HOUSE OF ASSEMBLY.

Thursday, October 19, 1961.

The SPEAKER (Hon. B. H. Teusner) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS.

His Excellency the Governor, by message, intimated his assent to the following Bills:

Appropriation,
Children's Protection Act Amendment,
Land Tax Act Amendment,
Local Government (City of Enfield Loan) Act Amendment,
Sale of Furniture Act Amendment,
Whyalla Town Commission Act Amendment.

PUBLIC SERVICE ARBITRATION BILL.

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the Bill.

SUPERANNUATION ACT AMENDMENT BILL.

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the Bill.

QUESTIONS.

TRANSPORT PERMITS.

Mr. FRANK WALSH: Has the Premier obtained a report from the Transport Control Board in reply to a question I asked on October 11 on why applicants do not receive information from the board concerning refusals of applications for permits?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the Transport Control Board reports that there is only one main reason for a special permit being refused: that is, the availability of a regularly operating service already in existence. Infrequently, permits have been refused because the applicant has been indebted to the board for outstanding fees, and a few because of the criminal record of the applicant. As the board freely disseminates details of regular services operating, the Chairman cannot see how any person can be in doubt about why a permit has been refused, and he would be interested to know of the cases referred to by the Leader. If the Leader will let me have details of the case, I shall be pleased to take it up with the board.

ROAD REHABILITATION.

Mr. COUMBE: Recently much drainage work and relaying of mains has been carried out on the Irish Harp Road and Rakes Road at Islington, Prospect and Enfield. Will the Minister of Works ask the Minister of Roads whether the Highways Department intends to reconstruct these roads, either departmentally or in conjunction with the respective councils, after these works have been completed, and whether a time table for this work can be given?

The Hon. G. G. PEARSON: I will get the information from my colleague.

FOOTHILLS WATER SUPPLY.

Mrs. STEELE: As the Minister of Works appreciates, many residents in the lower foothills experienced difficulty regarding water supply, particularly last summer. I have previously expressed in this Chamber my appreciation of the efforts of officers of the Engineering and Water Supply Department in meeting these problems, and I do so again. All members know the difficulties that confront the department in providing services throughout the State and every effort has been made to improve water facilities during the winter months. As it seems likely that we shall be facing extreme difficulty in what could be an extreme summer this year, however, can the Minister of Works indicate the position so that the general public may understand the facts and appreciate the difficulties facing the department at the onset of the hot weather?

The Hon. G. G. PEARSON: The question embraces a wide field, but I think I should mention particular areas in the foothills where residences have been erected on high ground, which has been and still is difficult to serve with full pressure when the draw on the mains on hot summer days is great indeed. I appreciate her comments in regard to efforts that have been made by the department and its officers to cope with the situation. In that respect there have been, and still are, under construction such improvements as high level storage tanks and additional boosters which would reach up and give better pressures to those high levels. I point out that some residences have been erected at places where at the time of their commencement, or even prior to that, the residents were made aware of the problems associated with supplying them. Notwithstanding that, the desire to get up higher and higher to get better and better views has urged them to go into areas which the department had already indicated it would be difficult

to supply. The provision of additional high level storage tanks also creates some difficulty, because it is difficult to find sites for high level storage tanks, or for any storage tanks for that matter, which do not intrude into the surrounding area and tend to inconvenience to some extent people who live adjacent to the areas required for these storages. All those needs involve difficulties for the residents and also for the department which seeks at all times to give an efficient supply consistent with the minimum disturbance and inconvenience to the people concerned. We have negotiated successfully, in some cases after protracted discussions, in having sites provided for these tanks. Only last week I discussed this matter again with the Engineer for Water Supply, and without being specific I can say that improvements generally are being carried out which I hope will at least alleviate the position and give a reasonably satisfactory supply. The basic problem is the need for a high level trunk main to extend along the eastern foothills, which would be of an elevation and capacity sufficient to meet all these needs. The old Millbrook trunk main which originally served these areas is no longer able to cope with the requirements and, indeed, that main needs replacing and steps are being taken towards that end. However, I point out that a big main will be required through a residential area, and it will be an extremely costly project and will take some time to plan and complete. It will also eat into our Loan resources substantially to pay for it.

On the general matter of water supplies to the metropolitan area, there need be no cause for concern. The department has the matter well in hand, and it has taken steps early in the season to see that metropolitan storages do not fall to a level where restrictions upon householders would be necessary. If the honourable member has, at the moment, any specific problems I could give her more specific information about each locality if she desires it.

GAWLER SEPTIC TANKS.

Mr. CLARK: Has the Premier the report he promised from the Housing Trust on septic tanks in the Housing Trust area at Evanston, near Gawler?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the Housing Trust reports:

The septic tanks installed in the Housing Trust's rental houses at Gawler South operate satisfactorily. However, as is the case in any area, disposal of the effluent is the difficulty. This almost invariably creates problems, especially where septic tanks are installed in a group of houses. A governing factor is the amount of water which passes through the septic system. Another important matter is the soakage properties of the soil. Much depends upon the manner in which the tenant of a trust house endeavours to dispose of the effluent, but if a tenant finds this a particularly difficult task, he should apply to the trust. An examination will be made and the tenant advised what to do. In some cases the trust may provide some assistance.

BUNDALEER RESERVOIR.

Mr. HUGHES: Will the Minister of Works obtain from the Engineering and Water Supply Department a report on the quantity of water stored in the Bundaleer reservoir and an analysis of the saline content of the water being reticulated in the Wallaroo district? In view of the long, dry spell that South Australia has experienced, can the Minister say whether water restrictions are likely to be applied in the Wallaroo district during the coming summer?

The Hon. G. G. PEARSON: On October 17, the Bundaleer reservoir held 959,000,000 gallons, which is about two-thirds the capacity of that reservoir (1,400,000,000 gallons). I have not the figures regarding the water analysis, but I will try to obtain those for the honourable member. Regarding the general supply position, although the summer has only just begun I do not expect any restrictions in the Wallaroo area or the area served by the Bundaleer reservoir. As the honourable member knows, there have been some difficulties regarding pressures in parts of Wallaroo and to the north of that town, but steps are already in hand for replacing some smaller mains with larger ones which will give a much better pressure generally throughout the area.

VICTOR HARBOUR JETTY.

Mr. JENKINS: Recently the Minister of Marine indicated that the Harbors Board was prepared to place protective fencing around the screwpile jetty at Victor Harbour. Can the Minister say whether the Harbors Board will endeavour to complete this work before the holiday season begins?

The Hon. G. G. PEARSON: I will take the matter up with the Harbors Board.

SCHOOL MILK.

Mr. BYWATERS: According to an article in this morning's *Advertiser* the Education Department is examining the possibility of providing milk in paper packs for schoolchildren. I am thinking of the tetrapak, which

is used now in the northern parts of the State, where it is proving popular and creating a desire for more milk to be supplied. I am interested in this matter because I know the value of supplying milk to schoolchildren, and I know that it is a fact that more people drink milk if it is prepared in this way because it is homogenized and much more palatable and attractive to the taste. The question arises that a homogenizing plant is, I understand, rather costly, and this also applies to the tetrapak cartons. Some small factories that are now providing milk in the country may find it difficult to install such plants. Can the Minister of Education say what the policy of the Government or of the department is in this matter? Will plants be encouraged to install the homogenizing or tetrapak process, and is there a less costly alternative to tetrapak that would still maintain the flavour and, I understand, the vitamin C being provided by the milk's being enclosed in cartons rather than in bottles?

The Hon. B. PATTINSON: The matter has not gone very far; it is at a purely exploratory stage. The cost of the free milk scheme is borne by the Commonwealth Government but the scheme is administered by the State Education Department. The present system is not entirely satisfactory, from many points of view: it does not satisfy the Education Department and many staffs; it certainly does not satisfy me; and I do not think it satisfies the Metropolitan Milk Board, amongst other authorities from whom I have received criticisms and complaints from time to time. But it is a very big business because 626 schools are supplied with free milk by the Education Department—338 departmental schools, 147 private schools, and 141 kindergartens. The total number of children receiving free milk from us is 150,000 and the supply exceeds 90,000 gallons a month.

In making the statement yesterday, I merely desired publicly to pose the problem after I had been interviewed by interested parties. I have arranged for the Secretary of the Education Department (Mr. Strutton) and the Milk Supply Officer (Mr. Kealy) to investigate the whole position thoroughly and report to me. But I do not desire to take it any further at present. I do not think that the plants referred to by the honourable member are expensive for the bigger companies but they would be relatively expensive for the smaller ones. The whole investigation is purely experimental and exploratory. I just raised the problem publicly and in due course I shall be able to inform the honourable member, the House, and the public of the result of my investigations.

NEW RESERVOIRS.

