any way in fixing that price because the selling of barley is slightly different from the selling of wheat, for, although the protein content of wheat must be considered by the miller, the different types of barley are important in considering how it will turn out in malt. This depends entirely on the maltster who may want a particular type of barley. If the board is to be hamstrung with regard to quantity and quality it will do much harm. I hope the Bill will be given a rapid passage.

Bill read a second time.

Mr. O'HALLORAN moved—

That it be an instruction to the Committee of the whole House that it has power to consider amendments to section 18 of the Barley Marketing Act to provide that the board shall duly consider the quantity, quality and condition of barley reasonably required for use or consumption in Australia and the effect of the price charged therefor on the cost of production of commodities manufactured wholly or in part therefrom.

Motion carried.

In Committee.

Clauses 1 to 7 passed.

New clause 5a—"Duty of board to market barley."

Mr. O'HALLORAN—I move to insert the following new clause:—

5a. Section 18 of the principal Act is amended—

(*a*) by adding at the end of subsection (1) the following proviso:—

Provided that the board shall, in determining the price at which such barley shall be sold for use or consumption in Australia, have regard to the effect of such price on the cost of production in industries using or processing barley;

(*b*) by striking out the words "reasonable requirements of persons requiring barley" in subsection (2) and inserting in lieu thereof the words "quantity, quality, and condition of barley reasonably required."

Section 18 (1) of the principal Act reads:—

The board shall market or otherwise dispose of to the best advantage all barley delivered to it under this Act.

I suggest the term "to the best advantage" obviously means to the best advantage of the barleygrowers and that the board is not called upon to consider the effect that the price fixed in Australia will have on industries using barley and those who consume their products. I agree that the Barley Marketing Board has done a commendable job in managing the pool since it was inaugurated by legislation passed in this House and legislation passed in Victoria. The price of barley for local use did not possess any great significance until recently when price control of barley was relinquished and power given to the board to fix a price for local consumption. In this morning's *Advertiser* there is a letter from Mr. L. B. Dean, president of the South Australian Branch of the Australian Pig Society, complaining about the high prices charged in Australia for pig meats and the detrimental effect it is having upon pig breeders. Feed barley is extensively used in the production of pigs. I suggest that my proviso does not unduly hamstring the board. It merely provides that in fixing the price of barley for local use the board shall have regard to the effect of such price on the cost of production in industries using or processing barley. The stock feed industry uses barley and there are a multitude of industries which process barley—the brewing and malting industry which uses if for the production of vinegar, spirits and beverages, and the pearl barley industry are two. I am a hearty supporter of this type of legislation and believe in the pool system and in attempts made under that system to equalize prices. I also believe that growers of any primary commodity are entitled to the cost of production plus a reasonable margin of profit. In some instances in future it may be necessary for the taxpayer to provide some form of assistance in order that this guarantee may be met. If the policy is to continue it can only do so with the goodwill of all the people in the community and I suggest my proviso is worthy of favourable consideration. Subsection (2) of section 18, which I also seek to amend, reads:—

In marketing or disposing of barley the board shall have regard to the reasonable requirements of persons requiring barley for use or consumption in Australia.

I have received complaints, particularly from pig breeders, that though the board ensures that there is sufficient barley in Australia to

meet all requirements it is not so much concerned with the quality. There is dissatisfaction with the quality, and I suggest that my amendment will overcome that complaint. It does not unduly circumscribe the board but directs it to have regard not only to the quantity of barley but also to the quality. The Australian people are entitled to consideration and should not have to endure similar conditions to what existed many years ago in relation to apples. I can remember when first quality apples were exported and practically all that came on the Australian market were of inferior types or windfalls. The same thing virtually applied to butter, first quality butter was exported and the lower grades were made available for home consumption. One argument against my amendment may be that this Bill is the result of an agreement between our Minister of Agriculture and the Victorian Minister. After the Victorian elections on December 6 there may be an entirely new Minister for Agriculture who will appreciate these amendments. We could take the risk of including these amendments in the draft and expect that they would be accepted as an excellent lead from South Australia when the time comes to finalize this legislation in Victoria.

The Hon. Sir GEORGE JENKINS.—I ask the House not to agree to the amendments. I had heard of these amendments before and I received the best information possible and decided it would be difficult to administer the Act if this clause were included. A report I obtained reads:—

Paragraph (*a*)—This amendment would make the clause unworkable. If, for instance, the demand for any product manufactured from barley declined in some part of Australia, the manufacturer would apparently be able to approach the board and state a case wherein he would show that the manufactured article had lost demand, and presumably the manufacturer could say it was because of the price that the board was charging for barley. If the board sought to obtain an analysis of the manufacturing costs and the ingredients that were used in the manufactured article, it would possibly not have the power to demand such information, but the demand for an article may be affected by a much wider set of reasons than the one ingredient of a particular manufactured article.

Members will see that it would be extremely difficult for the board to say what quantity was used if other ingredients were used also. The investigating authority would have to examine the position from beginning to end to decide the matter satisfactorily. The report continues:—

If the amendment were agreed to, it would make the Barley Board subservient to a host of claims, even to the extent that a hotelkeeper could present a case. The suggested amendment would write back into the Act a form of price control, but instead of the Prices Commissioner being the authority, it would apparently be the duty of the board to consider any representations made because of an alleged falling away of demand, and such a loss of demand could be the result of circumstances such as development of unemployment because factories are not working, unduly high margins of profits taken by a particular manufacturing or retail section of an industry or the competition of goods manufactured from commodities other than barley. In any case, the Prices Commissioner is still actively operating, and consumers in Australia can still refer to the Prices Commissioner if they consider the board's decision unduly harsh on the consuming public.

Paragraph (*b*).—The board does give consideration to the quality of barley required for local consumption, and the board does consider the condition of barley necessary for use in such local consumption. The board recently has required the consumers to take delivery of their requirements of barley during the crop year, and all old stocks of barley should be cleared from the board's stores by November 15, and if it is not cleared from the board's stores by the November 15 the board is prepared to deliver new crop barley and dispose of the old crop. It is well-known that grave deterioration takes place in barley if it is held beyond 12 months, the chief problem being the development of weevil and the ravages of mice and rats. The board has operated under the present Act for a period of four years, and prior to the South Australian Barley Marketing Act of 1947, there was a period of nine years when barley was delivered to Australian consumers under board control, and it seems quite unnecessary to have the amendment as proposed. The opinion of the board is that the interpretation of the words in the suggested amendment will prove a great difficulty and will not assist in any way the marketing of the South Australian barley crop.

Paragraph (*b*) has no relation to the price of barley, only to its condition, and maltsters in particular are concerned with it, and not pig feeders.

Mr. O'HALLORAN—I am amazed at the attitude of the Minister on this matter. Are we to understand that it represents the policy of the Government, and that it gives the green light to the board to in future not consider Australian interests in fixing the barley price? Barley should be marketed to the best advantage and it should be to the best advantage of the people who grow it. My information is that there will be a return to the growth of coarse grains overseas, which means that the price of our barley will fall. Under the proposed conditions the board could exploit the public and sell barley overseas cheaper than

would otherwise be the case. We should not trample on the opinions of the majority of our people. Barley growers and their representatives represent a large section of the public. They should be able to maintain a just system of marketing and retain the goodwill of the public. If that goodwill is destroyed, and I do not want to see it destroyed, all can easily be lost. Only two States are major users of barley and the time is not far distant when people in the other States, where most of our population lives, may stand against this type of legislation, that is, if we do not see that reasonable justice is given to the Australian consuming public. In relation to paragraph (*b*), the Minister said it was required only by the maltsters, but I had a complaint from another member of Parliament that had been received from pig breeders in his district about the quality of barley supplied to them, and the price charged. No maltster or person interested in the manufacturing side saw me in connection with these amendments. They were submitted to me by a fellow member of Parliament. I considered them fair and reasonable, and with some slight alterations to them I placed them on the file. The maltster is entitled to some consideration. He uses about 6,000,000bush. a year, which is about one-third of the South Australian barley production. It represents a substantial part of the barley used locally. I hope the Minister will reconsider the position. The Barley Board would not have to consider the complaint of a publican that a road construction gang that had been in his town for 12 months had moved on, or the effect of someone producing a patent form of breakfast food of which barley was the main ingredient, or something sold as a boom line and the firm went broke. The board would have to consider the reasonable requirements of the Australian public. I suggest that both amendments are desirable.

