LEGISLATIVE COUNCIL.

Wednesday, October 20, 1954.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2 p.m. and read prayers.

SUBSIDIES ON PRIVATE SCHOOLS BUILDING COSTS.

Adjourned debate on the motion of the Hon. K. E. J. Bardolph:—

That, in the opinion of this Council, it is desirable that financial aid be made available by the Government to recognized private schools on a pound for pound basis on the capital cost to erect new school buildings similar to the scheme inaugurated by the Government to assist institutions providing for the care of aged persons.

(Continued from October 6. Page 898.)

The Hon. Sir LYELL McEWIN (Chief Secretary)—I thank the mover of the motion for the opportunity given me last week to adjourn the debate to enable me to read his speech, which, for reasons beyond my control, I did not have the privilege of hearing. His remarks related to the contribution by private schools to our educational system. In the early history of the State, much of which was referred to by the honourable member, our education relied mainly on the contribution of private tutors or private schools, and it was only later that Government activity in education came into being. As a result we have a system which consists of free education supplied per medium of Government schools and the private school system which has now developed and mainly has a religious backing. At these schools fees are paid for the children's education. The object of the Education Act is that children between certain ages should be educated, and it is left for parents to decide whether the education is to be in a Government school or at a school where fees are paid. There is no restriction as to Government bursaries and where advantage is to be taken of them, except perhaps the accommodation existing at private schools.

The only thing I noticed in the honourable member's speech which I think was incorrectly stated was his reference to the amount provided by the Government last year to assist in the provision of homes for aged people. He said there was no obligation associated with it, but that is not consistent with the conditions which the honourable member quoted, one of which is as follows:—

The Government will require an undertaking from any religious or other body receiving a subsidy that the premises will always be used for housing pensioners or aged persons of limited means without further commitments to the Government.

It is the responsibility of these people to cater for the aged whether they can pay or not. There is no such obligation under the Education Act. Apart from that remark, I do not join issue with the honourable member, because the main part of his speech provided us with an excellent resume of the history of education in this State since the commencement of the Act last century. The point I make regarding the motion is that it brings the Chamber into a category which is contrary to the principles associated with the Constitution—that is, that this Council has no power to initiate legislation which has any relationship to the expenditure of money. It is contrary to the principles of the Constitution for this Chamber to suggest that a large sum should be appropriated for any special purpose. That is the problem of another Chamber, and I certainly do not wish to be one who would support any suggestion for any alteration of the financial powers of the respective Houses. Therefore, I do not feel called upon to discuss the principle as to whether another House should or should not do something. It is its prerogative to initiate such proposal, and for that reason I think it unwise that this Chamber should support the motion.

The Hon. C. R. CUDMORE (Central No. 2)—The motion opens up a very interesting subject. I compliment the mover upon his very interesting speech. He went to much trouble and gave us a great deal of information, and it would probably be a good thing if every honourable member read the interesting book "One Hundred Years of Education" from which he quoted. Part I of the book was written several years ago by Dr. Grenfell Price and it gives an interesting story about early education in this State, all of which was doné by churches and private institutions. It was not until many years later that the Government came into the field of education. I was particularly and rather personally interested in the honourable member's mention of the first girls' school opened in this State by Miss Nihill, because she was my grandmother's sister who came here with my grandparents in 1837. The first primary schools were established by private individuals. I think I am right in saying that the first secondary school founded here was St. Peter's College, which opened on July 11, 1847. It is the second oldest school on the mainland. The King's School in Parramatta was founded earlier. Two schools in

Tasmania are regarded as having begun a year earlier than St. Peter's College. This State has not been backward in the efforts of private individuals in being quite sure that we would have an educated community.

I approach this question from the point of view that I have expressed previously in this place and everywhere I have spoken, that no education can be full and satisfactory unless it has a religious background. If we want the very best from our people they must have something to hold on to and must have foundations somewhere. Those foundations are so liable to be lacking since we have gone in entirely for secular education. I think we can be very proud of our State educational system in everything except the lack of religious instruction. We have provided for certain religious instruction in the State schools—and I am using the ordinary expression used everywhere outside South Australia that a Government school is a State school—and we have tried from time to time to get that to work, but it seems to me that generally we have been only tinkering with it by giving people permission to enter State schools and give religious instruction.

The Honourable Mr. Bardolph in his interesting speech mentioned the English Education Act and the fact that it provides for four different types of schools. While he was speaking I tried to emphasize the fact that the four different types of schools he referred to are all under the Education Act. They are all in fact Government schools. The four types are county schools, aided schools, special agreement schools and controlled schools. The last three are referred to in the Act as voluntary schools, thus dividing them into county schools and voluntary schools. An interesting point is that this Act of 1944, brought in at the end of the war, has apparently worked well and has been acclaimed in England as a great advancement on anything that they have had before. Section 25 contains an interesting point; it provides:—

Subject to the provisions of this section the school day (*a*) in every county school (*b*) and in every voluntary school (*c*) shall begin (*d*) with collective worship (*e*) on the part of all pupils (*f*) in attendance at the school (*g*), and the arrangements made therefore shall provide for a single act of worship attended by all such pupils unless, in the opinion of (*h*) the local education authority (*i*) or, in the case of a voluntary school, of the managers or governors (*k*) thereof, the school premises (*l*) are such as to make it impracticable to assemble them for that purpose.

The Act goes on to provide that parents who do not want their children to attend this collective act of worship may ask that they be exempted and the reasons will be examined, and sets out what other religious instruction they are to get during the time they do not attend the collective worship. That is a point that I think we should bear in mind and which I hope we will some day get to in our State schools—that there should be a collective act of worship—because I do not believe that any education that has not some real background of religious belief, something for the children to base their whole ideas on, can be successful from the State's point of view.

The Hon. S. C. Bevan—Isn't that provision in the New South Wales Act?

The Hon. C. R. CUDMORE—I do not know, I have not looked at that Act. In this State we have a large number of private schools, founded by churches mostly, that educate one-sixth of our children. The people who paid for these schools to be built and who pay fees to send their children to them do so because they believe that their children should have a religious upbringing, and are prepared to make sacrifices to see that they get the atmosphere created in those schools. The last figures I have been able to obtain are for 1952. At that time there were 118,140 children in State schools and 22,393 in private schools. This shows that one-sixth of the children are educated without expense to the Government. But I remind members that all the parents of these children pay taxes the same as others whose children have the advantage of free education in the State schools. I do not propose to embark on the arguments which I put forward a good many years ago about fees for high schools, as that is not the question at the moment, but the position now arises that building costs and everything of that sort have risen so high that, despite what is done in the way of increasing fees, it is almost impossible for private schools to provide new buildings. The mover put it that in respect of aged people the Government had recognized the difficulty of providing buildings for them to live in—and I make it clear that I am not speaking about maintenance, or income, or annual expenditure, but simply of capital costs which I imagine this motion only refers to.

The Federal Government has recognized the position in two ways. Two or three years ago it allowed people who sent their children to private schools and paid for their education to deduct those expenses, up to a limit, in their

income tax returns, and this year it is going much further by allowing contributions to funds for school buildings also to be deductions; that was announced by Sir Arthur Fadden in his Budget speech and a Bill for the purpose is now before the Federal House. That shows some recognition of the fact that if these private schools are to continue to do what they have done for so long, it is necessary that they should get some assistance in erecting buildings. It may be said by some members that if they get the assistance I have just mentioned from the Commonwealth it should be sufficient. My general principles have always led me to believe that parents should be responsible for the education of their own children and that they should also be responsible for looking after their grandmothers and grandfathers when they are old, and that the idea that the State must look after everybody from the cradle to the grave is wrong, and produces thriftlessness in the community. However, I am swept away by the tide, as it were, because those old principles are not accepted today; we have gone in for a system of payment of wages in accordance with needs and not production, of old age pensions, of looking after people all the way and consequently it is useless to stand on old principles. Therefore, I suggest that, as it is recognized in this country that assistance is required from the taxpayer to maintain homes for old people, if we are to retain our religious educational institutions—which I firmly believe in—it is not unreasonable to ask that the Government should give some support in this matter, bearing in mind, as I have already said, that one-sixth of our children are educated without expense to the general taxpayer.

