HOUSE OF ASSEMBLY.

Wednesday, November 24, 1954.

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

QUESTIONS.

HOUSING TRUST HOMES.

Mr. O'HALLORAN—Recently I have had two or three complaints from applicants for Housing Trust homes because people with very large families cannot be considered because not enough large houses to accommodate that type of family are being built by the trust. Will the Premier consider the matter firstly to see whether there are a substantial number of applicants with large families whose applications cannot be considered sympathetically by the trust because of the dearth of large houses, and secondly to ascertain what steps can be taken by the trust to build a sufficient number to meet the needs of what I consider to be the most deserving type of applicant for rental homes?

The Hon. T. PLAYFORD—Yes.

LEIGH CREEK SCHOOL.

The Hon. Sir GEORGE JENKINS—Some time ago I raised the question of a better standard of education for the children attending the Leigh Creek school. The Minister of Education gave me a favourable reply and hoped that they would be able in the near future to establish a higher primary school at Leigh Creek. Has he considered the matter fully and can he say whether a higher standard of education can be given at the school, which I think is warranted?

The Hon. B. PATTINSON—The honourable member referred the matter to me in September and I gave him a reply then, but in the last two months further investigations have been carried out to ascertain the number of children who would be requiring secondary education at Leigh Creek next year. These investigations show that there would be at least 20, which number is likely to increase. In consequence I have approved the establishment of a higher primary school there as from January 1 next.

ADELAIDE-MARINO RAIL SERVICE.

Mr. FRANK WALSH—Will the Premier take up with the Minister of Railways the question of providing a better train service on the Adelaide-Marino line? I understand that the 10.40 p.m. train from Adelaide usually consists of one rail car. Passengers travelling on it request that a second car be attached to provide them with reasonable transport.

The Hon. T. PLAYFORD—Yes.

MONEY FOR CITY COUNCIL WORKS.

Mr. PEARSON—In last Saturday's *Advertiser* it was reported that a meeting of Lord Mayors of the various capital cities of Australia was held, I think, in Melbourne, and as a result a report emanated from the meeting that the Lord Mayors had considered the possibility of making a direct approach to the Prime Minister or the Federal Treasurer for grants to assist them in their various works. The report did not indicate definitely whether the Lord Mayors proposed to ask for loan moneys normally allocated through the Loan Council to the State Treasurers or for grants from Federal revenue. Did the Treasurer see the report and can he say whether the Lord Mayor of Adelaide has approached him in regard to the matter, as was suggested would be done? Is there any significance in the report as regards the operations and functions of the Loan Council as we know it?

The Hon. T. PLAYFORD—I have not received any request from the Lord Mayor on the matter. I saw the article and heard a broadcast news item concerning the proceedings. It appears that the Lord Mayors are anxious to obtain loan money in the same way as the States obtain it for State purposes. At present semi-Governmental authorities have the obligation of raising their own loans. I do not believe there is an opportunity for the Commonwealth to take on an additional obligation in the matter of raising loan moneys. This year the Loan Council approved the raising of £200,000,000 for State and Commonwealth purposes. I believe that is the utmost the Commonwealth will be able to raise on the loan market. When the request from the Lord Mayor is received it will be examined and appropriate action taken.

MEAT WORKS AT KADINA.

Mr. McALEES—Has the Premier heard anything in connection with the High Court decision regarding the proposed meat works at Kadina? The matter has been before the court for a long time now and the Premier may be able to get a decision given at an earlier date than an ordinary person.

The Hon. T. PLAYFORD—The High Court has not yet announced its decision in this case and I am afraid the firm concerned will not be prepared to negotiate further until the licensing position is actually known. I regret

the delay that has taken place in connection with the enterprise, but the honourable member can readily see that the State Government has no authority over the jurisdiction of the High Court or when it shall announce its decision.

CHILDREN'S COURTS.

Mr. TRAVERS—In the Act giving power to children's courts they are given power to either impose a fine or commit to a reformatory. In the main the court is anxious, if a monetary punishment is adequate, to fine rather than commit to a reformatory, but the Act has not been overhauled for a long time. Will the Minister representing the Attorney-General ask him to undertake an overhaul of the Act so that the court will have adequate power to punish through a monetary penalty instead of having to send children to a reformatory? The change in money values as well as in the incomes of many children under the age of 18 years coming before the court renders them capable of paying an adequate fine and being adequately punished through a fine, and from all points of view that would be preferable to sending them to a reformatory. Will the Minister examine that matter to see if anything can be done?

The Hon. B. PATTINSON—I cannot undertake to overhaul the Act myself, but will be pleased to confer with the Attorney-General concerning the matter.

ABATTOIRS EXTENSIONS.

Mr. HEASLIP—An article in Saturday's *Advertiser* under the heading "Building Plans at Abattoirs" states:—

Building extensions and plant replacement are planned for the Metropolitan and Export Abattoirs. The chairman of the Abattoirs Board (Mr. David Waterhouse) said yesterday that Mr. R. B. Arnold had been appointed secretary, to enable the general manager (Mr. K. D. Wharton) to undertake duties associated with the building programme.

During the past 12 months the abattoirs has performed a wonderful job, but the history of past years has not been so good and losses have resulted to the community, particularly to producers, from industrial strikes there. Can the Minister of Agriculture indicate the extent of building plans undertaken at the abattoirs and whether it is the Government's policy to build up a huge monopoly there rather than to take some of the killing work to the country nearer the sources of supply?

The Hon. A. W. CHRISTIAN—I have secured some information from the General Manager of the Abattoirs Board relating to its proposed programme of enlargement and extension. I point out that it is the Government's intention, endorsed I think by everybody, to develop and expand the beef industry in this State. We are particularly keen to establish the beef cattle industry wherever suitable—notably in the South-East—and we have other proposals for bringing more cattle down from the interior to cater for this greater demand. The United Kingdom market would take a great deal of beef from us if we had it, but last year's figures indicate that we only exported 1,800 carcases. There is great room for expansion and the object of the expansion at the abattoirs is largely to cater for beef trade. The General Manager of the Abattoirs Board reports as follows:—

The proposed additions consist of:—1. Modernization of two chillers to handle beef to export standard, and also improved air circulation in the local chillers; 2. installation of three B. and W. boilers and the housing of these boilers to replace the existing boilers which are 40 years old; 3. additional ammonia compressor and evaporative condenser capacity; 4. installation of automatic sprinkler system for fire protection in the chiller block and works fire protection generally; 5. additional beef and calf killing facilities; 6. improved edible offal treatment and packing section; 7. replacement of sewers and water services; 8. erection of hold-over room for meat after chilling and improved beef quartering facilities generally; 9. probable changeover from direct expansion to liquid ammonia recirculation; 10. installation of mercury arc rectifier to convert E.T.S.A. electricity from A.C. to D.C.; 11. new transformer substation to serve boiler houses.

The programme is estimated to take four to five years to complete. A rough estimate of the total cost of the 11 main items mentioned above, and some additional items not specified, is £500,000. Arrangements are almost completed to let contracts for the first four items at an approximately cost of £170,000.

In respect of the Government's policy I point out that on the 1954-55 Loan Estimates there is provision for loans of £100,000 to the board for "chilling facilities, slaughtering accommodation, roadways, sewers, boilers and housing."

RAILWAY LIFTING EQUIPMENT.

Mr. DAVIS—Will the Minister representing the Minister of Railways take up with the Railways Commissioner the advisability of providing Port Pirie with equipment of a greater lifting capacity than it has at present? Trains today can only make lifts of 5 tons, which means that people are forced to transport by road goods which would normally go by rail.

The Hon. C. S. HINCKS—Yes.

STRATHALBYN RAILWAY CROSSING.

Mr. WILLIAM JENKINS—Has the Minister representing the Minister of Railways a reply to a question I asked on October 20 relating to the provision of a warning device at the Strathalbyn railway crossing?

The Hon. C. S. HINCKS—I have a report from the Railways Commissioner as follows:—

This level crossing has been listed for consideration in connection with the installation of warning devices when labour is available. There are other crossings already approved for the installation of these devices, but the department has not been able to undertake the work up to the present and it is anticipated that these approved installations will engage the whole of our available labour for a period of approximately twelve months. When this work has been completed, further consideration will be given to the priority of the Strathalbyn crossing referred to. The existing protection at this crossing consists of Australian standard level crossing signs and approach signs.

LOVEDAY WATER SUPPLY.

Mr. MACGILLIVRAY—Has the Minister of Irrigation obtained a report in reply to the question I asked some time ago about the necessity to provide an adequate water supply for the township of Loveday?

The Hon. C. S. HINCKS—I have a report from the Assistant Director of Lands (Mr. A. C. Gordon), which states:—

I have to report that advice was received from the District Officer several days ago that he and the Resident Engineer, Barmera, are preparing a report on this matter embracing consideration of the installation of an overhead tank of 12,000 gallons capacity at Loveday which, if erected, would supply not only the town of Loveday but also a group of four departmental cottages, the school and school residence, and one or two other properties in the locality covering in all 25 to 30 consumers supplied at present by several different means. The District Officer does not expect the report and accompanying plans and estimates to be completed for at least another week.

ANGASTON SCHOOL YARD.

Mr. TEUSNER—Has the Minister of Education a reply to the question I asked last week about the paving of the Angaston school yard?

The Hon. B. PATTINSON—The Architect-in-Chief let a contract for the paving of this yard in January last. There has been a long delay on the part of the contractor but he has now assured the Architect-in-Chief that the work will be done in the forthcoming Xmas vacation.

BLANCHETOWN BRIDGE.

Mr. STOTT—Can the Premier say whether the committee appointed to inquire into the construction of a bridge across the river at Blanchetown has completed its investigations and when it is expected that the report will go before the Public Works Committee?

The Hon. T. PLAYFORD—I made some inquiries into this matter two or three weeks ago and found that the committee was working on it. It is a big project and it will no doubt take some time to prepare the plans and estimates necessary for submission to the Public Works Committee. I am not in a position to give the honourable member the information he requires.

TRAFFIC ON MOUNT BARKER ROAD.

Mr. SHANNON—Grave inconvenience is occurring on the Mount Barker Road, which I use almost daily. Some heavy transports—mainly interstate vehicles—are not complying with the usual practice of keeping to what is known as convoy distance apart. If heavy transports observe this, other faster vehicles can pass them, but they cannot pass two transports in line. It is not unusual to see up to 20 motor cars tailing two or three big vehicles and waiting a chance to pass. As a result of the Privy Council's decision in the Hughes and Vale case my people are apprehensive that the position will be gravely aggravated. I ask the Government to consider the desirability of introducing some form of control over these big interstate road hauliers on our main highways leading to other States; first to prohibit them from using these roads on Sundays—and I think it would be wise to prohibit them on public holidays too—and secondly, to regulate the traffic at peak periods. These transports should certainly be made to keep some distance apart, for this would overcome one of the greatest difficulties.

The Hon. T. PLAYFORD—A conference has been called in New South Wales, which the Minister of Roads is attending, I think tomorrow. Those matters, and the associated matters arising out of the Privy Council case, will be discussed by the various Ministers, and I shall be able to give the honourable member some better information on the general policy of policing road traffic after that conference.

HILTON BRIDGE ROADWAY.

Mr. FRED WALSH—Frequently I have brought before the House the condition of the roadway on the Hilton Bridge and just as frequently it has been repaired. The trouble is that when it was constructed about 40 years ago the construction was faulty and there has

been no attempt to correct this in spite of the subsidence that occurs almost every year. As a result, the department incurs considerable expense. Now the roadway is dangerous, because recently a motorist travelling over the bridge broke one of the springs of his car. I have damaged the spring lock on the boot because of bad bumps, one of which lifts me out of my seat when passing over it. Will the Minister representing the Minister of Roads ask the Highways Commissioner what action can be taken to correct the recurring subsidence and see that in the meantime the roadway is placed in a reasonably safe condition?

The Hon. T. PLAYFORD—Yes.

TREES ON MAIN NORTH ROAD.

Mr. QUIRKE—For some time now a rumour has been current in the Clare area that the magnificent row of red and blue gums near Watervale and Penwortham are to be removed for the purpose of widening the road and also that a contract had been let for this purpose. However, I can get no confirmation of this rumour and I ask the Premier whether he has anything to report on the matter?

