HOUSE OF ASSEMBLY.

Tuesday, June 28, 1955.

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

QUESTIONS.

STEEL WORKS FOR SOUTH AUSTRALIA.

Mr. O'HALLORAN—Can the Premier indicate whether, as a result of the discussions which took place in Canberra last week about the establishment of steelworks in South Australia, that cause has progressed in any way and whether the Commonwealth is prepared to render any assistance to the State in this important matter?

The Hon. T. PLAYFORD—The matter was introduced at the Premiers' Conference by Queensland raising the question of the high price of steel, particularly imported steel, which Government authorities have been forced to incur because of insufficient supplies from Australian manufacturers. I took the opportunity to point out to the Commonwealth and other States that South Australia considered it had a strong claim for an expansion of the industry, particularly in connection with structural steel for which, I am informed, there is at present neither adequate production nor plans for expansion in Australia. The Commonwealth Minister for Development, Senator Spooner, stated in effect, that he had received an undertaking from the Broken Hill Proprietary Company that the work contemplated by the company at Port Kembla would be sufficient to ensure that steel production in Australia would be adequate by 1960. I personally doubt whether Senator Spooner has correctly informed himself upon the points raised because I do not believe the B.H.P. Co. has made that claim. I mentioned that the company had pointed out to me on a number of occasions when discussing steel projects in Australia that the steel industry was severely affected by depressions, and that while at a time of high prosperity an almost unlimited demand for steel was made upon the company, the demand fell off rapidly when its programmes were cut because of financial stringency; and the company, therefore, had, as a policy, decided it would build for the base requirements of Australia, not for peak requirements. Be that as it may, I pressed the claim for South Australia and, I believe, with some effect. Mr. Cahill admitted South Australia's claim and the Prime Minister signified, although not by direct assurance, that he also supported our claim. I cannot say whether that will materially assist our claim but I met with no hostility from any other State or the Commonwealth and New South Wales and the Commonwealth Government recognized our claim.

MORPHETT ROAD.

Mr. FRANK WALSH—Has the Minister of Works a reply to the question I asked last week relating to Morphett Road?

The Hon. M. McINTOSH—The honourable member referred to an interview he had had with the Minister of Roads and the Marion Council. The Minister of Roads has supplied me with the following information:—

At the interview referred to by the honourable member the Minister for Roads pointed out that the original request, estimated to cost £12,500 proved to require some £45,000. The Minister indicated then that there was no possibility of this amount being available for a district road, even by loan and grant. The council then asked for £25,000, one half by loan and one-half by grant. Even this is more than can be allocated for one particular district road next year, but it is proposed to recommend an amount of £8,000 one-half by loan and one-half by grant.

It is suggested therefore that the Marion corporation should call tenders for the top metalling of the uncompleted sections on which base widening has been carried out to enable consideration to be given in connection with departmental assistance for this work. It is suggested that the corporation should realize that this assistance on Morphett Road must, of course, reduce funds available for works on other important roads in their district.

WELLINGTON-LANGHORNE'S CREEK ROAD.

Mr. WILLIAM JENKINS—Last week I travelled over the road from Langhorne's Creek to Wellington and found it almost impassable owing to potholes from one side of the road to the other. A bus service runs from Meningie through Wellington and Langhorne's Creek and the hills to Adelaide. I should think that the people travelling on the bus must experience almost a nightmare owing to the conditions of the road. We have heard a lot in this House about congestion on the Mount Barker interstate highway. If the road from Wellington to Langhorne's Creek were bituminized and people travelled by the through road from Aldgate to Strathalbyn they could cut almost 20 miles off the distance and so relieve the congestion on the Mount Barker highway. Will the Minister representing the Minister of Highways take up the matter with his colleague and request that an inspection be made by the district engineer and a report furnished with a view to having the road bituminized?

The Hon. M. McINTOSH—I will take up the matter with my colleague. With a full knowledge of the road I suggest that the main congestion is between Adelaide and Aldgate, and that it would not be obviated if we bituminized the other section of roadway referred to.

STEVEDORING INDUSTRY INQUIRY.

Mr. TAPPING—The following is an extract from the *Argus*, Melbourne, of June 24, 1955, under the heading "Playford Attacks Shipping Inquiry":—

The Commonwealth Stevedoring Industry Inquiry had completely bogged down with only 2½ witnesses dealt with in six months, Mr. Playford, South Australian Premier, claimed tonight. Mr. Playford, speaking at the Premier's Conference, said he understood the inquiry had lost control of its affairs . . . Mr. Playford said he understood that all port authorities, except those from New South Wales, had withdrawn from the inquiry on legal advice.

Can the Premier set out the actual position with regard to the shipping inquiry?

The Hon. T. PLAYFORD—As far as I know, the statement read by the honourable member sets out the position. Since the inquiry commenced—and this was set out by the solicitors representing the port authorities—about 70 witnesses have been listed on behalf of the unions, but in six months the inquiry has completed taking evidence from only two witnesses and begun the taking of evidence from another. Therefore, in six months the inquiry has virtually dealt with only 2½ witnesses. Probably there will be another 30 witnesses on behalf of the various harbour authorities. Various people had given estimates of how long the inquiry will take. The shortest period mentioned was two years. Mr. Healy, representing the unions, considered the hearing would probably take three years. From the point of view of a solution of the problem, members will see that the hearing is destined to be a long one. I understand one topic proposed to be investigated is whether any of the disputes that have taken place could have been avoided by a reasonable attitude on the part of the port authorities, by more adequate port equipment being available, by the unions being given more reasonable consideration, or by the making of agreements with unions. Members will realize that in the last 10 years at least there have been hundreds of disputes, and if we are to inquire into whether any of them could have been avoided such an inquiry will not solve today's problem, but only bring up conditions of past years which can be of no help at all. The position came to a head recently in Victoria when representatives of port authorities recommended that they withdraw from the inquiry on the grounds that witnesses were being attacked and vilified and that the commission was not taking steps to see that evidence was placed before it properly.

Mr. Travers—Vilified by whom?

The Hon. T. PLAYFORD—Maybe it was Mr. Healy, but I am not definite about that. I understand that the port authorities have withdrawn from the inquiry and propose to take no further action in connection with it, but recently New South Wales, which I understood had also withdrawn, signified that it proposed to attend and submit evidence to the commission. I brought the matter up because the inquiry had been looked upon as a cure for the problem, but if the cure is to take so long to work out it seems that the problem will be with us for many years.

STATE LOTTERIES.

Mr. TRAVERS—In the *News* yesterday there was a cartoon by Mr. Mitchell on the subject of State lotteries. I should like enlightenment from the Premier as to the way moneys obtained from that source are treated by the Grants Commission. My understanding has always been that, under our present system of Commonwealth-State finance, if a State lottery provided money for the benefit of hospitals the grant to that State was reduced by the amount concerned. If that is so, there seems little point in raising money from that source, but maybe I am wrong in my understanding. Will the Treasurer, who has had much experience in these matters, set out the practice in the Commonwealth-State relationships in regard to such finance?

The Hon. T. PLAYFORD—The Grants Commission no longer makes grants on the basis of disabilities, but on the basis that the claimant States have the right to standards equal to those of non-claimant States. Provided a State raises its charges to the same standard as the average of the non-claimant States, and does not spend more money on social services than do the non-claimant States, the Grants Commission provides the money necessary to have a balanced budget, based on the fact that the non-claimant States have balanced budgets. Lotteries have never been regarded by the Grants Commission as a means of taxation and they are excluded from the Commission's calculations. Last year, when Tasmania lost Tattersalls to Victoria, it

was no worse off because the Grants Commission increased the grant to that State by well over £1,000,000 to compensate it to the standard of the non-claimant States. If we had a lottery in South Australia and thereby raised revenue to the extent of £1,000,000 our grant from the Grants Commission would automatically immediately be decreased by that sum, so the suggestion that this State's hospitals or charities would benefit by a State lottery is not correct. If we raised money by a lottery we would lose, in our grant, a corresponding amount.

Mr. O'Halloran—So, in effect, the Grants Commission does take lotteries into consideration?

The Hon. T. PLAYFORD—Not as taxation. If the Commission said to us that Victoria, New South Wales, and Queensland raised a certain amount by lotteries and that unless we did the same we would be penalized it would be taking account of lotteries, but it does not do that.

SOUTH-EASTERN SOLDIER SETTLERS.

Mr. FLETCHER—Has the attention of the Minister of Repatriation been drawn to the state of many soldier settlers in the lower South-East owing to floodings from heavy rains? I especially draw his attention to the position at Eight Mile Creek and Coola North. I have just had handed to me a letter from a settler at Coola North who has been in trouble ever since he took possession of his property. His family has had considerable sickness (his wife has had poliomyelitis), and at present water is flooding his lavatories and many other places. His property is in a shocking condition and I ask the Minister whether he has had any report from his inspectors in that area?