Mr. LAUCKE: My question concerns possible sites for future reservoirs. Recently, when addressing a water for agriculture symposium arranged by the South Australian branch of the Australian Institute of Agricultural Science, Mr. J. R. Dridan (Engineer-in-Chief) said there were still a number of sites on streams in the Mount Lofty and Barossa Ranges where dams could and should be built. He said that eventually the construction of reservoirs on every stream that now discharged water into the sea would be a matter of sheer necessity and that it was advisable for economic reasons to take early action in the building of new dams in the Barossa and Mount Lofty Ranges. Can the Minister of Works say what sites are at present being considered for the construction of reservoirs, particularly in the Barossa?

The Hon. G. G. PEARSON: In making that comment, the Engineer-in-Chief no doubt was addressing himself to the overall problem of water supply for the State, and in particular perhaps to the metropolitan area and the Adelaide Plains, not forgetting that all our reservoir systems are interlocked in such a way that it is possible to divert water not quite as readily as we should desire but, at any rate, from one point to another within certain limits. The two projects we are considering at present are these: One is the reservoir at Sixth Creek (or Kangaroo Creek, as it may be known) and the other is on the Angas River. The latter is being considered as one alternative for eventually improving the supply to that area. In addition to that, there will come up for consideration from time to time in order of priority (their priority being related to the yield of water expected to be obtained against the cost of impounding it and the cost of reticulating it) smaller streams, some of which hitherto have not perhaps been regarded as sufficiently valuable to justify consideration. From time to time we shall consider these smaller streams.

Beyond the two I have mentioned, I have not discussed with the Engineer-in-Chief any firm proposals for the damming of smaller streams and I think it would be unwise for me to make a forecast at this stage which might lead to misapprehension in the areas concerned; but, whenever we are considering the further impounding of water in the smaller streams, the

necessary investigations will take place and the matter will be publicized before any decisions are made.

KANGAROO INN AREA SCHOOL.

Mr. CORCORAN: I have received a letter from the Chairman of the Kangaroo Inn school committee, which is concerned about building operations there. I gather from the letter that nothing has so far been done. Will the Minister of Education say when building operations are likely to commence and whether the school will be completed by the stated time? The committee would appreciate being kept informed by the Minister's department of any progress. If the Minister is unable to reply today, will he have the matter investigated and let me know next Tuesday?

The Hon. B. PATTINSON: I cannot give the honourable member exact information because the matter has now passed into the hands of my colleague, the Minister of Works, but I can assure him that the Director of Public Buildings is working on the matter and treating it as one of urgent priority. All the plans and specifications are being prepared. This is substantially in line with the reply that my colleague gave the member for Eyre (Mr. Bockelberg) yesterday about the Kimba area school. That school and the Kangaroo Inn area school are both regarded by the Education Department as very urgent and the Public Buildings Department is straining every effort to have those schools commenced and completed as soon as possible. I think that either late this year or at the beginning of next year they will be commenced and we are confident that they will be completed before the beginning of the 1963 school year. However, as requested, I will endeavour to get more reliable information for the honourable member by next Tuesday, but I think it will only substantiate what I am telling him now.

THIRD-PARTY INSURANCE.

Mr. McKEE: My question relates to third-party insurance premiums. Earlier this session I asked the Premier a question about the discount on third-party insurance premiums for accident-free drivers. The Premier said that the Premiums Committee would meet to reconsider questions the Government had referred to it. Can he report on the committee's decisions?

The Hon. Sir THOMAS PLAYFORD: The Government referred two matters to the committee. The first was whether the amounts charged were not proportionately too high when compared with the charges in other States, and the second was whether there should be some incentive by way of a bonus system for accident-free drivers. In respect of the first matter the committee said that it could not accept the Government's request. A report on the second matter has not come to hand, but I will write to Sir Edgar Bean asking him when we can expect a reply.

TAPLEY HILL ROAD BRIDGE.

Mr. FRED WALSH: During the debate on the Estimates I referred to the construction of a new bridge and pedestrian crossing over the Sturt River on Tapley Hill Road. Will the Minister of Works, representing the Minister of Roads, ascertain what stage negotiations on this project have reached?

The Hon. G. G. PEARSON: I shall be pleased to do so.

SUPERANNUATION ACT.

Mr. LAWN: Yesterday I asked the Premier whether it would be possible to consolidate the Superannuation Act. He replied that such a task would occupy much time and study. During the recess will the Premier have the Act reprinted?

The Hon. Sir THOMAS PLAYFORD: Unless the Act is consolidated any reprint would, of course, be a reprint of a number of Acts, so it would not help the honourable member very much.

Mr. Lawn: The Workmen's Compensation Act has been reprinted.

The Hon. Sir THOMAS PLAYFORD: An Act is usually consolidated first. I will ascertain whether it is possible to reprint the Superannuation Act, although I doubt the practicability of doing so because a consolidation is usually necessary first.

HIRE-PURCHASE AGREEMENT.

Mr. FRANK WALSH: I understand that the Premier has a reply to my recent question about a person who signed an agreement to purchase a television set but who never took delivery of it.

The Hon. Sir THOMAS PLAYFORD: The Crown Solicitor reports:

If the contract "to purchase" a television set referred to by the Leader of the Opposition was a hire-purchase agreement then it was probably entered into between the constituent and a finance company. King William Television Company probably had an arrangement with a finance company whereby the latter would purchase goods from the King William

Television Company and then enter into a hire-purchase agreement with the ultimate purchaser. Without being in possession of all relevant facts and documents it is not possible definitely to advise upon the civil rights and liabilities of the hirer.

It may be that the television company had implied authority on behalf of the finance company to cancel the agreement. If this was so, the hirer would not be liable to pay any amount under the agreement. I suggest that the hirer obtain legal advice as to his civil rights. The agreement in question was entered into in 1959. Consequently, the provisions of the Hire-Purchase Agreements Act, 1960, which now provides for some alleviation of a hirer's responsibilities where he wishes to terminate an agreement, do not apply. Under the present legislation the owner of goods to be comprised in a hire-purchase agreement is, of course, bound to set out clearly in writing full details of the hirer's financial obligations.

BIRKENHEAD BRIDGE.

Mr. TAPPING: Has the Minister of Works a reply from the Minister of Roads to my question about the unnecessary opening of the Birkenhead bridge?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that present openings are approximately 14 a day, most of them during daylight hours. During the month of September, 1961, there were 424 openings, of which 197 were for the passage of fishing boats. The owners of the fishing vessels have all been requested to restrict as much as possible the passing through the bridge to hours outside 6.30 a.m. to 6.30 p.m.; notices to this effect having been posted up in two languages at strategic points at Port Adelaide. In effect, all owners of fishing vessels know of the department's wishes.

To a large extent, the fishing vessels do restrict passage through the bridge to other than those hours mentioned, so that most of the openings during daylight hours are for larger vessels, tugs, cargo boats, etc. As the average time during which traffic is unable to use the bridge because of an opening amounts to only 2.8 minutes, it is considered undesirable to restrict completely openings between certain hours. Road traffic congestion because of these openings is not very great.

Some time ago the member for Port Adelaide asked a question about berthing tugs downstream from the bridge to avoid unnecessary openings of the bridge, and it may be appropriate to answer that question now. The General Manager of the Harbors Board informs me that, in fact, the tugs are berthed at A berth (Darling's wharf), which is downstream from the Birkenhead bridge, and that they have been berthed there for the last three years and have caused no unnecessary opening of the bridge.

VICTOR HARBOUR ROAD.

Mr. JENKINS: Has the Minister of Works a reply to my recent question about the junction of the Victor Harbour, Port Elliot, Adelaide road?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that the temporary sandbag islands will be replaced with permanent concrete kerbs. It is expected that this work will be completed by the end of this month.

SAVINGS BANK DEPOSITS.

Mr. LAUCKE: The annual report of the Savings Bank of South Australia for the last financial year showed a decrease of about £604,000 in ordinary and special purpose operative accounts, although there were increases in school and deposit accounts. The decrease in ordinary savings accounts is a matter for concern, bearing in mind the services rendered by the Savings Bank over the years in developing this State, and I feel that the entry into the savings bank field of a number of trading banks must have had some bearing on the decrease in ordinary deposits with the bank. Does the Premier consider a closer liaison between the State Bank and the South Australian Savings Bank desirable to arrest the possible trend away from the Savings Bank to other banks?

The Hon. Sir THOMAS PLAYFORD: A close working arrangement already exists between the Savings Bank and the State Bank where the Savings Bank is not represented in a place and the State Bank has an agency. The falling off in deposits seems to apply not only to the Savings Bank of South Australia but to the savings banks in other States, and is due to the credit squeeze and the big call on the loose cash of many people. Also, there has been some unemployment but, what is probably more important, the Commonwealth Government lifted the rate on fixed deposits in trading banks so that there was a great attraction at one stage for people to take money out of the Savings Bank and put it on fixed deposit in trading banks, so there was a period when savings banks throughout Australia (including the Commonwealth Savings Bank) lost money to trading banks. Since then there has been some adjustment to the trading banks' fixed deposit rates, and at present savings banks throughout Australia are picking up their deposits again.