Mr. PEARSON—I want to correct one or two wrong impressions that the Leader of the Opposition has inadvertently conveyed to members regarding his amendments. From his point of view probably he is justified in urging the Committee to accept them, but the Minister's reply contains most of the answers. I want to add my opposition to the amendments, because of the experience I have had. I remind the Leader of the Opposition that as soon as the board had the control of barley vested in it the price of feed barley was immediately reduced from 16s. to 12s. a bushel. The 16s. was based on the equivalent wheat price for feed purposes. However, the board realized that value was not there, and it sought to correct the anomaly by revising the price and putting it more in line with real value. If any evidence of the board's good intentions were required in this matter, this is evidence. I remind members that the original Act provides that the board shall at all times have regard to the reasonable requirements of the Australian industry, and that will remain even if the Bill is passed. In asking for support for his amendments Mr. O'Halloran said that the board should have regard to the reasonable requirements of the Australian people.

Mr. O'Halloran—There is not much difference between the two expressions, but there is a difference.

Mr. PEARSON—There is a difference in the mechanics of the amendments and the provision in the original Act, and the Minister has outlined that difference. The board is satisfied that the amendments could make the Act almost unworkable for the board. The Leader of the Opposition said that the board by its policy, could antagonize Australian consumers and cause repercussions on itself, and consequently on the South Australian industry. I remind him that super-imposed on all legislation is section 92 of the Commonwealth Constitution, which provides that a purchaser in one State may cross the State border and purchase barley at a price arranged with a grower. This provides a definite safeguard for the consumer. Section 92 goes beyond the scope of the legislation. Even if South Australia and Victoria are tied, the legislation will have no effect on interstate trade as Victorian and South Australian buyers can always visit each other's State and purchase barley. I heartily agree with Mr. O'Halloran's discourse on the quality of apples. Although we had a surplus of excellent quality apples during the war years we could not purchase our requirements on the local market. The case as regards barley, however, is exactly the opposite as the board has always retained in Australia the best quality.

Mr. Frank Walsh—Didn't barley growers always get the highest price for best quality barley?

Mr. PEARSON—In the days of open marketing we took the price that was offered and were glad of it. It was a competitive sellers' market and we chased buyers all over Australia to purchase our barley. Since the board has been in operation it has kept the best barley for the home trade, but under Mr. O'Halloran's amendment who is to say whether barley is in a satisfactory grade and condition? The board always offers what it considers to be fair

tender to malsters. Mr. O'Halloran also said that the board would not have to consider representations from a multitude of people, but that is wishful thinking. Under the amendment, it will be obliged to accept representations from all interested parties and that is why it will be unworkable. Obviously, many representations will be frivolous. The cost of the raw barley has little effect on the cost of the product and I hope that the Committee will not accept the amendment. It will not be in the best interests of the consumer and will be a definite embarrassment to the board.

Mr. STOTT—I trust the Committee will reject the amendment. The Leader of the Opposition considers that the board should pay regard to the quality and condition of barley that is reasonably required for use in Australia. There is no reason to think that it will not pay regard to that. At the same time as the Prices Commissioner fixed the price of barley to pig feeders at 16s. a bushel it fixed the price to brewers at 11s. 2d. Since the Barley Board has taken control it has reduced the price to pig feeders from 16s. to 12s. per bushel. Mr. O'Halloran's amendment states:—

Provided that the board shall, in determining the price at which such barley shall be sold for use or consumption in Australia, have regard to the effect of such price on the cost of production in industries using or processing barley;

The board should pay regard to all interests who use barley. The present price has met with the approval of both barley growers and consumers; the method of classifying the grain is fair, and we should not create more difficulties by requiring the board to pay regard to quality, especially when malsters themselves cannot agree on it. I am worried about the effects of Mr. O'Halloran's amendment on various sections of the community. Not long ago we were selling malting barley on the Western Australian market at a price lower than that paid for export. Because South Australian two-row barley was of a better quality Western Australian malsters wanted it and could pay 11s. 2d. a bushel, which enabled Western Australian growers to receive an export price of more than 20s. a bushel.

The Hon. Sir George Jenkins—And for practically the whole of their crop.

Mr. STOTT—The board, in fixing 16s. a bushel for malting barley in Victoria and South Australia, has not taken into consideration the reasonable requirements of buyers because today's price is about 20s. a bushel. The board fixed a reasonable formula at 16s. a bushel.

Mr. O'Halloran—The board is doing what I suggest, but you object to its being placed in the Bill?

Mr. STOTT—Yes, because it is doing a reasonable job. I think the board is giving satisfactory service to all sections.

Mr. FRANK WALSH—Apparently the honourable member holds the view that because the board has done something before it will do so again. Of the 18,000,000 bushels of barley grown in South Australia, home consumption requires only 6,000,000. Under the amendment the board would have to consider only the reasonable needs of home consumption and the effect of any price fixed on the cost of production in industries using or processing barley. I support the new clause.

The Committee divided—

Ayes (9).—Messrs. John Clarke, Davis, Hutchens, McAlees, O'Halloran (teller), Riches, Stephens, Tapping and Frank Walsh.

Noes (23).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Fletcher, Goldney, Hawker, Heaslip, Hincks, Hon. Sir George Jenkins (teller), Messrs. William Jenkins, Macgillivray, McIntosh, McLachlan, Michael, Moir, Pattinson, Pearson, Playford, Quirke, Shannon, Stott, Teusner.

Pairs.—Ayes—Messrs. Fred Walsh and Lawn. Noes—Messrs. Whittle and Jeffries.

Majority of 14 for the Noes.

New clause thus negatived.

Title passed. Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 28. Page 1088.)

Mr. FRANK WALSH (Goodwood)—Clauses 2 and 3 meet with my approval. Under the latter clause a new local government area cannot be created by severance from another area unless the new area would have a general rate revenue of more than £5,000. Compared with the position in Victoria and some of the other States this amount may appear to be small. I was not at all impressed with the Minister's views on clause 4. According to him provision is to be made for the retention of former mayors on councils. Yet on a recent occasion when it was suggested that a new ward be created in a certain corporation the excuse was given that the extra councillors and aldermen would make the council unweildy. I

consider that the Act makes adequate provision for aldermen and consequently I shall oppose this clause. Clause 5 provides that the nomination day for annual elections is to be the second Friday in May instead of the second Saturday as the Act now stipulates, and in view of the shorter working week I am not opposed to that. Clause 6 provides that a town or district clerk who wishes to resign must give the council two months' notice. This may appear to be a somewhat long period, but it is quite reasonable when it is remembered that a council must, under section 157 (2), give a clerk six months' notice of dismissal provided he has held his office for at least 12 months. As some councils sit only once a month, two months' notice of resignation is therefore not unreasonable and I support this clause. I have no objection also to clause 7 which provides that where ratable property is owned jointly by two more persons each has the right of appeal without the other being obliged to join. Clauses 8 and 9 amend sections 206 and 207 and relate to provisions on appeals against assessments. Clause 8 lays down that the court may make an order increasing, decreasing or leaving unchanged the assessed value in respect of which the appeal is lodged and I hold the view that the word "increased" should be struck out, for, generally speaking, rates are becoming too high. At a recent public meeting at Marion attended by over 1,000 ratepayers the mayor of the corporation asserted that the estimated overall increase was not more than 64 per cent. The mover of a certain resolution, on the other hand, tendered evidence showing conclusively that they had increased by over 100 per cent, so we should not lightly give the right to the court to further increase assessments. The existing procedure is that a council makes an assessment and at its first meeting for the new year, in July, adopts a rate. Ratepayers have the right of appeal against that assessment, first to the council sitting as an assessment revision committee pursuant to section 205. If the ratepayer is dissatisfied with the determination of the assessment revision committee he may appeal to the local court and this appeal is conducted by way of a re-hearing of the evidence, but why should we give this court power to increase an assessment? That would be a retrograde step.