The Hon. T. PLAYFORD—I have found that this is the second time that a rumour of this description has been circulated through the district and I take this opportunity of making the facts known so that honourable members will not have any unnecessary apprehension. It is not correct that a contract has been let to cut down these trees. The road is being widened in some places and it may be necessary to remove a few trees for this purpose, but the officers in charge of the job have strict instructions that no trees are to be removed until the matter has been submitted to the Highways Commissioner. I assure the honourable member that every care will be taken to see that no destruction of trees that can possibly be avoided will take place. There is no ground for the rumour that this beautiful avenue will be removed.

UNLEY PARK RAILWAY CROSSING.

Mr. DUNKS—Last session, and again this session, I asked the Minister of Works whether it was the Railways Department's intention to install automatic gates on the Cross Road near the Unley Park railway station. I was told that a certain number of automatic gates were on order and that, in its priority, one would probably be erected at this crossing. Will the Minister representing the Minister of Railways advise me before the end of this session on the possibility of erecting the gates in the near future?

The Hon. C. S. HINCKS—I will get a report for the honourable member and let him have it in due course.

HENLEY AND GRANGE POLICE.

Mr. HUTCHENS—Has the Premier, representing the Chief Secretary, a reply to my question of October 14 regarding the provision of additional police officers at Henley and Grange?

The Hon. T. PLAYFORD—I have a full report from the Commissioner of Police, who states that he does not consider it necessary in the ordinary course of events to station additional constables in that area but that an additional constable will be stationed there at the necessary times during the summer months.

JUSTICES OF THE PEACE.

Mr. STEPHENS—Some time ago the Justices Association, which for about 50 years has rendered excellent service to the community, had occasion to expel a member for wrongdoing. That person organized a committee, which called itself the Reformation Committee, to defeat the sitting committeemen of the association. The new committee members were badly beaten and as a result have now formed another society in opposition to the association. I understand that prominent members of that society have been occupying the bench of the Glenelg court, although they do not live in the Glenelg district. Can the Minister representing the Attorney-General say whether the officer responsible for appointing justices to the bench of that court cannot get local justices to act rather than going outside the district and getting members of the newly formed society? Could not recognition be given to the original Justices Association in this regard?

The Hon. B. PATTINSON—I shall be pleased to refer the honourable member's speech to the Attorney-General.

SOLDIER SETTLERS' INSURANCE AND MACHINERY.

Mr. FLETCHER—Last week-end while at Mount Gambier I received a complaint with regard to the insurance of soldier settlers' properties. I am informed that all settlers are obliged to insure with the one company, and the same principle applies regarding their purchase of machinery: they must buy a particular make. Can the Premier say whether that is correct and, if so, what is the reason?

The Hon. T. PLAYFORD—I cannot answer as to machinery, although I understand that the soldier settlers are not compelled to buy any particular make of machinery. The matter of insurance came under my notice many years ago. The reason why it is arranged through the particular company is that that company has given a greater discount than any other has been prepared to give and it therefore gets the business. I cannot disclose the discount because it is confidential, but it is advantageous to the soldier settlers.

TEACHER RECRUITMENT.

Mr. JOHN CLARK—Has the Minister of Education a report that he promised me yesterday regarding the success of the scheme of recruiting teachers that has been conducted by Mr. Nietz in England?

The Hon. B. PATTINSON—The results of the scheme are not as good as I had hoped, but the Director of Education reports that during Mr. Nietz' six weeks' campaign conducted in association with the Agent-General 15 men have been selected and have accepted. Of these, four are undergraduates for the special 12 months' course at our Teachers' College; the other 12 are trained teachers and will be appointed to our secondary schools. In addition, two more teachers are expected to accept appointment, but final advice has not yet been received. There is a possibility that a further two may apply and be accepted. The position may therefore be summarized as follows:—definite appointments, 15; probable appointments, 2; possible appointments, 2. Of the 11 men who have been definitely accepted for appointment to our secondary schools, eight are married and I am informed that in some cases the wife is a trained teacher and will be anxious to seek employment as well.

I believe the honourable member for Gawler, the honourable member for Ridley and one or two other honourable members have asked some further questions on teacher recruitment, and I take this opportunity to reply to them. The total number of new students who entered our Teachers' College at the beginning of 1954 was 245. It is expected that the total number who will enter our college at the beginning of 1955 will be between 260 and 270. It is also expected that as a result of the local recruiting campaign a larger number of preliminary probationary students and of probationary students will be appointed at the beginning of next year than were appointed at the beginning of 1954. Unfortunately, it is not possible to give actual figures at present. I am sure that the honourable member for Gawler in particular and all honourable members in general will be interested in the preliminary reports concerning the local recruiting campaign that was conducted by Inspector A. W. Jones, Miss Inspector G. R. Gibson, and two young people, Miss J. M. Bender (Renmark High School) and Mr. H. Beare (Port Augusta High School). The last two were newly appointed teachers from our Teachers' College and were intended to emphasize the appeal to youth from youth. The Director's report contains a table indicating the number of young people reported as being genuinely interested in the country centres. I will not read the table because it is too long, but the total is 681, and the number genuinely interested in metropolitan schools, 888; therefore, all members will agree that the local recruiting campaign inaugurated this year has been an outstanding success. In the country the ratio of girls to boys interested in teaching approached two to one, but in the city the numbers of boys and girls interested in teaching are more nearly equal. The boys' interest, however, is strongly biassed towards secondary work. I congratulate the four members of the recruiting campaign and, without making any invidious distinctions, particularly the young lady and the young man, because they contributed a tremendous amount of interest by their youth, vigor and enthusiasm.

HOSPITAL BENEFITS ORGANIZATION.

Mr. FRANK WALSH—Can the Premier say whether the Government intends to introduce legislation this session to deal with organizations not now registered by the Commonwealth Government in connection with the hospital benefits scheme now operating in this State?

The Hon. T. PLAYFORD—I do not know how far the Parliamentary Draftsman has gone in this matter but I will make inquiries and let the honourable member know tomorrow.

TEACHERS' TEXT BOOKS.

Mr. JENNINGS—Has the Minister of Education any further information to give regarding taking up with the Federal Taxation Department the matter of the cost of teachers' text books being an allowable deduction for income tax purposes?

The Hon. B. PATTINSON—When the honourable member asked me the question I ventured the opinion, without posing as a taxation expert, that I thought it would be an allowable deduction because the expenses were necessarily

incurred in earning an income. The matter was taken up with the Commonwealth Taxation Department by the then Teachers' Union in 1945 and the official reply was that purchases of this nature could only be an allowable deduction for income tax purposes if they were actually a condition of employment. In the case of teachers it was assumed that the purchases were in a private capacity and consequently were not allowable deductions. In my opinion the circumstances have changed since then and, following on the question, I obtained a report from the Director of Education, who says:—

(*a*) In primary schools text books required by teachers are purchased by the teachers themselves at their own expense and therefore I feel should be an allowable deduction for income tax purposes:

(*b*) Secondary schools.—A proportion of the text books are supplied from stocks accumulated at each school. However, the larger proportion of the text books required each year are not available from this source and would have to be purchased by the teachers concerned at their own expense. I feel that in this case the cost of the books could be an allowable deduction for income tax purposes.

Following on that report I authorized the Director to have discussions with the appropriate officer of the Income Tax Department and to follow it up with a letter to the Deputy Director of Taxation in this State requesting him to take up the matter with Commonwealth authorities. This has been done, but I have not yet received the decision of the Commonwealth Treasurer, although I am confident that in due course a favourable reply will be received.

PIG IRON PRICES AT PORT PIRIE.

Mr. DAVIS—Prior to 1950 pig iron from Whyalla was delivered at Port Pirie by boat, and the price charged for it was the same as in the capital cities of Australia. After 1951 the firm that used the pig iron at Port Pirie was informed that it could not get it at the same price as was paid in Adelaide, Melbourne and Sydney and that it would have to be purchased at Whyalla and to the price previously paid at Port Pirie would have to be added the cost of the freight from Whyalla to Port Pirie. Can the Premier say why there should be this difference in the prices?

The Hon. T. PLAYFORD—No.

Mr. DAVIS—Will the Premier investigate the whole matter and place any information he obtains before the House?

The Hon. T. PLAYFORD—Yes.

REFERENDUM ON LIQUOR HOURS.

Mr. STOTT—In view of the vote taken in New South Wales on the matter of liquor hours, which referendum enabled a vote to be taken in a democratic way, can the Premier say whether the Government has considered holding a referendum in South Australia to give the people the opportunity to democratically express their views on the desirability of extending liquor hours?

The Hon. T. PLAYFORD—The Government has received no request on this matter.

SOUTH-EASTERN PORT.

Mr. CORCORAN—Earlier in the session, when dealing with a previous investigation into the establishment of a deep-sea port in the South-East, the Premier said the Government had decided to have an investigation made into the suitability of Rivoli Bay. Can he say when it is proposed to commence the investigation?

The Hon. T. PLAYFORD—I discussed this matter with the General Manager of the Harbors Board this week and I expect that he will be able to commence investigation work in the near future. He said that the data already collected on the matter did not appear to be extremely favourable because the dredging involved would be difficult owing to the hard nature of the sea bed.

PAYMENT OF CORONERS.

Mr. WILLIAM JENKINS—During the Estimates debate I asked a question relating to the payment of coroners. Has the Minister representing the Attorney-General a reply to that question?

The Hon. B. PATTINSON—I have received a reply as follows:—

A justice of the peace is not permitted to charge for his services in any way except when acting as coroner. The Coroners Act of 1884 provided that a justice of the peace acting as coroner (except the City Coroner) may be paid a fee of £1 1s. and 6d. a mile travelling expenses from his home to the site of the inquest. This amount has not been varied and is still paid to justices acting as a coroner in country districts, irrespective of the number of days which may be involved in conducting an inquest. At times complaints have been made that justices have found it inconvenient to act as coroners, but I know of no case where an inquest could not be held because a justice would not act as a coroner for a fee only of £1 1s. In many towns the justice acting as a coroner might do so at some financial sacrifice, but in other towns the justice would be either in business on his own account or a retired gentleman and therefore would not be particularly interested in receiving a fee as

coroner. Any increase of the amount paid would require an amendment of the Coroners Act.

I am advised that there is no intention of amending the Act this session.

PERSONAL EXPLANATION: GUEST HOUSE TARIFFS.

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

Leave granted.

Mr. JENNINGS—Yesterday, it was reported in the *News* that earlier in the day in the House of Assembly, Mr. Jennings, "L.C.L.," had raised the question of whether the Prices Commissioner should investigate the desirability of an increase in tariffs at guest houses. As you know, Mr. Speaker, I am the only Jennings in this Parliament—perhaps unfortunately—and I certainly asked no such question. I make this explanation because I consider that the *News*, quite accidentally, did me some ill-service in suggesting that I raised this matter, which would be the last I would raise. It did me a more damaging injustice in describing me as a member of the L.C.L. I realize that it is an ill-wind that blows no-one any good and I take some consolation from knowing that as a result of this mistake the member for Stirling, Mr. William Jenkins, enjoyed the great honour of being described as Mr. Jennings.

COMMONWEALTH AND STATE HOUSING SUPPLEMENTAL AGREEMENT 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 authorize the Treasurer to enter into an agreement with the Commonwealth and other States of Australia for the amendment of the Commonwealth and State Housing Agreement.

Motion carried.

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

PUBLIC SERVICE ACT AMENDMENT BILL (No. 2) (SICK LEAVE).

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Public Service Act, 1936-1953. Read a first time.

WEST BEACH RECREATION RESERVE BILL.

The Hon. T. PLAYFORD 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 provide for the creation and management of a public reserve to be known as the West Beach Recreation Reserve, and for incidental purposes.

Motion carried.

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

EDUCATION ACT AMENDMENT BILL.

The Hon. B. PATTINSON (Minister of Education), having obtained leave, introduced a Bill for an Act to amend Part IIA of the Education Act, 1915-51.

Read a first time.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Read a third time and passed.

FRIENDLY SOCIETIES ACT AMENDMENT BILL.

Read a third time and passed.