The honourable member is correct in saying that, apart from the South Australian Savings Bank, South Australia has the Commonwealth Savings Bank and three other savings banks, which create competition for the available savings. The Savings Bank has been examining this matter closely and has submitted to the Government for consideration a suggestion that it should be allowed to operate cheque accounts. This suggestion is now being considered. The Savings Bank of Victoria is operating cheque accounts for many people, but a close investigation the Government made showed that the bank was badly out of pocket on this type of business, which was expensive to conduct. The average cheque account deposit was £70; each depositor had many transactions a year; the service charge was only 10s. a half year; and a close examination by an officer who went to Victoria to study the matter showed that the business was not profitable. Whether it is justified to hold customers is a matter that the Savings Bank is considering at the moment at the request of the Government.

DUST NUISANCE.

Mr. TAPPING: Last week I asked the Minister of Marine a question concerning the dust nuisance at Taperoo, and he promised to approach the Harbors Board to see whether something could be done to minimize it. In the last three days I have received many requests from members of the Port Adelaide City Council and the public generally, who have said that the dust nuisance is still as bad as before. Has the Minister any progress report on this matter?

The Hon. G. G. PEARSON: I discussed this matter with the Chairman and the General Manager of the Harbors Board. With the onset of summer, the alleviation of the problem would not be easy because of the dry conditions and the fact that plant growth cannot be stimulated as there has been little rainfall, unfortunately, for several weeks, and the hot weather has brought about the conditions described by the honourable member. However, there is another important aspect of the matter. Much, if not all, of the land the subject of this problem has been sold by the Harbors Board to the Housing Trust for building purposes and is not now under the control of the board. I have therefore referred the problem to the Chairman of the Housing Trust and I hope he may have some information for me or that he will discuss the matter with me soon. That is where the matter stands at present.

Mr. RICHES: With the dry season and the prospect of a difficult summer, residents of some of our northern towns are greatly concerned at the prospective dust nuisance during the coming summer. The Eyre Peninsula Local Government Association's attention has been drawn on several occasions by Dr. Deland to the increasing incidence of sinus and throat trouble (which is high in proportion to the rest of the State) reported from residents in those areas. A few years ago an engineer (Mr. Peltz) was brought out to Port Augusta from the Dead Sea in connection with the salt works, and he claimed that the dust nuisance could be minimized, if not almost eliminated, in streets if they were treated with bitterns or magnesia, a by-product of the salt pans. It seems to me that, as this opinion was held by an engineer of international standing, it should be investigated. Will the Premier say whether the Mines Department or some other Government department will conduct experimental tests in dust control by this means?

The Hon. Sir THOMAS PLAYFORD: I will see whether I can get any information on this matter for the honourable member. The bitterns are the residues left after salt evaporation has taken place, and they consist of bromide, a considerable amount of potash, and many other chemicals of that description. It is in the form of a liquid and probably would be expensive to transport. I think much care would have to be exercised to see that gardens and plants adjacent to the footpaths were not poisoned. A strong mixture of residues is left after the salt is deposited. I will see whether I can obtain information, particularly regarding whether or not this method has been successfully used in other parts of the world.

PRICES ACT AMENDMENT BILL.

In Committee.

(Continued from October 17. Page 1312.)

Clause 3—"Duration of Act".

Mr. FRANK WALSH (Leader of the Opposition): I move:

To delete all words after "is" and to insert "repealed".

Under this amendment the legislation, instead of needing to be introduced each year, would become permanent. Each time the Premier has introduced the legislation he has shown conclusively that in many instances it has had considerable effect in keeping prices down to a reasonable level. That may not have been

the position in all instances, but overall I consider that the legislation has been so effective that it should be made permanent.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): I hope the Committee will not accept the amendment. This legislation has always been regarded as being temporary, and most other States have, in fact, repealed their prices legislation or suspended its operations. I believe our examination of the legislation from time to time has made it probably more effective, and I believe it has certainly enabled the State to get the maximum benefit from it. It is necessary that this legislation should be examined from time to time. If the amendment were carried, then in the event of the Government's being overwhelmingly returned at the next election it could repeal the legislation. On the other hand, in the remote event of the Government's being defeated, the Opposition could re-enact it. It should be left to the next Parliament to decide policy. In those circumstances I ask the Committee to reject the amendment.

Mr. LAWN: The Premier's remarks could be applied to all Acts on the Statute Book. I remind the Committee of what I said during the second reading debate about the Premier's remarks when introducing this legislation in 1948 for the first time. He said that if the States were to control prices and rents permanently it was fitting that at some stage they should assume the control of prices which the Constitution vests in them. The Premier was speaking of permanent price control. That followed the referendum, in which the Premier played a part. The Liberal and Country League had posters and advertisements throughout this State saying, "Your State Government can and will control prices." He was leading the people to believe that price control would be permanent. The Government led the people to believe that, if they voted against price control on that referendum, the State had the power, which it would exercise, in respect of price control. Unless the Premier is prepared to finish with this yearly extension of the Act and make it permanent, I suggest the Government was misleading the people of South Australia when that referendum was held; and the Premier misled members.

I realize that the Government is afraid to make it permanent, not because the next Parliament could repeal it but because the next Government—a Labor Government— might use the powers of this Act more freely than the present Government has done, for very few items are controlled. In fact, one item has never been under control— land sales. The Government is to move that the provision about land sales be deleted. Even if this amendment were now included, a change of Government next year could lead to the repeal of this Act. If the Labor Party formed the Government next year, we would pass the legislation, but it would probably be rejected by the Legislative Council. We would then have to submit a referendum to the people for the abolition of the Legislative Council. All this would take time and delay the reintroduction of this legislation. I ask the Committee to support the amendment.

Mr. LAUCKE: I oppose the amendment. I am concerned about the seeming permanence of this legislation. There is only one justifiable ground for price control, and that is the prevention of the exploitation that could occur, to the detriment of the people. It is a good thing to debate this matter annually and not make it a permanent Statute. There could be no more potent weapon in the hands of any Government than price control. In the hands of any irresponsible person, be he a Minister or anyone else, I could not imagine anything more powerful or able to destroy private enterprise than bureaucratic control through what is really profit control. At present it is applied to those goods and services which, in the opinion of the Government, require control in the public interest to prevent possible exploitation.

The old law of supply and demand has not a place in the scheme of things these days, apparently, but supply and demand is still today the best natural law that I can think of to arrive at a fair price. It is ridiculous to say that that law cannot now operate. Today, competition in the stores is so keen generally that profits are kept to a minimum. The individual who is given an incentive to make a profit is the person who builds up his own personal economy and thus helps to build up the economy of the state or nation. It is based on old-fashioned laws (in the minds of some) but they are as effective as ever today. Where one or two people control supply and demand, exploitation can occur and some machinery should be kept behind the scenes ready to be brought into operation to combat it. Where there is any possibility of exploitation, there must be means to prevent it.

The good old laws of industry have made Australia great, based on private enterprise activity assisted by State facilities in major undertakings like water, power and roads. It

is private individualism, with courage, initiative, ambition and preparedness to work hard that makes nations successful. Price control in the hands of irresponsible persons is the greatest threat to progress. For the time being, however, I prefer the pinpricks of price control to some other legislation that could possibly be more harmful to our economy than this selective price control. However, price control should not be permanent in South Australia.

Mr. JENNINGS: I support the amendment, which is not surprising because I always do the right thing. The member for Barossa spoke about that outmoded, antiquated, and never really active law of supply and demand. If that law worked there would never be a depression or a boom. Surely we can admit that we are only trying to kid ourselves when we speak of the law of supply and demand. There is no such law; there never was and there certainly never will be.

Mr. Quirke: I think you are nearly right.

Mr. JENNINGS: The honourable member begins to see the wisdom of my remarks.

Mr. Quirke: How many Holden cars are ready for sale? There is a—

The CHAIRMAN: Order!

Mr. JENNINGS: The real law governing these things is finance.

Mr. Millhouse: What do you mean by that? You have destroyed one law so I thought you would put another in its place.

Mr. JENNINGS: I am not speaking about destroying laws. If I were tempted to destroy lawyers, that might be a more attractive proposal. The member for Barossa revealed clearly that if he had the courage of his convictions he would have voted with the much more courageous member for Mitcham and opposed the second reading. It is clear that Mr. Laucke does not want this legislation.

Mr. Hall: He never said that. He said it should be discussed every year.

Mr. JENNINGS: Let us discuss it for the last time this year—

Mr. Millhouse: Hear, hear!

Mr. JENNINGS: —by putting it on our Statute Book and leaving it there, if necessary as a latent power. Some members have tried to mislead us by saying that this type of legislation has been discarded in all of the other States. That is not true because they still possess the latent power to invoke price control if necessary. The Government of the day—whether it is an irresponsible government or not—has the brakes on it through the undemocratically elected Upper House. The people will decide whether or not the Government is irresponsible and they will not take much notice whether Mr. Laucke regards it as responsible. The Opposition has clearly shown that price control should be retained permanently, possibly as a latent power.