The Hon. M. McIntosh—Almost any court of appeal you could mention has similar power.

Mr. FRANK WALSH—Where shall we end if we give a magistrate this right to order an increase?

Mr. Stephens—Does the court consist of a magistrate or merely a justice of the peace?

Mr. FRANK WALSH—Section 207 mentions a "local court of full jurisdiction." Last session Parliament went to the trouble of amending the Act to enable councils to save expense by adopting the waterworks assessment instead of appointing an assessor to make a new assesment. The important point is that a council has this right to make an assessment and the ratepayer has the right to accept it or appeal against it.

Sitting suspended from 6 to 7.30 p.m.

Mr. FRANK WALSH—Prior to the tea adjournment I offered some objection to clause 8 in relation to the power to increase assessments on appeal. On reflection I would confine my objection in this respect to clause 9 which gives the court power to increase assessments on appeal.

Mr. Pattinson—The ratepayers of Edwardstown need not be frightened by the clause.

Mr. FRANK WALSH—According to the press report 1,000 people attended a meeting at Edwardstown, at which I presided, some weeks ago. They protested against the assessment fixed by the Marion Corporation, in whose district reside many of the constituents of the member for Glenelg. Undoubtedly the ratepayers who attended the meeting had a very good case. Many appealed under section 206 against their assessments, and in most cases a reduction was made. In view of this I consider that the court would, on appeal, grant reductions in assessments in that area, but I object to the court having any such power for the reasons I indicated earlier. I consider it to be the responsibility of the council to fix the assessment and the rate. If it has a high assessment it should fix a reasonable rate, sufficient to meet its requirements for the ensuing year, for at the commencement of the next financial year it can review the rate. Last session Parliament gave the Minister of Works the power to furnish information to councils on the Waterworks Department's assessment. I think this was done with a view to getting uniform assessments throughout the State wherever rental values apply. I do not oppose clause 10, although it may be said that £50 for centenary celebrations is too low on today's money values, but on the other hand ratepayers may consider that the £50 could be better spent to improve the district. Section

287 (*f*) gives councils the power to subscribe:—

For the purpose of the acquisition or maintenance of or for the provision of equipment for any place within the area set apart for public recreation, any public hospital, any public asylum, any charitable institution, or any institute.

Subsection (*f*1) enables councils to subscribe to institutions outside its area if the council is satisfied that the institution provides directly or indirectly for the needs of the inhabitants of the area. Will the Government permit councils to subscribe to community hospitals in or near their areas? I understand there is some doubt about whether they can do so and I ask the Government to consider bringing down an amendment that any community hospital whose profits are used wholly for the benefit or improvement of the hospital may be assisted by a council. I am wondering when we shall get some opinion from the Crown Solicitor on how far community hospitals may be helped by councils. The health and hospitalization of the people is a major concern of all councils. At the end of section 287 we find the words:—

In this section "charitable" means within the purview of the Statute 43 Elizabeth, Chapter 4.

This Statute makes interesting reading. It was made in the year 1601 and refers to charitable organizations. It provided for:—

Relief of aged, impotent and poor people, for the maintenance of sick and maimed soldiers and mariners, schools of learning, free schools, and scholars in universities, for repair of bridges, ports, havens, causeways, churches, seabanks and highways, for education and preferment of orphans, for or towards relief, stock or maintenance, for houses of correction, for marriages of poor maids, for supportation, aid and help of young tradesmen, handicraft men and persons decayed, and others for relief or redemption of prisoners or captives.

That Statute provided relief for many other purposes, but I think I have quoted sufficient to indicate that we should review some of the statutes on which we base our legislation. I am particularly concerned whether the corporations of Marion, Mitcham and Unley can legally subscribe to the Ashford Community Hospital. The Statute of 1601 did not mention community hospitals, but do such hospitals differ in any material respect from subsidized hospitals? Each year grants are given by the Government to subsidized hospitals, but they still appeal to the public and the councils concerned have to levy ratepayers in order to contribute to them. What do we find with regard to efforts to establish a community hospital? After much work and effort, in some cases by members of Parliament, to organize an appeal to raise the necessary finance, we find that councils cannot subscribe to such projects and the obligation to finance them is placed on the community. Consequently, the standard of accommodation for the nursing staff must remain below the generally accepted standard unless further subscriptions are forthcoming from the public. The Minister should favourably consider the amendment of section 288 by providing that councils may contribute to community hospitals whose profits are used wholly for the benefit or improvement of the hospital.

The Hon. M. McIntosh—The member for Glenelg raised that question which is still under consideration.

Mr. FRANK WALSH—I appreciate what the member for Glenelg has done in this matter. The member for Semaphore has also done much although he was not concerned with the same aspect of the question as was involved in the financing of the Ashford Community Hospital. If the Minister is waiting for a Crown Solicitor's opinion on this matter, that opinion must be based on a statute 350 years old. The Act should be amended in the manner I have suggested. I do not oppose clause 11 which repeals subsection (8) of section 383, but the Minister in his second reading speech should have indicated how many operative quarries come within the scope of this clause and whether there is a real demand from people requiring rubble or filling from any council quarry. Clause 12 meets with my approval, as it enables the owner or occupier of ratable property in the neighbourhood of a proposed veterinary hospital, extension or addition to present a petition to the council praying that the proposed veterinary hospital, extension, or addition be prohibited. I support clause 13 which gives the same powers to all district councils as are enjoyed by municipal councils in relation to hide and skin markets and stock sale yards.

I approve of clause 14 which deals with the control of quarrying and blasting operations. In my district the effects of these operations are felt far and wide, and I understand the members for Mitcham and Burnside are also interested in this matter. I trust the Mitcham council will be able to make a satisfactory arrangement with the quarry owners so that some of the reverberations being felt at present will be minimized. Clause 15 provides that a council may make by-laws giving it power to ask the owner or occupier of land to remove from it any unsightly chattels or structure, but I think this power should have been

inserted after paragraph 39a of section 667 which deals with the prevention or regulation of rubbish tips or the depositing of rubbish, for it would have been better to deal with both these subjects in the same part of the section.

Clause 16 has merit, but it is to be hoped that when the new Tramways Trust is appointed the power to control ancillary transport facilities will be conferred on it so that it may co-ordinate metropolitan transport in the best possible manner with a view to economically meeting the public demand. Clause 17 meets with my approval, as it provides that a town or district clerk may be an authorized witness for local government elections whether held in his area or that of another council. This provision will be of particular convenience to electors in country districts.

Section 373 of the Act gives councils the power to declare any part of any public street or road to be a prohibited area. Only recently I arranged a conference between certain business people in Edwardstown, the local police officer, and the town clerk and surveyor of the corporation of Marion to review what the Mitcham council had done in this connection in Edwardstown. On the main South Road a distance of between 250 and 300yds. has been declared a prohibited area for 24 hours a day, seven days a week, but on the opposite side of the road which comes within the jurisdiction of the Marion corporation there is no such prohibition. Consequently, that part of the business section which is in the Mitcham district is penalized and the people living on the Marion side of the road enjoy an advantage. About 18 months ago I consulted the local police constable who controls local traffic and we decided that prohibition of parking between 4.30 p.m. and 6 p.m. on Mondays to Saturdays would meet the requirements of the locality. One wonders whether Parliament has given too much power to councils when one finds a council which has abused its power in this way. At the subsequent conference attended by the officials I have mentioned it was generally agreed that the prohibition of parking between 4.30 p.m. and 6 p.m. would satisfy the requirements of local residents on both sides of the road without penalizing any one section, and I hope that common-sense will prevail in the Mitcham council so that the total prohibition will be modified. A desirable alternative would be for the Highways Department to make up its mind with regard to the acquisition of land necessary for the widening of South Road by 7ft. and to indicate to ratepayers how soon the work will be carried out. Unless councils deal with such matters sympathetically the position can become highly involved.

