

LEGISLATIVE COUNCIL.

Tuesday, October 11, 1955.

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

QUESTIONS.

COLLEGE STUDENTS ON MELBOURNE EXPRESS.

The Hon. L. H. DENSLEY—Can the Minister of Railways say whether it is the policy of his department to issue reserved tickets on the Melbourne Express for college children returning home and cancel them at the last minute and make the students travel on a train which brings them to their destination two or three hours late, as happened a number of times last week?

The Hon. N. L. JUDE—I am not aware of the circumstances mentioned, but I can assure the honourable member I will ascertain the position and give him an early reply.

REMOVAL OF TRAMWAY TRACKS.

The Hon. K. E. J. BARDOLPH (on notice)—

1. What is—(a) the cost per mile for the removal of tram tracks from the city and metropolitan area; and (b) the total cost to date for the removal of such tracks?

2. Are these tracks sold as scrap metal?

3. If so, what tonnage has been sold and what are the names of the purchasers?

4. What is the total amount received to date from the sale of the tracks?

The Hon. Sir LYELL McEWIN—The replies are:—

1. (a) The average total cost for the removal of each mile of single tram track is—

(i) where laid in ballast, £5,200:

(ii) where laid in concrete, £6,800.

(b) The gross cost (to August 31, 1955) for the removal of tracks has been £80,000, from which must be deducted scrap value of £40,000, giving a net cost of £40,000.

2. Second-hand rails are classified:—(a) Re-usable in the repair or renewal of remaining tracks. (b) Lengths suitable for buildings, etc. (c) Short lengths and curves sold as scrap metal.

Second-hand sleepers are classified:—(a) Re-usable in the repair or renewal of remaining tracks. (b) For sale. (c) for use departmentally in furnaces, etc.

3. The quantity of rails sold since the commencement of track removal has been 2,010 tons. The names of the purchasers would run

into hundreds and include State and Commonwealth Government authorities, sporting bodies and many others.

4. To August 31, 1955, the amount received for the sale of scrap rails and sleepers (excluding the value of materials re-used by the trust) has been £34,000.

SENATE VACANCY.

The PRESIDENT laid on the table the minutes of the joint meeting of both Houses in connection with the election of Mrs. Nancy Eileen Buttfield as Senator in place of the late Hon. George McLeay.

Minutes ordered to be printed.

PORT ADELAIDE WHARF RECONSTRUCTION.

The PRESIDENT laid on the table the final report of the Public Works Standing Committee on Port Adelaide wharf reconstruction, together with minutes of evidence.

PORT WAKEFIELD HOSPITAL (TRANSFER OF ASSETS) BILL.

Second reading.

The Hon. C. D. ROWE (Attorney-General)—I move—

That this Bill be now read a second time.

This is a Bill of local interest which deals with a problem facing the committee of the Port Wakefield District Hospital. The information which has been placed before the Government is to the following effect.

For about 10 years this hospital has been defunct, and owing to the establishment of other hospitals and changed circumstances it is no longer desirable to carry on a hospital at Port Wakefield. The hospital, which is an incorporated body, owns land and premises at Port Wakefield and has more than £700 in the bank. The committee of the hospital desires to transfer this land and money to another body at Port Wakefield called the Port Wakefield and District Progress Club Incorporated. It is desired that after the transfer the Progress Club shall sell the land and apply the proceeds of the sale, together with the other money received from the hospital, towards the building of a new public hall at Port Wakefield. At present, of course, the hospital committee has no authority to dispose of its assets for this purpose. There is no legal procedure available to it by which it could obtain authority to do so, nor could the desired object be achieved by a winding-up. The only remedy appears

to be an Act of Parliament. The hospital committee, therefore, through their solicitor, Mr. Zelling, has asked the Government to bring down a Bill and, as the matter was of some public interest and importance to the citizens of Port Wakefield, the Government considered it reasonable to assist the hospital committee as requested.

The Bill is a simple one. It recites the facts which I have mentioned, and by clause 2 directs the Port Wakefield Hospital to transfer its land and money to the Port Wakefield and District Progress Club Incorporated. By clause 3 the Progress Club is required to sell the land as soon as convenient after the transfer. The net proceeds of the sale and the money transferred to the club by the hospital committee and any interest must be applied by the progress club towards the erection and maintenance of a public hall in the town of Port Wakefield.

Clause 4 provides that if at any time the Governor is satisfied that it is not practicable or not desirable to use the money for the purpose of a public hall, he may by proclamation fix other purposes beneficial to the inhabitants of Port Wakefield for which the money may be applied. The Government has no reason to think that the scheme for a public hall will not be proceeded with, but experience has shown that in matters like this unforeseen contingencies sometimes occur which render it desirable to vary the trusts or objects for which money can be applied. Clause 4 has been included purely as a precautionary measure. The Bill falls within the category of hybrid Bills and if the second reading passes it should be referred to a Select Committee.