The Hon. C. S. HINCKS—I do not think I have had any report about the settler mentioned, but if the honourable member will let me have his name I will make inquiries immediately. I have had reports about Eight Mile Creek and other localities in regard to the exceptionally heavy rains. Only this morning Inspector Joy, of Mount Gambier, telephoned about the condition of Eight Mile Creek. From memory, I think he said that during the last two months the district had about 17in. of rain and about 2in. in the previous month, so during the last three months it has had about 19in. However, he said that everything was satisfactory at Eight Mile Creek and that he was writing a full report about individual holdings there. As soon as I have this report I will let the honourable member peruse it.

DEMOLITION OF HOUSES.

Mr. LAWN—On May 19 I asked the Premier whether he would refer to Cabinet the question of the wholesale demolition of houses with the object of introducing legislation whereby, except with the permission of the Minister, demolition would be prohibited. The Premier replied:—

> This matter will, of necessity, come before the House when the Landlord and Tenant Act is considered this session.

As this question is not included in the Bill before the House I ask him whether he has overlooked the question or whether Cabinet has decided against introducing any such provision? If the matter has been overlooked will he consider introducing some provision in the Bill?

The Hon. T. PLAYFORD—I have not overlooked the matter, but I can see now that my reply could be given two interpretations. I meant to convey that the whole question of the relationship of landlord and tenant would be before the House this session and that that was the matter that could be discussed then and that if any member wanted to go into these questions that would be the appropriate time. I did not desire to inform the honourable member that I proposed to bring down legislation about the demolition of houses, which is a question of some difficulty. Many old houses are now unfit for habitation and local authorities have refrained from condemning them merely on compassionate ground. It is not desirable that these houses remain in use and in some instances they are occupying extremely valuable land, so there is a real hardship on the owner in compelling a shanty to remain. This is not a clear-cut matter and I think it is inevitable that many of these poor dwellings will gradually be eliminated and proper housing made available for the tenants in other places. In this latter connection I will give the honourable member all the support I possibly can.

HOLBROOKS ROAD BRIDGE.

Mr. HUTCHENS—The bridge crossing the River Torrens from Holbrooks Road is a source of danger because traffic is not visible from one side to the other and because it is a narrow bridge. It is now carrying much more traffic because it is on one of the roads leading to the Adelaide airport. I ask the Minister representing the Minister of Roads whether there are any plans for the reconstruction of the bridge to make it safer and wider, and, if so, when will the work commence?

The Hon. M. McINTOSH—The honourable member was good enough to get in touch with

the Highways Department on this matter, so I have a reply that otherwise I would not have had available. It states:—

The Commissioner of Highways has received requests from the Corporations of West Torrens and Woodville that this bridge be reconstructed and widened. The councils concerned have been advised by the Commissioner of Highways that whilst he realized the necessity of widening the bridge there were other more urgent bridge works to be carried out, and consequently he was unable to offer assistance at the present time in connection with the widening of the structure referred to.

LOCAL OPTION POLLS.

Mr. QUIRKE—Following on legislation passed last session a series of local option polls were held last Saturday and, apart altogether from the results, I think it can be generally admitted that the holding of such polls was a complete farce because 85 per cent of the people simply told this House, "Do your own job;" they were completely uninterested and failed to vote. Where thousands of people were eligible to vote only 100 or 200 voted, which showed the writing on the wall. In view of this, will the Treasurer institute an authority for licensing and delicensing, and also for the maintenance of existing licences, the personnel of such authority to embrace representatives of all concerned, even those opposed to all forms of licences, because such people have their place on such a board? Will the Treasurer take the voting last Saturday as an indication by the people that a change from the existing system is necessary?

The Hon. T. PLAYFORD—I do not know that I entirely agree with the premises on which the honourable member bases his question. The fact that a privilege is not used does not necessarily mean that the people concerned do not value it, and the fact that they did not on this occasion see fit to use the polls to express their opinion does not necessarily mean that they desire to lose the privilege. I regarded last Saturday's voting in an entirely different light. I thought that the Bill passed last year to regulate local option polls resulted in local option becoming more important than previously, when the electoral districts were so large that many of the people were voting on an issue about which they had no concern. The fact that last Saturday the people expressed their preferences in a variety of ways appeared to me to be an advance on the previous system. I consider a much more flexible result was obtained last Saturday than under the previous legislation, when every referendum was automatically turned down because of the wide nature of the question submitted.

MAINTENANCE OF ROADS.

Mr. MACGILLIVRAY—In his 1953-54 annual report the Commissioner of Highways pointed out that at present the Commonwealth Government retains 47.3 per cent and that the States receive 52 per cent of the petrol taxation collected throughout Australia. South Australia receives only 5.8 per cent of the total, a small percentage and the lowest with the exception of Tasmania (2.6 per cent). The report also points out that the position is getting worse with the establishment of refineries in Australia, and that under the present Act the States lose 2½d. on each gallon of petrol refined in Australia. That shows that the time has come when the States must find a new approach to obtaining money for the development of their highways. Can the Premier say whether the Premiers discussed this matter at their recent conference?

The Hon. T. PLAYFORD—This matter was discussed at the recent Premiers' Conference, and support—I think from every State—was shown for the States' receiving the whole of the petrol taxation revenue. At present we receive a total of 7d. a gallon, to be divided between the States on a population-cum-area basis. Of course, one cannot go only on figures, and I point out that those quoted by the honourable member, while probably accurate with regard to Australia, are quite inaccurate with regard to South Australia. At present South Australia has returned to it about 85 per cent of the total petrol tax revenue collected by the Commonwealth in this State. The amount returned to Western Australia is 200 per cent of the amount collected in that State. Of course, in the more heavily populated State of Victoria the percentage is very low indeed, but in a short time South Australia will be receiving the whole of the petrol taxation collected in this State, because the duties payable to the Commonwealth with regard to local distilleries are only 8½d., from which we will be receiving 7d. plus a little extra because of our large area compared with our population. I would think that in the natural trend of affairs South Australia will probably receive, in the course of two or three years, the equivalent of 90-odd per cent of the total collected within the State. Personally, I put forward a case on the basis that the maintenance of our roads by petrol taxation was the fairest

form of road maintenance, because the people who used them most would pay the most taxation; but the Commonwealth is not prepared at present to amend its legislation, and perhaps, as I will outline later this afternoon, it will be necessary for the States to consider other methods in connection with this matter.

TAX REIMBURSEMENTS.

Mr. O'HALLORAN—Has the Premier any statement to make regarding the outcome of the recent discussion at Canberra on tax reimbursements to the States, particularly whether the additional amount of a little more than £600,000 to be derived by South Australia from the very limited increase proposed by the Commonwealth will be sufficient for our requirements, or whether it will be necessary to impose additional taxation on those items we still have the right to tax in order to balance the State's budget?

The Hon. T. PLAYFORD—The amount for this year represents an increase of £5,000,000 on the previous figure of £150,000,000 proposed by the Commonwealth. Later in the proceedings the Commonwealth indicated that in addition it was prepared to make a special grant of £2,000,000 to New South Wales for flood relief. The Commonwealth's attitude so far as South Australia is concerned was that if the amounts were insufficient we could approach the Grants Commission. Actually the amounts are greatly insufficient. I need only mention two sets of figures to show that a difficulty will arise from the Commonwealth's decision. The State's deficit this year, so far as I can estimate at the moment, will be about £1,750,000, and, in addition, we are confronted next year with marginal wage rate increases totalling £1,800,000. As a result the Budget must be adversely affected to the extent of £3,500,000 next year. Against that, we will receive about £600,000 of the proposed £5,000,000 increase for the States. Members can see that the position from a revenue point of view is extremely difficult. The Grants Commission normally takes this year's transactions into account not for next year's grant but the following year's grant, so there is a serious time lag. In the meantime we must have cash available to balance our accounts. However, these matters will be placed before the Grants Commission in due course.

PETROL TAX.

Mr. PEARSON—The Premier was reported as having said at the Premiers' Conference that there might be justification for the abolition of motor registration fees as such and making up the amount by an increase in the petrol tax. Can the Premier say whether, in making that statement, he had regard to the considerable amount of petrol used for purposes other than the actual propulsion of vehicles on roads? I am thinking of tractors and stationary engines used by primary producers. Did he consider any formula for an adjustment of these matters, and under the proposals to increase petrol tax, did he visualize any provision to compensate primary producers for loss of the advantage they now enjoy under motor registration?

The Hon. T. PLAYFORD—Primary producers enjoy reduced fees because it has always been claimed that their vehicles are not used frequently on the roads and only to a limited extent on their properties. The petrol tax would automatically take that into account. The Commonwealth showed clearly that it was not interested in any other form of providing assistance for roadmaking purposes and not prepared to vary the amounts at present obtaining. A proposal was submitted but not accepted and it was taken no further.