Section 796 makes general provision for voting at meetings of ratepayers, and I would be interested to learn from the Minister when he replies whether on a petition being presented by 100 ratepayers to a corporation a meeting could be called to consider a matter in which they are interested, for instance whether the council should raise money by floating a loan. This section is very complicated, and, although I may not speak on it at this juncture, I have given notice of my intention to move new clause 6a to provide that if 100 or more ratepayers request the council in writing to take a poll as provided by section 190 the council shall hold a poll as provided by that section. I will speak on that later, but it might be wise if a positive review were made of section 796. The Minister apparently favours the alternative system of rating because he went to great lengths to apologize on behalf of the Government for not being able to introduce provision for it this session. The Local Government Advisory Committee was not prepared to assist the Government. On this occasion I wonder whether the system is the Minister's or the Government's premature infant. I hope it will collapse in the iron lung where it seems to be at present. The only satisfactory method of rating is on land values.

Mr. PATTINSON (Glenelg)—This is essentially a Committee Bill, dealing with a number of unrelated matters, and I propose to reserve my remarks on the clauses until the Committee stage. In introducing the Bill the Minister said:—

Subsection (2) of section 7 of the Act provides that a new local government area is not to be created by severance from another area unless the new area would have a general rate revenue of more than £3,000. Under present day conditions a rate revenue of £3,000 is insufficient to enable a council to operate efficiently, and clause 3 provides that this minimum for a new area is to be increased to £5,000.

That is desirable because far too many local governing bodies are operating inefficiently because their revenues are too small and they have not proper equipment and cannot afford to pay for competent surveyors and engineers. Many years ago a Local Government Areas Re-arrangement Committee, of which the Parliamentary Draftsman was chairman, was appointed and empowered to consider and

report whether any councils should be combined or whether some areas should be severed from some bodies and added to others. By and large I think that committee did a good job but it faltered in its stride and did not go far enough. That is no reflection upon Mr. Bean, but the committee was too unwieldy and represented too many sectional interests. It did not take the bold stand which the Parliament of the day expected it would and it left many local government areas in an uneconomic position.

On August 11, 1950, I introduced to the Premier a large and representative deputation consisting of Sir Lloyd Dumas, the managing editor of the *Advertiser*, Mr. C. R. Sutton, President of the Municipal Association of South Australia, Mr. J. D. Cheesman, Federal President of the Institute of Architects, Mr. Sidney Crawford, Chairman of the S.A. Harbors Board, Mr. H. J. N. Hodgson, Chairman of the S.A. Division of the Institution of Engineers, Mr. F. E. Ellis, President of the Institute of Surveyors, Mr. L. D. Waterhouse, President of the National Fitness Council of S.A., and Mr. W. C. D. Veale, President of the Town Planning Institute of S.A. They requested the Government to appoint an honorary committee to ascertain what steps should be taken to provide a co-ordinated plan for the development of the metropolitan area, and after a lengthy and informative discussion the Premier promised to refer the request to Cabinet and said he thought the Government would approve of the deputation's recommendations. On July 25, 1951, the Government appointed an honorary committee consisting of the Director of Local Government, Mr. P. A. Richmond, the chairman of the Housing Trust, Mr. J. P. Cartledge, the Town Planner, Mr. H. C. Day, the Engineer-in-Chief, Mr. J. R. Dridan, the manager of the Harbors Board, Mr. H. C. Meyer, the manager of the Tramways Trust, Mr. J. N. Keynes, the president of the Municipal Association, Mr. C. R. Sutton, the president of the Town Planning Institute, Mr. W. C. D. Veale, and many other persons of representative capacity. The committee held a number of meetings and gathered much valuable information and data, and in July of this year recommended "that a co-ordinated plan for the development of the metropolitan area is both necessary and urgent, that the existing legislation does not provide the necessary power or facilities to produce such a plan and that a small board or committee should be appointed to collect information and produce a plan and recommend legislation."

The problem of development in the metropolitan area and also in some large country towns is becoming exceedingly complex. In the metropolitan area there are 21 municipalities, all exercising their own separate powers, a large number of Government departments, and a number of State and Commonwealth instrumentalities such as the Municipal Tramways Trust, the Housing Trust, the Electricity Trust, the Engineering and Water Supply Department, the State Bank, and the War Service Homes Commission, all acting independently and no doubt performing useful functions, but with no co-ordination one with the other. The result is that in transport, housing, water and various other public services and amenities there is no co-ordination of planning or activity. Last year the *Advertiser* brought a distinguished town planner to South Australia, and he investigated the potentialities of this State and the metropolitan area and wrote a number of informative and searching articles which were received with much acclaim by leading experts in all branches of town planning. The time is long overdue when the haphazard development of the metropolitan area should be halted and some planned development substituted. The Housing Trust has done, and is continuing to do, a valuable service in the housing of many thousands of deserving citizens, but that is its sole responsibility. In my own district it is building thousands of homes, but as far as I can ascertain—and if I lack any knowledge on the subject it is not through want of diligence—it has no plan for the orderly development of the south-western suburbs of Adelaide with which I am familiar. It has no plan for proper recreational areas or for a green belt for reserves. In effect it says, "It is our job to buy land and put as many houses on that land as possible so that we can reduce the cost of the land and house to the purchaser." I was chairman of an honorary committee to advise the Government on one minor aspect of the orderly development of beaches, and it recommended the acquisition of certain lands. The Public Works Committee confirmed that recommendation but the Government did not act upon it. The Public Works Committee, after a full investigation, strongly recommended that the subdivision of various lands in the metropolitan area be not proceeded with until some proper authority sanctioned it, because it realized that in time there would be a heavy burden of expense on some Government departments to drain those lands and properly sewer them. The Committee made a report in connection with the sewerage of the Rosewater area.

Mr. Macgillivray—Has it issued a report on this matter?

Mr. PATTINSON—Yes, a very valuable one, but, as far as I know, no notice has been taken of it. I am concerned about the mistakes made in the past in the haphazard development of the metropolitan area.

Mr. Fletcher—We have a town planner.

Mr. PATTINSON—Yes. He is an estimable gentleman, but he is working under an Act which is more antiquated than the one mentioned by Mr. Frank Walsh of the days of Elizabeth I., over 300 years old. I do not know how old our Town Planning Act is, but it should be regarded as a museum piece. The powers of town planning are not the fault of Mr. Day. The Act has been crying out for revision over many years. The voice of people versed in these matters, who give much valuable time and thought in an honorary capacity, is like a voice crying in the wilderness. The time is long overdue when there should be a proper system of zoning and planning of industrial and residential areas. My colleagues in this place who faithfully represent country areas will unanimously join with me in saying how desirable it is, not only at Glenelg, but in the whole of the State, for amenities to be properly developed. At Glenelg we do not adopt a parochial or narrow attitude, but we feel a sense of shame when visitors from the great outback, who have borne the heat and burden of the day, come to our seaside resort for a holiday and all we can show them is the sea. We cannot show them what they have a right to expect, and I sympathize with them.

Clause 6 deals with the resignation of the clerk of a council. It says that he must give at least two months' notice of his intention to resign. That is fair because a clerk must be given six months' notice of the council's intention to dismiss him. Is it mandatory for the council to accept the two months' notice? There may be a number of reasons why it is neither necessary nor desirable for a council to be obliged to retain the services of a clerk for an additional two months.

The Hon. M. McIntosh—The intention is that, if required, he shall give two months' notice.

Mr. PATTINSON—I suggest that the clause should say that the council should be given two months' notice if required. It may be that neither party may desire the clerk to carry on for another two months. It should be clarified whether it is mandatory for a council to require a notice of two months.

The Hon. M. McIntosh—The clerks themselves suggested that was a fair thing.