In discussing this motion I feel that we would have been much happier if it had been better worded, for it merely mentions private schools. There are private schools which are run by individuals for profit, and anything I have said refers only to non-profit making schools conducted by religious or other bodies.

The Hon. K. E. J. Bardolph—That is the principle of the motion.

The Hon. C. R. CUDMORE—Yes, but as it is worded objection might be taken to it on the ground that there are private schools run for profit. In all our legislation—for example, in the rating provisions under local government —privileges are given to non-profit making organizations and I am referring only to them. The Chief Secretary suggested that it might be out of place for us to carry a motion of this sort because it is not the function of this Council to initiate, or to do anything more than mildly comment on Government finance. If this had been done in the form of a Bill I would have agreed with him entirely, but I do not think that his opinion is so valid when it is introduced merely as an expression of opinion that it would be desirable and a help to the general education of the people of South Australia and its progress generally if some contribution were made by the Government purely on capital expenditure on school buildings, which I think it is highly desirable to maintain, and in regard to which most schools are in financial difficulties. Therefore, I lend my support to this motion which has brought up an important subject and which I hope the Council will treat with sympathy.

The Hon. S. C. BEVAN secured the adjournment of the debate.

BREAD BILL.

Read a third time and passed.

SUPPLY BILL (No. 3).

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

That this Bill be now read a second time. This Bill, which provides for a further supply of £5,000,000, has become necessary to enable the responsibilities of Government to be carried on pending the passing of the Budget and the Appropriation Bill. It has already been announced that the Treasurer will introduce his Budget tomorrow and in order to enable the Government to carry on it is necessary that this Bill should be submitted to enable supply to be provided pending the passing of the Appropriation Bill.

The Hon. F. J. CONDON (Leader of the Opposition)—I support the second reading but take this opportunity to refer to clause 3, which provides that payments are not to exceed last year's Estimates except in certain respects. This is the third Supply Bill this session and and will not be the last because another will be necessary to meet increased wage margins. In this respect, I refer to the South Australian Government being represented in the Federal Arbitration Court in the margins case. Our Crown Solicitor appearing in the case is reported in the *Advertiser* of October 13 as having said that the doubling of margins would start the same disastrous process which sprang from the combined effects of the 40-hour week and the basic wage increase. I do not know

that South Australia or the Commonwealth generally has suffered because of this. It is common knowledge that nearly every firm has increased its profit beyond recognition. What is the use of a man representing the Government going to a tribunal and submitting that kind of argument? The Crown Solicitor went on to say that it had taken the nation a long time to recover from the disastrous process referred to. Has Australia suffered? Has it not progressed? Did not we read press statements by the Premier that South Australia had improved its position during the last two or three years—since the 40-hour week was introduced?

The Hon. W. W. Robinson—How are we getting on with our exports?

The Hon. F. J. CONDON—That is a matter for the future. I am dealing with what has happened in the last four years. We shall have to provide for increased salaries in the Public Service. Those who advocate stabilization and a static basic wage are the very men who are doing the opposite and "buying" people from the Public Service at higher rates of pay and leaving the service in a difficult position. I need only refer to a place just north of Adelaide where a large number of men are employed in the Government service, some of whom have left to accept offers from outside bodies. If the Public Service is to be considered, then the Government will be faced with the position of meeting greatly increased salaries. I do not complain of the action of those who left the service.

The Hon. E Anthoney—Can the Government chase private enterprise in payments to its officers?

The Hon. F. J. CONDON—Those making these high offers are the very people who are opposed to the principles we stand for. Everyone knows how the Government is suffering and that it is impossible for it to compete because outside bodies are offering higher salaries to its servants. The Government will be compelled to meet the position, otherwise undoubtedly it will lose many of its valuable staff. I know of offers being made to men in high Government positions, but they have been refused because of the loyalty of these men to the State and the Government. When appearing before the Arbitration Court the Crown Solicitor went on to say that the public interest would not allow an over-all increase in margins, but added that there was a reasonable case as a matter of wage equity for an adjustment of margins for the highest skilled workers. He also said that everyone from the man on the basic wage upwards should receive proper consideration. Recently at considerable expense the State conducted a wheat ballot, a ballot paper being sent to every farmer in the State, but only 52 per cent voted. At the time the matter was being discussed in the Council I advocated that if the State were to be put to such an expense, voting should be compulsory. Members know that bread, butter and tea have been increased in price recently and that margarine is being imported at a price above that charged for the local article. I could mention many other items. I support the second reading.

The Hon. C. R. CUDMORE (Central No. 2)—I support the second reading of the Bill, which is a formal Supply Bill. While I appreciate that Mr. Condon is entitled to talk on almost any subject on such a measure I was rather surprised that he should have taken the opportunity to make a general attack on full employment and the welfare State. To say that there is too much employment and that there is much competition for labour is a fact. But I should have expected these comments to come rather from my own side, if they were to come forward at all. My only other comment is that the margins case is still before the Arbitration Court and that is where it should be dealt with, and I hope my honourable friend will not copy people of his own side and perhaps those in higher positions who go out of their way to talk about things which are before the Courts. The Margins Case should be left in the hands of those dealing with it, and should not be discussed here or elsewhere outside, except in the court. I support the second reading.

Bill read a second time.

Clauses 1 and 2 passed.

Clause 3—"Payments not to exceed last year's Estimates except in certain respects."

The Hon. F. J. CONDON—Mr. Cudmore took my remarks as being a criticism of the Federal Arbitration Court. I listened quite recently in this House to my honourable friend criticizing the judges of our Supreme Court, and I took no exception to that because I did not think he knew any better.

Clause passed.

Title passed.

Bill reported without amendment and Committee's report adopted.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2).

In Committee.

(Continued from October 19. Page 1025.)

New clause 2a "Voting at elections" moved by the Hon. F. J. Condon:—

2a. Section 120 of the principal Act is amended by striking out the words "by making a cross, having its point of intersection within the square opposite the name of the candidate" in paragraph VIII thereof and by inserting in lieu thereof the words "by marking the voting paper in manner provided by section 120".

The Hon. J. L. COWAN—I oppose this clause, although I admit that it has some merit in that it would certainly bring about uniformity between Parliamentary and council elections, which in some respects would be a good thing. It would also overcome a position that has arisen in the past when there has been a three-cornered contest for a single position and a very good man has been defeated by one of his opponents, whereas if the election had been held under the preferential system that might not have occurred. In discussing such an important change I think we should pay some attention to the deliberations and findings of the people who are keenly and closely associated with local government matters. There are two associations of local government bodies in this State—the Local Government Association of South Australia, which represents nearly all councils, and the Municipal Association, which represents practically all municipalities.

At the annual meeting of the Local Government Association held last month no less than four councils had motions on the agenda for the discussion of the preferential system of voting at council elections, and after due consideration these motions were narrowly defeated. In the Municipal Association there has not been the same amount of support for this system, therefore the matter has not been brought before the Local Government Advisory Committee. All matters of this kind should at least be considered by that committee, because it is a body appointed entirely for such purposes and is constituted of men in very high positions in local government. We would not be bound in any way by its decisions, but we would be very considerably guided by them. Before I would support a matter such as this I would like to know that it had been before the committee and had received its recommendation. I therefore oppose the new clause.