BRIDGE OVER MARION ROAD.

Mr. FRANK WALSH—Earlier this year I asked a question concerning the construction of a bridge across the Sturt Creek at Marion Road, but the reply was not entirely satisfactory. Press reports over the week-end indicated that the Highways Commissioner had inspected the area with a view to constructing such a bridge to provide direct access from South Road to Henley Beach Road. Will the Minister of Works obtain a further report from the Minister of Roads indicating what is to be done?

The Hon. M. McINTOSH—Yes.

EXPORT OF SURPLUS WINE.

Mr. QUIRKE—At various times, by questions and in speeches, I have referred to a tentative plan for the handling of the surplus of the wine industry through co-operative companies and the Premier has intimated that he would examine the matter, more particularly in relation to Commonwealth handling. Has he anything to report as a result of conferences he may have had with Commonwealth authorities?

The Hon. T. PLAYFORD—I have not been able to take this matter very far, but I did have a fairly full discussion with the Minister for Commerce, Mr. McEwen, upon the general problem that has arisen as a result of the

increased production of wine grapes in Australia and concerning an outlet for surplus wine. I referred particularly to the possibility of making better use of our overseas markets, particularly in Great Britain where our exports have fallen considerably, whilst exports from South Africa have increased almost phenomenally. The Minister would not commit himself to a proposal which had not been fully set out, but I believe that if the co-operative societies in South Australia can devise a method whereby they can provide a standard quality wine under a standard label, with sufficient tonnages assured, Commonwealth assistance in marketing that wine in the United Kingdom will be forthcoming. If the co-operative societies in the honourable member's district will submit information on the lines I have suggested I will ascertain to what extent the Commonwealth would assist in marketing that wine overseas and in providing advertising and other mediums for its sale.

COUNCIL BY-LAWS.

Mr. TRAVERS—The Local Government Act contains a provision enabling local government bodies to make by-laws upon myriads of subjects; 22 pages are taken up in setting out the subject matters. There is a further provision whereby a certificate by the Crown Solicitor that a by-law is valid is not challengable in court. Recently the Full Court of the Supreme Court of South Australia had to deal with one of these by-laws. It took the view that the by-law was invalid, but had no option but to enforce it because of the certificate. I should be the last to query the omniscience of the Crown Solicitor, but I object to his being regarded as omnipotent. Will the Minister representing the Minister of Local Government take up the matter of repealing the provision so that the courts of the land may decide cases dealing with these subjects, as they do with others? It will be readily appreciated that because the certificate of the Crown Solicitor is not challengable it is a great deal less vulnerable than some legislation passed in this House, as recent experience has shown in connection with transport.

The Hon. M. McINTOSH—As a former Minister of Local Government I have a vivid recollection of the discussion which took place on this matter. At one time when a case was lost and a council was mulcted in costs it was advised that some clarification of the by-law was necessary, because it was not correct. In order to obviate that Parliament declared that a certificate of the Crown Solicitor would be sufficient. I remember some cases went from the Local Court to the Privy Council before being decided. The point raised by the honourable member will be considered, but to take it up from the point of view of having the provision repealed is another matter.

TIMBER LICENCES.

Mr. FLETCHER—Last week the Minister of Agriculture told me that private firms still obtain their timber on annual licences. I have a copy of a statement which has been distributed by a firm of Melbourne sharebrokers regarding a new share issue in that State. It claims that the people concerned have extensive Government leasehold and freehold forests. I will hand the statement to the Minister. Will he have the matter investigated?

The Hon. A. W. CHRISTIAN—I shall be glad to do it.

STRATHALBYN-GOOLWA ROAD.

Mr. WILLIAM JENKINS—My question relates to a branch road from the Strathalbyn-Goolwa road towards the Finniss railway station, about 1¼ miles in length. I understand that about eight years ago it was intended to bituminize it but it has been treated with floating gravel, which has not been successful, and it has been fairly costly to grade. It is in a bad state at present. Will the Minister of Works take up with the Minister of Roads the matter of this portion of the roadway being inspected by the district engineer and a report furnished with a view to the 1¼ miles being bituminized, as it is the only feeder road to the Finniss railway station?

The Hon. M. McINTOSH—I will direct the matter to my colleague and bring down a reply as soon as possible.

HORTICULTURAL PLANTINGS.

Mr. MACGILLIVRAY—Can the Minister of Lands give any information regarding the total allocation of citrus and deciduous fruit trees, and vine plantings, allotted to the Commonwealth as a whole, and to South Australia in particular? Can he say what proportions of these plantings have been used up to the present, and will further allocations to South Australia be necessary to plant the proposed Lyrup irrigation area?

The Hon. C. S. HINCKS—The total allocation of horticultural plantings to all States for War Service Settlement are as follows:—Vines—Drying varieties, 12,700 acres, wine varieties, 7,400; citrus, 7,300; apricots, 1,500; peaches, 3,500; pears, 1,150;

plums, 450; prunes, 450; total, 34,450 acres. The allocations made to South Australia and the areas that will be used in approved schemes at Loveday, Cooltong, and Loxton are as follows:—

Varieties.	Allocations. Acres.	Required for approved schemes. Acres.	Balance. Acres.
Vines—			
Drying varieties	5,000	2,343	2,657
Wine varieties	3,300	1,366	1,934
Citrus	3,500	2,679	821
Apricots	500	573	minus 73
Peaches	500	631	minus 131
Pears	200	100	100

The "minus" indicates overplantings.

If a decision is reached to proceed with the development of 3,000 acres in the Hundred of Gordon, as recommended in the report of the Parliamentary Committee on Land Settlement of June 2, 1955; and, assuming that 2,100 acres of trees and 900 acres of vines would be planted, it would be necessary to seek additional allocations of citrus, apricots, and peaches, and possibly pears. Full details of the plantings made, or to be made by other States under the scheme, are not available, but from the latest information on vines the following appears to be the position after allowing for 600 acres of drying varieties and 300 acres of wine varieties that would probably be needed if a decision is made to proceed with the proposed scheme in the hundred of Gordon:—

Varieties.	Total allocations. Acres.	Required. Acres.	Balance. Acres.
Drying	12,700	9,100	3,600
Wine	7,400	1,700	5,700

They have actually been approved, but have not been planted yet. In the statements submitted, sultana, currant, malaga, and gordo plantings have been included as drying varieties, whereas a proportion of these crops, particularly in South Australia, are used for wine and spirit production.

PREMIER'S ATTITUDE TOWARDS FEDERAL GOVERNMENT.

Mr. LAWN—Just before the Premiers' Conference the Treasurer told the House that this State had received a better deal in regard to Commonwealth payments on account of mental hospital patients from the Chifley Government than from the Menzies Government. During the past week the press has been full of statements that the Premier has condemned the Federal Government on several matters, including steel manufacture, and in view of his condemnation of the Menzies Government I ask him whether he will support a change of Government at the next Federal elections?

The Hon. T. PLAYFORD—If the honourable member will put that question on the Notice Paper I will give him a considered reply.

NATIONAL PARK KIOSK.

Mr. FRANK WALSH—Has the Premier a reply to the question I raised previously about expenditure proposed for National Park?

The Hon. T. PLAYFORD—The Secretary of the National Park Commissioners advises:—

A police inquiry is still proceeding in regard to the destruction by fire of the kiosk at National Park. Prior to the fire, applications had been invited for the lease of the kiosk, and a new lessee had been accepted by the board to take over the kiosk when the previous lessee vacated the premises. The approved applicant had resigned from his previous employment with a view to taking over the kiosk at an early date when the fire occurred and has since been employed on the staff at the park and attending to catering at week-ends from a temporary structure. As the new lessee has already been approved, it is not proposed to invite further applications for the lease of the new kiosk when erected.

DANGEROUS BENDS.

Mr. QUIRKE—On the Main North Road between Rhynie and Undalya the railway line runs within a couple of chains of the road and there is a stopping place there called Hilltop. About a half a mile north of that stopping place is an extremely dangerous bend in the road. It is dangerous because at first sight it does not appear so. The danger arises from the fact that when driving north there is no bend apparent, with the result that vehicles travelling fast tend to cut the corner and, if an oncoming vehicle reaches the same spot at the same time, an accident is inevitable. I think there have been two fatal accidents at this spot and many people have had narrow escapes, including myself. When coming from the north I treat this bend with extreme caution, knowing that others coming from the south who do not know the road are likely to cut the corner. On several occasions, including this morning, notwithstanding my precautions, I have narrowly averted an accident. Notices should be placed near the road warning traffic of the danger, especially traffic from the south, or the inner side of the bend should be widened. The area on the inner side, off the bitumen, has been churned up by

the wheels of cars that have had to get off the road to miss oncoming traffic. Will the Minister of Works take up this matter with the Minister of Roads to see whether the extreme hazard at this bend can be eliminated?