Mr. PATTINSON—I do not know why Mr. Frank Walsh should be so worried about clause 8, which gives the right to change an assessment on appeal. If a person is not satisfied with the decision of the body making the assessment he throws the assessment into the melting pot when he appeals. Whatever the body, it should have the right to say whether or not it thinks an assessment is correct, or too high, or too low. Mr. Walsh attended a noisy meeting of ratepayers at Edwardstown. No doubt they had a serious claim for redress, but the Marion Council made assessments which the ratepayers thought were wrong. If they appealed against those assessments surely the body hearing the appeals should be able to say whether it thought they were too low or too high.

Mr. O'Halloran—Do you think an appellant body should have the right to make an increase?

Mr. PATTINSON—Not in all cases.

Mr. O'Halloran—There was a road traffic case in Victoria where the court said it would like to increase the penalty but could not do so.

Mr. PATTINSON—I think it could not increase the penalty because the maximum had been imposed. If a man appeals against damages given against him he runs the risk of their being increased. In the same way a man runs the risk of an increase when there is an appeal in a criminal jurisdiction. I can see nothing inherently wrong with clause 8. If my memory serves me correctly, in all appeals against Housing Trust decisions on rentals the court has power to increase or decrease them, or leave them unaltered.

Clause 10 amends section 287, which deals with expenditure by councils. The principal Act has over 900 sections. One of the longest is section 287, which permits a council to expend its revenue on a variety of matters. Since the Act was consolidated in 1934 it has been amended nearly every year and every year we seem to be niggling about this section giving some additional powers. I am wondering whether the whole of section 287 could not be redrawn and, instead of having dozens of little powers, we should give councils some reasonable discretion in the expenditure of their moneys. Mr. Macgillivray made a powerful appeal the other week for an extension of powers so that councils could subscribe to various things and I hope we will give them some reasonable powers to expend their moneys. Subclause (j4) of clause 10 could be expanded. It states:—

subscribing for the purposes of any organization having as an object the furtherance of

local government or the development of any part of the State in which the area of the council is situated: . . .

I suggest that we add:—

and for any other purpose which the council deems desirable: Provided that the total amount which may be subscribed aforesaid in any financial year shall not exceed £100 (or £200) or one per cent of its revenue, whichever may be the greater.

Mr. Macgillivray—We sent a recommendation to the Legislative Council along those lines, which said it was too wide.

Mr. PATTINSON—That is no reason why we should not try to put a worth-while provision of that nature in the Bill this year. I have always understood that it was a definite policy of the Labor Party to press for a total abolition of the Legislative Council because it was too autocratic, but I think I heard the Leader of the Opposition say on one occasion that he did not seek the abolition of the Legislative Council. That august Chamber of second thought, however, is far more democratic than we think and I feel that if we submit an amendment of the nature suggested it will be granted this time. We should give councils some degree of latitude in various matters. For example, a most laudable undertaking was launched to send a group of young men on a good-will tour of Great Britain, and proved most educational and of decided value to South Australia. I think the proposal emanated from the *Advertiser* and was sponsored by councils, yet no council had any legal right to expend money on it. Councils had no power to subscribe to the "Food for Britain Appeal," nor to the Red Cross or other similar worthy undertakings. Moreover, councils have no power to make presentations to any of their employees who may have served them for nearly half a century, but they do so. There are a variety of classes of expenditure that it is desirable for councils to engage in and which, in fact, they do. Some break the law with impugnity. The Glenelg council has broken it with great frequency because it has felt that Parliament would not give the necessary authority to make small donations for worthy purposes.

One problem of major importance has been raised by me here on two or three occasions and by the member for Goodwood tonight. We are both vitally interested in the establishment and future welfare of the Ashford Community Hospital. I am also interested in the Glenelg Community Maternity Hospital, in the formation of which I played some part. I know that the member for Semaphore is interested in the matter of councils subscribing to these institutions. The Port Adelaide council has received a definite opinion that it is unable legally to subscribe to the LeFevre Community Hospital. The problem which the member for Goodwood and I are concerned with is that the Ashford Community Hospital, although in the Glenelg electorate, is in the West Torrens council area. I requested the Government to subsidize, pound for pound, a group of men who were prepared to find money to establish this community hospital and at the first time of asking the Minister of Health most emphatically said "No." On the second occasion he was not so emphatic, and still said "No," but at the third time said that if we could get four councils—West Torrens, Unley, Marion and Mitcham—to get together and support the hospital from every point of view and particularly financially, the Government would regard it as a real community hospital and would subsidize it on a pound for pound basis. We enlisted the support of the four councils, which became most enthusiastic, and for two years each has subscribed £250. Although each has now subscribed a total of £500, if the opinion which the Port Adelaide council received that it is illegal for it to subscribe to the LeFevre Community Hospital is correct, then it must of necessity be definitely illegal for the councils of Unley, Marion and Mitcham to subscribe to a hospital which is not within their area.

I raised this matter with the Minister of Local Government by way of question several months ago and he obtained an opinion from the Assistant Parliamentary Draftsman (Mr. Cartledge) which, I think, was rather vague and qualified. Recently the matter was raised by the member for Semaphore and on that occasion I think the Minister obtained an opinion from the Crown Solicitor (Mr. Chamberlain, Q.C.) but, with the greatest respect, it was not entirely satisfactory to me. If there is an element of doubt, and I think there is, this is the time to clarify it by a simple amendment of the Bill. I hope the House will have another look at section 287. A minor matter is contained in clause 15. New paragraph 48 (*a*) reads:—

For enabling the council by notice in writing to require the owner or occupier of any land within the municipality or any township within the district to remove therefrom any unsightly chattels or any unsightly structure, the presence of which is likely to affect adversely the value of adjoining land or which is prejudicial to the interests of the public. . . .

Who is to decide whether a chattel is unsightly or likely to affect adversely the sale of adjoining land? To make assurance doubly sure I

should like to see the words "in the opinion of the council" inserted after "the presence of which." I notice later in the same clause that provision is made for an appeal to the local court. I support the second reading.

Mr. TAPPING (Semaphore)—I support the Bill and welcome the opportunity to pass a few comments concerning local government. Like many other honourable members, I have served on a council for many years and therefore take a special interest in this Bill. I support most of the clauses and partially support others, and will deal with them in sequence. Clause 5 relates to nomination day and I believe the Government is wise in deciding that it should be on the second Friday in May instead of on Saturday. There is a tendency for shops, warehouses and council offices to close on Saturday mornings so that the staffs can enjoy additional respite at the week-end. The Bill provides that nominations must be received by mid-day on the second Friday of May. There is no need for any candidate to leave his nomination until the last day, as it can be made some weeks beforehand if necessary. If a council were bound to keep its office open on Saturday morning to receive nominations it would be involved in unnecessary expense. Clause 6 relates to the conditions under which a clerk of a council may resign and in this regard I disagreed somewhat with the sentiments expressed by Mr. Pattinson. The clause provides that a town clerk or a district clerk must give two months' notice if he wants to resign. I think that condition is too harsh.

The Hon. M. McIntosh—The council has to give him six months' notice.

Mr. TAPPING—I admit that is very liberal. The new provision could mean that a clerk would lose a position offered to him.

The Hon. M. McIntosh—The clerks themselves suggested the amendment.

Mr. TAPPING—Although a meeting of clerks made the decision it may have been a minority of members of the association. If two months is to be made mandatory it would be unfair to a clerk who desired to accept a better position. For instance, it is hardly likely that an interstate council would be prepared to wait for two months for a South Australian clerk to be released. Almost every metropolitan council has not only a town clerk but also an assistant. If the town clerk at Port Adelaide resigned, the assistant clerk could take his place. I admit that there might be some hardship with district councils. On one occasion I sat on a committee of the Port Adelaide council to select an assistant town clerk from about 25 applicants, most of whom held a certificate for local government. Because of the number of men who have the necessary qualifications, there would be no difficulty in filling the position.