COMMONWEALTH WATER AGREEMENT RATIFICATION ACT REPEAL BILL.

Read a third time and passed.

ANATOMY ACT AMENDMENT BILL (No. 2).

Read a third time and passed.

WATERWORKS ACT AMENDMENT BILL.

Read a third time and passed.

BUILDING CONTRACTS (DEPOSITS) ACT AMENDMENT BILL.

Read a third time and passed.

WHEAT INDUSTRY STABILIZATION BILL.

Read a third time and passed.

LEIGH CREEK NORTH COALFIELD TO MARREE RAILWAY AGREEMENT BILL.

Read a third time and passed.

HIGHWAYS ACT AMENDMENT BILL.

Read a third time and passed.

ELECTORAL DISTRICTS (REDIVISION) BILL.

In Committee.

(Continued from November 17. Page 1413.)

Clauses 3 and 4 passed.

Clause 5—"Redistribution."

Mr. O'HALLORAN—I move—

In subclause (1) (*a*) to delete "thirteen" and insert "eighteen."

My purpose is to increase the number of members of Parliament from 39 to 45, a number which has already been accepted by this House in a Bill which I introduced some time ago. The Government allowed the second reading of that Bill to pass without division and, for reasons it is not necessary for me to canvass at this juncture, the Bill was taken into Committee and the first six clauses were passed. In clause 5 I provided that the number of members of the House of Assembly should be increased to 45, and I hope that the members who permitted that clause to pass without argument or division will be prepared to accept the amendment I now move. At least one member who supports the Government has a particular obligation to sympathetically consider the amendment. I refer to the member for Onkaparinga (Mr. Shannon), who sought to amend clause 7 of my Bill to provide for a different distribution of the electorates.

Mr. Shannon—I think the Leader remembers that I merely tried to put that clause into shape.

Mr. O'HALLORAN—The honourable member says he was seeking to put that clause into shape which, of course, would make it shapeless, but he only gave further support to my contention that the number of members of Parliament should be increased, for he made no effort to reduce the number of members stated in the clause, but simply sought to divide the electorates on a different basis. The increase in the State's population since the present Assembly of 39 members was established in 1936, the increase in the State's production, and in particular the increase in the amount of business that is now controlled by the Government through semi-Government instrumentalities as a result of the progressive socialization of South Australia by the present Government: these factors warrant an increase in the number of members in order to ensure that the large Government undertakings are conducted in the interests of the majority of South Australians. My amendment to clause 5 strikes out "thirteen" and inserts in lieu thereof "eighteen"; that will mean 18 metropolitan members. In paragraph (*b*) of the clause another amendment strikes out "twenty-six" and inserts in lieu thereof "twenty-seven"; that will mean one more representative for the country. No doubt Labour members will be accused of departing from the principle they have always believed and still believe in, namely, that electors' votes should as far as possible be equal in value; but we are not departing from that principle. We sought to defeat the Bill on the second reading because we believed that it was iniquitous, that it murdered democracy, and that it abrogated the rights of all South Australians, particularly those in the metropolitan area. Now that the second reading has been passed, however, we intend to try to improve the Bill.

In 1936 the total enrolment for the metropolitan area was 203,647 electors represented by 13 members, the quota being 15,665. The country enrolment was 148,674 represented by 26 members, the quota being 5,781. A country vote was worth about 2¾ times the value of a metropolitan vote. That was inequitable, but if the present ratio of metropolitan to country seats is retained the country vote will be worth 3⅓ times the metropolitan vote. How great must be this disparity become before the Liberal and Country League will agree to give the metropolitan area a more just representation? If my amendment is carried the position will be materially improved; that is the sole justification for it. Today the metropolitan enrolment is 286,756, and the quota with 18 members would be 15,931 or about the same quota as with 13 members in 1936. The present country enrolment of 173,356 would give a quota, with 27 members, of 6,427, which would be a little more than the country quota in 1936. The country vote would then be 2.48 times the value of the metropolitan vote. Surely that is enough handicap to place on the metropolitan voter in determining the Government of the State. We should remedy the position by carrying the amendment.

The Hon. T. PLAYFORD (Premier and Treasurer)—The amendment appears to be one of several necessary to give effect to a scheme of electoral boundaries submitted by the Leader of the Opposition, and therefore I presume, Mr. Chairman, that I may refer to his amendments as a whole. They increase the number of metropolitan seats from 13 to 18, of country seats from 26 to 27, and the total number of members from 39 to 45. The amendments must stand or fall merely by the acceptance by this Committee of something the Leader has said has been accepted; but

I point out that a principle has not been accepted in any legislation until the Bill has finally passed, and the fact that recently a clause in the honourable member's Bill which increased the number of members was not amended does not mean that it has been accepted by this Parliament and become law. Further stages would be necessary—

Mr. O'Halloran—I did not suggest that; I said its acceptance without amendment was an argument in favour of my amendment to this Bill.

The Hon. T. PLAYFORD—At that moment I was taking a long distance telephone call or I would have made some comment on it. Neither party at the last election went to the electors with a proposal to increase the size of this House from 39 to 45 members.

Mr. O'Halloran—I did; it was in my policy speech!

The Hon. T. PLAYFORD—That was one of the points in the Leader's policy speech that I missed, and I immediately crave his pardon for making a mis-statement. I would have dwelt upon it at some length on one or two occasions had I known he mentioned it, because I did not believe that by their vote the people of this State have approved of an increase in the number of members.

Mr. O'Halloran—There was a majority vote.

The Hon. T. PLAYFORD—I cannot accept that. I did not go to the country with a proposal to increase the number of members. The last time the Liberal Party went to the country on the matter of electoral reform was in 1933, when Sir Richard Butler was returned to office on a policy of reducing the number of members from 46 to 39. Effect was given to that policy in 1936, and 39 is now the number of members in this House. In view of that I cannot accept Mr. O'Halloran's proposal and I oppose the amendment.

Mr. DUNSTAN—Members on both sides of the House have suggested that a minimum basis of reform would be a return to the 1936 position. The Premier himself has said that he would be willing to return to that position in view of the population change. The Opposition does not want the 1936 set-up. The people are well aware of our views on that matter. The Premier has indicated his willingness to go back to the 1936 position, so why not accept Mr. O'Halloran's proposal, because it goes back to the set-up in that year but provides for an additional number of members following on the increase in population? Now the Premier does not think the 1936 position was a proper one.

Mr. Corcoran—He said he had no mandate.

Mr. DUNSTAN—He said that Sir Richard Butler was successful when he went to the people in 1933, but he has forgotten all about the Independents. Now he proposes something that has not been put to the electors. There is no mandate for his proposal. If there is any mandate it is for the 1936 position. On the promises and statements made by the Government the only honourable thing any Government member can do is to subscribe to a return to the 1936 position, and if that is so their immediate duty is to vote for the amendment.

Mr. LAWN—I awaited with interest to hear the Premier's reason for opposing Mr. O'Halloran's proposal and I am still awaiting it. The people are entitled to know the real reason why the Premier does not accept it, and why he has introduced his Bill. In all courts the onus is on the claimant to justify his claim. The Premier has not justified the introduction of his Bill and he has not given a good reason for opposing the amendment. He attempted to justify his objection to it by saying at the last election neither Party had put the matter of electoral reform to the people. It was proved to him that the statement was wrong, because the Labor Party did mention it. The Party received 47,000 more votes than the Government Party, which justifies the acceptance of Mr. O'Halloran's proposal. The Opposition told the people that if returned it would move for a House of 45 members and multiple districts, and it received more votes than the Liberal Party. The Premier said that the last time his Party put the matter of electoral reform to the people was in 1933 when Sir Richard Butler was returned to office. He went to the people on a policy of splitting up the various electorates so that in each country district there would be 5,718 voters, and 15,665 in each metropolitan district, thus providing for 13 metropolitan and 26 country seats. Because of the population increase and to carry on the policy presented by the Liberal Party to the people in 1933, it is necessary to vote for the amendment because there would then be 6,427 voters in each country district and 15,931 in each metropolitan district. Now the Premier wants to change the 1936 formula and provide for 6,674 voters in each country district and 20,058 in each metropolitan district. There is a vast difference between the number of electors proposed now for each district and what Sir Richard Butler presented in his policy to the people. If we examine this matter dispassionately, as the *News* did, we will find that

the Liberal Party, which suggested reducing the number of members in this House in 1933 and set out the number of electors for country and metropolitan districts respectively as I have indicated, is now departing from that policy and, without any mandate from the people, proposing to introduce entirely new figures for the number of electors in districts. I believe the Government's reason for suggesting this change is to save seats. On November 7, 1953, I asked the Premier whether the Government or the Liberal Party had appointed some secret committee to investigate the question of electoral boundaries with the object of amending the Act prior to the 1956 elections to make the districts of Unley, Torrens and Glenelg safe for that Party. We now have this Bill which proposes the setting up of a commission which will be able to report to Parliament during the 1955 session in time for an amending Bill to be passed to operate at the 1956 elections to make those seats safe for the Liberal Party. That is not good and honest government.

Mr. Fred Walsh—It is good business.

Mr. LAWN—It may be for those in control who are power-drunk and want to maintain their unbroken records which have been built up on a false electoral system. They are valueless when compared with records established in States and countries where fair and just electoral systems operate. It is impossible for the will of the people to prevail in South Australia. They cannot elect a Government of their own choosing, nor can they change the Government. The people have a habit of changing even good Governments and I do not criticize them for that.

Mr. Jennings—They cannot even change the bad Government now in power.

Mr. LAWN—No. It is not democratic. If any Government member believed that the opposition's remarks on the second reading were immoral or that members of my Party were saying "You must vote for this," I can only say that although this amendment is not all I would like it to be, it is a fair compromise between what I would like to see and the position which existed in 1933. It accords with our policy, placed before the people in 1953, of having 45 members in this House. I do not say that Government members must support the amendment, but I hope there will be sufficient members to constitute a majority when the vote is taken so that we can lift our heads and justify this Legislature as a House of democracy and not a House of dictatorship.

The Hon. T. PLAYFORD—I desire to correct one or two statements made on this matter, and particularly that made by the member for Norwood (Mr. Dunstan) to the effect that if this amendment is carried it will restore the position which obtained in 1936. In 1936 we had the electoral laws which governed the 1933 elections. Members will recall that after the 1933 elections Parliament passed a law for five-year Parliaments and that Parliament continued until 1938. Elections were held in 1933 and 1938. In 1936 a commission was set up which changed the electoral system and the first elections under the single electorates were held in 1938.

Mr. O'Halloran—The Bill was passed in 1936.

The Hon. T. PLAYFORD—In 1936 Parliament comprised 46 members. The metropolitan districts and their numbers of members were:—Adelaide 3, North Adelaide 2, Port Adelaide 2, West Torrens 2, Sturt 3 and East Torrens 3—a total of 15 members from metropolitan electorates. The country electorates and members were:—Victoria 2, Albert 2, Alexandra 3, Murray 3, Barossa 3, Wooroora 3, Wallaroo 2, Yorke Peninsula 2, Port Pirie 2, Stanley 2, Burra Burra 3, Newcastle 2 and Flinders 2—a total of 31 country members. In point of fact the Leader of the Opposition's proposal does not reinstate the ratio which existed in 1936. The ratio in the 1933 election was slightly more advantageous to the country than the present ratio.

I was corrected some moments ago with regard to the number of members advocated at the last elections. I did not argue with the Leader when he said that he had advocated an increase, but after reading a report of his policy speech on that occasion I consider that I had good reason for making a mistake. I do not doubt that the Leader advocated that there should be 45 or 46 members, but it was not a prominent plank in his Party's platform. Under the heading "Same number" in the report of his policy speech—

Mr. Macgillivray—Do you keep a black book of everything that is said?

The Hon. T. PLAYFORD—It is a good thing to have a record of what happens from day to day. I do not suggest that this is necessarily a correct report of the speech, but it does justify my observation that an increase in the number of members was not a prominent plank in the Leader's platform at the last elections. Under that heading, which is a newspaper heading, the following is attributed to the Leader of the Opposition:—

The only stipulation a Labor Government would make regarding electoral boundaries was that each electorate should contain approximately the same number of electors having regard to the geographical and other factors. The boundaries would be determined by an independent commission. Having thus determined the electoral boundaries on this equitable basis we would introduce the principle of proportional representation.