The Hon. M. McINTOSH—Yes.

MOVEMENT OF WHEAT.

Mr. O'HALLORAN—Has the Minister of Agriculture a reply to my recent question about the Wheat Board railing wheat from its Gladstone depot to the Loxton mill?

The Hon. A. W. CHRISTIAN—I have received the following report from the State Superintendent of the Wheat Board:—

Wheat is being railed from Gladstone to Loxton because of the heavy stocks of No. 17 Pool wheat still remaining, that is, wheat from the year before last. In order to save losses from deterioration, the Wheat Board considers that No. 17 Pool wheat must be disposed of first—therefore, all millers are required to take 70 per cent of 17 Pool wheat and 30 per cent of 18 Pool wheat. This applies throughout Australia. There is now no 17 Pool wheat left nearer Loxton than Gladstone. Transport costs are debited to the Pool.

EXPORT OF DOLLAR-FINANCED GOODS.

Mr. QUIRKE—In last Thursday's *News* there was an article that said that Australian manufacturers did not know of an agreement between the Commonwealth Government and the International Bank whereby any product manufactured in Australia that contained components made as a result of dollar loans could not be exported. This was not known until one manufacturer, who was not named, attempted to export vehicles under the Colombo plan, when it was found that some of the components were manufactured under dollar loans and the export of those vehicles was forbidden. Is the Premier aware of such an agreement, who are the signatories, and is a copy of it available or will it be published?

The Hon. T. PLAYFORD—I have no knowledge of the agreement, and I cannot say whether any provision forbidding export is contained in it. Many countries desire to conserve their dollar expenditure, and I can understand that the Australian Government would be most jealous of conserving its dollar expenditure and not making dollars available from Australian sources for articles to be exported to non-dollar countries. This question applies particularly to the wool industry. Many European countries were purchasing our wool and then selling it to America at a discount with the object of getting dollars. Of course, we would prefer the Americans to buy their wool direct from us so that we could get the dollars. I can understand that the Australian Government would be hostile to any proposal which involved committing the Australian taxpayer to finding dollars for the purpose of exporting Australian-made goods.

SOIL EROSION.

Mr. MACGILLIVRAY—On Monday I heard an interesting address over the air by Professor Sir Stanton Hicks on the key line plan to stop soil erosion. Can the Minister of Agriculture say whether this method has been examined by his officers and, if so, what are their opinions?

The Hon. A. W. CHRISTIAN—I am not acquainted with this plan for soil erosion, though "key line" may be someone's term. Until the honourable member informs me of the plan I cannot answer him.

Mr. MACGILLIVRAY—I regret I did not explain my question more fully, but I thought the Minister would have firsthand knowledge of the subject seeing that it has been freely publicized throughout the agricultural press of Australia. Further, there is at least one book in the Parliamentary library dealing fully with this topic. In brief, the key line plan is that one contour is taken for a start and that is known as the key line throughout the area to be contoured. Instead of putting down a series of contours one after the other, as is often done in South Australia, the key line is used and this becomes the backbone of the system. This system is highly favoured in the eastern States and is strongly supported by Sir Stanton Hicks, who is regarded as an authority on these matters. Will the Minister obtain a report from the department on this matter? I remind him that we will be asked soon to vote further moneys to combat soil erosion and the House is entitled to know whether the most modern methods have been adopted by the department.

The Hon. A. W. CHRISTIAN—The soil conservation branch of the Department of Agriculture has developed an admirable and suitable method of combating soil erosion, particularly water erosion. Contour methods have been employed throughout the State, and free advice and surveys made available to landholders. This system has amply justified itself, but I shall be glad to compare the supposedly superior method referred to by the honourable member with the department's developed method, with a view to determining which is preferable.

NURSES' SALARIES AND CONDITIONS.

Mr. O'HALLORAN—In reply to my question of Tuesday last concerning salaries and conditions of nurses in Government hospitals, the Acting Leader of the Government said that a copy of the salaries and conditions applicable to such nurses was available, but, although my secretary has searched diligently, he has not been able to find an authority that could provide a copy. Can the Premier say whether such a copy is available and, if so, where I can obtain it?

The Hon. T. PLAYFORD—The report read was one received from the Hospitals Department, and attached to it was a voluminous copy of the details referred to in the reply. Question time is considered to be a time when information of a brief nature shall be made available, and if detailed information is requested it becomes a matter for a return; but I will see that the honourable the Leader receives a copy.

CHLORPROMAZINE AND RESERPINE.

Mr. LAWN (on notice)—

1. Are the drugs chlorpromazine and reserpine being used in South Australian institutions?

2. If so, with what results?

3. If the drugs are not being used, what is the reason therefor?

The Hon. T. PLAYFORD—The replies are:—

1. Yes.

2. Excellent results.

3. *Vide* No. 1.

LOXTON SOLDIER SETTLEMENT.

Mr. STOTT (on notice)—

1. How many blocks have now been allotted to soldier settlers in the Loxton Soldier Settlement Scheme?

2. How many of these blocks have been planted with and what are the respective acreages of—(*a*) vines for dried fruits; (*b*) vines for wine grapes; (*c*) peaches; (*d*) apricots; (*e*) nectarines; (*f*) citrus?

The Hon. C. S. HINCKS—The replies are:—

1. 219.

2. 219, but a small proportion of these are not yet fully planted—(*a*) vines for dried fruit, 1,760 acres; (*b*) vines for wine grapes, 1,048 acres; (*c*) peaches, 362 acres; (*d*) apricots, 344 acres; (*e*) nectarines, 9 acres; (*f*) citrus, 1,716 acres.

WAGES BOARD APPEALS.

Mr. FRED WALSH (on notice)—How many appeals were lodged against decisions of wages boards during the five years immediately prior to May 31, 1955, by—(*a*) employers; (*b*) employees?

The Hon. T. PLAYFORD—The number of appeals against determinations (or parts thereof) of industrial boards during the period of five years immediately prior to May 31, 1955, was as follows:—

Period.	(*a*) By employers (or representatives of employers).	(*b*) By employees (or representatives of employees).
1/5/50 to 31/5/51 ..	2	Nil
1/6/51 to 31/5/52 ..	3	Nil
1/6/52 to 31/5/53 ..	2	1
1/6/53 to 31/5/54 ..	5	5
1/6/54 to 31/5/55 ..	2	Nil
	14	6

Two appeals by employers (one filed 1/5/50 to 31/5/51, and one filed 1/6/53 to 31/5/54) were withdrawn.

Two appeals by employees (both filed 1/6/53 to 31/6/54) were withdrawn.

MOTOR RACING.

Mr. TAPPING (on notice)—Is every precaution taken by the authorities to safeguard spectators and participants at motor racing fixtures in South Australia?

The Hon. T. PLAYFORD—The following conditions are stipulated before a licence is granted:—

(1) An internal safety fence around the outside perimeter of the track be provided.

(2) An internal safety fence be built back some distance from the external fence.

(3) Adequate fire fighting equipment be provided to combat both petrol and other types of fires.

(4) Medical assistance and an ambulance be available.

(5) Sufficient attendants be provided to keep spectators behind the safety fence.

(6) Track managers are instructed to refuse to start races, until the race-track is clear, and all patrons are behind the external safety fence.

(7) The operators of race-tracks are required to take out a public risk policy of not less than £10,000.

TRAMWAYS TRUST BUSES.

Mr. LAWN (on notice)—

1. Has the Municipal Tramways Trust placed orders for a large 3-door type of bus only?

2. Has provision been made for a smaller type bus suitable for one-man operation in off-peak periods?

3. If no provision has been made, on what grounds is it considered to be more economical to work a large bus than a smaller type in off-peak hours?

The Hon. T. PLAYFORD—The replies are:—

1 Yes.

2. No.

3. Economy of operation demands maximum capacity vehicles of standard type; dead mileage is avoided and standardization makes for lower maintenance and servicing costs; capital investment is reduced.

MOTOR VEHICLES REGISTRATION FEES (REFUNDS) BILL.

His Excellency the Lieutenant-Governor, by message, recommended to the House the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the 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 authorize the Treasurer to refund certain registration fees paid under the Road Traffic Act, 1934-1954, and for purposes incidental thereto.

Motion carried.

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

The Hon. T. PLAYFORD—I move—

That this Bill be now read a second time.

Its purpose is to enable the Treasurer to make refunds of the motor registration fees paid since 1st February last on motor vehicles driven in South Australia in the course of interstate trade and commerce. The history of this matter is probably well known to honourable members, but I will shortly state the main events. On November 16 last the Privy Council delivered judgment in the case of Hughes and Vale Proprietary Limited *v.* New South Wales in which it held that the Transport Acts of New South Wales were *ultra vires* so far as they applied to vehicles operating solely in the course of interstate trade. The principles laid down in the judgment applied to the South Australian Road and Railway Transport Act, with the result that the Government was compelled to treat interstate carriers operating in South Australia as exempt from control and pecuniary levies under that Act. These carriers were also, by virtue of regulations which had been in force under the Road Traffic Act for some years, exempt from the ordinary obligation to register their vehicles in South Australia and to pay the registration fee computed on the basis of power-weights.