Clause 7 deals with appeals against assessments by joint owners. Under the present law the appeal must be made by the joint owners. One can visualize the hardship which could arise if one of the owners were, say, in England. I think the Government is wise in providing that either owner has the right of appeal. Clause 10 relating to expenditure permitted by a council is controversial. It allows an expenditure of £50 a year towards any organization whose object is the furtherance of local government. I agree with the member for Glenelg that it could involve power being given to a council to make donations to a community hospital. We should render every possible aid to councils in this commendable work. The number of community hospitals being established in South Australia indicates that there is a proper spirit among the public. In the last couple of years about four community hospitals have been sponsored in the metropolitan area. Some years ago when the Semaphore district appealed to the Government for help to establish the LeFevre Peninsula Community Hospital a grant of £10,000 was made, and this resulted in the hospital's inauguration. The board now finds it difficult to meet rising costs. During last year it purchased two adjoining homes on mortgage to enable the hospital to provide decent quarters for nurses. Recently it applied to the Port Adelaide City Council for a donation, but the council's solicitor said that in his opinion such a gift would conflict with the Act, and therefore no donation was forthcoming. I feel that the Government would be wise to assist in catering for community hospitals.

On October 28 I asked the Minister of Local Government whether a municipal council had power to make a donation to a community hospital and was told that the matter was not entirely free from doubt and would require investigation in each particular case. He added that if a hospital had a free bed it might qualify for a donation. I have made inquiries and I have yet to find any community hospital which has a free bed. A free bed would cost the board of management about an extra £1,000. In view of that I appeal to the Government to allow councils to have

some discretion in this matter. We have sufficient faith in our council members to know that they would treat an appeal on its merits and not abuse the privilege. If the Port Adelaide Council were empowered to make a donation, I would suggest that £200 towards the hospital at Semaphore would not be any hardship on ratepayers, because they would derive a benefit from the hospital. I ask the Government to insert an amendment to make the position abundantly clear and enable councils to contribute donations towards such hospitals. I am in agreement with clause 15, which deals with the power of a council to make by-laws enabling it to give notice to the owner or occupier of any land within its area to remove any unsightly chattels or structure the presence of which is likely to affect adversely the value of adjoining land. One sees many instances of such unsightly structures in the metropolitan area, and this is detrimental not only to the district, but particularly to adjoining property owners. What impresses me about this amendment is the fact that if the owner is not prepared to remove the unsightly structures the council will have power to do so at the cost of the owner. This is a progressive step which has my whole-hearted support.

Clause 16 relates to taxi fares. At the moment councils have a very difficult task in determining an increase or a decrease in taxi fares as it is almost essential to wait for 12 months before the necessary by-law can be passed through the various channels and enforced. Clause 16 provides that fares may be fixed by a resolution of the council duly published in the *Government Gazette*. I am particularly pleased with the proviso that the resolution must be carried by at least a two-thirds majority of the total number of members of the council, for conceivably taxi interests might be able to sway a small meeting. The schedule relates to rating on unimproved land values and if agreed to will allow councils to go to a limit of 2s. instead of 1s. 8d. as at present. I do not disagree with this proposition, for we all realize that, in view of the higher costs of labour and materials, councils must have more revenue, but there is one point I desire to stress. I asked the Minister of Works a question on notice today as to the number of councils in South Australia which worked on the system of differential rating and I was amazed to find that there are eight. For about eight years this system has obtained in the Port Adelaide council and I oppose it because I feel that it is not working fairly in the interests of all people. As an illustration of what I mean, people in the Glanville and Portland areas are paying 1s. 8d. in the pound, which is the present limit, whereas those in Largs Bay are paying 1s. 1d., or 7d. less than those living in the poorer parts. I have always contended that the spirit of the unimproved land value system is to give equity to all ratepayers; the property owner in a prosperous area must expect to pay higher rates, for if he sells his property the return is far greater than if it were in a poorer area. I feel that those in the poorer parts of the Port Adelaide council will, under this amendment, have to pay 2s. in the pound while those living in the more prosperous parts will pay 7d. or 8d. less. That is entirely wrong and is opposed to the true spirit of the unimproved land value system. I once held the view that it was not legal to do that, but I am now convinced that provided a council does not go beyond the limit it is doing nothing illegal.

I would now like to touch on the question of the remission of rates for community hospitals. I confess that this is not in the measure before the House, but I believe that I can show a reason why this should be acceded to. The community hospital at Semaphore pays £58 a year in rates for the hospital and two adjoining homes. Although that is a small amount it would be some relief to the hospital if the council had power to remit those rates. In general I support the Bill and reiterate my plea that the Government will make it quite clear that councils have the right to donate funds to community hospitals.

Bill read a second time.

Mr. FRANK WALSH moved—

That it be an instruction to the Committee of the whole House that it has power to consider an amendment to section 189 of the Local Government Act.

Motion carried.

Mr. MOIR moved—

That it be an instruction to the Committee of the whole House that it has power to consider a new clause relating to the power of the Governor to declare by proclamation that a municipality shall be constituted a city.

Motion carried.

Mr. RICHES moved—

That it be an instruction to the Committee of the whole House that it has power to consider an amendment authorizing councils to reimburse to members of councils salary and wages lost by reason of attendance at functions and other business of the council.

Motion carried.

Mr. TEUSNER moved—

That it be an instruction to the Committee of the whole House that it has power to consider an amendment relating to the powers of councils to expend their revenue for the purposes of bands and orchestras.

Motion carried.

Mr. Moir on behalf of Mr. WHITTLE moved—

That it be an instruction to the Committee of the whole House that it has power to consider a new clause relating to the providing by councils of superannuation and retiring benefits for employees of the councils.

Motion carried.

In Committee.

Clauses 1 to 3 passed.

Clause 4.—"Proclamation as to aldermen."

Mr. FRANK WALSH—I consider that the provisions in the Act relating to this matter are adequate.

The Committee divided on the clause:—

Ayes (21).—Messrs. Brookman, Christian Fletcher, Goldney, Hawker, Heaslip, and Hincks, Sir George Jenkins, Messrs. William Jenkins, MacGillivray, McIntosh (teller), McLachlan, Michael, Moir, Pattinson, Pearson, Playford, Quirke, Shannon, Stott, and Teusner.

Noes (9).—Messrs. John Clark, Davis, Hutchens, McAlees, O'Halloran, Riches, Stephens, Tapping and Frank Walsh (teller).

Pairs.—Ayes—Messrs. Geoffrey Clarke and Whittle. Noes—Messrs. Lawn and Fred Walsh.

Majority of 12 for the Ayes.

Clause 4 thus passed.

Clauses 5 to 8 passed.

Clause 9—"Provision on hearing of appeals."

Mr. FRANK WALSH—I indicated in my second reading speech that I thought it not desirable for the court to have power on appeal, to increase the assessment of a council. This amendment means that councils could evade their responsibilities in the hope that the ratepayers would appeal to the court, which would then become an assessing tribunal, whereas the councils should be able to arrive at a fair assessment of the value of property. The ratepayer should have the right to appeal to the court if he is not satisfied with the decision of the council, but the court should not be allowed to increase the assessment.

The Hon. M. McINTOSH—At the outset I said that I doubted whether the court had power to increase an assessment, and this provision merely clarifies the intent. A ratepayer who believes that his assesment is too high should be willing to take it to a court even though that court has the power to increase it if it considers it too low. As this provision follows a principle which operates in criminal law, traffic law appeals, civil actions for damages and land tax law, I consider it needs no alteration, and ask the Committee to support the clause as it stands.

Mr. FRANK WALSH—I appreciate the Minister's explanation, but this clause must be considered in conjunction with clause 8, which amends sections 206. I considered opposing clause 8, but was told that my best plan was to vote for it and raise my objection on this clause. I do not desire to take any powers from councils, nor to deprive any ratepayer of his rights of appealing against an assessment, but if the ratepayer appeals to the court he should not be further penalized by having his assessment increased.

Clause passed.

Clause 10—"Expenditure of council".