No one can reasonably plead that the Leader was not aware of the vital changes proposed.

Mr. O'Halloran—All I suggested was that the electoral districts should, as far as possible, contain the same number of electors.

The Hon. T. PLAYFORD—I am not arguing that. I have heard the honourable member advocate that on many occasions, although the amendment does not precisely do that. However, I think he thought this was a fair compromise, but I still assert that it was not made a predominant plank of the platform that the number of members would be increased to 45; in fact, until today I was not aware that it was a plank.

Mr. JENNINGS—It is a good indication of the fact that the Government is bereft of argument that the only speaker we have heard arguing against the amendment has been the Premier. He has not argued the merits of the amendment, but has endeavoured, to put it kindly, to mislead the Committee by referring to matters that have nothing to do with it. For example, he quoted from a newspaper report evidently handed to him by someone, for he previously said that he heard nothing of a proposal at the 1953 election campaign to increase the number of members to 45. I do not know from what newspaper report the Premier quoted, but it must have become obvious to him after he began reading it that the "Same Number" heading referred to the fact that the Leader of the Opposition was advocating the same number of electors in each electorate, not the same number of members of Parliament.

Mr. Quirke—I think he woke up after reading a few lines.

Mr. JENNINGS—I think so, but we did not hide that plank of our platform behind a bushel. We gave it much publicity and, seeing that we gained an overall majority of 47,000 votes it was endorsed by the people. Therefore, it should be implemented now. The Premier said he did not go to the people with any proposition of this kind.

Mr. Fred Walsh—He did not go with any.

Mr. JENNINGS—The Government was defeated at the election, and it was only the electoral rigging perpetrated by another Government that saved it from losing office. The Premier said that before the 1936 redistribution there were 15 metropolitan members and 31 country members, apparently asking us to believe that the position was no better then, but no-one has suggested it was. After all, the previous arrangement was made by a Liberal Government, and we do not say that it tried to do anything more just or democratic than this Government. The technical and insignificant point that the Premier made against the member for Norwood (Mr. Dunstan) about the 1933, 1936 and 1938 figures had little validity, for it was manifest that the Leader of the Opposition and the member for Norwood were speaking about the redistribution effected by the 1936 legislation.

We have been told that the country districts have to maintain this overwhelming domination of the Parliament in order to ensure adequate amenities for them. Of course, this is a hackneyed argument, and Labor members are tired of having to reply that since this electoral system has been in operation it has had exactly the opposite effect. The country areas have been bled of population because the Government knows that if it decentralizes and encourages people to go into the more lightly populated areas it will be sunk. It would only need a few hundred workers in some of the country pocket boroughs to transform them into Labor seats. If we want to decentralize we must establish a just and proper ratio between metropolitan and country seats instead of the present artificial and unjust ratio. No member on the Government side has said that under the Federal Constitution all electorates must have about the same number of voters; in fact, in the Federal law there is no distinction between country and metropolitan seats. No-one has ever suggested that the Federal member for Wakefield (Sir Philip McBride), who is a Cabinet Minister, does not properly represent his electorate, or that the member for Grey (Mr. Russell) does not properly represent his huge electorate, even though those two members have just as many electors as the Federal members for Hindmarsh and Boothby.

In his speech on the second reading the Premier referred to the Western Australian electorates, but he tried to mislead the House. I admit that the system there is unfair, though not as unfair as in South Australia. Moreover, the system in Western Australia also was perpetrated by a Liberal Government. There are three zones there; the metropolitan, the agricultural, mining, and pastoral, and another with only three members, who represent

the north-west areas, which are sparsely populated and almost as far from Perth as Darwin is from Adelaide. The ratio of representation between metropolitan and agricultural zones is one to two, but in South Australia a country vote is worth more than three times the value of a metropolitan vote. Further, if the population in the metropolitan zone in Western Australia increases to the disadvantage of the country population the value of the metropolitan vote would be proportionately increased. It is significant that the Premier referred to only the three electorates of the far north-west area, namely, Kimberley, Gascoyne, and Pilbara. He tried to make the House believe that they were representative of country electorates in Western Australia, but they are not. I stress that the tolerance allowed in the number of electors comprising Western Australian districts is only 10 per cent.

The Premier said that there was no justification for increasing the number of members of Parliament, but the Leader of the Opposition put his case extremely well. He pointed out that since the present number was fixed there has been a tremendous increase in he State's population. Surely that justifies an increase in the size of the Parliament which is proposed under this amendment. Only last year the Playford Government used the same arguments in respect of its legislation to increase the size of the Cabinet. They were valid arguments and supported by the Opposition, which is consistent in these matters. Now, however, because of the Government's refusal to increase the number of members, this Parliament is the most top-heavy in Australia: it has a greater proportion of Cabinet members than any other Australian Parliament. Surely that is a logical reason for the adoption of the amendment.

Mr. O'HALLORAN—Following the Premier's attempt to derail this amendment I propose to deal with two or three of his points none of which were in accordance with fact. Firstly, he took to task the members for Norwood (Mr. Dunstan) and Adelaide (Mr. Lawn) for their references to the position in 1936; but I made it very clear that my references to 1936 were to the position after the passing of the Constitution Act Amendment Bill introduced in that year by Mr. Playford's predecessor.

Mr. Jennings—Everyone else understood that.

Mr. O'HALLORAN—Yes, and the Premier probably did too, because he is not so obtuse. He thought, however, that by quoting the figures under the old constitutional set-up with 46 members he might be able to create a smoke screen to conceal the fact that in opposing my amendment he was deliberately denying democratic rights to the people of this State. His second mis-statement—a most serious one—was that he referred to my policy speech as being entered in the little black book. There is, however, only one authorized and correct version of my policy speech, and that is the speech I delivered at Peterborough on February 12, 1953. At this stage I should like to read all my references in that speech to constitutional reform, but I shall content myself by showing that I advocated proportional representation and an increase in the size of the Parliament. After dealing with some of the arguments referred to previously in opposition to my proposals for proportional representation, particularly the one about the deadlock in the Tasmanian Parliament, I said:—

> The actual scheme which Labor submitted in 1950 and would submit again if we were returned to office would obviate that because it provides for an odd number of districts and an odd number of members for each district. For instance, we would have nine Assembly districts each returning five members for a total of 45 members.

Later I said:—

> I would point out, incidentally, that at present the number of members of our House of Assembly is the lowest of all States except Tasmania, and with a growing population there is every reason for increasing the number of members from 39 to 45.

In view of those references is the Premier still prepared to say that I did not mention this matter in my policy speech? Further, my views on it secured wide publicity throughout the State because I referred to it every time I addressed the electors in that campaign. Indeed, the people accepted it; 47,000 more electors voted for the Labor Party than for the Liberal Party. That was an endorsement of the principle I am seeking to include in the Bill. Unless members opposite can produce more valid arguments than those advanced by the Premier they have no alternative but to support the amendment.

Mr. JOHN CLARK—I am sorry that the Leader did not read the whole of his policy speech because it would have been most illuminating to many members. In a Parliament elected under any other rules than this one Mr. O'Halloran's statement would be a knock-out

blow. The Premier has made two contribution to this debate in Committee, but all he has done has been to say that he had no mandate from the people to alter the number of members. He also tried to misinterpret Mr. O'Halloran's policy speech, but he failed in that. At the last election Mr. Playford's Government did not receive a mandate to govern. It has often been denied that Labor's majority of over 40,000 means anything, but even if the figures were worked out on a most liberal basis possible the majority would be at least 40,000. An alleged mandate was given to the present Government only because of the present distorted electoral system, whereas a majority of votes should mean a corresponding majority of members.

Mr. Lawn—It would in a democracy!

Mr. JOHN CLARK—Yes. The Premier referred to the alleged gerrymanders in other States and mentioned Western Australia; but the member for Prospect (Mr. Jennings) exploded that argument. In Western Australia and other States the Party that obtained a majority of votes at the last election became the Government. Indeed, in some of the States it became the Government with a majority of votes far less than that with which the Labor Party remained in opposition in South Australia. In this State, however, that majority is not accepted under the present gerrymandered set-up and it will not be accepted under the re-gerrymandered set-up that members on this side are trying to stop. We are told that the gerrymander is in the interests of the country, but the drift of country population to the city has proved that it is not: it is only in the interests of the Liberal and Country League. The member for Burnside (Mr. Geoffrey Clarke) told us what the Liberals had done in England, and I agree with him; but he was speaking of "liberals" in the true sense. In those days they were the Radicals who worked for their country and did much good. I shudder to think, however, what one of them would say about the modern meaning of "Liberal" if he could see the system under which the South Australian Parliament is elected. All members must surely believe that democracy means government according to the wishes of the people.

I support the amendment. Although it still perpetuates artificial boundaries the Opposition advances the proposal because it hopes that it will lead to decentralization. I believe the next Government will really support decentralization because it will be a Government composed of members now in opposition. The distribution of seats consequent upon the Leader's amendment would allow the people to elect the Government they wanted and to cast it out of office if it found it no longer wanted it. That is the ideal in Parliamentary government. We should do away with the complacency that comes to a Government when it sits long on the Treasury benches and believes that it should be there permanently. The 1936 set-up has been favoured by Government members. The amendment provides for it, and something more just than we have now. I hope Government members will speak on this matter, even if it is only in opposition to the proposal. The Premier gave us figures showing the number of voters in country and metropolitan districts before the gerrymander, but I am not interested in that. I want to get a just electoral system now. Members opposite have sat in their places with a bored look wondering why we have wasted our time in debating this matter, and we are probably wasting our time because the numbers are against us. Members opposite say we have no chance of success with our proposal, and that will be the position. There is an old saying that goes something like this, "I would rather fail in a cause I know to be just than succeed in one I know to be wrong," so even if we fail in this move to some extent we have achieved something.

Mr. FRANK WALSH—I support the amendment. In his reply to Mr. O'Halloran's remarks the Premier referred to what both Parties said about electoral reform in the last election campaign. The Liberal Party has had control of the Treasury benches so long that it feels that it should not move to provide electoral justice. Sixty per cent of the State's population lives in the metropolitan area and because of that metropolitan people are entitled to greater representation. The Bill seeks to make the districts as equal as possible in the number of voters, but there is also a provision for a 20 per cent tolerance. It has been suggested that there should be 20,000 voters in a metropolitan district. On the roll there are about 29,000 voters for Goodwood, about 18,000 for Unley and about 32,000 for Glenelg. The subdivision of Brighton, in the Glenelg district, is likely to have more voters than the present 11,000. The Glenelg subdivision has more than 11,000 electors on the roll. If a metropolitan district is to consist of about 20,000 voters it seems that both the Plympton and Keswick subdivisions must be taken from the Glenelg electorate. There is no reason why Goodwood should continue with 29,000

voters. It would not be fair for the 20 per cent tolerance to operate in connection with Goodwood and Unley, and even Adelaide. The Government proposal worsens the present electoral set-up. The amendment provides for an increase in the number of members in this House. Mr. Jennings referred to the need for the number of Ministers in this House to be increased because of the tremendous amount of Ministerial work in these days. The Opposition is entitled to hear the views of Government members on why the Bill was introduced. So far only the Premier has spoken on it. Since the last election probably about 1,000 more names have been placed on the rolls for Glenelg and Goodwood. Even on the Bill as it stands there is room for a redistribution, but there is a greater need for a complete review if we believe in justice.

Mr. CORCORAN—I support the amendment because I feel that the increase in population in the last 18 years justifies it and that we have a mandate from the people for it. Before the last election we told the people in no uncertain manner where we stood, and I told my constituents that if we were returned we would alter the electoral set-up. Although we were not returned to Government, we had a majority of 47,000 votes and I think that indicates beyond doubt the attitude of the electors toward an increase in membership of this House. The amendment will reduce the value of a country vote from three and a third to two and a half times that of a city vote, but although it will give better representation to the metropolitan area it will not reduce representation in the country. The Premier insists that 26 country members are essential, but that will not be interfered with—in fact there will be an extra country member. Those who oppose the amendment have some responsibility to show why the Premier does not oppose the principle. He has not said it is unwarranted, but has tried to tell the House that he has not the authority to support it. He tried to accuse us of not having told the people anything about our intention of doing this. When the Government introduced a measure to increase the number of Cabinet Ministers it argued that it was warranted because population increases had brought about much extra work, and I agree with that, but it supports the argument that an increase in representation is also warranted. Members opposite probably told their constituents before the election that they would increase the number of Cabinet Ministers. If they are not in favour of this amendment they must have some reason for their opposition and I hope I will hear them support their leader, because he fought a lone battle and did not make a very good job of it.