It appeared to the Government that it was unjust that any carriers operating on the roads should be exempt both from the Road Traffic Act and the Road and Railway Transport Act and, accordingly, the Government made regulations which came into force on February 1 last, the effect of which was to require the interstate vehicles to be registered under the Road Traffic Act in the same way as local vehicles. The regulations applied only to vehicles having a tare weight of 2½ tons or more, and to trailers with a tare weight of 1 ton or more. These regulations and the registration system were promptly attacked in the High Court and the judges of that court unanimously held them to be invalid. They said, in effect, that the registration and power-weight provisions of the Road Traffic Act could not be applied to interstate carriers. Thus the previous position that interstate carriers were subject neither to the Road and Railway Transport Act nor to the Road Traffic Act was restored.

When the regulations requiring interstate carriers to register their vehicles were made, a substantial number of them registered their vehicles and paid fees amounting in all to about £9,000. The fee worked out at an average of about £50 per vehicle. Of course, it varied according to the size of the vehicle, some paying less than £50 and others paying a good deal more. I may mention, in passing, that the average registration fee of about £50 per annum for these vehicles was, in the Government's view, by no means unreasonable, having regard to the fact that the carriers obtained the right to run freely over all our roads as often and as far as they liked for a period of 12 months. The court, however, said that the fees could not be regarded as a payment for the use of roads, but were, in substance a restriction on the freedom of trade.

While a number of carriers paid the registration fee, others ignored the law, relying on their claim to immunity under section 92, and operated their vehicles without registration in this State. The Government does not consider it just to retain the fees paid by those who observed the law (as it was thought to be) while those who did not observe the law escape all payments. It is proposed, therefore, by this

Bill to authorize the Treasurer to refund the registration fees paid by interstate carriers since the new scheme came into force on February 1. The only conditions for obtaining a refund are that the carrier must satisfy the Registrar of Motor Vehicles that during the period of registration he has not engaged in any intra-State carriage of goods or passengers, and that the registration disc issued to him has been destroyed.

It may appear to honourable members that it is somewhat strange that the scheme of registration introduced by the Government was so promptly and unanimously held by the High Court to be invalid. I am not concerned to dispute the correctness of the High Court's decision (although, of course, it is at variance with a number of previous cases) but I think that I should make it clear that the Government did not act rashly or carelessly in this matter. There was good reason for the Government to believe that the scheme it introduced in February last was valid and would stand up to challenge in the court. In requiring interstate vehicles to be registered the Government was acting on views expressed in the High Court and the Privy Council, which appeared to authorize a scheme of this kind. In the case of *McCarter v. Brodie,* decided in 1950, a judge of the High Court who is notable for his sound legal knowledge and clear language and whose views on section 92 are, in general, now shared by his fellow judges, stated that the Victorian Motor Car Act was a very good example of the kind of legislation which was "clearly permissible" and would not infringe section 92. The words "clearly permissible" are the very words he used.

Mr. Macgillivray—What judge said that?

The Hon. T. PLAYFORD—Mr. Justice Fullarger. He pointed out that the Act required vehicles to be registered and that there was no discretionary power to refuse registration. He also said that the registration fee prescribed by that Act was not, on the face of it, unreasonable. He mentioned some of the detailed principles of the Act and said that nobody would doubt that the application of such rules to an interstate trader would not infringe section 92. These remarks were quoted in full by the Privy Council in Hughes and Vale's case decided on November 16 of last year and the Privy Council said that it agreed with and adopted the views expressed.

The Victorian Motor Car Act is very much like our own Road Traffic Act. In particular, it imposes a registration fee on motor vehicles which is based on power-weights. Although the amounts chargeable per power-weight are not exactly the same as those prescribed in the South Australian Road Traffic Act they are of the same general order of magnitude, ranging from 3s. 9d. to 8s. 9d. The Government took the view that if the Victorian Motor Car Act could apply to interstate carriers (as the Privy Council had clearly indicated) so also could the South Australian Road Traffic Act. However, the decision of the High Court given this month makes it clear that the High Court does not regard the views expressed in the previous cases as an authority for assuming that a power-weight registration fee such as is prescribed in our Act can validly be applied to interstate transport. Some other scheme will have to be devised. The present policy of the Government may be summed up by saying that it intends, in proper cases, to refund the registration fees which the High Court has held to be unconstitutional, and to devise and submit to Parliament a scheme which, in the light of the principles recently expounded by the High Court and the Privy Council, appears to be within our legislative powers.

The Government does not desire at this stage to indicate the proposals which are under consideration. In the recent transport cases several judges of the High Court, in addition to indicating the kind of legislation which is forbidden to the States by section 92, also gave some valuable guidance as to what is permissible. There is not complete unanimity on this latter problem, but there is a sufficient measure of agreement between a majority of the judges to enable us to propound a scheme with some confidence in its validity. The judgments need to be studied with care, and some careful statistical calculations have to be made before any scheme can be finally decided on. One thing, however, can be said about any scheme which the Government is likely to propose—namely, that it will not unduly burden or restrict interstate trade. South Australian industries depend to a considerable extent on interstate materials and interstate markets and the Government does not desire to do anything which will hamper the free movement of goods and vehicles between South Australia and other States. We have in the past treated the interstate carrier fairly and have in no way discriminated against him. This policy will be continued.

Mr. O'HALLORAN secured the adjournment of the debate.

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from June 22. Page 412.)

Mr. LAWN (Adelaide)—Clause 3, which amends section 6 of the Act, is one of the most vicious pieces of legislation placed before members in recent years. It is class legislation which, in this age of democracy, should never see the light of day. It makes it possible for the complete elimination of rent control in this State. It simply requires a house-owner and a tenant to enter into an agreement in respect of the occupancy of the home and that home automatically becomes exempt from rent control. Many people in my electorate who have been waiting years to get a home from the Housing Trust will sign any agreement with a landlord to ensure the safety of their tenancy for some period. Many tenants in Adelaide are being harassed daily by landlords seeking possession of their properties. This provision does not only apply to poor pensioner house owners and other unfortunate landlords who invested in homes to secure an income for themselves as was suggested by some Government members, but to large firms which have purchased great numbers of homes. Some firms have purchased all the homes in some streets and they can demand that their tenants sign agreements on the pretext that the tenants will be provided with some tenancy tenure and thus the houses will be removed from rent fixation by the Housing Trust. Many people in my district will sign such agreements in order to have freedom of tenure for a period. The provision will rebound against the Government at the next State elections. On May 19 I asked the Premier if he would refer to Cabinet this matter of the demolition of houses with a view to the demolition being prevented, and he said:—

> This matter will, of necessity, come before the House when the Landlord and Tenant Act is considered this session. The problem is not easy. Many of the premises being demolished are substandard and occupying valuable land. Under those circumstances members will appreciate the difficulty. The matter will be investigated and I will ascertain whether appropriate action can properly be taken.

Today I asked him whether the matter had been considered because it is not mentioned in the Bill and, in effect, he said "No." He claimed that his earlier reply could be considered in two ways. I took it that the demolition of homes would be considered by the Government and that, if necessary, appropriate action would be taken. The Premier's reply today indicates that the matter has not been considered. He said that many homes are unfit for human habitation, have been condemned by the Central Board of Health and have been built on valuable land, and suggested that provision should be made elsewhere for the people living in them. I have made it clear that any house condemned by the Central Board of Health can be demolished on the issue of an order by the Minister. I have no complaints about that, but many of the houses being demolished for the purpose of building factories are good and substantial buildings. In respect to the houses being on valuable land, does the Government represent vested interests, and are those interests considered first? What is the major factor behind Government legislation on this matter? Clearly the policy of the Government is to legislate for vested interests and not the common people. It would be laughable if it were not so serious for the Premier to say that homes should be made available elsewhere. I pointed out previously that in June 1950 the Premier said there were 11,000 outstanding applications for Housing Trust homes. In May this year he told Mr. Dunstan that the number was now 15,500, but that about 4,500 were duplications. That still leaves about 11,000 applications in hand. In the five years the position has deteriorated and the number of applicants has not been reduced. People who had doubts in the past must now be satisfied that the Government does not legislate for the common people, who are being daily forced to get out of their houses, and in some cases rooms. The Government has no humanitarian outlook and legislates in this matter solely for vested interests.