The Hon. W. W. ROBINSON—I support the clause because I believe it would be advisable to have uniformity in our elections. Voting for municipal council elections is done by means of a cross, and when the voters come along to vote at the State and Federal elections many of them lodge informal votes because they follow the same method. I regret that a few years ago the Federal Government, when conducting an election for the Wheat Board, contravened the Electoral Act, in my opinion, and provided for voting by the cross.

The Hon. K. E. J. Bardolph—What year was that?

The Hon. W. W. ROBINSON—It was under a Labor Government when Mr. Scullin was Minister of Agriculture and the Wheat Board was reconstituted. Provision was made for voting by a cross, and I believe it was done with the idea of keeping those men the Government had nominated in office. Preferential voting enables people to show their second choice, whereas when three people are contesting a seat there is a possibility of one candidate who would otherwise have won the contest being beaten. Preferential voting enables the people to select the candidates they desire.

The Hon. F. J. CONDON—I appreciate the assistance given by some members on my amendment, but I would like to take this opportunity of replying to some of the statements made during the debate. The debate has shown the opinions of many members who have been associated with municipal life for a number of years and I cannot understand why some favour the system of preferential voting for the Commonwealth Parliament, State Parliaments, referendums and for their own selection but will not favour it for municipal council elections. My amendment will only place this matter on the same level as all other types of voting that we have always agreed to here. The Minister said there would be difficulty when there were only two candidates for one seat, but what about districts in which there are four or five candidates? He is the man who introduced the Local Government Act Amendment Bill in regard to one person, although he mentioned later that it was for two.

The CHAIRMAN—The honourable member cannot discuss that Bill because it will be dealt with later.

The Hon. F. J. CONDON—I understood we had passed it.

The CHAIRMAN—It has come back with amendments.

The Hon. F. J. CONDON—I am only using an argument that has been used many times

before and I do not think any exception can be taken to that. I think too many points against the Opposition have been taken here lately. Surely in Committee I am entitled to refer to what the Minister said during the course of this debate. I repeat that this session the Minister introduced a Bill that dealt with only one person, and which he said later dealt with two people. This is a matter that will deal with thousands of people. I had 12 years' experience in the Port Adelaide council of voting by means of a cross. On one occasion I was elected with such a large majority that no election was held on the next five occasions. The Minister said that some district councils are not divided into wards and that several councillors are elected at the one election. That may be true, but what of the 75 per cent of cases where it does not apply. Surely we must consider making provision for the majority.

Another objection, he said, was that the preferential system when applied to multiple electorates leads to one tendency—an undesirable one—to pit one group against another. I believe there is a certain amount of doubt in the minds of some members as to whether politics should be introduced into municipal affairs, but consider the Adelaide City Council, where the example is set by the Liberal Party. In the most important council in South Australia politics are introduced. Let us keep this debate free from politics, because all Parties have agreed to the preferential system generally, except in the case under discussion.

Now I come to what Mr. Edmonds said. Replying to my reference to "confusion" he said he did not think that this would effect any improvement. As I have said, there is already confusion, particularly in the minds of elderly people who record their votes in Federal State elections and referendums when they go to vote at municipal elections and I am sure that every member has been asked repeatedly, as I have, if they are to vote by a cross or by numbers.

The Hon. S. C. Bevan—And there are many informal votes as a result.

The Hon. F. J. CONDON—That is the cause. I do not know whether the objection is due to fear on the part of members, but if they are prepared to accept it in other spheres why not in this? How often have four or five candidates stood under the present system and the best man has not been returned. Is that fair or democratic? This is the system I am trying to alter because I maintain that the best man is not always elected under it. Mr. Melrose said that people had become accustomed to preferential voting for a multiplicity of candidates, but usually in the country it was difficult to get candidates to stand for council election. I am not so much concerned about elections where there are only two candidates, but when there are a number why not adopt the preferential system? Mr. Densley said that the preferential system was more or less a simple method to which everyone had become accustomed, and I think that sums up the whole position. The people have become accustomed to it so why make council elections the sole exception? I hope that, on reflection, members will agree to a system which they have seen fit to adopt in other respects. If it is fair and democratic in respect of Federal and State Parliamentary elections it is equally fair and reasonable for municipal elections.

The Hon. E. ANTHONEY—The virtues of these systems have been weighed time and time again. Why is it, if it is such a wonderful system—and I am not prepared to admit it—that Great Britain has not adopted it? Governments of the honourable member's political complexion have been in office there more than once and they have never thought about changing the first-past-the-post-system because they have considered that it worked satisfactorily.

The Hon. F. J. Condon—Will the honourable member follow their legislation in other respects?

The Hon. E. ANTHONEY—In some other respects, quite gladly. I listened to the honourable member very attentively when he introduced the amendment and did not hear him once say that he had a request from anyone, or that anyone had complained that it was not working satisfactorily. As I have said before, I have no rabid objection to preferential voting; it is not a political question as far as I can see, but simply that I have had experience of first-past-the-post in council elections and have never heard a complaint. The honourable member knows that it is a very difficult thing to get candidates. The scarcity does not apply only to the country; it is the work of the world to get people to contest council elections.

The Hon. F. J. Condon—They had a pretty good go at Marion.

The Hon. E. ANTHONEY—No doubt that is the case the honourable member has in mind, but it is not typical of municipal elections. In order to make sure that I was on the right lines I contacted a few municipal bodies this morning and they all said, "For Heaven's sake don't introduce

that system. There is no objection to the present system and the other would complicate counting.'' In addition they told me that only about 30 per cent of ratepayers take the trouble to vote and the other 70 per cent do not care two hoots. I am sure there is no pressure for this or no urgency about it. I have no other grounds for opposing the amendment. On the ground of uniformity it has a good deal to commend it but beyond that I see no particular virtue in it.

The Hon. F. J. CONDON—Mr. Anthoney referred to Great Britain, but let me remind him that this is the only State in the Commonwealth which does not have preferential voting for council elections.

The Hon. Sir Wallace Sandford—That shows how enlightened we are.

The Hon. N. L. JUDE—I rise to correct one statement by Mr. Condon. He said I objected to this system of numbers instead of crosses even where there were only two candidates. If he examines *Hansard* he will find that I said I did not see any objection to it where there were only two candidates. My other point was that the Local Government Advisory Committee had considered it on several occasions and always rejected it.

The Committee divided on Mr. Condon's new clause.

Ayes (5).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, L. H. Densley, and W. W. Robinson.

Noes (11).—The Hons. E. Anthoney, J. L. Cowan, C. R. Cudmore, E. H. Edmonds, N. L. Jude (teller), Sir Lyell McEwin, A. J. Melrose, F. T. Perry, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Pair.—Aye—Hon. A. A. Hoare. No—Hon. R. J. Rudall.

Majority of 6 for the Noes.

New clause thus negatived.

New clause 3a ''Assessment of certain areas used for sporting purposes.''

The Hon. F. T. PERRY—I propose to insert the following new clause:—

3a. Section 169 of the principal Act is amended—

(*a*) by striking out the words ''during the five financial years next occurring after the passing of the Local Government Act Amendment Act, 1951,'' in the second, third and fourth lines of subsection (1) thereof;

(*b*) by striking out the word ''three-quarters'' in the fourth line of subsection (3) thereof and by inserting in lieu thereof the word ''one-half.''

(*c*) by striking out the word ''ten'' in paragraph (*c*) of subsection (3) thereof and by inserting in lieu thereof the word ''two.''

The object is to alter the present rating on sporting grounds. In some instances the provision of sporting areas devolves upon the local council and in others upon private bodies. The Adelaide City Council has a bowling green, tennis courts and a golf club and the Government has recently bought areas around Adelaide which will be put aside for recreational purposes. On the other hand a number of sporting bodies have provided their own grounds. This has been done on their own initiative, and it is only necessary for the general public to apply to become a member of some of these bodies, and so virtually they are open to the public. These playing areas have been provided without cost to the local councils or the Government. If a sporting area belongs to a council it collects no rates from it, but rates are paid by private sporting bodies. The same question was brought before the Council in 1951, and section 169 was drafted to give some relief to these sporting bodies. It served the purpose for the time being, but I am now seeking a further amendment.