Mr. QUIRKE—I do not wish to vote on this amendment without making my position perfectly clear. The present electoral system in this State is unjust. I have said this ever since I came into this House on every occasion that the matter has been raised. In the 15 years I have been here no argument has been advanced that has shown that the system is anything but unjust. This Bill does nothing to remove that injustice; as a matter of fact it confirms and makes it more difficult to remove. Because of that I do not support the Government's proposal, but support the amendment, not because it removes the injustice, but because it tends, in a small measure, to lessen it.

Mr. HUTCHENS—I support the amendment. I do not propose to plead with members opposite to speak on this matter, because if I were in their position I would refrain from acknowledging that I was the foster parent of Communism. I believe that in a so-called democracy such injustice as is contained in this legislation gives birth to Communism. Members opposite know full well that that is the position. They do not want to put their hands to the dagger that is slaying democracy; they are leaving that to their courageous leader, who seems to find some joy in the act. It is amazing to hear the arguments put forward in opposition to the amendment. The honourable member for Stanley (Mr. Quirke) in a very few words placed the facts before the House quite plainly, but it is remarkable how the Premier can turn about and how agile he is in political acrobatics. Recently he drew attention to the need for an increase in the Ministry and took us back 79 years when the population of this State was about 212,000. At that time there were 46 members in this Parliament, but today, with a population of over 700,000, there are only 39. When drawing attention to the need for an increase in the Ministry last year, the Premier said:—

> I invite consideration of some of the things we did not have in the days when there were four Ministers.

He then drew attention to the fact that 79 years ago there was no Highways Department, no Irrigation Department, no Housing Trust or Forestry Department, or Harbors Board, or Repatriation Department, no price or rent control, and no Leigh

Creek coalfield or Radium Hill mine. If it was necessary to add to the Ministry because of the increase in population and in the number of departments to be controlled, it is equally necessary to increase the number of members in Parliament so that the people may be properly represented. Members are so overworked that it is impossible to provide the services the people require. It has been said that we have no mandate for increasing the number of members but the majority vote cast for the Opposition in the 1953 elections is sufficient mandate. In 1950 the Leader of the Opposition presented the same policy on electoral reform as he did in 1953. He made it known that the Opposition would seek to increase the number of members in the House of Assembly to 45. The only difference between Moscow and South Australia is that in Moscow they are honest about having one-Party control and denying any opposition. The Liberal Party would have people believe that we have a just electoral system. What they do, in order to fool and deceive the people wilfully, cruelly and dishonestly and with ulterior motives, is to permit the Opposition to speak while Government members remain silent and follow the leader of their one-man band. This amendment rectifies an abominable position and I wholeheartedly support it.

Mr. MACGILLIVRAY—I opposed the second reading because I did not think the Bill corrected any of the anomalies from which our electoral system suffers and therefore represented a waste of taxpayers' money. We are now asked to support a proposal to increase the number of members, but will the increase in the number of metropolitan representatives benefit Labor voters in the Burnside district and Liberal voters in the Hindmarsh and Port Adelaide districts who are completely disenfranchised? We have made it compulsory for people to vote and have provided a penalty of £2 for those who do not exercise the right for which our forefathers fought and died. There is something fundamentally wrong with an electoral system which makes voting compulsory and provides a penalty for not voting. No alteration of electoral boundaries or increase in the number of members will solve the problem. When I first entered this Chamber the Labor Party's policy was to introduce a Bill to amend two Acts simultaneously—the Constitution Act and the Electoral Act—and everyone understood its intentions. It sought to alter the single electorates and to provide for proportional representation. Proportional representation has apparently gone out of favour with that Party, although it is true that on occasions its members give lip service to it. I challenge any member of that Party to indicate any occasion in recent years when it has endeavoured to implement that policy.

The suggestion that members are overworked and cannot efficiently represent their constituents was effectively answered by the member for Prospect (Mr. Jennings) when discussing another measure. He proved conclusively that country members were not overworked because they had ample time to engage in other activities. I think he would admit that if there was any truth in that statement it would apply equally to metropolitan members who also engage in other activities. If a member can perform other duties he could devote more time to his district. I have been surprised at the immoderate language used by members of the Labor Party during this debate. The Leader of the Opposition, who is recognized as most moderate and temperate in his approach to matters, this afternoon used the phrases "massacre of principle" and " massacre of democracy." Some members even referred to the founder of Christianity as though Christ, himself, was interested in electoral matters. That was absolute extravagance and misuse of words and I was horrified to hear some of the expressions used.

This Bill merely seeks to appoint a commission to inquire into certain aspects and to report to Parliament which will then have the responsibility of accepting or rejecting that report. The "massacre" might well take place when that report is received. The Federal Government recently introduced a Bill relating to the stevedoring industry and Her Majesty's Opposition then suggested that an inquiry into that industry should be held before the Bill was debated. It was futile for the Commonwealth Government to amend the Act relating to that industry and then institute an inquiry. We have the same position confronting us now—this Bill merely sets up a commission to make inquiries. Certain sections of the press, have, in my opinion, misled the people about the purpose of this Bill and so have some members. There is not one thing in the Bill which makes this legislation mandatory. Had the Labor Party carried out the suggestion I made in my speech on the second reading and endeavoured to alter this clause so that the metropolitan area could be divided in a certain way, and given a definite instruction to the Commission to examine the question of proportional representation it might have got somewhere. We

cannot have democracy if it is based on fear of punishment, and all we are doing here is to perpetuate this evil philosophy that makes a man vote simply because he will be fined if he does not.

The Hon. A. W. Christian—Does the honourable member recall that compulsory voting was introduced by an Independent member?

Mr. MACGILLIVRAY—I do not think it was. I know I always opposed it and the Labor Party always wanted it.

The Hon. A. W. Christian—It was introduced by the member for Ridley (Mr. Stott).

Mr. MACGILLIVRAY—I do not believe in compulsion, or that punishment should be part of an electoral system. It should provide for free men and women to vote for those they think best. I oppose the amendment because it has no virtue and does nothing to provide electoral justice, whereas it will add a burden of expense on the taxpayer who has been already heavily mulcted in taxation for socialistic undertakings.

Mr. DAVIS—I support the amendment, but I am not surprised to find that no-one opposite has the courage to speak against it, for that is exactly what I expected when the amendment was moved. We know, of course, that they are under instructions. All the time Mr. Macgillivray was speaking I was endeavouring to ascertain what he was talking about. He seemed to be opposing compulsory voting and attacking members of the Labor Party. The only reason given by the Premier in opposition to the amendment was that it had no mandate from the people. I wonder whether he had a mandate in 1938 when he altered the electoral districts, or when he introducted five-year Parliaments. It is strange to find the Premier becoming so conscientous about the rights of the people when he introduces Bills such as this which take away their rights. The metropolitan area has not been sufficiently represented since 1938 because it has had only half the number of members representing the country. Mr. Jennings said that country members had time to do other work apart from their Parliamentry duties, but I say there are few members on this side who have time to do anything beyond their Parliamentary duties. I hope members opposite will realize their responsibilities to the electors by voting for the amendment.

Mr. LAWN—Mr. Macgillivray challenged the Labor Party to show where, in recent years, it had made any effort to introduce proportional representation. Five years ago as the result of legislation introduced by the Chifley Government proportional representation was adopted as the method of voting for the Federal Senate. It is impossible to have proportional representation in single-member electorates, and the Australian Labor Party has introduced amendments year after year to provide for multiple electorates. If we achieve that it is our intention to introduce proportional representation. During this session a Bill sponsored by the Leader of the Opposition providing for multiple electorates reached the Committee stage, where a clause was passed providing for 45 members for the House of Assembly. I do not know the Constitutional position, but I think the public would be rather intrigued to know that on November 24 we are discussing the appointment of a Royal Commission to re-divide the State into 39 single electorates, when this same House only a few weeks ago passed the second reading of a Bill which provides for 45 members. That was passed without any opposition, either on the second reading or in Committee. I do not know what the public will think of this House. They will not be satisfied with the explanation that the Premier was awaiting a trunkline telephone call when the vote was taken on that Bill.

The CHAIRMAN—The honourable member is getting away from the clause. He can refer to that briefly as an argument, but he cannot go on to debate something that happened in relation to another Bill.

Mr. LAWN—I accept your ruling, Mr. Chairman, but the House recently voted for an increase in the number of members to 45, yet now we are debating a clause for the appointment of a Royal Commission to re-divide the State into 39 single electorates. The people will say that members of Parliament do not know their own minds. Mr. Macgillivray said that the amendment does not mean anything, but it at least means fairer representation for the people, though it does not go as far as I would like. He seemed inconsistent in his arguments, for he said that the Bill merely provides for the appointment of a Royal Commission to re-divide the electorates and then said he strongly opposed it. It will not be an inquiry because the commissioners will be hamstrung. This clause instructs them to re-divide the metropolitan area into 13 approximately equal Assembly districts and the country into 26 districts. Opposition members would be happy if the Commissioners could conduct an inquiry and make recommendations to this House. Mr. Macgillivray talked about compulsory voting, but what has that got to

do with the Bill? There is no compulsory voting: people only have to go to the polling booth and have their names crossed off the roll.

The CHAIRMAN—Order! I do not think we need debate that.

Mr. LAWN—I was only replying to Mr. Macgillivray.

The CHAIRMAN—But he was warned not to pursue that line.

Mr. LAWN—I think I have made my point that there is no compulsory voting under our laws.

Mr. Shannon—There is no compulsory listening either.

Mr. LAWN—I would be happy to sit here for an hour listening to any contribution to this debate by the honourable member. Many Labor members have said they would like to hear from Government supporters. The honourable member voted on another Bill for an increase in members to 45, so he should be consistent and vote for the amendment.

Mr. STEPHENS—The Bill has 11 clauses, but I would like to see all of them struck out. The Royal Commission to be appointed under clause 5 will be muzzled. Apparently the Government is afraid of what the Commissioners might recommend if they did not have their hands tied, but they should not be hamstrung when dealing with such an important matter. The vote of a member of Parliament should have value in proportion to the number of electors in his district. If I am to represent 30,000 electors then my vote should be of that value, whereas if another member represents only 7,000 his vote should be of a comparable value. The member for Chaffey (Mr. Magillivray) said that the Government was wrong in its proposal and the Opposition was wrong in its amendment. In other words, "I am the only one who is right" yet, he does nothing to improve the position.

Mr. JENNINGS—I am provoked to rise again only because of some of the peculiar statements by Mr. Macgillivray. He reminded me, as he has so often before, of a character of Stephen Leacock's who mounted his horse and rode off in all directions. He said he could not understand how the amendment could possibly improve the clause. He challenged us to show what we had ever done or were likely to do with regard to one subject on which he and the Labor Party are on common ground, namely, proportional representation. I agree with him in the examples he gave that a Labor supporter in the Burnside district would be virtually disfranchised, as would a Liberal supporter living in the Port Adelaide district. I think he will agree that we have always done our best to introduce proportional representation, but have never been able to do so because a majority in the House were opposed to it and were more intent upon retaining their own vested interests in the present electoral system. It would be necessary to provide for multiple electorates before proportional representation would be possible. To amend the Constitution to provide for that—

The CHAIRMAN—Order! There is nothing in the clause about multiple electorates and I ask the honourable member to confine his remarks to the clause. I warned Mr. Macgillivray and he desisted, and I ask the honourable member not to discuss it.

Mr. JENNINGS—Mr. Macgillivray also said that he favoured an inquiry and that the Labor Party in the Federal sphere had made such an inquiry. If the Commission were to bring in recommendations for a fair and equitable electoral system we would all support the Bill. However, it is not authorized to undertake such an investigation, but is restricted as to what it shall do. The honourable member also said that the Commission's finding will not be mandatory. Of course it will not. The recommendations must come from this Parliament saying that the Commission is authorized to go ahead on such an unfair basis, and therefore I think we are justified in believing that the same ill-gotten Liberal majority which will force this Bill through will also force through the legislation arising out of the Commission's recommendations.