Mr. TAPPING (Semaphore)—I support the second reading with reluctance, because the Bill is a retrograde step. Clause 3 deals with rent agreements reached between landlords and tenants. Like other members I am concerned about the possibilities associated with these agreements; they will place the interests of tenants in jeopardy. In many cases tenants will be forced to accept what is offered by landlords in order to ensure having accommodation. I deprecate the proposal. At present a tenant has some protection through the Housing Trust and its rent fixing powers, which have worked satisfactorily. Last week Mr. Hutchens was told in this House that about 65 per cent of the applications made by landlords for evictions had been granted. I strongly

oppose clause 3 because it will put tenants in a difficult position. It would not be so bad if more homes were available, but, although there has been some building progress, there is still a dearth of houses. As more immigrants arrive the housing problem will become more acute. In view of this the tampering with rent control provisions is a retrograde step. Members should consider the matter carefully before amending the legislation.

Clause 4 allows landlords to increase rents from 27½ per cent to 33⅓ per cent, and this could inflict hardship upon tenants. It is amazing that these rent increases are being permitted because many of the houses have been inhabited for 40 or 50 years, and taking depreciation into account they are worth almost nothing. All rent increases are profit for landlords. It is strange that they should get these increases whilst the workers, whose wages are pegged, have to contend with increased burdens. The man who has a wife and several children and gets £12 12s. a week finds it difficult to meet his rent obligations, let alone the costs of wearing apparel, which are also increasing. Council rates have also been increased and the landlords can recover the additions as well as the rent increases. Last year the Port Adelaide council increased rates in Port Adelaide and Semaphore by from 65 per cent to 75 per cent. It had to do that in order to get money to do necessary work. I do not object to the landlord having the right to get back his added council rates, but with the increased rent it will impose a terrific burden on the tenant.

Clause 6 provides that if the owner requires possession of a house for his son, daughter, father or mother, he may give the tenant six months' notice and make a statutory declaration about the present accommodation of the person for whom he desires possession. If the statutory declaration is *bona fide* the tenant must leave the house, but this may cause great hardship to him. He may even have to make way for a person occupying a six-roomed house. By virtue of this provision one person could occupy a large house and deprive several others of accommodation. The tenants to be evicted will have no redress from the courts, and some of them may have nowhere to go. Some members of Parliament have dozens of people coming to them every week requesting assistance to get homes because the Government is not building homes fast enough to satisfy the demand.

If people are not given decent living conditions they become unhappy and many husbands and wives seek separation as a result, which emphasizes our bad social legislation. That is why I oppose clause 6. This clause will also greatly increase the fear of eviction. Such a fear undermines the health of the community. Many medical practitioners say that many of the people they treat require better homes in order to restore their health. Landlord and tenant legislation is amongst the most important that we consider, for it affects the health and morale of the community.

I am sure the member for Alexandra (Mr. Brookman) conscientiously considered this Bill, for he has told us from year to year that he does not favour this legislation remaining on the Statute Book. However, I disagree with him, and I believe he does not realize the true significance of the legislation. If he represented one of the industrial areas he would know more about the subject and hear of the many distressing cases that come before other members. He is isolated from the industrial areas so he does not know of the many cases of hardship coming before other members. What would happen if the Act were not extended? Some landlords would take an unfair advantage of the extreme shortage of houses. Only a year or so ago the House decided to discontinue control over the rent of shops, but within a few weeks rents soared. Some increased by 300 or 400 per cent, and the same would happen if the rents of houses were decontrolled. Mr. Brookman should keep that in mind and realize that chaos would reign and great hardship would fall on many people because of heavily increased rents.

In his maiden speech the member for Mitcham (Mr. Millhouse) said he could not make up his mind whether price control should be retained, and he does not know whether rent control should remain. He, like Mr. Brookman, does not represent an industrial area, so he has not had the same experiences as many other members. If he had, he would be convinced that the only way to protect many people is to retain legislation to assist both the landlord and the tenant. I am sure Mr. Millhouse will realize later that this legislation is necessary, but I congratulate him on the speech he made on this Bill. I did not agree with some of his remarks, but the way he delivered his speech appealed to me. I support the second reading, but some of the clauses are objectionable and I hope they will be amended in Committee.

Mr. FRANK WALSH (Goodwood)—For the purpose of retaining rent control I support the second reading, but I will not support all the clauses in Committee. I have found that all States have some form of rent control. Some States have relaxed some controls, but this Government proposes to go further than any other State. South Australia has not been able to satisfy all people desiring housing, especially because many people have migrated to Australia in the past few years. Rents are considered when fixing the basic wage, but the basic wage has now been pegged and rent increase would greatly affect the economic position of thousands of people. I was disappointed with most of the remarks made by Mr. Brookman. He said that many people in America were working two 40-hour periods a week to raise their standard of living, but I say, "God help their health!"

Mr. Fred Walsh—They would require atomic energy to do it.

Mr. FRANK WALSH—They would need all the energy they could get. Without being too personal, I want to refer to Mr. Brookman's remarks.

Mr. Brookman—You are not being personal.

Mr. FRANK WALSH—Then, what would be the effect if he, as a woolgrower, worked overtime to obtain the average income he has received over the last five years if wool fell by even 3d. a pound? Has he estimated the number of additional hours he would have to work? The Arbitration Court has fixed the standard working week at 40 hours, and people should not be expected to work longer in order to obtain a home. Some members mentioned the depression years when a section of the community invested money in homes and properties. Thousands today are making a great effort to own their own homes. The press reported recently a move by the Federal Government at the Premiers' Conference to encourage people to become house owners. I understand that for some years the Playford Government remained out of the Commonwealth-State Housing Agreement. However, when it found the interest rate was to be increased it decided that it was time to enter into the agreement so that it could borrow most of its money for housing purposes at 3 per cent. As I shall show, interest rates have an important bearing on rent control. If the Government, as a party to the agreement, makes available greater sums for the building of purchase homes, there will be a reduction in the number of rental homes built, whereas, if that money were used to build rental homes, this would result in lower rents for those premises. Although I am not here as an advocate for people desiring to invest money in rental properties, I consider that, if this Government makes the money borrowed at 3 per cent available only to home purchasers, further legislation will probably be introduced to provide that Housing Trust rents shall be proportionately increased because of the averaging system, which must take cognizance of any increase in the rate of interest.

Indeed, the Treasurer recently said that rents of Housing Trust homes might be increased by as much as 16s. a week, and that seems to me a mighty increase. No longer can trust rental homes be considered cheap accommodation, and the position will be further accentuated by this legislation, which favours landlords. Last session it was considered that the increase in rents to 27½ per cent above the 1939 level was a compromise, and I am wondering whether, if rents are not increased on this occasion, rent control will be abolished by the Upper House. If that is the case, will the Premier give effect to his previously stated policy that he would be willing to go to the people on the question of rent control? In view of the pegging of wages, the further increase in rents provided in the Bill is too drastic.

The honourable member for Adelaide (Mr. Lawn) referred to the number of homes at present being demolished in the interests of industrial progress. Only this morning in Halifax Street I saw a number of homes being demolished; other homes carried signs stating that they were to be sold by auction, and no doubt industrial enterprises will be successful bidders. Where will the tenants of those homes be housed? Members are well aware that builders have been transferred from work in the metropolitan area to home building in the satellite town near Salisbury, despite the fact that the proposed establishment of the Chrysler plant in my district will create a greater demand for homes there. How can we expect a home-building programme to be implemented in the area adjacent to that plant if building efforts are to be concentrated on the satellite town? Alternatively, are more industries to be established in the satellite town? I am concerned with the housing of the community generally, and, although there is a demand for houses in the metropolitan area, houses are being demolished within and near the city square to make room for industrial premises.

Mr. William Jenkins—And employment.

Mr. FRANK WALSH—I do not deny the right of the worker to his employment, but I ask the honourable member to help restore the cost of living adjustments to which the worker, who is the one most affected by this legislation, is entitled.

Mr. O'Halloran—Employment is no good unless the worker has shelter.

Mr. FRANK WALSH—Yes, and I am concerned about the Playford Government's policy in that matter. Homes are being built in the satellite town, although the real industrial progress is being made in parts of the metropolitan area 15 and 20 miles away. The workers in industry should be given a reasonable standard of accommodation so that they can render their best service. No person can do his best in industry if he is denied the right to a decent shelter at the end of each day's work. For these reasons, although I support the second reading so that the legislation may be continued for a further 12 months, I will oppose certain clauses in committee.

Mr. DUNSTAN (Norwood)—I support the second reading, although, like other honourable members on this side, I am not happy about much in the Bill. Indeed, I support only clauses 1, 2, 7 and 8, and object to the rest with all the force of which I am capable. I would like to say something about what honourable members on the other side and the Minister in his second reading explanation have said about a certain provision, and in this respect I speak, not only as a representative of a metropolitan electorate where the housing problem is appalling, but also from experience gained from appearances in a particular jurisdiction dealing with this legislation. My experience in that jurisdiction does not bear out the contentions either of the Government or of members opposite, whether or not they are members of my profession.