The Hon. S. C. BEVAN—Mr. Chairman, are we to take each paragraph separately?

The CHAIRMAN—That procedure will be followed.

The Hon. F. T. PERRY—I now move to insert new paragraph (*a*).

The Hon. S. C. BEVAN—I oppose the amendment. The 1951 amendment was made as a result of a conference between the two Houses and it was agreed that the provision should apply for five years. Approximately three years have elapsed, and now a further amendment is proposed. I consider that circumstances have not altered since 1951, and I see no reason why the amendment should be accepted.

The Hon. N. L. JUDE (Minister of Local Government)—I suggest that Mr. Bevan's opposition is based on rather peculiar premises. He says he sees no reason for altering the position which existed in 1951. We are now in 1954 and the very basis of the amendment is to maintain the *status quo.*

The Hon. K. E. J. Bardolph—Is the Government accepting this amendment?

The Hon. N. L. JUDE—Yes. The Government sees no reason to depart from the decision arrived at by Parliament some years ago. It has been given a trial, and I do not know of any particular objections to it. I hope the Committee will accept the amendment.

The Committee divided on paragraph (*a*).

Ayes (14).—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude, Sir Lyell McEwin, A. J. Melrose, F. T.

Perry (teller), W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Noes (3).—The Hons. K. E. J. Bardolph. S. C. Bevan (teller), and A. A. Hoare.

Pair.—Aye—The Hon. R. J. Rudall. No —The Hon. F. J. CONDON.

Majority of 11 for the Ayes.

New paragraph thus inserted.

The Hon. F. T. PERRY—I now move to insert new paragraph (*b*). In 1951 this House, by arrangement with the House of Assembly, compromised by providing that three-quarters of the normal rate should apply to sporting bodies. I think a half rate is sufficient because this only applies to areas in which land values assessment has been adopted. Unfortunately the open areas used for sports grounds are rated very much higher than the services given to them warrant.

The Hon. S. C. BEVAN—I oppose this amendment as I did in 1951. I feel that the circumstances are the same today as they were then, or if anything they are more favourable to the bodies that would be favoured by the amendment. When debating this matter on the last occasion we were given comprehensive figures in support of a 50 per cent reduction for various sporting bodies and I have a very vivid recollection of Sir Wallace Sandford providing details of the membership of the Kooyonga Golf Club and of the annual subscription. At that time I said these clubs were secluded clubs, and I reiterate that. I believe that at that time the membership fee payable was £25 a year. It may be more today, but even if it is not only people on high incomes could afford to be members, because apart from the fee they have other commitments. I believe that in 1951 the membership of this club was 1,000, yet we are asked to give further assistance to this and other sporting bodies. Councils are unable to meet their commitments today. A man who works for many years to buy a block of land to build on is immediately asked to pay full rates, yet we are asked to halve the rates payable by sporting bodies. If councils desire to charge only 50 per cent or if they desire to operate under annual rental or land values assessments, it is their prerogative.

The Hon. F. T. Perry—They would do that if they had the opportunity, but they have not the power.

The Hon. S. C. BEVAN—I do not mean that they could say, "You pay 50 per cent, you pay 25 per cent," but they have the right to say which system they wish to adopt. If it is good enough for the householder to be compelled to pay full rates it is good enough for these bodies. I oppose the amendment.

The Hon. N. L. JUDE—This amendment suggests that the rate of 50 per cent should be inserted instead of the present 75 per cent. Whilst golf courses provide open areas, they cannot be compared with park lands. Park lands are available to the public but the enjoyment of a golf course is confined to the members. It can be said that a golf course does not make very great demands on the council but roads need to be maintained and some subsidiary services are supplied by councils which obviously must be paid for.

The Hon. C. R. Cudmore—They pay for those, don't they?

The Hon. N. L. JUDE—Yes, but they do not pay as much as the householder. A council must, of necessity, raise adequate revenue for its needs and the position could arise that, if a local government area had a number of golf courses or similar exempted sports grounds in its area, and all these were given substantial exemption of rates, the rates on the remainder of the area would have to be correspondingly higher. Exemptions or partial exemptions from rating can only be justified if the exemption is in the interests of the general community. Churches, schools, and charitable institutions obviously are to the good of the community and rating exemptions for such institutions can thus be justified. A golf course, whilst it may add to the aesthetics of a neighbourhood, is obviously not of vital importance to the community; in fact, it may be regarded as a luxury, particularly if the land in question is in an urban area where land for residential and other kinds of development is becoming scarce.

It is therefore the view of the Government, Sir, that the present exemption of a golf course providing for its assessment at 75 per centum of the land value, is adequate and although the Government is prepared to agree to paragraph (*a*) of the new clause making the exemption permanent it feels it can go no further considering the lack of benefit to ratepayers. This can perhaps be justified by reason of the fact that the golf course provides an expanse of open land but, obviously, the general public derives no other benefit from the golf course. Furthermore, in the case of the Adelaide golf courses, the members, in the main, do not live in the council areas in which they are situated. Thus, the ratepayers of the area have, in effect, to subsidize the golf

course which is used mostly by residents of other council areas. In other States, particularly in Melbourne and Sydney, where land values systems have been applied to local government, there is no exemption of any kind for private golf courses. I regret that I am unable to accept the amendment.

The Hon. C. R. CUDMORE—There seems to be some misconception about this. The Hon. Mr. Perry moved three amendments. The first was accepted by the Government, and it did away with the five-year period. The second is to give an exemption of half instead of three-quarters, and the third is to reduce the area from 10 to two acres in order to conform with what we have already done. Therefore, if we discuss this on the basis of two acres it is not confined to golf courses but to any recreation area which consists of two acres of land—it may be a bowling club or a tennis club. It is wrong to think that this is something for the benefit of golf courses only. Let us be quite clear about that. The proposition of the mover is that, under paragraph (*c*), it will come down to two acres and therefore we must contemplate it on the basis that any recreational association—the National Fitness Council or a football or a bowling or a tennis club or any other organization which wants to establish a few tennis courts—provided the area is two acres, will come into it.

My second point in relation to the Minister's comments is that golf clubs are not confined to the amusement or exercise of members only. I think Glenelg and probably Grange golf clubs very much welcome visitors, and on ordinary weekdays probably 50 per cent of those who play there are not members but people who appreciate the opportunity to pay for the privilege of playing; it is something available to travellers and people passing through this State. Also many who play at North Adelaide or other small courses around the metropolitan area frequently take the opportunity to pay and play at the larger courses. From a health point of view a large number of people use these courses in a far better way than do 40,000 people watching 36 people taking exercise.

The honourable the Minister mentioned water rates. I should imagine that nobody anywhere pays more for water than golf, bowling and tennis clubs. Another point is that the Government has introduced a Bill in another place for the purpose of extending the green belt, of securing open spaces for posterity. That is the plea of the Government itself so it must give some consideration to the open spaces which already exist and which have been provided by the enterprise of private individuals, in order that they shall not be, as it were, blitzed out of existence by high rates. In my remarks on the second reading I completely answered Mr. Bevan's contention. This is not taxation. He kept on referring to taxes, but I pointed out then that this is not a question of taxation which goes into general revenue, but of paying rates for services to be rendered, and if there is no necessity to render those services there is no necessity to take rates from the people. Surely it is only reasonable that, if there are large areas which do not require services from the municipal authority, they should not be called upon to pay more than half at the most. On Saturday last I toured the Mitcham district with my colleagues and discussed this question at some length with the Mayor and Town Clerk, because Mitcham is in the peculiar position that five of its total area of 27 square miles do not bear rates; areas such as the National Park and the Waite Research Institute. I asked whether this represented a loss and they said no because they did not have to render any services and therefore there was no necessity to collect rates on those areas.