Mr. FRED WALSH—I feel I am compelled to reply to some of the remarks of other speakers, and especially as to the use of immoderate language suggested by Mr. Macgillivray to have been used by members on this side. I know of no member in the House since I have been here in the last 12 years who has used more immoderate language than the member for Chaffey. I have heard him refer to the Premier and other Ministers as being dictators, and also use other expressions to which exception could be taken, but was not taken. One point which has not been referred to is that when we had 46 members in this House the population of the State was only half what it is today. In view of the growth of population, but having no relationship to the question of boundaries, serious consideration should be given to increasing the size of Parliament in order to retain its prestige. Having regard to the population in other States and the

number of members of Parliament there, it is time that consideration was given to increasing the representation in this Parliament.

The question, "That the word 'thirteen' proposed to be struck out stand" was put and the Chairman's vote given in favour of the "Noes,"

While the division bells were ringing—

Mr. O'HALLORAN—Mr. Chairman, I saw a member come into the Chamber after you had instructed that the doors be locked.

The CHAIRMAN—The bar had not been drawn, although the door of the House had been locked.

Mr. MACGILLIVRAY—I should like your ruling, Mr. Chairman, as to whether the bar is a part of the House or not.

The CHAIRMAN—I would say that if a member is inside the door and it is locked and the bar is not drawn, he is in the House. I should not like to give a ruling if the bar were drawn and he entered.

Mr. MACGILLIVRAY—When the Governor, as representative of Her Majesty the Queen, sends an aide-de-camp here the bar of the House is drawn against him to show that Her Majesty has no place in this House. He can come to the bar, but no further. I suggest that any member who is outside the bar is not in the House proper.

The CHAIRMAN—The Governor's messenber never comes into the House, but only to the bar. Until the bar is drawn, an honourable member is in the House.

The Hon. Sir GEORGE JENKINS—I raise a point of order as to whether the bar of the House is a barrier, because frequently I have seen members sitting in the Speaker's Gallery, which is just behind the bar, but they have gone down to record their vote. That being so, I submit that the bar of the House does not debar one from voting if he is inside the Chamber.

The CHAIRMAN—I do not think a point arises.

The Hon. T. PLAYFORD—There has been some point regarding pairs. I can assure honourable members opposite that the Government will honour the pairs arranged and the honourable member concerned will vote with the Opposition on this occasion.

The Committee divided on the amendment.

Ayes (19).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Fletcher, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, Messrs, Jenkins, Macgillivray, Michael, Pattinson, Playford (teller), Shannon, Teusner, Travers and White.

Noes (13).—Messrs. John Clark, Corcoran, Davis, Dunstan, Hutchens, Jennings, McAlees, O'Halloran (teller), Pearson, Quirke, Stephens, Frank Walsh and Fred Walsh.

Pairs.—Ayes—Messrs. McIntosh and Stott. Noes—Messrs. Tapping and Lawn.

Majority of 6 for the Ayes.

Amendment thus negatived.

Progress reported; Committee to sit again.

[*Sitting suspended from* 6.8 *until* 7.30 *p.m.*]

METROPOLITAN TRANSPORT ADVISORY COUNCIL BILL.

Returned from the Legislative Council with amendments.

TRAVELLING STOCK RESERVE: HUNDRED OF BARUNGA.

The Hon. C. S. HINCKS (Minister of Lands)—I move:—

That it is desirable that sections 747 and 748, hundred of Barunga, containing 22 acres, which were set aside many years ago as a camping ground for travelling stock, as shown on the plan laid before Parliament on July 27, 1954, be resumed in terms of section 136 of the Pastoral Act, 1936-1953, for the purpose of being dealt with as Crown lands under the provisions of the Crown Lands Act, 1929-1944.

Following on inquiries to lease the sections, investigations were made by the department to ascertain whether the area was still required as a camping ground for travelling stock. The district council of Snowtown has advised that the land is not further required for the purpose for which it was set apart in view of the fact that stock are now generally carried by motor transport. Inquiries made by the departmental inspector support this contention and it has been ascertained that the area has not been used for a considerable number of years. Portion has been used as a stacking ground by the district council of Snowtown and if the motion is agreed to this area will be retained whilst required for that purpose. The Stockowners' Association has advised the department that it would raise no objection to the land being resumed. In the circumstances I ask members to agree to the motion.

Mr. O'HALLORAN (Leader of the Opposition)—I do not purpose to retard a decision on this motion. I have inspected the plan that has been before the House for some days; I have heard the Minister's explanation of the reasons why this area is no longer needed for the purpose to which it was originally dedicated; and you, Mr. Speaker, who have a

complete knowledge of this area which is in your electoral district, have informed me that you do not object to the motion. On matters of this kind, however, I sometimes wonder whether we should deal with them on the transient facts of the moment or whether we should have regard to the possibilities of these areas being required subsequently for the purposes to which they were originally dedicated.

Mr. Shannon—Or even for some other purpose.

Mr. O'HALLORAN—Yes; but I knew a little of this area during my younger and happier days when I did some stock dealing there. It sometimes happened that when there were good seasons in the north there were lean seasons in this area, and at such times I travelled south and generously relieved the people of this area of their surplus cattle. Although I do not suggest for a moment that I was a benevolent society, I did provide many people in this area with an opportunity of selling surplus cattle for which feed was difficult to obtain. I took them away to the halcyon country to the north where we got a good season now and again. I can therefore claim to know something of this area. Further, I have much confidence in our Department of Lands, which is exceptionally well run and competent. Any report such as that furnished by the Minister in this case, in which the Lands Department recommends that an area be resumed under the Pastoral Act and dealt with under the Crown Lands Act, merits serious and sympathetic consideration.

Mr. Quirke—Does that mean that this land may be sold to an adjoining landholder?

Mr. O'HALLORAN—Yes, but that does not matter very much in this case, because I can think of nobody who would want these 22 acres as a living area.

Mr. Heaslip—It is not a living area.

Mr. O'HALLORAN—No area of 22 acres in this district could be called a living area except for rabbits, and in some seasons even the rabbits might have to encroach on adjacent holdings. That is one of the difficulties in these reserved areas: it is nobody's business to deal with vermin or noxious weeds on them, although I do not suggest that this area is afflicted with either pest. Years ago these camping grounds were useful because they provided a traveller with an excuse to use the long paddock and also other paddocks the fences of which were not good enough to keep him out; but today most stock is transported by rail or motor truck, therefore I offer no objection to the motion.

Mr. HAWKER (Burra)—The Leader of the Opposition (Mr. O'Halloran) has shown that he is *au fait* with the use of long paddocks and competent to speak on this motion. The resumption of stock reserves and travelling stock routes should be considered carefully. The Minister said that the District Council and the Stockowners' Association, which is very jealous of its rights in this regard, have both agreed to this particular resumption. Further, I understand from you, Mr. Speaker, that the passing of the motion will be beneficial to the district. Mr. O'Halloran pointed out that where stock routes and reserves cease to be of use, mainly because of the increased use of road transport, they become places where vermin breed and noxious weeds grow, and it is better to close them down and hand them over to somebody who will be responsible to keep them free from pests.

Mr. QUIRKE (Stanley)—Although I do not oppose the motion, I consider the time has arrived when we should look upon the alienation of these lands with considerable reserve and caution. I have in mind applications made in my district for the sale of reserves, which I have been instrumental in blocking. Not in one instance am I sorry for what I have done. When we pass over land in this way we pass it over for all time. I would rather see the land remain as reserves to be leased to people who would care for it. The council could look after the noxious weeds. I deprecate the use of the power given to district councils to sell roads. This sort of thing could lead to serious trouble. Parliament should act cautiously in the resumption of land which today is apparently not serving the purpose for which it was originally intended, whereas in the future an entirely different purpose may be found for it.

Mr. Hawker—The Government could resume it.

Mr. QUIRKE—This is free land and it would be necessary to pay through the nose to resume it. I do not advocate that land should be resumed without any payment to the owner. He is entitled to the value of it and that would be recognized by any Government worthy of the name. This land is already held by the Crown and if it is passed over now because it is no longer required for its original purpose it does not follow that it will not be needed in the future. The State cannot remain static, nor can the areas around Snowtown and Clare. The Minister knows of an instance where I obtained his personal inspection of land to be

disposed of and he rightly used his power to see that it was not sold. Today it is more than ever apparent that that piece of land should not have been sold and now it belongs in perpetuity to people who want it for a purpose. I issue a warning against the Crown passing over land which may be needed in the future. I do not oppose the motion, but speak from experiences I have had.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from November 18. Page 1443.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill has come from the Legislative Council and I followed the debate there with some interest. A comparison of the Bill as it emerged from that Chamber with the one introduced by the Government shows that substantial amendments benefiting certain sections of the community were included.

Mr. Frank Walsh—Which was to be expected.

Mr. O'HALLORAN—Yes. Amendments moved by the Opposition in the Council were rejected. I want to refer to the rating for local government purposes as affected by the Bill. As introduced in another place the measure was sufficiently reactionary but a majority of the members there apparently considered it should be made even more so. More and more people are becoming aware of the fundamental justice of and the benefits to be derived from the adoption of the principle of land values assessments. That principle applies not only in the metropolitan area and in country municipalities, but in some instances it has been adopted by country district councils. The Bill as introduced was intended to aim a blow at the principle. Apart from certain more or less machinery provisions to which there can be no objection the Bill reduces to a minimum the benefit to be derived from the adoption of the land values rating system. The Bill was introduced because of circumstances in the Marion area where a vote for the adoption of the land values rating system was caried last year by a substantial majority. In No. 1 Ward the voting for the system was 2,315 and against 580, in No. 2 Ward, 1,509 for and 296 against, in No. 3 Ward 1,293 for and 860 against, and in No. 4 Ward, 94 for and 390 against. The total votes cast were 5,211 for and 2,126 against the system. The Bill was introduced largely because of pressure on the Government by landholders in No. 4 Ward.

We must consider first the number of people affected by the land values system and then who will benefit if the amendment is carried. The votes of a small number of people in No. 4 ward will not only nullify the votes of a large number of people in the other wards, but they are to be used by the Government, which has never believed in just taxation, in order to weaken the whole principle of land values taxation. The Bill represents a breach of faith in respect of most of the local government areas which in the past have striven to secure land values rating. The dice are already loaded against these areas because a poll in support of a conversion to land values system must have a three-fifths majority whereas a poll for a conversion to improved values needs only a simple majority. Perhaps that requires some explanation. We started off at the beginning of local government with the idea that rental values should be the basis for rating. Subsequently an amendment was moved that gave the people in the areas concerned the opportunity, first by petition, and after the petition had been signed by the required number of electors, by poll, to have a system of rating on unimproved values. Before it could be adopted, however, a majority of three-fifths had to be in favour, but if some people suggested there should be a reversal to rental values, all that was required was a simple majority. As far as I know none of the areas in this State that have changed to unimproved values by means of the loaded poll to which I have referred have subsequently reverted to rental values despite the fact that they could have done so on a simple majority of ratepayers.

Mr. Quirke—This is an attack on the principle of land values rating.

Mr. O'HALLORAN—Of course it is and it was deliberately designed as such by the Government. However, Government members in the Legislative Council were not satisfied with the proposal to torpedo this principle quietly, unobtrusively, but nevertheless effectively; they determined on a frontal attack on the Government's own Bill. Although members of the Ministry resisted this, in the main the amendments were designed not only to pursue the fell purpose of destroying this principle, but to expedite its final destruction. That is why I am speaking tonight with some heat. The principle of rating on unimproved land values is fundamental and beyond a question of Parliamentary decision. The land was created by God Almighty for the use and benefit of mankind as a whole, and the only fundamental means of securing a fair contribution from

those who are permitted by our laws to occupy it is not to rate it on the value of the improvements they create in setting up a home and rearing a family, but on the unimproved value of the land used as the site for that home. That is why the principle of land values assessment transcends any laws that can be made by this Parliament.