It is necessary when there is a scarcity of houses to continue rent control for two reasons. Firstly, by means of rent control we can prevent the inflation that has been observed in other States where rent controls have been removed because of the policies of Liberal majorities in the Upper Houses and, secondly, by means of rent control we may maintain a redistribution of income within our community which it is vital for us to maintain for the sake of the national economy and also for the sake of the poorer people within the community. It is true that by maintaining rent control in this manner we are, in effect, taking money away from a certain section of the community—the property-owning section—and giving it to the non-property owning section, and in certain individual cases that may work a hardship. There are some small property owners who, because they have invested their money in rental properties, are being unfairly penalized by this legislation as they have no other means of livelihood. For those people there is a remedy, but it is not the removing of these controls. The remedy lies in the removal of the means test upon aged and invalid pensions in Australia. Small property owners would then be fairly recompensed by the receipt of the pension so that in their old age they might derive a proper benefit from the thrift they have practised in the early period of their lives.

Only a few months ago we increased the amount of rent payable to landlords by an additional 5 per cent, making the total increase 27½ per cent above 1939 levels. It is now proposed to raise rentals from 27½ per cent to 33⅓ per cent. The economic position has not so much altered as to justify that, but if it was right for us to provide a 27½ per cent increase above 1939 levels a few months ago, ought we to now increase it to 33⅓ per cent considering that the vast majority of the people who will have to pay the increase are not being recompensed for it by a wage based on real living costs?

Mr. O'Halloran—The basic wage remains pegged.

Mr. DUNSTAN—If it were not pegged there might be some reason for affording some slight relief to small property owners, but if an impost is to be put upon the working people then it should be an overall impost and the poorer people of the community should not have to pay an increase in rental and at the same time have no way of recouping themselves for the decline in real wages that will occur as a result of this legislation if passed. Clause 3 provides that if the landlord and tenant agree in writing upon any term for the letting of property, that property is removed from rent control for the period of that agreement. There may be something to be said for the position where the landlord demands a high rent in return for a lengthy security of tenure such as exists under present legislation whereby he can only specify an uncontrolled rent if the lease is for two years or more, but if this provision is adopted it will mean that any property that becomes available for letting in South Australia will be let at an uncontrolled rent because no

landlord will be so stupid as to allow a tenant in without getting an agreement in writing. In other words, we are saying to the landlords that when their properties become vacant they may charge what they like for rent. Under the existing provisions people in desperation—and although they cannot afford it—are paying rentals of £7 a week, whereas the fixed rent for such premises would be 22s. a week.

Mr. Hutchens—That is common to every district.

Mr. DUNSTAN—It is the rule, but this clause puts all properties in that category when they become vacant for letting. That is not a proper maintenance of rent control. While there is a scarcity of housing we should ensure that where hardship is to take place to some portion of the community it should fall where it can best be borne.

The next most objectionable clause is clause 6. In his second reading speech the Premier suggested that in no case now was a tenant unable to get out within six months. That is patently untrue. Today there are many cases still being brought into the landlord and tenant jurisdiction of the local court. Several are cases where landlords require possession of premises for their own use and occupation or for the use and occupation of sons and daughters, and in approximately 50 per cent of those cases the landlord is being refused possession. Why is that? He is being refused because the court finds upon investigation that it has not been possible for the tenant to find other accommodation and that the hardship upon the tenant would be far greater if an order were made than it would be on the landlord if the order were not made. In other words the court itself is disproving the allegation on which the Government is founding this provision.

Mr. Millhouse—Have you any detailed figures?

Mr. DUNSTAN—No, I am speaking from my own experience. If the member checks with the local court he will discover that my information is correct. I have appeared for landlords and tenants—landlords, who only own one home, seeking possession of premises, and tenants who cannot find other accommodation. In many instances the court has found that the hardship upon the tenant would be far greater than the hardship upon the landlord. If the hardship were equal, under the existing legislation the court would exercise its discretion in favour of the landlord because in that case the ownership of property weighs heavier. If the hardship is balanced, then obviously, since a man owns the property, he should be able to get it. If the hardship on the tenant is greater then is it not right that the tenant should be allowed to remain? The very purpose of this legislation is to say that since hardship must occur in a period of a shortage of housing, that hardship should be minimized by an investigation of the court and the persons who can best bear the hardship must bear it and those who can least bear it must not bear it. What will be the position if this provision is passed? A landlord may have a son and a daughter living in his premises. They may be occupying one room or a sleepout and the accommodation not particularly pleasant.

Mr. Millhouse—You would describe it as thoroughly unpleasant for tenants but not landlords?

Mr. DUNSTAN—It might be decidedly unpleasant, as it can be for young people living with in-laws under stresses, but they have a roof over their heads. The landlord may own another property and he could go to the court under those circumstances and say, "We have made out a reasonable need for this accommodation." In the house they are seeking a pensioner could be living, a person who, despite continued efforts, has been unable to find anywhere else to live. If this provision is passed the pensioner would be put in the street and his or her hardship could not be taken into account by the court. Under existing legislation the court must take into account, in addition to any other relevant matter, any hardship which would be caused to the lessee or any other person by the making of the order; any hardship which would be caused to the lessor or to any other person by the refusal to make an order; and where the application is on the ground set forth in section 42 (*g*) that the reasonable need of the premises for occupation as a dwellinghouse by the lessor or a son or daughter whether reasonably suitable alternative accommodation in lieu of the premises is or has been, whether before or after the date on which the notice to quit was given, available for the occupation of the person occupying the premises, or for the occupation of the lessor or other person by whom the premises would be occupied if the order were made; whether at the time the lessor required the premises the premises were let to the lessee and whether the lessee had any opportunity to acquire the premises and the reasons for his failure to acquire the premises; whether the lessee is the owner

of another dwellinghouse capable of being occupied by him and whether he has taken the necessary steps to get hold of it; whether the lessor has been required by the circumstances to live elsewhere and whether there has been any relevant change in those circumstances and whether the lessee has made reasonable efforts to obtain other premises.

These matters must all be taken into account and, when the court has done so, if the conduct of the lessee has been unexceptionable and if the lessee has been unable to find other accommodation and if the lessor is, at any rate, accommodated and in better circumstances than the lessee would be if put on the street, then the court does not make an order, nor should it. The member for Alexandra, Mr. Brookman, referred to the attitude of lessees and how they did not look after themselves, and said many tenants would have done much more for themselves had they been forced to do so. He said that they were losing, to a great extent, the will to do anything for themselves. If the court finds that the lessee has been negligent in seeking out accommodation for himself then it will not protect him under the existing legislation. The lessee must go to the court when an application is made under section 42 (6) (*g*). He must show that he has made an application to the trust, and that he has been to the 40 or 50 land agents, has advertised, and approached various organizations in his attempt to get accommodation. Pensioners must show that they have been to the Pensioners' League and various organizations in order to get accommodation. If in any of these things they have been backward the court does not protect them. It says that the tenant has not done everything possible. In many cases the lessee has shown that it has been done and that he has not been able to get accommodation. The Government has said that in the last three years the number of live applications for rental accommodation has increased by about 4,000, and that the number now stands at over 15,000. Lessees cannot find other accommodation in six months, yet under the provision in the Bill they are to be put out into the streets regardless of hardship. Under subsection (3) of new section 55c the court must make an order without taking into account any of the matters mentioned in subsection (1) of section 49. Many cases are not brought nowadays because the hardship is obviously far less on the landlords, yet lessees are to be put out into the street under the new proposal, and the court is not to take into account hardship. That is what the Government proposes and it is a complete departure from the whole basis of the legislation, which was that we should, in the existing circumstances of scarcity of houses, see that the hardship fell where it could be best borne. It was that control should be exercised in such a way that the least hardship would be occasioned. The proposal in the Bill will mean that maximum hardship in individual cases may occur, and the court will have no jurisdiction to consider the matter.

Mr. Millhouse—You admit that it will not happen in all cases?

Mr. DUNSTAN—That is so, but it may happen in many cases. It ought not to happen in any case. Why is there a rush to see that the proper tribunal, which has worked fairly and equitably, may not now investigate individual cases and see where the hardship lies? The Government says, "We will lay down what shall happen and if hardship occurs to the tenant it is his bad luck." Many people, through no fault of their own, cannot find accommodation. Apparently the Government has no consideration for these people. On these three grounds the provisions of the Bill are wholly obnoxious. The alleged facts upon which the Government bases its claims, particularly in relation to clause 6, do not exist. In fact, the Government's claims are patently incorrect. Under these circumstances it is my humble contention that members, whilst passing the second reading of the Bill to enable controls to continue—and it is necessary for them to continue whilst there is the present housing shortage—should in Committee strike out the provisions which are a departure from the principles upon which the legislation has always been based.