Mr. QUIRKE: I do not agree that this should be made permanent legislation, because if it were we would not have an annual debate on it.

Mr. Clark: Would we miss it?

Mr. QUIRKE: Yes. I believe that many of the items at present under price control should be removed from the list.

Mr. Jennings: We do not disagree with that.

Mr. Shannon: A debate of this type gives members an opportunity of saying so.

Mr. QUIRKE: Yes, Parliament can express an opinion. Items like butter should not be under price control. There is a £14,000,000 subsidy on butter, but it is still sold as a catch line by some stores for 1s. 10d. a pound below the normal price, and people queue up to get it. I want an annual discussion on price control. I referred to one matter in a similar debate and, consequently, the Prices Commissioner attended to it. I suggest that he should examine the ramifications of the baler twine industry. He might find a few things of interest. The primary industry does not operate under the law of supply and demand, although that law is used as an excuse when things go wrong. When one analyses the situation he realizes that there is no such thing as supply and demand. There is plenty of demand for housing, but one cannot get a rental house from the Housing Trust under five years.

Mr. Jennings: There is no supply.

Mr. QUIRKE: Why aren't more houses built? The only thing that stops housebuilding is that someone says there is no money. In what way does the law of supply and demand operate there?

The CHAIRMAN: Order! The honourable member is going a long way from the discussion.

Mr. QUIRKE: As I think we should maintain this Act and discuss it every year, I do not agree with the amendment. However, the legislation is necessary. I know what primary producers, who have no control over the prices they receive, must pay for the things they purchase. In one instance, after an approach by the Prices Commissioner, a farmer had the price of one spare part reduced by £5 and of everything else he bought from the firm by 10 per cent. Without this Act this would not have been possible. How did the law of supply and

demand affect the price of that article? If this legislation became a permanent feature of our Statute Book it would go into obscurity, whereas I want it to come up every year so that I can discuss it, so I do not support the amendment.

The Committee divided on the amendment:

Ayes (12).—Messrs. Bywaters, Casey, Clark, Corcoran, Hughes, Jennings, Lawn, Riches, Ryan, Tapping, Frank Walsh (teller), and Fred Walsh.

Noes (15).—Messrs. Bockelberg, Coumbe, Hall, Harding, Heaslip, Jenkins, King, Laucke, Millhouse, Nankivell, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Shannon, and Stott.

Pairs.—Ayes—Messrs. Hutchens, Ralston, Loveday, Dunstan, and McKee. Noes—Sir Cecil Hincks, Messrs. Brookman, Nicholson, and Pattinson and Mrs. Steele.

Majority of 3 for the Noes.

Amendment thus negatived.

The Hon. Sir THOMAS PLAYFORD: I move:

After "sixty-three" to insert "Provided that sections 34 to 42 inclusive of this Act shall not apply to transactions taking place after the first day of January, nineteen hundred and sixty-two."

The purpose of the amendment is to exclude from the Act the section dealing with the control of land. During the war the Commonwealth Government for some time attempted to control the sale of land by exercising land sales control. I do not think anything brought more criticism of price control than that section, as it was found to be completely impossible to police, and sometimes there was the remarkable position where a block sold for £100 and the fencing post in the corner for £200. It became so absurd that the Leader of the Opposition asked how much longer this foolishness was going to continue. This power has not been exercised by the Government. It is completely redundant and if it were taken out I believe that much opposition to this legislation would disappear.

Mr. FRANK WALSH: Control of land sales was introduced originally by the Commonwealth Government. At that time our economy was in a very serious position, and it was considered necessary to place an upset price on land sales. When the referendum was lost the legislation became a State matter, and the debates that took place when this State took it over make most interesting reading. The Premier, who now wants to eliminate these clauses, introduced the Bill and spoke at length on it. Some land was excluded right from the inception of the legislation. During last session the member for Mitcham (Mr. Millhouse) attempted to amend the legislation the same as this amendment seeks. I do not know what arm-twisting or persuasive power went on in the meantime, but since last session some discussion must have taken place for the Premier to agree to this step.

The price of land has not been controlled for many years, but had it been I am sure there would have been a beneficial result. There has been a boom in land sales and in real estate, so much so that we have found it necessary to introduce legislation preventing auction sales of land on Sundays. The situation in that respect has got completely out of hand. We have a minor recession now, and certain builders are endeavouring to rescue the position by trying to erect houses on the newly subdivided land much of which has been sold at exorbitant prices because of the lack of control. There has been no fair average price. We find that those builders now desire preferential treatment from the State Bank or the Savings Bank in the provision of finance to enable the sale of those houses, and that is a direct result of the inflated prices that have occurred through there being no control on the price of land. Many of those who have not had the money to purchase a house outright have found themselves in a precarious financial position, and some of them may lose part or even all of their equity. These sections should be retained because they have a real value. The Housing Trust has already ceased purchasing land because prices have got out of hand. There would be much more merit in these sections if they were used in the interests of the people of the State. If the country's founders had been on the right track there would have been no land sales. Land would have been leased, and when a person desired to move to another place he would have sold the equity and the land would have remained under the Crown, where it rightly belongs. At the rate land was and is being sold, the erection of houses for rental purposes has been found to be uneconomic. How can a person of, say, 30 years of age, working in industry and raising a family, enter into a contract for £4,500 or £5,000 to provide a house for his family?

Another important matter is land tax. Land tax assessments have increased not only for individuals but also for municipalities. Had this type of legislation been introduced earlier,

there could have been a reasonable approach to the question of making subdivided land available where necessary to house the people, and a reasonable return would have been considered a fair justification for it. I hope this legislation will be retained.

The Committee divided on the amendment:

Ayes (13).—Messrs. Bockelberg, Coumbe, Hall, Harding, Heaslip, Jenkins, King, Millhouse, Nankivell, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon.

Noes (10).—Messrs. Casey, Clark, Corcoran, Dunstan, Hughes, Jennings, Lawn, Riches, Ryan, and Frank Walsh (teller).

Pairs.—Ayes—Mrs. Steele, Sir Cecil Hincks, Sir Thomas Playford, Messrs. Brookman, Pattinson, Laucke, and Stott. Noes—Messrs. Hutchens, Ralston, Loveday, Fred Walsh, McKee, Bywaters, and Tapping.

Majority of 3 for the Ayes.

Amendment thus carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

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

Adjourned debate on second reading.

(Continued from October 17. Page 1314.)

Mr. DUNSTAN (Norwood): I support the Bill. Members on this side always favour control of rents of houses in the present circumstances of a shortage of houses (and it appears to be a shortage that will continue for a long time). We express our disappointment on two grounds. The first is that the control over rents of houses now extends over such a small area of the private letting for rental in South Australia that, in fact, many people are faced with grave difficulties in housing and in paying rents, with no protection whatever under legislation of this kind. In his second reading explanation, the Premier pointed out that:

> Over the past few months complaints have disclosed an average rental of some £6 16s. a week for premises the average rental on which would, if they had been under control, have been about £2 5s. a week.

If the honourable member for Mitcham (Mr. Millhouse) were to read the report of the 1944 Housing Commission, he would be well aware of the fact that a rental of £6 16s. a week for premises for wage-earners in South Australia was far above the level of rental that the 1944 Housing Commission said was reasonable and necessary for the maintenance of a secure family life in the Commonwealth of Australia. The average wage-earner cannot pay a rental of £6 16s. a week and keep his family in any sort of modest and reasonable decency and comfort. To release from rent control houses before the stage where we have anything like enough houses to cope with the demand in South Australia has meant that many people are facing the activities of rack-renting landlords of the worst possible type. In my district are many landlords whose actions towards their tenants I can only characterize as disgraceful. The rents they have sought to charge for substandard premises should not be allowed in any reasonable community. Unfortunately, the tenants are unable to get alternative premises.

The wait for Housing Trust rental houses has not decreased and, consequently, when people in my electorate are in housing difficulties and have not had an application in with the Housing Trust for about seven years, their chance of getting a rental house from the trust is absolutely nil, so they have to look to privately rented houses. There are landlords who are taking advantage of this situation. Not all landlords are like this; some have been reasonable to their tenants and they should be praised for their attitude, but there are others—and I can point to some migrant landlords in my district—whose conduct is disgraceful.

Mr. Millhouse: It is easy for you to attack them: they haven't got a vote.

Mr. DUNSTAN: Some of them have a vote. The member for Mitcham is trying to make out in one of his usual footling interjections—and his hyena laugh comes out as usual—that I am attacking migrants in my district. If he believes that, he should come to my district and he will find that I do not attack them. I can give the names of those landlords in my electorate whose actions to Australian and migrant tenants have been shocking. What are the alternatives for some of these tenants? They cannot get a Housing Trust house quickly, so must look for alternative premises to private rental houses. I have had to place people in premises that are most unsatisfactory, but which are the only places where they can get a roof over their heads. Many pay more than the landlords are justified in charging, but it is the only means they have of protecting themselves and their families with some sort of roof.