The Hon. K. E. J. Bardolph—Does that apply to golf links?

The Hon. C. R. CUDMORE—It does. Councils do not have to provide roads and pavements or collect garbage. I suggest that as far as golf courses are concerned the proper basis might be a quarter of the services required by other people.

The Hon. S. C. Bevan—Would you agree that a man who is holding a number of building blocks for speculative purposes should not have to pay council rates?

The Hon. C. R. CUDMORE—No. That is all dealt with under the land values rating system and we are only talking about rates which are levied under that system. I ask members to accept the amendment which is perfectly reasonable. This Council agreed to it in 1951 and it is even more reasonable now.

The Hon. E. ANTHONEY—Mr. Cudmore has stated all that can be said in support of the amendment and I rise only to refer to a remark of Mr. Bevan's. I think he is confusing the powers of local government and central government. He must remember surely that any authority that local government has is a delegated authority which comes from the central Parliament. Councils would not have power to say how much rates should be collected but for the provisions of the Local

Government Act passed by Parliament. I have heard it said that golf is the sport of the rich, but that is no longer the case. Practically everybody who is able to do so plays golf and it involves them in only a few pounds. The Glenelg Club has a membership of nearly 1,200 and that is not made up entirely of people living in the immediate vicinity. Surely the Government must realize that areas must be allotted to the public for recreation and the golf clubs are providing those areas. I agree with the manner in which the Government is taking every opportunity of purchasing land for recreation purposes, but here we have areas already provided without any cost to the Government and therefore the Government should remove some of the burden on the people who are providing them.

The Hon. S. C. Bevan—Are they not already doing it? They get a 25 per cent rebate.

The Hon. E. ANTHONEY—They get no service for their rates.

The Hon. L. H. Densley—And we are not asking the Government to do anything for them.

The Hon. E. ANTHONEY—No. I have pleasure in supporting the amendment.

The Hon. F. T. PERRY—Mr. Bevan quoted certain figures which he said Sir Wallace Sandford had used. Admittedly he said he spoke from memory, but I think that is rather dangerous and I would like to give the Committee the correct information. The membership fee of the Kooyonga Golf Club is £20 and not £25. It has 400 full members, and 200 associate members. I am not seeking to deprive the councils of anything. I think they are being paid too much for the services they render in these cases, as was well stated by Mr. Cudmore. If they were given 50 per cent under the land values assessment that would be far more than they would get on rental values, so if we look upon rates as payment for services, which the rental values system is generally accepted as doing, we will see that the rates under the land values system are far too high for sporting grounds. I emphasize again that private individuals of their own volition have established these places thereby saving councils a great deal of cost, and no-one would be out of pocket if the amendment were carried.

The Hon. A. J. MELROSE—It appears to me that the attitude of most people on the question of a green belt is too materialistic. As I said the other day, it is the responsibility of Parliament to take such action as is necessary to preserve for posterity a reasonable breathing space around the metropolitan area. If we pursue a purely materialistic attitude we can do irreparable damage by allowing all these areas to be absorbed by dwellings. I cannot imagine that any Government would proclaim areas which were already closely built on. I therefore support the amendment. I think it is a practical way of making it possible for organizations controlling these sporting areas to continue maintaining them. Reference has been made to golf clubs. I should say that the principal golf courses in the metropolitan area not so many years ago were waste and useless land. They have been considerably beautified by the money and energies of the various clubs controlling them. The Government should not oppose this amendment, which tends to make it a little easier for the people concerned to maintain a green belt around the city.

The Hon. K. E. J. BARDOLPH—I oppose the amendment, although I agree with Mr. Melrose regarding green belts. Mr. Cudmore mentioned that some golf clubs asked people to visit their links, but he should remember they have to pay to play on them. Although Mr. Perry may claim that these clubs do not require the same municipal services as those areas on which homes are built, the fact remains that they could be utilized for that purpose when needed. If a man owns one or two blocks and is not in a financial position to build on them he could justifiably say he wanted the council services provided for them at half rates. Although it is true that contributions by members may not be sufficient for the maintenance of golf clubs, it is known that members of those clubs, either large or small, are called upon to pay calls sufficient to meet the accrued liabilities. It is useless for the honourable member to submit such arguments for a reduction of 50 per cent in the rates paid by these sporting bodies. A principle is involved and the same principle should apply to those with blocks on which they propose to build a home.

The Committee divided on paragraph (*b*).

Ayes (11).—The Hons. E. Anthoney, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, A. J. Melrose, F. T. Perry (teller), W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Noes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude (teller), and Sir Lyell McEwin.

Pair.—Aye—The Hon. J. L. S. Bice. No —The Hon. R. J. Rudall.

Majority of 5 for the Ayes.

New paragraph thus inserted.

The Hon. F. T. PERRY—I now move to insert paragraph (*c*). The present law provides that a sporting body with an area of 10 acres or more shall pay three-quarter rates. I am proposing in my amendment that it should apply to areas of two acres, thus bringing in a number of clubs which are not run for profit, but supply recreational facilities. We have already agreed that half rates shall apply to agricultural areas of two acres or more. I hope the Committee will accept my amendment.

The Hon. N. L. JUDE—The amendment is wrapped up with a previous amendment relating to agricultural areas of two acres or more. If the amendment is agreed to it will result in an appreciable reduction in the rate revenue of the councils concerned. To bowling greens and tennis courts established on areas of less than two acres the present rate is not a tremendous burden relative to the subscriptions paid by a considerable number of members. If the amendment were agreed to abuses might arise. It would be easy for the owner of a vacant block to allow a club to use it for a playing area, not really because he was a benefactor of the community, but that he was holding out for subdivision. Under this paragraph he could immediately claim half rates by saying that it was a non-profit-making area and was used for recreational purposes within the meaning of the Act. As the Committee has already agreed to a 50 per cent reduction in the rates of sporting areas, I oppose the amendment even more firmly than I would have done had the rate remained at 75 per cent of the full rate.

The Committee divided on paragraph (*c*)—

Ayes (11).—The Hons. E. Anthoney, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, A. J. Melrose, F. T. Perry (teller), W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Noes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude (teller), and Sir Lyell McEwin.

Pair.—Aye.—The Hon. J. L. S. Bice. No. —The Hon. R. J. Rudall.

Majority of 5 for the Ayes.

New paragraph thus inserted.

New clause 3a inserted.

Clause 4 "Alteration of assessment book."

The Hon. N. L. JUDE—I move—

After "so" third occurring in new subsection (2) to insert the "assessed value of".

Amendment carried; clause as amended passed.

Clause 5 passed.

New clause 5a "Polls on land values."

The Hon. F. J. CONDON—I move to insert the following new clause:—

5a. (1) Section 190 of the principal Act is amended—

(*a*) by inserting after the word "owners" in the second line thereof the word "and occupiers";

(*b*) by striking out the words "at which at least three-fifths of the number of the said owners voting at the poll, or a majority of the number of the said owners on the voters' roll within the area" in subsection (1) thereof and by inserting in lieu thereof the words "and the said owners and occupiers voting at the poll".

(2) Section 193 of the principal Act is amended by striking out the words "to the owners of ratable property" in subsection (1) thereof.

(3) Section 197 of the principal Act is amended by inserting after the word "owners" in the second line and in the third line thereof the words "and occupiers".

(4) Section 198 of the principal Act is amended by striking out the words "to the owners of ratable property" in subsection (1) thereof.