Mr. PATTINSON—I previously intimated that I desired to amend paragraph (j4). Unfortunately the draftsman of this Bill is not present and I do not trust myself as an expert draftsman on these matters, so I ask the Minister to either report progress or assure me that he will recommit this clause tomorrow. It is desirable to amend this paragraph to give councils a wider discretion to subscribe to various organizations and to expend their revenues on a variety of small matters. They should not be cribbed, cabined and confined. If we believe in the principle of local government we should not tie councils to so many tuppeny-ha'penny paragraphs enabling them to subscribe to various organizations. We should enable them to expend 1 per cent of their revenue for the purposes of any organization having as an object the furtherance of local government or the development of any part of the State in which the area of the council is situated or for any other purposes which the council deems desirable. My proposal is to add the words "or for any other purpose which the council deems desirable" after the word "situated" and to alter the proviso to read "Provided that the total amount which may be subscribed to organizations as aforesaid in any financial year shall not exceed £200 or 1 per cent of its total revenue whichever may be the greater." I am not moving that as an amendment but I foreshadow that I will move in that direction. A more serious aspect in which the Government is involved concerns whether the councils of West Torrens, Marion, Unley and

Mitcham are legally entitled to subscribe £250 each annually to the Ashford Community Hospital at the request of the Government. Those councils have each already subscribed £500. I would never have been able to obtain a grant of about £17,000 for that hospital had the Premier and Chief Secretary not made it a condition that the support of those four councils should be obtained. The Glenelg Community Hospital and the LeFevre Community Hospital are other instances, and I am by no means satisfied with the opinions of the Assistant Parliamentary Draftsman and the Crown Solicitor on the point. It is a simple matter to make the position doubly sure by amending the Act, and I ask that progress be reported so that these matters can be properly put into the Bill.

The Hon. M. McINTOSH—The point has been answered rather indefinitely, and in order that the matter might be adjusted I ask that progress be reported and that the honourable member have his amendment on the files so that we can examine it on the next day of sitting.

Progress reported; Committee to sit again.

GARDEN SUBURB (REPEAL) BILL.

The Hon. M. McINTOSH (Minister of Local Government) brought up the report of the Select Committee, recommending that the Bill be not proceeded with.

Report read and ordered to be printed.

SALE OF GOODS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 23. Page 1067.)

Mr. HUTCHENS (Hindmarsh)—I give unqualified support to the Bill, which is long overdue. Its object is to abolish the draft allowance on sheep skins. The Minister said that 14 years ago the draft allowance on wool was abolished, and that since then there has been a strong feeling that the draft allowance on sheep skins should be abolished. I have had much experience in the sale of these skins and I know how much it costs to supply the extra weight for the draft. There are five skin brokers in South Australia—South Australian Farmers' Union, Elder Smith & Co. Ltd., Goldsbrough Mort & Co. Ltd., Dalgety & Co. Ltd., and Bennett & Fisher Ltd. Master Butchers Ltd. also sells sheep skins for its members. I have had experience in the preparation of sheep skins for sale, and I have nothing to say to the detriment to any of the brokers. I have had a long association with Goldsbrough Mort, Dalgety, and Bennett & Fisher. Whilst I have disagreed at times with their policy I must acknowledge that the keynote of their trading in sheep skins has been honesty and efficiency. I was employed by one of these brokers and when I resigned I left a team of efficient and loyal workmen. They are highly trained, and loyal to their employer because they tried to get the highest possible prices for the producers. The question of the draft allowance on sheep skins has concerned the brokers for some time.

During the war I gave much assistance to Mr. A. E. Cope to prepare a case for abolishing the draft allowance. In his second reading speech the Minister referred to the necessity for a draft and said he believed it may have been due to defective scales. Since the abolition of the draft allowance on wool in 1938 woolbrokers in South Australia have spent at least £5,000 in weighing equipment in order that just weights could be delivered. The scales in use by skin brokers today are most satisfactory and respond to the drop of a very small coin on them.

Mr. Pearson—Is any allowance made for dust that might accumulate on bales during transit?

Mr. HUTCHENS—Yes, and also for dampness. Every effort is made to give producers their just dues. The Minister said it was estimated that the draft would cost producers throughout Australia about £6,000 a year. That estimate is not based on recent figures. I attended a sale recently and estimated that it would cost producers in South Australia about £2,500 for the draft on dry skins. Weekly sales vary between 8,000 and 12,000 skins.

The Hon. Sir George Jenkins—My statement was in respect of skins sold at Adelaide auctions and not throughout Australia.

Mr. HUTCHENS—I thank the Minister for his explanation as I thought the figures were far below what they should be. At the dry skin market on October 27 last 2,714 full skins averaging 15 lb. in weight, were sold. In every 112 lb. of sheep skins sold producers lost between 4s. and 5s. There is no need to impress on members the necessity for supporting the Bill. Some time ago Mr. Heaslip referred to the difference in price of sheepskins sold in South Australia and other States. Those who know the trade appreciate that in South Australia there is a limited number of packers and fellmongers. There are only five packers and three fellmongers of any standing. With buyers limited to a few it is easy for them to make arrangements not to compete against each other. They

could also regulate the market price and buyers travelling throughout the country would be able to make a good profit. One cannot blame them if they take every opportunity of doing so. Although I have the highest respect for buyers who operate here, the opportunity exists under the present system for their making large profits. I suggest that, with the abolition of the draft, producers should unite and form a co-operative in order to obtain the highest possible price. I am certain that skinbrokers will be pleased to assist. I support the Bill.

Mr. McLACHLAN (Victoria)—Speaking as a representative of a rural area and being associated with a stock and wool-selling firm similar to those mentioned by Mr. Hutchens, I am pleased that the Government has decided to amend the Act. I do not agree that the Bill will involve primary producers in such colossal losses as the Minister's second reading speech might indicate, but if buyers are being allowed that particular tare allowance it could act as a form of discount. I am sure that my grazier friends will appreciate the rectification of the anomaly that has existed for so long. I was interested in Mr. Hutchens' comments about the selling of skins in this State. He may have had a good foundation for making the statements, but I can safely say that my experience has been to the contrary. In the South-East we are selling tens of thousands of fat lambs, which Adelaide buyers bring to Adelaide, export the carcasses, sell the skins on the Adelaide market and obtain more money for the lambs than do people who buy them in Victoria, indicating that if they are losing on the skins more money is being made from carcasses. The Bill does not deal with the price of skins, but with the removal of the tare allowance and I am pleased that the Government has seen fit to do away with it.

Mr. HEASLIP (Rocky River)—As a country representative I commend the Government for having introduced the Bill. The wool draft, or tare, was abolished in 1938 and the draft on skins should have been abolished then. The scales in 1938 were just as accurate to weigh skins as they were to weigh wool. I am pleased that it is now proposed to abolish the tare allowance. If one buys a bag of sugar, flour, or superphosphate there is no allowance for short weight. When one buys a ton of superphosphate he does not get full weight, but there is no right to claim for the shortage. A woolbuyer always has the right to claim a re-weigh if he has any doubt as to the accuracy of the weight. The member for Victoria stated that he does not think that the tare allowance has cost the sellers of sheepskins very much. I only hope that that is so, but I am afraid it is not. I agree with the member for Hindmarsh that the amount of loss to producers over the years has been tremendous. Over the past nine weeks I have kept a record of the prices paid for sheepskins at sales in Western Australia and South Australia and it shows there was a difference of 8d. to 9d. a pound in favour of Western Australia. The member for Hindmarsh mentioned that there was a limited number of buyers and packers in South Australia and gave that reason for the disparity in prices. I feel sure there would be fewer in Western Australia, and yet that State gets a premium on skins compared with South Australia.

Mr. Hutchens—In Western Australia they have buyers from the eastern States who go over there periodically, whereas in South Australia they buy through an agency.

Mr. HEASLIP—If skins were being sold in South Australia at 1s. a pound less than in the other States I should think that interstate buyers would come here. I have known buyers to purchase skins in South Australia, sell them in Victoria, and show a better profit.