The Opposition believes that there should be far more general rental controls, but that they should not be administered as they are at

present. There should be a fair rents court with an open hearing where evidence can be adduced by the landlord and the tenant and where the court has a wide discretion as to the amount it considers a fair rental.

Mr. Millhouse: A wider discretion than is provided in the Bill?

Mr. DUNSTAN: I should not be averse to a wider discretion than is provided in the Bill if there were a fair rents court and a hearing with the opportunity of cross-examining the various opponents in a case. In those circumstances a wide discretion would be justified. That would be supported by the Australian Labor Party because it is our policy, but the Bill does not provide for anything of that kind. It does not propose to better the provisions for rent controls generally. It does not propose anything about those people of whom the Premier has had so many complaints. It does not bring them back within the purview of the Act. The Labor Party's attitude on this issue in suggesting a maximum amount to which rents could go (a fair maximum amount) was debated on a prior occasion, and we do not intend to debate it now. Our view is that there should be a wider protection than the Act at present gives.

Let me turn now to the clauses of the Bill that go beyond a mere continuance of the existing legislation. Clause 3 is designed to clear up a loophole in the Act, and is well justified. Clause 5 makes it difficult for landlords to worry people out of premises because they have a rent fixation or where there is an investigation.

Mr. Millhouse: That's a bad one!

Mr. DUNSTAN: I do not know that it is. I have known landlords in my district to worry tenants out, not only by pestering them in the most ferocious way, but by getting large dogs to rush around becoming nuisances. All manner of things can be done to tenants by landlords who are determined to remove the tenants from the premises willy-nilly, and I think this is a wise amendment. I am not entirely happy with the amendment contained in clause 4 which provides that in fixing rentals the basis, which was previously the 1939 level plus 40 per cent plus an amount which the Premier did not mention (the increased cost of outgoings since 1939), shall be increased to 60 per cent above the 1939 level plus the increased cost of outgoings. The Premier did not give any justification for that increase.

Mr. Millhouse: What about the general rise in the level of prices?

Mr. DUNSTAN: I intend to discuss the way in which increases have been allowed to see just what we are doing on this occasion. In 1951 the rate allowed was 22½ per cent above the 1939 level and, for the first time, the increased cost of outgoings was allowed. In 1954 the rate was increased to 27½ per cent and in 1955 to 33⅓ per cent. In 1957 we increased the rate to 40 per cent. The present proposal is that for the 10-year period since 1951 the landlord's rate should be increased by 37½ per cent—it was 22½ per cent in 1951 plus the increased cost of outgoings. We increased it in 1954, in 1955, and again in 1957. The effect of this measure is that landlords will have not only the increase because of outgoings (maintenance, rates and taxes) allowed to them, but since 1951 they will have had an increase of up to 37½ per cent. An increase of 37½ per cent since 1951, plus the increased cost of outgoings, is far beyond any justifiable increase that could be argued on the basis of a decline in money values during that period. The increase because of outgoings gives a considerable addition to the landlord in itself, apart from the base rate increase.

What is more, no criterion is laid down to the Housing Trust for deciding what is just in giving an increase between 40 per cent and 60 per cent. There is nothing by which the tenant or landlord may know on what the Housing Trust is to judge, or on what it can be alleged that the trust has acted improperly when there is an appeal to the local court. This is entirely in the discretion of the trust, and it is not a discretion exercisable on an open hearing on a contest between landlord and tenant at all; it is simply a discretion of an administrative tribunal which is not properly scrutinized. It cannot properly be scrutinized under the provisions of the Act, and I do not think this can be justified. The most that I think should be done for landlords—if they should have any increase, and I think it is going a long way to suggest that this should be given to them—is an increase of 50 per cent above the 1939 figure, not 60 per cent.

Mr. Millhouse: How can you justify 50 per cent?

Mr. DUNSTAN: Only because the Government apparently says that it thinks some alleviation of the position is allowable to landlords. I think we went a long way in 1957 but, judging from the increase given previously, I should think that 50 per cent was the

most that could be justified or argued. I cannot see a justification for a 20 per cent increase in that period.

Mr. Riches: You cannot argue 50 per cent.

Mr. DUNSTAN: I find it difficult for anyone to argue that but, as a compromise figure, I am prepared to agree that.

Mr. Millhouse: You are merely splitting the difference.

Mr. DUNSTAN: I am not. I should think that, on the previous increases granted by this Parliament since 1951, 50 per cent was the most that could be argued for, and I am being generous on that.

Mr. Millhouse: Would you venture an opinion on what proportion of houses remains under this Act?

Mr. DUNSTAN: I find that difficult to answer; I do not know.

Mr. Millhouse: You have not much foundation for your complaints if you do not know how many are under control.

Mr. DUNSTAN: I do not see why not. I am arguing the general basis of control and saying that it should be wider than it is. A certain number of houses are under control and, if the tenants can be given protection, I think they should have it. I do not see why we should say that, because few are protected, we should wipe out all protection. If by this legislation we can protect someone, we should do so; I believe these people should have wider protection than they have. In Committee I may have some amendments to move on the lines I have suggested, but at this stage I support the second reading.

Mr. MILLHOUSE (Mitcham): Unlike the member for Norwood, I cannot support the second reading. I compliment the member for Norwood on his speech, which is substantially the same as he has made previously. This year, of course, it is his swan song because, as all members know, this will be his last session; he will undoubtedly lose his seat at the general election in March of next year.

Mr. Dunstan: I seem to have heard that before. Come to my district and say that!

Mr. MILLHOUSE: This time it is final, and I shall certainly accept the honourable member's invitation to come to his district, look around for myself, and support the extremely good candidate the Liberal and Country League has endorsed. Although the honourable member has given the same speech as he has given on previous occasions in supporting the second reading, I do not intend to go through again all the reasons I have given previously for opposing the Bill.

The Hon. G. G. Pearson: You intend only to summarize them?

Mr. MILLHOUSE: No, I shall merely refer members to the excellent speech I made on this matter in 1959, which sets out my opposition to the Bill. I should have spoken on a similar measure in 1960 had I had the opportunity. I had laid a good foundation by asking a question on notice and then asking the Premier if he could say how many or what proportion of houses in this State were under the control of this legislation, and he said that he did not know and that nobody could possibly tell. Then, unfortunately, I had to take the Minister of Education to my district last year on a Wednesday night to open the best high school in the State (the Unley high school) and while I was away the Bill slipped through and I lost the opportunity to say anything about it. All I say now is that with every year that passes I am stronger in my opposition to the measure than I was the year before because, with every year that passes, we are getting further away from the war-time emergency that created the need for this legislation, and the pattern of housing in our community changes the more.

The Premier in introducing this Bill mentioned the number of applications received by the Housing Trust for rental and purchase houses in the last 12 months. Of course, as we all know, many thousands of applications are made. The Premier draws from these figures in some way or another the conclusion that this legislation is still necessary, but neither on this nor on any other occasion has he set out the relationship between the number of applications received and the housing shortage, and I wonder what it is. I doubt whether there is any relationship between the two.

Mr. Riches: The law of supply and demand would not operate there, would it?

Mr. MILLHOUSE: Of course it does; it operates in all spheres of economic activity, despite the profound efforts of the member for Enfield this afternoon in another debate. I am afraid it will take more than the efforts of the member for Enfield and any of his colleagues to deny the law of supply and demand its proper function. In 1959 I did some arithmetic in the debate on this legislation and concluded from the figures the Government supplied that at that time probably not more than three per cent of the dwellinghouses in this State were controlled by the Act. Those figures, I suggest, were valid,

and no member on either side of the House got up to show me where I was wrong. Since then, many thousands of additional dwellings have been erected in this State. If the figure was three per cent in 1959 it is undoubtedly less than three per cent now. A very small minority of dwellings in this State is, in any event, controlled by the provisions of this Act. The conclusion I have drawn is that probably less than three per cent of the dwellinghouses of this State are now under control. If the member for Enfield wishes to see the calculations by which I arrive at that figure I refer him to the 1959 *Hansard* and the excellent speech I made on that occasion on this legislation. Apart from the fact that such a small minority of houses is controlled under the legislation, the abandonment of the legislation would not mean that fewer houses would be available for occupation: we would still have in this State the same number of dwellinghouses available for occupation as we have now. Indeed, probably there would be more of them, because the evil of under-occupation, to which I referred in 1959, would be removed. I have no doubt that if we went into the district of Norwood—as so many of us intend to do in the next few months—we would find much under-occupation there: houses being occupied by perhaps an elderly couple because they have the advantage of the provisions of this Act and a low rent, whereas, if this Act were abandoned, they would leave the house which probably would be a large enough place for a family.

Mr. Jennings: Can you tell us what happened in France?