In this Bill it is suggested that because No. 4 ward in the Marion District Council is largely urban farm land used for primary production it should be rated at not more than half the rate prescribed by the council for its other three wards. I have been told on good authority that the assessor took into account the fact that the land in that ward was urban farm land and assessed it at approximately one-quarter of the average value of the built-up areas. Of course it varies, but he was cognisant of the fact that unimproved values means just what it says, and assessed the land having regard to the fact that the services provided for the residential areas would be much greater than those required in the urban farm areas.

Mr. Pearson—Under what authority would he take that into account?

Mr. O'HALLORAN—Under the principles of land values assessment, and of valuing land as unimproved.

Mr. Pearson—Would he be obliged to take that into consideration if he were not so minded?

Mr. O'HALLORAN—He would not be obliged to take it into consideration, but if he did not he could be corrected very quickly by an appeal to the court as provided in the Act. I have had some experience in this respect. Many years ago, long before I became a resident of Peterborough, land values rating was adopted in that municipality, and the council got along quite well for many years. Subsequently a big landholder exercised his right of appeal, and the court decided in his favour and said that the assessment of the Land Tax Department should be accepted by the corporation for municipal purposes. The result was that the land, formerly assessed on a fair basis having regard to the principles of land values assessment and to the services provided, was assessed as vacant land as it was when the blacks owned it. The right of appeal is a safeguard. If the aggrieved people in the Marion council area were not satisfied with the assessment they could have exercised their right of appeal, when they could have claimed that the assessment provided by the Land Tax Department should be the one adopted by the council for their land. However, they were not prepared to do so.

Mr. Pearson—The appeal is from Caesar to Caesar, isn't it?

Mr. O'HALLORAN—No, it is not. As I understand the rule of the Caesars, they sent out Roman Legions that conquered Jerusalem, Egypt, Gaul, Sistine Gaul, and even England. They did not get as far as Ireland, the home of my forefathers, inhabited by people who were hospitable to friends but inhospitable to enemies, as they are now. The Romans appointed governors, one of whom was Pontius Pilate, the famous or infamous governor of Judea, who ruled the Jewish people allegedly under their own laws, but there was no appeal from his decisions.

Mr. Pearson—There was. Any Roman had a right to appeal to the Emperor.

Mr. O'HALLORAN—Any Roman did, but none of the subject Jewish people had the right to appeal on matters of high policy, and so Christ was crucified, even though Pilate tried to wash his hands of the whole business and put the responsibility on the Jewish people. In this case there is an effective appeal, not to the Caesar of the local governing body concerned, but to a properly constituted court, and the appellant can ask the court to adopt the values of the Land Tax Department.

It is suggested in the Bill that these landholders should enjoy not only a differential assessment under which their land is valued at about one quarter of the value of built up areas in the other three wards, but should be granted the benefit of a differential rate which must not exceed more than half of the rate assessed for other areas in the district. That means that we are going to give to the owners of broad acres all the benefits of local government, a differential assessment of approximately one quarter of the general assessment and also the benefit of a differential rate which must not exceed more than half the rate levied on the rest of the area. In the final analysis the people who built homes and established their properties will be penalized by having to pay more towards cost of local government than is expected of those who own broad acres and who will gain the undoubted benefit from the land increasing in value all the time because of the expenditure and energy of people who are building homes. That benefit will be reflected when that land is sold for subdivisional purposes.

Mr. Corcoran—The proposal will benefit the speculators.

Mr. O'HALLORAN—Yes. It has been suggested that areas should be reserved as green belts and that certain agricultural land should be retained for that purpose. I do not object to that because it is a sound proposal, but in a left-handed, underworld attempt to give effect to that principle let us not torpedo the principle of land values assessment. After having read the speeches of members in another place I have no doubt that this is a frontal attack on the principle. Land was created by the Almighty for man's use and benefit and not as a plaything for the speculator and exploiter.

This Bill, like most amendments of the principal Act, is a piecemeal affair. It contains some good proposals which make it difficult for one to oppose its second reading. A number of matters, however, which my colleagues in another place attempted to introduce, were defeated, but at the appropriate time I will seek to have them incorporated in the measure. This is not the appropriate time to discuss them, nor will I attempt to canvass their merits which, as a matter of fact, are so outstanding that that should not be necessary. The amendments are on the files and I expect the majority of members to approve of them.

There is one other matter to which I desire to refer and which was introduced in another place—the further relaxation of the concession granted to sporting bodies in the 1951 amending Bill. The proposal then, which was accepted only after a conference between both Houses, was that the rates to be paid by sporting clubs owning more than 10 acres should be 75 per cent of the rate paid by other ratepayers. That concession was limited to a five-year period, but an amendment inserted in another place makes the concession permanent and reduces the area to two acres and the amount to be paid to 50 per cent. There should be no doubt about the Opposition's stand on measures of this nature. Labor's policy on the adoption of land value rating as an equitable means of sharing the cost of local government and of promoting orderly development is well known. We desire to go further and suggest that a properly constituted land court should be established for the purpose of valuing land for all purposes of taxation, municipal purposes, land tax, probate and succession duties, transfers and everything else. In order to bring about a better distribution of productive land the Government should have the right to resume land for closer settlement purposes at the valuation accepted by the owner under this policy, plus 10 per cent and the valuation of the improvements. This is essentially a Committee Bill, but I have voiced strong opposition to what I consider to be an attack on the fundamental principles contained in the principal Act. Although I support the second reading I will offer vigorous opposition to many of the clauses in Committee.

Mr. WILLIAM JENKINS (Stirling)—At present there are two systems of rating—annual values and unimproved land values. In recent years there has been quite a move towards land values. I have no objection to that. There are anomalies in both systems and I will illustrate some that I have encountered. These amendments are designed to level out some of the anomalies and not, as the Leader of the Opposition suggested, to undermine the principles of land values. The land values system is unjust to the minority who have to pay dearly in order that many may enjoy cheap rates. I have found that to be the case at Victor Harbour.

The situation has come to a head as a result of a recent poll in the Marion Council. In that area there are urban farm lands which have been held by families for many generations and which have been used for market garden purposes. Those properties are situated in built up areas and injustice does occur. Councils collect rates for the purpose of defraying expenses involved in providing services such as street lighting, garbage collection, street planning, road and footpath construction and maintenance and Board of Health matters. Where an area is thickly populated it is reasonable to assume that the cost of the services rendered by councils will be much higher than in an area of, say, five acres used for market garden production and on which only one house is situated. For the latter area the amendment provides for one half of the rates levied on the built up area. That, in my opinion, is reasonable and fits the case. At polls to decide the system of rating, people invariably vote for the system which will ensure that they get a cheaper rate for themselves. They have no consideration for the minority who may have to pay dearly for the same or even less service.

About three years ago I was approached and asked to preside at a meeting at which Mr. E. J. Craigie was to speak on land values. I indicated my willingness to do so, provided that a speaker could present the opposite case. Mr. Vernon Shephard accepted that task. During the evening both parties debated the case and I was asked to arrange for a poll of ratepayers. I said that I would not do that unless the people presented me with a petition

requesting me to do so. I eventually received the petition and a poll was held, the large majority favouring land values. Annual values had been in vogue in Victor Harbour for some time and in most cases the assessments were considered reasonable. The rating was 4s. in the £, which was close to the limit, and it returned an annual revenue of £14,000. In the business centre of Victor Harbor and on the foreshore the assessments and the rates were high. In the residential portion the rates were about normal, and on the far side of the town, where land is cheap, the rates did not alter much because the annual values were assessed on the value of improvements.

Mr. Frank Walsh—That is *not* right.

Mr. WILLIAM JENKINS—It is.

Mr. Davis—What you said about Mr. Shephard and Mr. Craigie was not right. Mr. Craigie wiped the floor with Mr. Shephard.

Mr. WILLIAM JENKINS—I only said that they put both sides of the case. The land values system was adopted, but we have found anomalies under that, though I do not oppose this system because it is the most suitable for many towns and areas. It suits our town very well, but under land values a small minority is being hard hit. Under annual values a five-roomed house in a residential quarter of Victor Harbor paid about £20 a year, but under land values the owner pays £8 to £12. There are few made roads on the far side of the town, but the same garbage collection and street lighting services are provided, yet the rates there are down to about £2 a year. Land values are high on the foreshore, and there the rates have jumped from £20 to £30 a year to about £60 to £100. In the main street two hotels were each paying about £365 a year under the annual values, because their improvements were much the same, but today under land values one is paying under £300 and the other over £500. They both get the same services, but because one hotel is situated on land with a greater frontage to the main street it has to pay over £200 more than the other. Both systems bring about injustices and anomalies, but I am not opposed to the land values system. I cannot agree with a member of another place who said that there should be only one system.

The SPEAKER—I advise the honourable member, and members generally, that we cannot allude to any debate that took place in another place this session.

Mr. WILLIAM JENKINS—Very well, but I maintain that the people have the right to choose the system which is most suitable, and the choice of two methods is democratic and reasonable. Clause 2 refers to a parcel of land of more than two acres used wholly for grazing, dairying, pig farming, poultry farming, and so on. I do not object very much to the reference to two acres, but there should be some definition of what is meant by grazing, pig raising, or poultry farming, because it is possible that certain people may wish to hold land for speculation by putting say, one cow or 20 fowls on it. Therefore, there should be a definition or the council should have to be satisfied with the *bona fides* of the owner. Clause 4 extends relief to golf clubs and similar bodies on the same basis as urban farm lands. The Minister stated:—

In 1951, section 169 was amended to provide that, during the five financial years occurring after the passing of the 1951 amending Act, land situated in a local government area where the land values system applies is to be assessed at three-quarters of its land value if the land is 10 acres or more in area and is occupied and used by an organization the principal object of which is the playing of games on the land and the members of the organization derive no pecuniary profit from the land. The purpose of this provision was to give some rating relief to such as golf courses, polo grounds and the like. Clause 4 provides that the five years' limitation provided for in 1951 is to be deleted thus providing that the rate relief given by the provision will be permanent. In addition, the clause provides that the assessment of this class of land is to be at one-half of the land value instead of three-quarters, thus providing for further rating relief, and that the minimum area of land to which this concession is to apply is to be reduced from 10 acres to two acres.

I am not very happy about clause 4. The reduction from 10 acres to two may be justifiable and the provision for a three-quarter assessment for sporting bodies for five years seems to be reasonable, especially as we hear so much about the necessity for establishing green belts in the metropolitan area. Golf clubs provide these green belts and open spaces and also a certain amount of revenue for councils. If councils had to provide all the parklands and open spaces they would have to maintain and run them at a loss, with little revenue from them. I am not sure which way I shall vote on this clause, so I shall wait until I have heard other speakers. The other clauses seem reasonable, and I think they will be acceptable to councils and people in my district.

Mr. FRANK WALSH (Goodwood)—I support the second reading, but I reserve the right to move amendments to certain clauses in Committee. I stress that I believe in the land values system of rating. It seems that the Bill has been brought down in its present form as a result of the attitude adopted by the Marion Corporation recently. The Leader of the Opposition quoted the results of a poll that was held in the Marion district not long ago. In July 1952 the Marion Corporation adopted a new rental value assessment for its area and retained the rates operating for the previous year, namely, 2s., 2s. 6d., 2s. 8d. and 2s. 9d. in the £, which resulted in an immediate increase of about 100 per cent in the rates payable. When that occurred a protest meeting was held on September 29, 1952, in the institute at Edwardstown, when about 1,000 people attended or attempted to get inside the institute. The committee had to provide amplifiers so that those outside the institute could hear the discussion. The mayor and some councillors were present and given the right to speak, and even at that meeting 605 signatures were obtained and a petition was presented to the corporation requesting that a poll be held to determine whether the land values rating system should be introduced. A special meeting of the corporation held shortly afterwards refused the request, the voting being five to three. On July 4, 1953, a poll was held, and the Leader of the Opposition indicated the result, but the corporation did not adhere to the land values system. It certainly made several mistakes on broad principles. It decided to grant concessions to owners of land of five acres or more in certain circumstances. It seems that members of another place considered that some tomato growers in ward No. 2 may not have been considered by the council.

The SPEAKER—I remind the honourable member that he must not refer to a debate that took place in the Legislative Council this session.