Mr. FRED WALSH (Thebarton)—Because of the need to continue with legislation of this kind I am compelled to support the second reading of the Bill, although not in accordance with all its provisions. I hope it will be amended. Several matters I intended to raise have been mentioned by the two previous speakers, particularly Mr. Dunstan. I think he gave a good answer to what Mr. Brookman said about certain people sheltering under the legislation. Throughout Mr. Brookman's speech he was more concerned about the interests of property owners, and showed a lack of interest for the tenants. He said, "It may not be popular to mention depressions. No one in Australia can say how a depression could be prevented." Apparently the matter has not

been given much thought by the honourable member. No doubt he had little experience of the last depression, and only read about it. From 1930 to 1933 people were put out of their homes through no fault of their own. Several members know that tenants were evicted purely because they could not pay the rent. At the time about one-third of the workers of Australia were unemployed, and the other two-thirds were working only part-time.

Mr. Stephens—Their furniture was thrown out into the streets.

Mr. FRED WALSH—Yes, and left there for days and sometimes weeks. It happened in the honourable member's district and in other industrial areas. I do not want to go back to those days, and I do not think Mr. Brookman wants to. People all over the world are giving the matter serious consideration. I suggest with respect that Mr. Brookman should take note of the fact that three years ago, if we can take notice of reports from America, we were approaching a depression. At the time it was called a recession, and all possible steps were taken to avoid one. Thank goodness they were effective. In the depression years people could not pay their rents and were evicted. Today people are being evicted not because they cannot pay the rent, but because of the lack of housing accommodation due to increased industrial activity, and the influx of migrants. During the war we could not build enough homes to cope with the natural increase in the population. I cannot imagine that Mr. Brookman gave this matter serious thought. I do not think he is so inhuman as to want people to be thrown out into the street in order to satisfy the demands of the landlord for increased rents, or because he wants his house for a member of his family.

I object to the provision that places beyond rent control agreements entered into between landlord and tenant. There could be no objection to them if they were all *bona fide,* but I have serious doubts in regard to them. Tenants will agree to proposals by the landlords in order to ensure having housing accommodation. It will be difficult to police this matter. Subsection (3) of new section 55c has been referred to by Mr. Dunstan. It is wrong to entirely eliminate the matter of hardship. Consideration must be given to the conditions under which the two parties are living. If we do not do that we shall be unjust in directing a court to make an order without regard to hardship. I hope this clause will be amended in Committee.

Other speakers have referred to the demolition of houses, and I say it is a disgrace and a reflection on the Government to permit reasonably good houses to be demolished or altered so as to provide office accommodation or factory extensions. Many good houses are being demolished or altered for this purpose. How can we hope to make any impression on the serious housing shortage when this is permitted? The Government should re-enact legislation that provides that the Housing Trust shall have sole control, as it had before, over demolition. I am not so concerned about the demolition of sub-standard houses, although they at least provide a home for the people in them, but it is wrong to allow good homes to be demolished. A few weeks ago a person in Thebarton asked me whether I could get a Housing Trust home for one of his tenants who lived in a home adjoining his factory. I told him he had little chance of getting his tenant a trust home under those circumstances and that I would not help him if he wanted the home for factory extensions. Last week the following advertisement appeared in a newspaper:—

City business site.—Six attached two-storey houses, land 127ft. x 136ft., with right-of-way at rear. Suitable premises for offices, wholesale or retail. Commercial Land Company, Hindley Street, Adelaide.

Those premises are on West Terrace, Adelaide, and many members know them. Living in those premises are 20 adults, five babies, and eight other children. If we abolish controls those people will be required to leave that property, which would be turned into offices. That should not be permitted, and it is time Parliament took action for its prevention. Mr. Brookman said the "C" series index figure for 1939 was 916, and for 1954 it was 2,321, an increase of 253 per cent. Those figures are correct, but during the war wages were pegged, except for quarterly cost of living adjustments. If rents had not been controlled during the war the increases would have been reflected in the cost of living adjustments. I agree that wages should be stabilized, except to effect improvements in the standard of living, but I believe that rent increases or increases in the price of various commodities, when reflected in a basic wage, do not always react favourably for the worker. I stress that when the quarterly adjustments are suspended the worker is denied any recompense for an increase in the cost of living when rents or prices rise. The Bill allows a further 5 per cent increase in rents and last year an increase

of 2½ per cent was permitted, so there will be a total increase of 7½ per cent which will not be reflected in the workers' wages. They will have to bear the increase, and that will come hard on those who have not received the recent marginal increases. Mr. Brookman stated:—

In Australia we are beginning to deplore the fact that a man works hard in his own interests. Members opposite should see working conditions in America. People there work two 40-hour weeks in the one week to get enough money to put them on the right track. Students sell newspapers and wash dishes in cafes to pay their way through college.

I know that many students in Adelaide sell newspapers sometimes, and that probably some work in cafes. I know that some work in hotels and others pick fruit in the river districts in summer in order to help pay their university fees.

Mr. Millhouse—They regard it as a holiday.

Mr. FRED WALSH—Those who pick fruit might have a holiday, although I do not think members representing the river districts would agree with that, but working in a hotel or a cafe is no holiday. Of course, the parents of some students cannot afford to pay university fees, so there is no real objection to students working during their vacations. However, Mr. Brookman said we deplore the fact that a man works hard in his own interests. I do not know to whom he was referring when he made that statement. I have not heard anyone deplore the fact that we work hard in Australia. I read in a newspaper recently that a business magnate from America gave great credit to the Australian worker for the way he works.

Mr. John Clark—He was an honest man.

Mr. FRED WALSH—Because our workmen work efficiently and hard his firm is prepared to spend millions of pounds to establish industries in this country. I have inspected many factories in America and I consider that working conditions there compare more than favourably, generally speaking, with those in Australia. I reject Mr. Brookman's suggestion that many people work two forty-hour periods a week in America. One person worked a night shift at Holdens and during the day at the Alberton Hotel. He did that not with the idea of buying a home but to get money for other purposes, and he was not permitted to carry on like that for long. Labor members do not object to a reasonable amount of overtime, but we oppose excessive overtime because it is not possible for a man to carry on for long under those conditions. Reasonable employers appreciate that their workmen are unable to work satisfactorily if they have to do much overtime.

Mr. Brookman seemed to suggest that it was easy for a man to get his own home. He said people could easily work double shifts or overtime and soon have enough money to purchase a home, but his statements were misleading. An average house today costs £3,000 to £3,500. According to last year's report by the Director-General of the International Labor Organization the cost of a new dwelling in Europe is about the equivalent of a worker's wages for four or five years. If we accept £13 a week as the average wage in Australia a man's total income for four years would be £2,604, and for five years it would be £3,280. Thus, in Australia, as in Europe, the worker would have to work five years in order to raise the purchase price of a home.

Some members opposite would have us believe that price and rent controls are new and that in their novelty they are objectionable, but according to the Director-General of the International Labor Conference in his report to the 37th session of the conference at Geneva last year, rent controls have obtained in many European countries since World War I. Referring to assistance to tenants, the Director states:—

The assistance has taken two rather different forms. The first is housing subsidies paid by the government and therefore borne by the community as a whole . . . A second, more indirect, type of assistance has developed in the form of rent control, imposed on landlords by governments primarily to prevent their exploiting housing shortages by raising rents. The cost of this form of assistance to tenants is borne in the first place by landlords in the form of a smaller return on their capital than they would have enjoyed from alternative investments.

Referring to the history of rent control, the Director continues:—

Both government subsidies and rent control have long histories, going back at least to the first world war. Rent control was introduced in many countries early in that war to prevent exploitation of the increasing housing shortage by landlords; subsidies were found increasingly necessary in many countries after that war to help the lowest-paid wage earners to get housing in the face of greatly increased housing costs. Rent control was relaxed in most countries in the inter-war period, although there were still some remnants of it left in some countries at the beginning of the second world war. Subsidies, on the other hand, became an increasingly important and widespread feature of housing policy. During the second world war, most countries adopted rent control legislation; in the more developed economies practically all rental housing was brought under rather rigid rent controls, while in the less developed economies controls were

generally applied only on a limited scale in the largest cities. Thanks to its ease of administration, this control was generally successful in keeping rents down. By 1947 in a number of countries where hourly earnings had approximately doubled rents had remained practically unchanged, with a consequent halving of the proportion of workers' incomes spent on rent.

That refers mainly to Europe, yet we in Australia, where there is an acute housing shortage that shows no signs of diminishing, are asked by some people to abolish all controls. I trust that members will seriously consider the amendments foreshadowed by the Leader of the Opposition so that the Bill will be improved.

Mr. STEPHENS secured the adjournment of the debate.

ADJOURNMENT.

At 5.21 p.m. the House adjourned until Wednesday, June 29, at 2 p.m.