Mr. MILLHOUSE: What happened in Great Britain, and what happened next door in Victoria and in Queensland? Were the prophecies of all the people who opposed the abandonment of landlord and tenant controls and such things borne out? We get the grim prophets of doom, such as the member for Norwood, opposing the abandonment of controls, but in no case have their prophecies been borne out once controls have been abandoned. Only two years ago the Victorian Government abandoned controls, to all intents and purposes. There was to be a terrific upset in Victoria, and in Melbourne in particular, according to the people who favoured control. But did it happen? Of course not, and it would not happen here if controls were abandoned. All the dire prophecies of those who like control for control's sake, such as our friends opposite, come to nought when put to the test. The same thing would happen here. That, I hope, is sufficient answer for the time being to the member for Enfield. If the honourable member cares to come back later he may do so, but I think we have gone far enough on that tack now.

Another thing the Premier said in his speech—and this was very interesting—was that more than 5,400 tenants had complained to the trust about increases. He did not go on to say—and I should like to know the answer—in how many of those cases action was taken by the trust or was warranted. Heavens above, all of us all the time are getting complaints about this, that and the other thing, but complaints on their own mean nothing; it is whether they are warranted and whether action is taken that matters, so I suggest the figure of 5,400 which the Premier puts in his speech looks good from the point of view of the controllers but means nothing at all. He then went on to say—and the member for Norwood, hanging on the Premier's coat tails as he so often has to do, echoed this—that an average rental of £6 16s. a week was being demanded for premises whereas, if they were under control, the rental would be about £2 5s. Well, there is nothing wrong with that, if one does a little mental arithmetic. We all know—and the member for Norwood expounded this at some length—that the level of rents is fixed as at September 1, 1939, increased, of course, by the 40 per cent and the outgoings. We all know as well—and this is the justification for a greatly increased rent—that the price level in this State has risen since then by more than 300 per cent.

Mr. Jennings: Aren't you opposing the Bill?

Mr. MILLHOUSE: Yes. That interjection by the member for Enfield really disappoints me; perhaps if the honourable member listens a little longer he will pick up the threads again. Under control the rental may be £2 5s. but, in fact, if we relate the level of rents to the general price level in the community a rental of £6 16s. a week would be abundantly justified. I do not think that can be denied, and I suggest that some members spend a little time analysing the figures that the Premier mentioned in his speech to see what their significance is because, when one does that, one finds that they do not justify the reimposition of these controls again this year.

Now we have what is known as the consumer price index in place of the C series index, which was the one employed by our arbitration

tribunals until recently in wage fixation in Australia. Under the C series index—and I have always more than half-suspected that this is one of the main reasons why landlord and tenant control has remained in this State —the housing ingredient related to four and five-roomed houses completed before the end of the war. In other words, they are the dwellings which are caught under this legislation. However, this legislation will not help to keep the new consumer price index down, because under that index other things are taken into account. Under the new consumer price index, added to the four and five-roomed houses completed before the end of the war are the rents of Government-owned houses, which now include the rents of Housing Trust houses in this State.

In addition, there is also an item relating to the significance of home ownership for the purposes of the consumer price index. Therefore, in future under the new price index there will be a far wider and more representative housing ingredient than there has been in the past. This legislation, which had a great bearing on the C series index figure result, will not, in fact, be relevant (or nearly so relevant) under the new consumer price index. Therefore, the great reason—although it has not been brought out into the open very often—for this legislation will have disappeared.

I said I did not intend to go over all my objections to this legislation again. I say only one thing in conclusion: I oppose it because it is so unfair on such a small minority of people in this State. I have said that before, and once when I said it the member for Norwood had the gall to agree with me that it was unfair to a small proportion of people, that is, the landlords of these premises, although he went on to say, in a characteristically smug way, that that was no concern of his but was a matter for the Commonwealth Government to increase pensions and so on, because many of those landlords—those wicked people to whom he refers—were aged widows, aged couples, and so on, who had sunk their savings into this form of investment and then found they were caught.

Mr. Dunstan: I did not say they were wicked people.

Mr. MILLHOUSE: You said it was disgraceful—

Mr. Dunstan: I said nothing of the kind.

Mr. MILLHOUSE: Of course you did.

The DEPUTY SPEAKER: Order!

Mr. Dunstan: I am sick of you coming in here and putting words into my mouth that I have not uttered. It is about time you stopped sticking your nose into other people's business. Members on that side can get away with it at any time.

Mr. MILLHOUSE: I am sorry if I have got under the honourable member's skin. That is what I understood him to say.

Mr. Dunstan: Then you won't listen.

Mr. MILLHOUSE: I have listened intently. I have already complimented the honourable member on his speech.

Mr. Dunstan: Thank you for nothing!

Mr. MILLHOUSE: Don't take that attitude! It grieves me to hear the honourable member going on like that. I have the highest regard for him, but I have no doubt as to what he said. Be that as it may, my point is that some years ago in a similar debate the member for Norwood agreed with me (and I do not think any member can disagree) that this is most unfair on one section of the community. That is my strongest reason for opposing this legislation. It is manifestly unfair on a small section of the community, a section that cannot in many cases fight back and speak for itself. If any member on either side can justify to me the penalizing of that section of the community, then I believe I may even be converted to the continuation of these controls. I appeal to members on either side to justify to me why we should penalize one small section of the community. I do not believe that that is just, and it is extraordinary that this Government could be so uncharacteristic in this legislation as to allow that penalty to remain. It is agreed on all sides that that is what it is, yet we allow it to continue.

Mr. McKee: You are not trying to get us on your side? You are wasting your time if you are.

Mr. MILLHOUSE: Maybe I am, but I am doing my best to put the case as I see it. I hope that even the member for Port Pirie may have some charity left and be moved by what I say. That is the position. For that reason and many others that I shall not go into now, I must oppose the second reading. So far as the amendments are concerned, I find myself, not surprisingly, in the reverse position to that of the member for Norwood. I hope the Bill will never get as far as the Committee stage but, if it does, I am afraid I shall not be able to support the amendment to clause—

Mr. Bywaters: I am sure it will get to the Committee stage and that you will not vote against it.

Mr. MILLHOUSE: I am speaking against it now and I am saying that I shall not be able to support the fifth clause in the Bill. However, if it does reach the Committee stage, I suppose I shall have to support the fourth clause.

Mr. Dunstan: What about the second and third?

Mr. MILLHOUSE: I would not mind supporting the second clause. I think that is all right but that is about as far as my support will go. However, I confidently hope that the Bill will not get as far as that.

Mr. Riches: I think we can manage without you.

Mr. MILLHOUSE: I am indicating as strongly as I can my continued opposition to landlord and tenant control.

Mr. HEASLIP (Rocky River): On this occasion I join forces with the member for Mitcham in opposing this Bill.

Mr. Bywaters: It takes two to make a division, so you can have it.

Mr. HEASLIP: We can have it, certainly. This legislation has reached a stage where it is defeating its own objects, in as much as it sets out to provide people with houses at a low rental cost. This legislation by its method of operation has to a large extent prevented the building of houses, so what is the use of low rents when there are no houses to put people in? That is our present position. The old law of supply and demand again comes into it: no houses, up go prices; plenty of houses, down come prices. We cannot get away from that old law. It arises in practically everything. The Premier said:

During the year ended in March, 1961, the trust completed just over 3,000 houses but it received 6,000 applications for rental houses and over 3,000 for purchase houses, making a total of over 9,000 applications.

Why? I have read out what the Premier said and I am querying the position that has arisen. That is why I oppose this Bill: we have reached the position where, instead of overcoming our housing shortage, we are getting into more difficulty. The Opposition does not want houses for the people? I thought members opposite wanted houses for the people. I think people are entitled to houses. Members opposite do not want houses but they want cheap rents.

Mr. Quirke: There is no control on new houses.

Mr. HEASLIP: No. Under this legislation people are not prepared to build houses, but they have been in the past. Some people who still own houses were in the minority when this legislation was first introduced. They are penalized to the extent that no-one is interested in building houses now. The position has caught up with us. We have suppressed the rents and we have no houses. That is one reason why I cannot support the Bill. As the member for Mitcham said, penalizing this small section of the community is unfair, unjust and wrong. Many of those people earned their money during their lifetime and invested in houses, but now they are not getting enough out of them to live on. The Premier also said:

Over the past few months complaints have disclosed an average rental of some £6 16s. a week for premises the average rental on which would, if they had been under control, have been about £2 5s. a week.

It is human nature for everybody to complain and try to get something a little more cheaply, if possible. The fact that those 5,000-odd people have complained does not mean that they have been overcharged: it means that they are living in substandard houses that should have been pulled down long ago and re-built; but, as no-one is prepared to build houses today, those houses are still there.

Mr. Quirke: Do you know why people don't build houses today?

Mr. HEASLIP: Yes.

Mr. Quirke: I'll tell you why: because they can get—

The DEPUTY SPEAKER: Order! The honourable member for Rocky River.

Mr. HEASLIP: They do not build houses today because there are so many other ways for them to get better returns on their capital. House owners have not been getting a proper return on their investments. In the past we allowed them a 40 per cent increase on 1939 rentals. How much has the basic wage increased since 1939?

Mr. Clark: By not quite 40 per cent.