Section 190 (1) of the Act provides:—

No such petition shall be presented by the council until after a poll of the owners of ratable property of the area has been taken at which at least three-fifths of the number of the said owners voting at the poll, or a majority of the number of the said owners on the voters' roll within the area have voted affirming a proposition in favour of Division III of this Part coming into operation as regards the area.

This amendment proposes a simple majority instead of the three-fifths majority existing today. Of 143 councils only 23 have adopted land values assessment. Under the Act 5,000 landholders can petition a council to grant a poll to ratepayers to adopt land values rating, and the council can ignore the request. However, assuming that land values rating has been in operation in an area for two years, 100 ratepayers can petition for revision and the council must grant the request. On a question of land rating systems I would say that an absolute majority should be sufficient. Why should it be necessary to have a two-thirds majority? It is difficult to get the principle of land values assessment adopted while the Act remains as it is because, although numerous polls have been taken and the majority have been in favour of it, the polls were not successful. Some years ago a poll was taken at Gawler and although land values assessment was favoured by a majority of 10 to 1, the move failed because the Act provided that a poll could not be effective unless 50 per cent of the ratepayers recorded their vote. All that those who were not in favour

of the poll had to do was to start an agitation against people voting, and that is most unfair. The opponents merely had to remain away from the polling booth to bring about the defeat of the principle of land values assessment. My amendment would not alter the present rating system but only what the majority should be.

The Hon. N. L. Jude—But you would be altering the rating system by it. That is the purpose of the poll.

The Hon. F. J. CONDON—The Act was amended to provide that before a poll could become effective at least 25 per cent of the ratepayers whose names were on the roll must vote in favour of land values assessment. This removed one restriction and substituted another. In 1911 Norwood Corporation conducted a poll, and land values assessment was favoured by a majority of 786 to 449. In 1922 the Brighton Council held a poll, and 436 favoured land values assessment whereas 184 opposed it. In 1923 Brighton again held a poll, and 390 were in favour compared with 164 against. However, because of the Act, the majority vote was not given effect to. Vested interests used their influence to have the Act further amended to deny the right of people to vote at a poll although rates had been paid. We all know that in times gone by only a section of the people could vote. I think the tenant is entitled to a vote because he is the one who pays the rent. The question is whether we should agree to a simple majority or a two-thirds majority.

Another amendment proposes that three-fifths of the ratepayers attending a poll or one-half of the ratepayers whose names are on the roll should vote in favour of adoption of the land values system before a poll could be regarded as successful. We talk about democracy, about majority rule, but in this State only a section of the public has the right to place legislation on the Statute Book. Democracy does not mean allowing a few people to run the country, and that is what happens under the present method of elections both in respect of councils and Parliament. These things have endured for many years, but should we not make some progress to keep pace with altered conditions? My amendment does not ask the Government to affirm the principle of land values rating. It simply means that instead of a three-fifths majority a simple majority should be sufficient.

The Hon. N. L. JUDE—I realized that the mover would probably be able to show that his amendment had certain merit and therefore I had a report prepared in regard to the points that I anticipated he would make. It is as follows:—

The effect of the new clause and the amendments is that at these polls both owner and occupiers will be entitled to vote and that, at a poll to bring the land voters' system into effect, a simple majority of those voting will suffice. When a council assesses under the annual values system, both owners and occupiers are, under the Act, liable to pay the rates. However, when a council assesses under the land values system, the rates are recoverable only from the owner. Thus, while it may be said that a tenant of a property assessed under the land values system pays the rates in his rent, he is under no obligation to pay the rates to the council as is the tenant of a property assessed under the annual values system. Accordingly, as the liability for rates under the land values system is placed upon the owner and not on the occupier. the Act has been framed to provide that at these polls, which can shift this rate liability from the occupiers to the owners, the only persons who should vote on the question are those upon whom the burden of paying the rates is imposed by the Act, namely, the owners of ratable property.

The reason why more than a simple majority of the votes is required at a poll to bring the land values system into operation in a council area is that, in practice, it is found that many entitled to vote at council polls fail to exercise their rights and, if a simple majority suffices to carry the proposition, that could be achieved by a vote of what is often a small minority of those entitled to vote. A change in the assessment system is of such importance that there should be a substantial proportion of the voters in favour of the change and, as voting is not compulsory at these polls, the particular provision of the Act has been enacted to see that a change to land values cannot be carried unless a substantial number of the voters favour the change.

In view of that I feel sure that the Committee will not entertain the amendment and I must oppose it.

The Committee divided on proposed new clause 5a.

Ayes (4).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller), and A. A. Hoare.

Noes (14).—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude (teller), Sir Lyell McEwin, A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Majority of 10 for the Noes.

New clause thus negatived.

Clauses 6 to 10 passed.

Clause 11—"Increase of maximum rates."

The Hon. C. R. CUDMORE—The Minister said that the increased maximum rate proposed in this clause was introduced because one

council could not pay its way and wanted a higher rate. Before the Committee agrees to this as a general provision in the Act it is entitled to know the name of that council and why it cannot pay its way. Without that information I cannot support the clause.

The Hon. N. L. JUDE—In 1951 the Act was amended to increase the rating powers of councils, and councils assessing under land values were given power to increase the maximum rate from 1s. 4d. to 1s. 8d. Although this is sufficient for most councils it has been found insufficient by at least one, namely, Port Pirie, and it is therefore proposed to increase the maximum rate which may be imposed from 1s 8d. to 2s. In conformity with this proposal it is necessary to provide that the maximum amount of general and other rates which may be levied shall be increased from 2s. to 2s. 4d. I hope that the explanation is satisfactory to the honourable member.

The Hon C. R. CUDMORE—It is completely unsatisfactory and it induces me to oppose the clause. I take it that Port Pirie is rating under the land values system and I happen to have some interest in a place which is also rated under that system, and I quote this as an example of what can happen under it. When I was foolish enough to have a big house at Palmer Place, North Adelaide, my rates to the Adelaide City Council amounted to £48 a year, for which I received quite a lot, including the parklands in front of the premises. I certainly got good value for my rates. I have a five-roomed weatherboard house at Victor Harbour with a frontage of about 120ft. and my rates under the land values system amount to £48. It used to be £14 under the annual values system. I cannot see why, because Port Pirie cannot make a success with the land values system, and is in trouble that other councils should be given the right to adopt the same system. Therefore, I ask the Committee to vote against the clause

The Hon. Sir LYELL McEWIN (Chief Secretary)—When we start to quote our own private affairs it is necessary that we should make a proper comparison if our remarks are to mean anything. My property, which is in a land values area, has a fairly wide frontage and my rates amount to only £15. So, it is no use quoting the case of a weatherboard house on which the rate is £48 as against the rate for a stone house of £15. It probably has something to do with the assessment and what latitude is allowed in that regard. Whatever system is operating, costs today are three times what they were 10 years ago. I do not care what system is adopted, ultimately everyone will pay. Even if the system of rating is changed and a saving is made this year, ultimately a council must gets its revenue in order to maintain its responsibilities. It is all a matter of what money a council needs and how much each individual pays, whatever system is adopted. Much depends on the efficiency of the council.

The Hon. N. L. JUDE—Mr. Cudmore has suggested that he is not satisfied with my explanation. Whether the land values system is pernicious or not, I shall not say. The position is that Parliament provided that the people should have the right to decide whether they had land values or annual values rating. That having been agreed to, it is Parliament's duty to see that the system works reasonably. Port Pirie has adopted a particular method and finds itself unable to make it work, due to a factor in the Act relating to a maximum rate. If it is desirable that this council should have more income to meet its commitments, I can see no reason why we should prevent it from getting it. It does not mean that other councils will necessarily raise their rates. It is the concern of a council and not the job of Parliament. The reason the Port Pirie Council wants a change is that under the land values rating system it has not much land of value commensurate with the requirements of a comparatively big town, and what is more the assessments are very low. It is the prerogative of the people of Port Pirie to make an alteration, and not of this Council. The Committee should not place an important town in the position where it cannot meet its commitments. I again commend the clause.