Mr. McLACHLAN—On a point of order, Mr. Speaker, it would appear that an attempt is being made to destroy our skin market. The Bill was introduced to deal with tares and the remarks would almost seem a libel to wool-selling brokers in South Australia.

Mr. HEASLIP—I think the Bill is tied up with sheepskins and the prices producers receive. The price received by producers is reduced to the extent of the draft allowance.

The SPEAKER—I think the honourable member will be in order in discussing the effect of the draft allowance on the price.

Mr. HEASLIP—South Australian sellers of sheepskins are not receiving prices equal to those paid in the other States.

The SPEAKER—I think that is widening the scope of the discussion somewhat.

Mr. O'Halloran—Do they have a tare allowance in Western Australia?

Mr. HEASLIP—Perhaps there is not a draft allowance there, and that is why more is paid for skins than is paid in South Australia. If that is so, the position should be rectified. If the abolition of the tare allowance brings our prices nearer to those operating in the other States it will mean a lot to skin producers

here. Our wool is just as good as that produced in the other States and therefore the sheepskins should return just as much. If a new skin agency is required, it is up to someone to see that it is started.

Mr. McLachlan—Would you be prepared to go to the next skin market and buy 100 sheepskins and send them to Western Australia and tell me the result?

Mr. HEASLIP—I am not a skin buyer. My object is to see that producers get a proper price for their sheepskins. Over the last nine weeks the average price in South Australia has been from 8d. to 9d. a pound lower than that received in Western Australia.

Mr. McLachlan—You have not seen the skins.

Mr. HEASLIP—But skins in all the States are about the same. Conditions in Western Australia are much the same as in South Australia except that the wool would possibly be of less value, which should mean that the skin values are lower. However, I am glad that the Minister has introduced this amendment, for if it will result in the growers of skins getting better prices it has my wholehearted support.

Mr. MICHAEL (Light)—I support this legislation because I think it removes a long-standing anomaly. I point out, after hearing what some speakers have said, that one pound in each hundredweight which the buyers have had for nothing represents less than 1 per cent, so that the difference it will make to the seller of sheepskins will not be great. Nevertheless, the amendment is a move in the right direction.

Mr. O'HALLORAN (Leader of the Opposition)—So many country members have felt impelled to support this measure and commend the Government for introducing it that I feel that I, as a representative of one of the principal pastoral areas, should not allow the Bill to pass without comment. In the first place, I shall not commend the Government for introducing the Bill at this late hour, for had it been introduced in 1938 it would have saved the producers many thousands of pounds. The Minister said it represented the saving of about £6,000 this year. I am cognizant of the fact that during the whole of the 14 intervening years sheepskins have not been bringing present day prices, but there is one thing which has always been a mystery to me—and I have been a seller of sheepskins all my life—namely, that one could never get anything like the value of wool on a sheepskin when it was sold as a skin, and I think there is something in the contention of the member for Rocky River that all is not well in the marketing of sheepskins.

Mr. Stott—It never has been.

Mr. O'HALLORAN—Despite the denials of the member for Victoria the growers might well examine this problem from another angle to see whether it would be possible to establish their own co-operative fellmongering establishment and thus eliminate the middle-men who have benefited from this draught allowance for so long. It is amazing to find this legislation of an ameliorative nature likely to appeal to a large section of the community introduced in the dying hours of the Parliament, on the eve of an election, when it might have been passed 14 years ago.

Bill read a second time and taken through its remaining stages.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 15. Page 957.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill is not charged with legislative dynamite for it does not propose any sweeping changes in the law. I find myself in agreement with practically all the amendments proposed. The first deals with the exemption of certain vehicles from the payment of registration fees. At present vehicles owned by councils and used for the purpose of road making are exempt. A number of councils in the eastern suburbs have banded together to establish a trust for the operation of a rubbish destructor and purchased vehicles for the collection of rubbish, and they now find that these vehicles are subject to registration fees. One can readily understand the feeling of injustice which pertains in that area when vehicles used for road making purposes, which is a community service, are exempt and those used for rubbish collection, also a community service are not, particularly as they are diesel propelled and, of course, feel the full impact of the Act passed last year increasing the fees on diesel-propelled vehicles. I cannot understand why all vehicles used by councils for community service within their areas should not be registered free. If this Bill is passed we shall have the spectacle of vehicles used for road making or for collecting rubbish being registered free, but those used for sanitary purposes, which are needed by many councils, particularly in country areas because they are outside the charmed circle where sewerage is provided, will still be subject to registration fees. Likewise, we have many

areas, particularly in the far-flung parts of the State, where the beneficent influence of the Electricity Trust has not yet been extended and where the local authority is the supplier of electricity. It seems that the vehicles used for the purpose of maintaining the power plant and assisting in providing electricity will also be subject to registration fees. This is another instance of how this Government does things piece-meal. Why is it not possible to pass legislation providing that any vehicle owned by a council and *bona fide* used in providing a public service shall be registered free instead of selecting vehicles used for specific purposes? However, as the amendment at least goes some distance along that road that I think we should traverse completely I am prepared to support it.

The second amendment provides for the exemption of trailers from having a mechanical signalling device attached to them where the vehicle and trailer are both over a certain width. This provision was apparently inserted to clear up some doubts on whether both vehicle and trailer should have signalling devices. I think the safety of the public will be adequately preserved by the provision of an adequate signalling device on the vehicle hauling the trailer, so I suggest that the House accept it. The next amendment states that driving licences shall be produced in court in certain cases. At present this is mandatory in regard to certain offences and I think that the amendment extends the legislation so that persons committing an offence against the insurance provisions of the Act will also be required to produce their licences in court.

An important amendment provides that an insurer who has had to meet a claim as the result of an accident caused by a person improperly using a vehicle may recover from that person the amount of compensation which the insurer has had to pay to an injured person. I think this is an eminently just provision although I can see some difficulty in insurers collecting from offenders, because some of these offenders seem to have little of this world's goods. The next amendment deals with stop signs at railway crossings. Apparently some doubt has arisen on whether stop signs which have been erected on land which has ceased to be a road but which have admirably fulfilled their purpose remain legally erected, and it is suggested that the law should be amended to provide that stop signs may be erected on land other than a roadway. There is a stop sign in the main highway at Mount Bryan where a minor road intersects the main one. I should have thought the stop sign would be erected on the minor road and I have wondered what authority would take the responsibility of prosecuting any person responsible for knocking the sign down.

Clause 8 effects an important amendment relating to the exemption of police, ambulance and fire brigade vehicles from the speed limit in built-up areas. I think we all agree that circumstances may arise when these vehicles should be permitted to travel at more than 35 miles an hour. Of course, there is always an element of danger in speed, but the provisions of the Act relating to careless, negligent or dangerous driving of these vehicles will still operate. I think this will be a sufficient protection to the public and the work of the police, ambulance services and fire brigades will be greatly facilitated. On one occasion in the Glenelg electorate a fire brigade made two attempts to reach a fire, the vehicles breaking down on each occasion. When they finally got to the scene after much delay and effort it was to find an irate landholder who had put the fire out with a garden hose. I feel sure the passing of this amendment will prevent such happenings in the future and will enable the brigade to make all necessary haste to a fire for speed in getting there is the essence of the contract. In the case of ambulances the ready transport of patients from the scene of an accident to the hospital for the best possible treatment may result in the saving of a life. I support the second reading.

Bill read a second time and taken through its remaining stages.

BUSH FIRES ACT AMENDMENT BILL.

The Hon. Sir GEORGE JENKINS, having obtained leave, introduced a Bill for an Act to amend the Bush Fires Act, 1933-1950.

Read a first time.

VETERINARY SURGEONS ACT AMENDMENT BILL.

The Hon. Sir GEORGE JENKINS, having obtained leave, introduced a Bill for an Act to amend the Veterinary Surgeons Act, 1935-1938.

Read a first time.

ADJOURNMENT.

At 10.39 p.m. the House adjourned until Wednesday, November 12, at 2 p.m.