Mr. HEASLIP: I am surprised that it is not far more than 40 per cent.

Mr. Clark: The member for Adelaide will give you the figures soon.

Mr. HEASLIP: I hope his figures are right, but I think his arithmetic is wrong.

Mr. Lawn: Would you suggest that the Statistician's figures are wrong?

Mr. Millhouse: I think your conclusions are wrong.

Mr. HEASLIP: I have not had an opportunity of delving into the figures and cannot do so now, but I should be surprised if the

basic wage had increased by only 40 per cent since 1939. The costs of living have increased by more than 40 per cent since then. Everything costs more.

Mr. Clark: You realize that prices have increased percentage-wise by more than the basic wage?

Mr. HEASLIP: The member for Mitcham has just given me a document which shows that in 1939 the Adelaide basic wage was £3 18s. 0d., whereas in 1959 it was £13 11s. 0d. Is that an increase of only 40 per cent? The basic wage had increased since 1959.

Mr. Lawn: Give the 1961 figures.

Mr. HEASLIP: The members for Adelaide and Gawler have claimed that the basic wage has increased by slightly less than 40 per cent since 1939.

Mr. Clark: The sooner you sit down the sooner we can give the correct figures.

The DEPUTY SPEAKER: Order!

Mr. Lawn: I think you are misunderstanding the—

The DEPUTY SPEAKER: Order!

Mr. HEASLIP: I have quoted figures that indicate that the basic wage has increased by almost 300 per cent since 1939, yet under this legislation the owners of houses have received an increase of only 40 per cent in rentals since then.

Mr. Lawn: That is not correct, and you are not correct in making that statement.

Mr. HEASLIP: Under this legislation the owners of houses have been allowed only a 40 per cent increase.

Mr. Lawn: Wrong!

Mr. HEASLIP: If the honourable member is right, then I cannot read the legislation. The Bill increases the rent to 60 per cent above the 1939 level, and I will support that proposal if the Bill passes the second reading.

Mr. Millhouse: We hope it doesn't.

Mr. HEASLIP: Yes, but I am all for a little bit more for the unfortunate people who own houses.

Mr. Lawn: Do you own any houses?

Mr. HEASLIP: That does not come into it. I cannot see how we can justify a continuance of this legislation. It will not have much effect on the cost of living because it affects a small section of the community only. It is beyond my understanding why that small section should be penalized. I am not prepared to support legislation that picks out one section of the community that I know is being unfairly treated.

Mr. LAWN (Adelaide): I did not intend to participate in this debate but the misleading information given by the last speaker prompts me to rise and place the true position before the House.

Mr. Clark: There was nothing wrong with the figures he gave.

Mr. LAWN: In an interjection the member for Mitcham suggested that I would draw wrong conclusions. The figures quoted by the member for Rocky River were correct, but he drew the wrong conclusions and gave misleading information. He said that the only increase landlords had received up to the present on the 1939 rentals was 40 per cent.

Mr. Heaslip: The Bill says that.

Mr. LAWN: The Bill does not. The Bill increases the rate to 60 per cent. Did or did not the honourable member say that these poor unfortunate landlords had received only a 40 per cent increase in their rents since 1939?

Mr. Heaslip: Yes.

Mr. LAWN: I interjected at the time that the honourable member was wrong. He has overlooked the fact, although it is in the Act and he should know it, that they have been allowed all the increases in outgoings that have occurred since 1939.

Mr. Heaslip: That is not rent.

Mr. LAWN: We were not talking about rents. The question was what increase these poor unfortunates had received since 1939, and the honourable member said 40 per cent.

Mr. Heaslip: I said rentals.

Mr. LAWN: The honourable member did not say rentals.

Mr. Heaslip: I did.

Mr. LAWN: I know that some members opposite know the position, but the member for Rocky River does not. I could refer to his condition, and I would not draw the same conclusion that some people drew last night regarding another statement. I do not know what inference was drawn last night, but the condition of the honourable member is such that he never understands matters before the House. He does not know whether we are discussing a Bill or an Act. The present Bill does not say 40 per cent, but it refers to the proposal for the future of 60 per cent. In 1939 rents were pegged. Since then, as the member for Norwood indicated this afternoon, there have been increases. In 1951 this House allowed an increase of 22½ per cent in rents plus the increase that took place in rates and taxes and in maintenance charges. In 1954

it was amended to 27½ per cent above the 1939 level, plus the cost of outgoings; in 1955 it was increased to 33⅓ per cent, plus the cost of outgoings; in 1957 it was increased to 40 per cent, plus outgoings; and the present proposal is to increase the 1939 level by 60 per cent. Let me now give the basic wage figures. The member for Mitcham tried to help the member for Rocky River by handing him one of the Commonwealth Statistician's booklets. I do not know whether the member for Rocky River could not understand it, or whether the booklet was not complete, but he quoted only the 1959 basic wage. I do not know why he picked that year.

Mr. Millhouse: Because it happened to be the volume I gave him.

Mr. LAWN: Why select 1959? That is not an indication of present-day values. The last time the Act was amended was in 1957 so it was not a question of the 1959 basic wage.

Mr. Heaslip: The basic wage is more now.

Mr. LAWN: Of course it is. I am going to give the basic wage figures. A few moments ago I went to the Parliamentary Library and obtained from a book similar to that which the member for Mitcham has before him figures showing that in 1939 the basic wage was 78s. and in 1951 it was 195s. In 1951 we permitted an increase of 22½ per cent over 1939 rents. In 1954 the basic wage was 231s., and we increased rents to 27½ per cent above 1939 values.

Mr. Millhouse: That is 1953, isn't it?

Mr. LAWN: I am speaking about 1954. If the honourable member only had some knowledge about these matters he would know that the basic wage was increased in 1953 and remained at the same figure in 1954; the Act was amended in 1954, not 1953. He did not know that until I told him just now. I suggest that he keep quiet, as he does not understand the matter before the House. If he reads *Hansard* next Tuesday he can check my figures. In 1955 the basic wage was 231s., and this House amended the Act to allow an increase of 33⅓ per cent on 1939 values. In 1957 the basic wage was 251s. and the Act was amended to permit an increase of 40 per cent on 1939 values. The basic wage increased by 117s. between 1939 and 1951, in which year this house permitted a 22½ per cent increase in rents to the poor unfortunate landlords! The present basic wage is 283s., so there has been an increase of 205s. since 1939.

Mr. Heaslip: You say it is 40 per cent.

Mr. LAWN: Be patient! We said that the landlord was entitled to a 22½ per cent increase in the period in which the basic wage increased by 117s. If members compare the 205s. (the increase since 1939) with the increase of 117s. in 1951 they will see that an increase of about 40 per cent should be allowed.

Mr. Millhouse: That is devious reasoning.

Mr. Heaslip: You challenged me on something else.

Mr. LAWN: I did not intend to participate in this debate and give these figures; I intended to do so in Committee, but the member for Rocky River was so much at sea that, even though the member for Mitcham was trying to load him with books from the library, he still got deeper in the sea. As we on this side of the House are so generous, instead of saving this argument until we got into Committee I thought that so that some members opposite would have the opportunity to see it over the week-end I should give it now. I know they are not competent to work it out themselves, but they can take the figures to any statistician, tax consultant or accountant, and ask him to study them. They can have the advice of anyone they want—unless this matter finishes this afternoon, which I cannot help. This Government fixed the rents at the 1939 level, and amended the Act in 1951 to permit a 22½ per cent increase. On the same Government's own reasoning in 1951, we should now be increasing the rental by 40 per cent, instead of having done so in 1957.

Mr. Heaslip: Would you be satisfied with a 40 per cent increase on your salary over the 1939 salary?

Mr. LAWN: The honourable member is again misleading the House. I have already told him that, in addition to the increases that have taken place from time to time, the Act also provides for all outgoings. I did not think I would have to keep on telling him that. In 1957 the House permitted an increase of 40 per cent, but that was not a total increase. My colleagues and I had many people come to us who had read that rents were to be increased by 40 per cent above 1939 rentals, and they told us what the rental was in 1939. The rent fixed by the trust far exceeded a 50 per cent increase, and these people wanted to know why. The newspapers do not print the true story, so we had to explain that the 40 per cent increase was in addition to all outgoings. Surely the honourable member knows that. If he has in mind the 60 per cent, that is still in addition to all the increased rates and taxes and other things, so that the increase

is over 100 per cent above 1939 figures. Land tax has increased by 300 to 500 (or perhaps 500 to 600) per cent, council rates by 400 per cent, and water rates by 500 or 600 per cent. The basic wage has increased from 78s. to 283s.; the wages of tradesmen have increased even more. Taking into account wages, paints, iron, timber and all the costs allowed in addition to what we are discussing, the rents paid by people renting houses are possibly more than 200 per cent more than in 1939. We are speaking only of the permissible rent increases over the 1939 rents.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

It effects a number of amendments, many of which are of an insubstantial character, to the principal Act. I believe that honourable members will find it easier to follow my remarks if I deal with the clauses of the Bill in the order in which they occur irrespective of their importance. Clause 3 of the Bill inserts a special section (9a) into the principal Act which will enable the district council of Salisbury to present a petition for the district to be constituted as a municipality and for its division into wards, for the municipality to be declared to be a city, and for the provisions of Part IV of the Act (which deals with aldermen) to be applied. The new clause will empower His Excellency the Governor in respect of any such petition to exercise any of the powers conferred by subsection (1) of section 7 of the principal Act (the general powers of the Governor in relation to the constitution, etc., of areas), section 48 (assigning the name of "city" to the area) and sections 74 (2) and 76 (regarding aldermen). It is further provided that subsection (3) of section 7 (which requires the area of a municipality to be occupied mainly for urban purposes) is not to apply. Honourable members are aware of the position in the area concerned and I should say that, following discussions with the Government, that council recently passed a resolution accepting the offer of the Government for the necessary amendment to the principal Act to deal with this matter.