Clause passed.

Clause 12 passed.

New clause 12a "General rates in districts."

The Hon. L. H. DENSLEY—I move to insert the following new clause:—

12a. The following section is enacted and inserted in the principal Act after section 247 therof:—

247a. (1) The general rate in respect of any land situated within any township within any district shall be greater in amount than the general rate declared in respect of land situated outside any such township and any special rate declared under section 216 shall, in respect of land situated within any such township, be greater in amount than the special rate declared in respect of land situated outside any such township. When the council declares any general rate or any special rate it shall declare different general rates or special rates, as the case may be, for land situated within townships within the district and for land situated outside such townships. Any such general rate or special

rate shall not be deemed to be a differential rate for the purposes of subsection (2) of section 214.

(2) The amount in the pound of the general rate declared in respect of land situated within any township within the district shall be not less than twice the amount in the pound of the general rate in respect of land situated outside any such township. The amount in the pound of any such special rate declared in respect of land situated within any such township shall be not less than twice the amount in the pound of the special rate declared in respect of land situated outside any such township.

The new clause provides that the rate in a township in a district council area shall be twice that for land outside the township area. In effect, the new clause seeks to achieve the same objective as proposed for municipalities. It will apply only to those councils which adopt land values assessment. It is desirable to restrict, as far as possible, a departure from the present annual values system as generally adopted by councils in district council areas.

The Hon. N. L. JUDE—I am glad the honourable member was fair enough to state his reasons for proposing the amendment, saying that it would be a deterrent to people adopting the land values system, but I am afraid I view it as being somewhat undesirable. I do not know that we should attempt to put deterrents in the Bill which deals with something which Parliament has already decided. I suggest that the clause will considerably restrict councils in regard to their rating. I have already suggested that a council is surely the best judge of the rates which should be paid by certain wards in its area. I remind the honourable member that in country councils in the main a majority of its members represent the outside wards.

The Hon. L. H. Densley—They are not the ones to decide whether there should be land values rating.

The Hon. N. L. JUDE—But they decide on the rate and on a new assessment. I think the honourable member will agree that in the majority of country councils there are about six representing outside areas as against two in the town ward. When we have regard to the general population of the district, which in many cases is greater than the municipal area, that offers a perfect safeguard. I therefore feel that this insertion purely as a deterrent against adopting land values rating is hardly desirable and in nearly all cases, for the reasons I have mentioned, is unnecessary. I suggest that the Committee oppose the clause.

The Hon. C. R. CUDMORE—I support the clause. I am entirely opposed to land values assessment. My friends on my left said it is the policy of the Labor Party and that they therefore favour it, but it is not the policy that I want. I regret very much that it ever got into the Act and anything that could begin to be the thin end of the wedge towards getting it out of the Act has my support. Whether or not the clause is for the purpose of deterring the adoption of the land values system, it gives effect to what the Government has already done in clause 2 and other clauses. It has been found in certain areas that land values assessment causes extreme difficulty. If provision has to be made to clear that up in municipalities why should it not be done in places not big enough to be municipalities, but which are district councils that have townships within them as well as urban lands.

The Hon. F. J. CONDON—The Opposition likes to be consistent, and as it opposed this clause in its entirety naturally it will oppose any additions to it.

The Committee divided on the Hon. L. H. Densley's new clause 12a—

Ayes (10).—The Hons. J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley (teller), A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, R. R. Wilson.

Noes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude (teller), and Sir Lyell McEwin.

Pair.—Aye—Hon. E. E. Edmonds. No —Hon. R. J. Rudall.

Majority of 4 for the Ayes.

New clause thus inserted.

Clause 13. "Expenditure of revenue."

The Hon. F. J. CONDON—I move—

After "amended" to insert—

(*a*) by inserting after paragraph (*d*) of subsection (1) thereof the following paragraph:—

(*d*1) reimbursing any mayor or councillor for any loss of income caused by attendance at meetings of the council or the carrying out of any council business:

In the past if any member of a council has been deputed to represent it on business he has been entitled to expenses and reimbursement for transport but not to any payment for wages lost. In many cases these people are deputed to travel long distances to Adelaide to wait upon Ministers on council business but they cannot receive any remuneration. My amendment proposes to pay them

at least for their loss of time. The present position has resulted in the loss of many suitable men who have been unable to lose time to come to Adelaide on council business. A member of the Port Pirie corporation would lose probably £3 a day while attending a deputation in Adelaide. I have a letter in which it is stated that the Government has been approached by the Eyre Peninsula Local Government Association on many occasions asking for this mater to be considered, but it has said that it is not its policy to recognize services rendered. Members of councils devote a great deal of their time to their work in the interests of their town so surely it is not asking too much that they should be reimbursed for loss of wages.

The Hon. C. R. Cudmore—What does the amendment seek?

The Hon. F. J. CONDON—Wages only. In the case of a man working as a council employee at Port Lincoln, if the council decided he should be sent to Adelaide on business he would lose money; why should that be so? The same would apply to a man working on the wharf for the Broken Hill Associated Smelters at Port Pirie.

The Hon. C. R. Cudmore—Are you sure they dock his wages?

The Hon. F. J. CONDON—Yes.

The Hon. N. L. Jude—Does the Broken Hill Proprietary dock wages at Whyalla?

The Hon. F. J. CONDON—I would not say they do. Some councils cannot be represented at the annual municipal association meeting held in Adelaide because their representatives would lose time by coming here. In many cases these men are requested to interview the Premier on behalf of their councils and although the councils wish to pay their expenses they cannot do so. All my amendment seeks is to permit this to be done. Many members of councils in the country do not want payment because they do not lose anything but I know of cases in which people have lost money. If it is desired to reimburse them I do not see any reason why that should not be done.

The Hon. N. L. JUDE—At the outset I might state quite frankly that the Government is totally opposed to this suggestion. I thought all members held the belief that local government should be an honorary institution. That has been the basis of the Act since its inception, although provision has been made for the payment of travelling expenses and certain allowances to mayors. Even if the Government could concede a measure of support to Mr. Condon in this matter, I point out the total impracticability of permitting members of councils to assess their losses of income. One man who might be a grazier perhaps would miss out on purchasing a line of cattle.

The Hon. K. E. J. Bardolph—That is fantastic.

The Hon. N. L. JUDE—Not at all. A man may desire to attend a stock sale to buy sheep, but because of his council duties, which he has undertaken for the benefit of the district, he is unable to do so and may thereby lose the opportunity of making a considerable profit. That happens very often so why should the honourable member seek to include only wage earners? Possibly because it would be easier to administer. How could we possibly approve of councils' funds being handed out in payment of claims which, to say the least, could be very nebulous. I trust that the Committee will give this no further consideration.

The Hon. E. H. EDMONDS—Mr. Condon mentioned a request that he said came from Eyre Peninsula. I do not know whether it came from the Eyre Peninsula Local Government Association as I have not been closely associated with it recently, but I know that in years gone by this question was submitted to conferences on numerous occasions and always rejected, and those conferences were representative of all councils in the district. If there is any change of opinion it must be of recent date. I know from personal experience that delegates attending conferences were reimbursed so I presume there is authority in the Act for that. I agree with the Minister that it would be very difficult to assess loss of time and consequently I cannot see that the amendment would be workable and I am not inclined to support it.