Mr. FRANK WALSH—Let me say that the Marion Corporation provided a concession to owners of five acres or more of land used for certain primary production. Certain primary producers in No. 2 ward were apparently missed and it would now appear from the legislation before us that the Legislative Council saw fit to provide reduced rates to areas of two acres and over. In 1951 I attended a conference between the two Houses and it was agreed to grant a concession for a period of five years to golf clubs and other sporting bodies who had areas of 10 acres or more. In introducing the Bill the Minister of Works said:—

The land values system may work reasonably well in a council area of a uniform character, where, for instance, the area is almost entirely urban and built up or where it is almost entirely rural in character. The assessment in such a case is more or less constant over the whole area and the rating burden is distributed accordingly. However, where there is a local government area consisting partly of urban land and partly of rural land, the system works out inequitably as regards the rural land. The unimproved value of each class of land may be approximately equal, but it is the householders in the urban land who most require the expenditure of rates upon the services supplied by the council and the owners of rural land must pay rates quite out of proportion to the services rendered to them by the council.

I disagree with that. Section 180 of the principal Act provides:—

The Commissioner of Taxes shall, upon request of the council of any area in which this Division is in operation, prepare, and forward to the council, a copy, certified under his hand, of the assessment of land for the time being in force under the Taxation Act 1927 or as the case may require, the Land Tax Act, 1936, so far as the assessment relates to land within that area.

In Section 184 it is provided that if the council desires to make a different assessment it is at liberty to do so, and it is protected for a number of years if it can satisfy the Minister it is necessary. At Reynella, which is within the metropolitan area and part of the Marion Council area, farmlands have been assessed at £30 an acre, and this is very good country, whereas four building blocks on the south-western boundary of the area, allowing for four blocks to the acre, have been assessed at £300 an acre. People there have a frontage to the main south road, which is the responsibility of the Highways Department, which is not prepared to provide a footpath, nor is the Marion Council. The benefits provided for this land are not equal to those provided for land assessed at only £30 an acre.

Land at O'Halloran Hill, which is in No. 4 ward, would not be of the same productive value as the Reynella land, and an area of 79 acres here is assessed at £20 an acre. In this case consideration has been given to the unimproved value of the land, and it is generally considered that the town clerk has made a reasonable assessment. Nearer to Marino, and still in No. 4 ward, one area is rated on an acreage basis as farmlands whereas subdivided land has been rated at about £720 an acre. Some places have no water supply and sewers, and in some parts there is either very

little or no street lighting. The best parts are assessed at £3 a foot, which is equal to about £720 an acre, but not far away from the main area allotments are assessed at 10s. a foot. Because of pressure brought to bear by ratepayers the council decided to have two rates. Those who were assessed on the subdivided land had a rate of 6d. in the pound on land assessed at £720 an acre, but those who already had a concession on farmlands with an assessment as low as £20 an acre were rated at only 4½d. Therefore, the council completely broke away from the principle of unimproved land value rating in the more settled areas. The eastern boundary of Glandore is at South Road. In assessing properties on the South Road frontage the council did not consider the question of acreage, but assessed at the rate of £10 a foot because it is a main road which has the advantage of a shopping and business area. At other parts of Glandore where most of the usual services are provided, and allowing for four building blocks to the acre, the land has been assessed at £1,400 an acre; whereas a little further from Glandore, excluding the area from Emerson at Cross Roads towards Plympton, the land has been assessed at £720 an acre. The assessment was made bearing in mind the amenities and services being provided to the ratepayers; it was not a general assessment at so much an acre. No. 1 and No. 2 Wards are mainly residential areas although there are a few primary producers operating in No. 2 Ward; No. 3 Ward contains primary producers such as market gardeners and fruitgrowers as well as certain residential parts. The average assessment for this ward would be about £300 an acre, and the rate of 6d. in the pound would result in an average rate of about £7 10s. an acre. One of my constituents who has been a fruitgrower since he was a boy says that at that rating the land could be made to pay as a primary-producing proposition. Indeed, a prominent ratepayer in No. 3 Ward, who took an active part in organizing the campaign against the land values system of rating and who engineered certain representations by members of Parliament to the Minister of Local Government to show what a terrible thing it would be for him if the rating system were changed, was able recently to buy eight or 10 acres from an adjacent landholder at about £1,000 an acre; so how can it be said that the land values system of rating is an imposition on the primary producers in No. 3 Ward of the Marion district? Yet some members in another place have the temerity to say that such people are labouring under a heavy burden merely because they are called upon to pay more under the land values than under the annual values rating system.

Further, certain benefits were extended to the primary producers in No. 3 Ward. I have in mind particularly the proprietors of a vineyard that was assessed at £400 an acre, although the residents of Baker and Harding Streets which adjoin the vineyard had their properties assessed at £4 a foot or £960 an acre, Yet I understand the proprietors of the vineyard are asking for a further concession or at least the Legislative Council is.

To show how land-hungry people can become let me mention the following case. A property known as Mill's Estate adjoining certain sections of No. 3 and No. 4 wards was recently purchased by a prominent land agent at about £100 an acre. The purchaser has been most successful in reselling the land as building blocks at prices of up to £9 a foot, although neither water, sewerage, gas nor electric light is connected to the area. Further, there is no semblance of a road there. Partly as a result of the profit on this deal the land agent was able to acquire a fine property in Victoria Avenue for about £25,000 and now plans to put down an expensive bowling green alongside it. Further, he has approached the people from whom he agreed to purchase the land about taking back that portion which he cannot sell to enable him to repay the mortgage. I do not know whether that is an improper practice which should be reported to the Land Agents Board, but it does not have a wholesome smell about it. I intended to tell the Marion Corporation what I thought about its action in connection with the unimproved land values rating system, but because of a bad throat I was not able to do so. I hope the members of the corporation will read the remarks I have made tonight, as reported in *Hansard*. A reasonable attempt was made by the Town Clerk to help in this matter, but apparently pressure was brought to bear on the council, which had difficulty in making up its mind. A circular was sent out intimating that a certain rate would be charged on the assessments, but because the revenue fell £700 it was decided to increase the rate. Even if this had secured the additional money I do not think the council could have spent it in the time available. In my view the councillors committed a grave error in connection with the unimproved land values system. Clause 4 deals with section 169

of the principal Act. Subsection (3)(*c*) refers to land of 10 acres or more in area. It is proposed to reduce that number of acres to two, which means that all the land coming within the two acres category will be charged half the declared assessment. When approval was given for a Bill to be introduced to amend the Local Government Act this session there was no thought of breaking down the unimproved land values system. I do not know whether Government members intend to support the Bill as it has come from another place, but I think that the only solution of the problem in the Marion area where land has been assessed at £300 an acre would be to assess it at somewhere near its true value of £600 an acre. I hope there will be an indication by the Government that it will not support the Bill as it has come from the Council. If nothing better can be achieved we should adhere to the present position. Some time ago the Act contained a provision that district councils had the right to exercise supervision over quarries, and it was amended to give corporations the same right. I have received correspondence from the Corporation of Mitcham asking that quarry blasting in its area should be discontinued. I desire to keep quarries under the supervision of the Mines Department as provided in the Act, particularly when life is in danger. I believe a council should have the right to say whether or not a certain type of quarry should be opened in its area. One system of quarrying known as blistering creates a tremendous concussion that is felt nearby. The inhabitants near Sleeps Hill, several miles away from a quarry, can feel the concussion from this blistering. There is certainly a lot of noise from normal quarry blasting, but there is not as much concussion. When we reach this clause, I want an assurance that some control will be offered to councils and corporations, because I never want safety measures removed from their present control.

Mr. DAVIS (Port Pirie)—I will support the second reading of this Bill to give the Leader of the Opposition an opportunity to move certain amendments. However, I feel certain that the Bill would not be before the House tonight but for the fact that the Government wishes to defeat the wishes of the Marion ratepayers. This council previously assessed on annual values, but a poll was conducted which resulted in a change to land values. As a result, a protest has been made by the owners of urban farm lands, and this measure has been brought before the House. I feel this is a blow at the principle of land values, and I have formed this opinion from what I have heard from people in important positions who have had an opportunity to speak on this Bill. When the amendments are considered, there is no doubt that the measure is the greatest class legislation that has ever come before us. It contains a provision that certain playing areas will pay half the rate applying to other parts of a municipality. I cannot see why this should be so, because other residents who own homes or business premises have to pay the full rate.

The member for Stirling (Mr. Jenkins) argued in favour of assessment on annual values. He said that certain hotels in Victor Harbour were paying £300, and some less, under land values assessment. I have heard that argument used may times, by people who should know better, in favour of rental values. Any one who owns land in a business area should pay according to its value, and the value of land in the centre of a city is much greater than that in the outer districts. Under the old system these people would pay very high rates because they are in a position to build a substantial building or a home.

I am utterly opposed to capital values assessment because every time a person improves his home he is penalized, yet he is doing something in the interests of the town and of himself. A person who is not prepared to build a decent home gets off with a low rating although he might have land in a valuable area, but under land values assessment all land in an area is rated on the same basis. I would like to know why owners of urban farm land should pay a half rate. If any difference is to be made it should be in the assessment and not the rating. I live in a city that has been working under land values assessment for a number of years, and I feel sure that if the people in other municipalities had the opportunity to vote on the two systems they would be overwhelmingly in favour of land values because it is a fair way of rating.

I will oppose the clause relating to blasting in quarries. Under the present Act a council has the right to ban any noisy or dangerous trade but if this clause is accepted councils will be prevented from doing that. They will have no control over quarry blasting. I hope the Government will give further consideration to this clause. I do not know why provision should be made for sporting areas to be rated at only half the general rate. Councils must, of necessity, provide recreation areas, and in a town of any size the finance involved is considerable. It is wrong to suggest that sporting bodies should enjoy a special concession whilst

other ratepayers must pay increased rates to make up for the revenue lost on those sporting grounds.

Port Pirie accepted land values rating many years ago and it has worked quite successfully. There are no urban farmlands in the city of Port Pirie but if there were the owners would be as responsible for the payment of rates as any other person in Port Pirie, because they would enjoy the same amenities as other ratepayers and their land would, as a result, increase in value. We should not agree to provisions which will assist people who purchase land for speculative purposes. Once a municipality makes an assessment it is hard to increase it. At Port Pirie appeals were lodged against the council's assessment of land which in the dark ages was swampland. People were not prepared to accept our assessor's assessment and as a result we lost thousands of pounds when the appeals were upheld.

There is no doubt that many of the provisions of the Bill are designed to kill one system of rating. Those who have already considered this measure are trying to protect people who are buying land for gain and not for homes. In Port Pirie persons are purchasing land for four and five times its assessment value but, under the Act, a new assessment cannot be made. There are some people who always claim that a council is not doing its duty, but immediately they are asked to pay increased rates for the amenities they enjoy they protest.

It is intended to increase the rating from 1s. 8d. in the pound to 2s. I cannot understand why there should be any limit on the rating because every municipality should have the right to collect sufficient money to conduct its affairs. If there were no limit on the rating and people thought the council was exceeding its powers they could remove it from office at the next council elections.

Mr. O'Halloran—The plain facts are that the limitations imposed by this Government are intended to circumscribe the powers of councils.

Mr. DAVIS—That is so. The Government should encourage councils.

Mr. O'Halloran—This Government believes in a dictatorship.

Mr. DAVIS—I agree. The Government is doing everything in its power to cripple councils. It should do more to encourage them and should provide more assistance. It is true that councils do obtain grants for road purposes from the Government, but they are not sufficient. When the Government knows that a council is in financial difficulties and is rating up to the limit of its powers it should either remove the limit on rating or give it further assistance by grant. I hope the Government will pay heed to what I have said and give local government greater powers and more assistance.

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 new clauses providing for the reimbursement of councillors for loss of income caused by the carrying out of council decisions and directions; the establishment of land value rating on the authority of a simple majority of the votes of ratepayers; the establishment of preferential voting for council elections; empowering councils to remit or excuse payment of the whole or any portion of the general rates payable by persons in necessitous circumstances; and for compulsory voting at council elections and polls.

Motion carried.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 9.49 p.m. the House adjourned until Thursday, November 25, at 2 p.m.