Clause 4 amends section 12 of the principal Act which at present provides that where a proclamation is made uniting two or more areas the provisions of the Act relating to aldermen may be made applicable to a municipality if it contains over 20,000 inhabitants. The new clause will strike out the reference to the number of inhabitants in clause 12 (*f*) as a consequential amendment to an amendment made in 1952 when all mention of the number of inhabitants was struck out in section 74 dealing with the application of the proviso regarding aldermen. Clause 5 amends section 100 of the principal Act which now provides in relation to companies for the number of persons who may vote by reference to values of ratable property. The scale contained in section 100 has not been altered since 1887, and the amendment is designed to vary the scale to figures in line with current property values taking account of the alteration in the value of money. Clause 6 effects a similar amendment to section 115 of the principal Act which concerns elections where two or more persons are enrolled as owners.

Clause 7 of the Bill amends section 157 of the principal Act which now provides that a council must appoint a clerk and may appoint certain other officers. Under the Building Act every council within whose area that Act applies is required to appoint a building surveyor thus ensuring the availability of a competent officer to check the design of structures involving computations. It is considered that proper investigation and design of stormwater disposal systems, bridges, culverts and roads is equally essential and the amendment will make it obligatory for a council whose annual revenue from general rates amounts to £100,000 or more to appoint an engineer either on full-time or part-time or in a consultative capacity holding the prescribed qualifications. There is, however, power in the Minister to exempt any council from the requirements in appropriate cases. Clause 8 will require councils to include on assessment and rate notices an indication of the basis of assessment used in the area, that is, whether the assessment is based on annual or land value. Many ratepayers are not made fully aware of the basis. Clause 9 makes a consequential amendment by introducing a new section 178a into the principal Act requiring notices of valuations and assessments based upon annual value to specify

that the assessment is based upon annual value. Clause 12 introduces a similar section where the basis is land value. A further consequential amendment is made by clauses 15 and 16 relating to rate notices.

Clauses 10, 11, 13, 14 and 17 should be considered together. The principal clause is clause 17, subclause (*c*) of which will insert a new subsection of section 244a of the principal Act. That section makes special provision for urban farm lands, the rates on which may not exceed one-half of the amount of the general or special rate for other land in a municipality. The new subsection (3) will enable the Governor by proclamation to exempt any specified municipality from the foregoing provisions. The amendments effected by subclauses (*a*) and (*b*) of clause 17 and clauses 10, 11, 13 and 14 are consequential upon the enactment of the new subsection. The reason for the proposed provision is that the special provision of a lower rate on urban farm lands can and does cause serious hardship. To take a specific case I refer to Renmark. When the boundaries of the municipality of Renmark were extended to absorb the district of the Renmark Irrigation Trust and the Cooltong and Ral Ral divisions of the Chaffey irrigation area, the basis of assessment already in operation—unimproved land values—was retained. The municipality of Renmark previously covered 270 acres but now covers 37,700 acres, the greater portion of which is occupied for horticultural or viticultural purposes, most of the holdings exceeding two acres in extent. Thus the greater part of the area is urban farm land and the limit of the rate to one-half of the normal rate restricts the total annual revenue in the municipality. There could be other areas affected in a similar way in future years and it seems practicable to empower exemption by proclamation rather than make special provision for each area. A proclamation would not be lightly made—it would only be in a case where the Government was satisfied that a proper case existed that a proclamation would be advised.

Clauses 15 and 16 will amend sections 214 and 215 of the principal Act so as to enable councils to declare rates either before, at the time of, or after the giving of assessment notices. There appears to be some doubt as to the power of a council to declare a rate until after notice of assessment has been given. This means that two separate notices must be sent out at considerable cost. The amendment proposed would enable the council to declare its

rate before or after the dispatch of notices of assessment and thus in practice to send out both notices together, thereby saving considerable postage. Of course, the amendments will not affect the right of appeal. Clause 19 and subclause (*a*) of clause 20 will empower councils to expend revenue for superannuation purposes. Section 287 of the principal Act enables the expenditure of revenue for pension funds for officers or employees or for retiring benefits (paragraph (*e*) and (*e*1)); similarly, section 290c empowers councils to provide reserve funds for retiring allowances for long service leave for officers or employees. In neither case is there express power to contribute towards the provision of benefits for dependants. About one-half of the councils in the State have arrangements with assurance companies which include benefits upon death and doubts have been expressed regarding the validity of payments which have been made for this purpose. Accordingly, clauses 19 and 20 (*a*) make provision to cover these cases and clause 21 validates payments already made. Clause 20 (*b*) is designed to make it clear that reserve funds provided under section 290c of the principal Act may provide for depreciation and replacement of property, a matter on which there appears to be some doubt under the present wording.

Clause 22 will make applicable to district councils powers of regulations and control of public stands for vehicles plying for hire to district councils. Clause 23 will for similar reasons apply the present provisions regarding the declaration of prohibited areas to district councils. These provisions apply only in municipalities and metropolitan districts at present and the extension is considered desirable in view of the increase in population and the increase in the number of motor vehicles. Clause 24 amends section 399 of the principal Act to increase penalties that may be imposed by controlling authorities for breach of by-laws for protection of works from £10 to £20, bringing the maximum into line with the provisions of Part XXXIX of the Act. Clause 25 amends section 457 of the principal Act so as to empower a council to grant leases of grounds to incorporated bodies. As the section now stands leases can be granted only to two or more persons and this means that where a sporting club desires a lease it is necessary for it to co-opt some other person as co-lessee, an unnecessary complication. The amendment will permit the letting to a club without the need of co-option of a third party.

Clause 26 will amend section 550 of the principal Act so as to bring rest homes into line with private hospitals and maternity homes, which cannot be established within a municipality except upon certain conditions including notice to the council, submission of plans and other matters. Although the Health Act requires private hospitals, maternity homes and rest homes to be licensed by local boards of health, the powers of municipal councils in this matter are at present restricted to control of the establishment of private hospitals and maternity homes. It is felt that rest homes should be brought into line with private hospitals and maternity homes and clause 26 accordingly makes the necessary amendments. Clause 27 will raise the penalties for unlicensed slaughterhouses from £10 to £50. It has been found that the present maximum of £10 is ineffective. Clause 28 will add to section 666b of the principal Act the power in a council to dispose of unsightly chattels or structures. This is designed to remove the necessity for councils to retain for an indefinite period such chattels or materials from structures that have been removed.

Clause 29 will add to the by-law making powers of councils a power to regulate the speed of motor vehicles along foreshores, subject to the approval of the Harbors Board. This is a desirable power. Clause 30 will amend the by-law making powers of councils concerning the depasturing of horses and cattle by making it clear that sheep are to be included within these provisions. At present only horses and cattle are mentioned specifically and to clear up any doubts it is intended to include also the word "sheep". Clause 31 will add to the by-law making powers of district councils power to regulate the practice of cleaning footways in front of buildings. Clause 32 of the principal Act raises the general penalty under the principal Act from £10 to £20 and brings the general penalty into line with the specific penalties for breaches of by-laws which were raised in 1959 to the like amount.

Clause 33 concerns the powers of the Adelaide City Council in regard to the banks and shores of the River Torrens. The present section 865 empowers the council to erect on those banks (or the parklands or any land under the control of the council), sheds, boathouses and the like, but only for the purpose of public use and recreation. The council from time to time receives applications from rowing clubs and the like either for a lease of a site for erection of their own boathouses or for the leasing of boathouses, to be erected by the council. Clause 30 will amend subsection (2) of section 865, by removing the limitation and this will enable the council to erect boathouses, etc., as it thinks fit. The clause adds a new subsection to section 865 which will empower the council to lease for a period of not more than 50 years either sites on which it has erected boathouses, etc., itself, or for the purposes of the erection of boathouses by the lessees for their own use. The Bill provides that before any lease is executed it must be laid before both Houses of Parliament for consideration.

Mr. FRANK WALSH secured the adjournment of the debate.

ADJOURNMENT.

At 5.05 p.m. the House adjourned until Tuesday, October 24, at 2 p.m.