The Hon. S. C. BEVAN—I support the amendment because there are various occasions when a member of a council is called upon to lose time from his employment in order to attend to council business, such as an inspection of a works project, which occurs frequently. The amendment simply seeks to give power to councils to reimburse loss of wages. The Minister referred to the man who might suffer some loss through being unable to attend a stock sale because it conflicted with council business. Surely there is someone who could assess a claim made under those circumstances. In nine cases out of 10 such a member would not desire reimbursement and the same applies to employees in industry, and unless they claimed the council would not make any payment. It is not compulsory. Surely it is not asking too much to give a council the right to determine whether a member is entitled to reimbursement.

The Hon. L. H. DENSLEY—I oppose the amendment. For the sake of unformity we should not make a thing of this kind optional. That there is some sacrifice in service in local government I readily admit, but the greater the sacrifice the grander the service and I think all engaged in local government work take that view. I have served in councils for 20 years and on no occasion have I heard any councillor express a desire for reimbursement for services rendered.

The Hon. F. J. CONDON—I now feel compelled to read the letter to which I referred in order to clear up the position. I have had three requests from large towns in the Northern Division. I can understand that wealthy men do not wish to be paid, but what about the unfortunate man who has no other income but his wages? There are few Labor men in councils throughout the State and I see the attack that lies behind all this. I can understand the attitude of men in high positions with three of four jobs and large incomes, but what about the man who has sacrificed his time for many years?

The Hon. C. R. Cudmore—It is the honourable member's amendment. What is this attack he talks of?

The Hon. F. J. CONDON—The letter reads as follows:—

This . . . has noted that amendments to the Local Government Act are at present before the House and would like to suggest you consider suggesting an amendment to the Act to provide that members of councils, when engaged on council business, other than meetings of the council, shall be entitled to receive reimbursement for wages lost at the rate of the basic wage with a limit of 24 hours payment in any one financial year. As you are aware this matter has been discussed on a number of occasions by the Eyre Peninsula Local Government Association and has always received the endorsement of that body. . . . and it is felt that the matter should be ventilated in Parliament. In the past when the recommendations from the Eyre Peninsula Local Government Association have been forwarded to the Minister he has always replied that it is against policy of the Government to give payment for service to local government. As you are well aware this is not an answer to our request at all as the request is not for payment for attendance at council meetings, but is payment for time lost by councillors when attending to council business at the request of the council, and the reimbursement, at the basic wage, means that even with this the councillors will be out of pocket. I do not think there is any need for me to elaborate the matter further as I am sure you are well acquainted with all the details and can quite adequately provide the arguments in favour of this amendment.

That letter was not addressed to me but handed to me by another member of Parliament.

The Hon. C. R. Cudmore—Who is it from?

The Hon. F. J. CONDON—The Minister said that a country councillor who wanted to buy some cattle would probably take advantage of this amendment, but have members no confidence in a council to deal with a case on its merits? I ask members who have opposed the amendment to give it some further thought and change their minds.

The Hon. C. R. CUDMORE—In his opening remarks the Leader of the Opposition said that the Government had said that it was not its policy to recognize services rendered, an astounding remark and quite unworthy of the honourable member, and he got it from the letter he read without telling us from whom it came. Therefore, I ask the Committee to discard his whole argument.

The Hon. F. J. CONDON—I read the letter in good faith and there is no obligation on me to say where I got it. The honourable member is suggesting that I am putting something over him.

The Committee divided on the Hon. F. J. Condon's amendment—

Ayes (4).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller), and A. A. Hoare.

Noes (13).—The Hons. J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude (teller), Sir Lyell McEwin, A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Majority of 9 for the Noes.

Amendment thus negatived.

Clause passed.

Clause 14 passed.

New clause 14a "Power to write off rates."

The Hon. F. J. CONDON—I move to insert the following new clause:—

14a. Section 298 of the principal Act is amended by adding at the end of subsection (2) thereof the words "or unless the council is satisfied that the payment of the rates or amount would, by reason of the necessitous circumstances of the person by whom the rates or amount is payable, inflict grave hardship on that person."

The object is to give a council the power to remit rates in necessitous circumstances. A similar provision applies in other States. For instance, in Victoria their Local Government Act provides that a council may, upon the application of any person liable to the payment of either a general or an extra rate, remit its payment or any part of it because of the poverty of the person liable. Actually there is no specific provision for the rebate of rates due by pensioners, but in appropriate

circumstances a council could bring a pensioner within the terms mentioned. In Western Australia rates are allowed to accrue and become a first charge on the property. In Queensland a council may remit the whole or part of a pensioner's rates, whereas in New South Wales a council may write off or reduce rates and extra charges on overdue rates due by any person who is in receipt of a pension under the Invalid and Old Age Pensions Act. The partial or complete rebate of rates is allowed in Tasmania at the direction of country councils, but this does not apply to Hobart or Launceston. All I ask is that councils in this State should have the right to remit rates due by persons in necessitous circumstances. If this amendment is carried it does not say that councils must do it. The Port Adelaide Corportation is desirous of making this concession where warranted. Since the acquisition of wharves by the Government this council has lost £450,000 in rates, which the ratepayers have had to make up, and if my amendment is accepted they will probably have to make good any deficiency resulting from the nonpayment of rates by people in poor circumstances.

The Hon. N. L. JUDE—We all admire the honourable member's attempt to do something for the underdog, but there are certain practical difficulties associated with the clause. Section 298 of the Act provides for the writing off of rates under certain circumstances, but an auditor's certificate must be obtained showing that every attempt has been made to recover the rates and that there is no reasonable chance of getting them. All ratepayers receive certain services for their rates. Although in some instances a ratepayer might find it difficult to pay his rates, the services rendered to him by the council must be paid for, and if councils were given the authority to remit rates this clause could lead to discrimination. Having regard to this fact, the Government feels it is not desirable to agree to the clause.

The Hon. J. L. COWAN—With all respect to any who may be in necessitous circumstances, I must oppose the amendment. It is a very dangerous move, would lay itself open to all kinds of abuses, and would be difficult to administer. I should not like to be a councillor who had to determine whether a person was in necessitous circumstances, and undoubtedly many others would not care to accept that responsibility. It is possible that some people might gain something under the amendment to which they were not entitled. I believe we are getting along very well at present, and it is questionable whether many people are suffering great hardship. In other States the position is not as open as the honourable member would like to provide here.

The Hon. S. C. BEVAN—I support the clause on the grounds already outlined by Mr. Condon. He has pointed out that a council has made the request because it desires to do something which at present is not permitted under the Act. The Minister has said that the services rendered by a council must be paid for and that it could be dangerous if remission of rates were allowed to old age pensioners in necessitous circumstances, or some other ratepayers, as someone would have to carry the burden of the rates. Mr. Cowan said that if the amendment were agreed to there was the possibility of considerable abuse and he felt that councillors should not be called upon to make a determination. Are we to consider that members of councils are nitwits and are incapable of analysing the position for themselves? There is no such abuse in Victoria and New South Wales where this law applies. Is it suggested that councillors in this State are incapable of standing up to the position? If the clause is carried it will not be compulsory for a council to remit rates. It only gives a council the right to deal with circumstances if and when they arise. The Minister says that if a concession is granted to one person someone else will have to pay for the services. This afternoon we have granted concessions to bodies which I think could well afford to pay full rates, and therefore we should be prepared to give councils the power to analyse each case as it arises and grant relief where necessary. No hardship will be created and I therefore support the amendment.

The Hon. L. H. DENSLEY—I oppose the amendment. The Act provides that a council may remit rates after an auditor says they are not reasonably recoverable. In cases of extreme hardship they can be written off. The man Mr. Condon referred to is not necessarily the man whose rates would be written off, but rather the smart aleck with a good advocate. I do not think councils generally desire an alteration of the Act.

The Hon. F. T. PERRY—I oppose the clause. It seems to me to be a hard thing if we cannot trust somebody to deal with cases involving extreme hardship on ratepayers.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 5.48 p.m. the Council adjourned until Thursday, October 21, at 2 p.m.