The Hon. F. J. CONDON secured the adjournment of the debate.

LOTTERY AND GAMING ACT AMENDMENT BILL (RACING DAYS AND TAXES).

Adjourned debate on second reading.

(Continued from October 5. Page 979.)

The Hon. C. R. CUDMORE (Central No. 2)—It is naturally interesting and pleasing to me that the Government has brought in a Bill of this nature. Some members are probably weary of hearing me talk on the Lottery and Gaming Act, but some have not had to bear with me as long as others. I do not propose to go back as far as Mr. Condon, who took us back to the old Chamber and the arguments we had when there were

only seven days' racing for each club in the metropolitan area. However, I cannot help taking my mind and the attention of the Council back to the fact that in 1945, when this legislation was before the House, I moved an amendment that is curiously like clause 3 of this Bill, and a good deal of it has since been carried into effect. I then moved to insert new clause 2a "Number of times the totalizator may be used," which read as follows:—

Section 19 of the principal Act is amended—

- (a) by striking out the word "fifteen" in the fourth line and inserting in lieu thereof the word "seventeen";
- (b) by striking out the proviso to paragraph (a) thereof and inserting in lieu thereof—

Provided that the Commissioner of Police may grant licences to such clubs using racecourses situated within 10 miles of Adelaide as he thinks fit, authorizing the use of the totalizator at not more than three additional race meetings in each year, on condition that each such race meeting is held jointly by at least three racing clubs and that the whole of the net profits from those meetings will be devoted to charitable purposes.

My honourable friend and I battled for years to get enough race meetings to have racing in the metropolitan area on each Saturday. The second part of that amendment has now been put into the Act by the Government in various ways, and we can have these extra meetings for charitable purposes. My amendment was defeated, and in order to try to get support I reduced the number of days from 17 to 16 but still I was defeated by 10 votes to eight.

In 1946 Mr. Condon did me the honour of introducing a private member's Bill to do what I failed to do in 1945. That Bill provided for 17 days. There was again a good deal of argument on whether the number should be reduced to 16; finally 17 days was voted on, but the amendment was defeated by 12 votes to seven. I think Mr. Beerworth tried to effect a compromise which the House would not have anything to do with at that stage. My reason for moving, subsequently supporting and again today supporting racing in the metropolitan area on every Saturday is to stop so much illegal betting. There are a number of members who have heard me on this so often that it may be rather boring, but there is racing in Melbourne every Saturday and there is no question about it that nearly half the volume of betting in South Australia is on Melbourne races. People will

bet on Melbourne races and if there is no race meeting at which they can bet legally they will bet illegally.

The Hon. K. E. J. Bardolph—But they still have illegal betting in Melbourne.

The Hon. C. R. CUDMORE—I am not discussing the position in Melbourne, but the position here. As I have now been asked to open the whole matter I point out, as I have been doing for 25 years, that the only system of betting is the English system—off-course betting without resorting. In England this system has worked for over 100 years and, although I admit there are problems with football betting, one of the biggest and worst things in the world, you can bet on races there as long as you do not resort to the bookmaker. That is to say, you can bet by letter, telephone or telegram, if you establish your position with the bookmaker. Even on the racecourse at Ascot, Goodwood or Newmarket, most of the people do their betting by telegram. There are big telegraph offices on the course, bettors who have established credit with the bookmakers send telegrams, and as long as they are sent before the race actually starts they are accepted. New Zealand has now set up a system of State betting all over the country that has, to a great extent, copied the English idea that I have always advocated. It is a State-wide totalizator, and one can bet in cash, but also—and this is the point—one can establish credit and bet by telephone, telegram or other way, and it has been a huge success in New Zealand as far as I know. That is the system I have always advocated. I can see one honourable member smiling at me as if saying, “Why not let them have their 2s. each way, legally or illegally,” but at one stage that method got us into a considerable amount of trouble with the police and in other ways. I have always been consistent in advocating that if we allow people to have legal bets only on racecourses we must provide the races for them to attend.

This Bill does three things. Clause 3 gives an extra day to the S.A.J.C. at Morphettville as the premier club, and with this I agree. As I suggested in 1945, this will almost ensure that there will be racing in the metropolitan area somewhere every Saturday, and therefore I support it. Mr. Cowan objects to this provision because it would take one Saturday away from the Murray Bridge Club and give it to the metropolitan area, and that this might lead to another Murray Bridge meeting on a Wednesday. In reply to an interjection

he admitted that the Murray Bridge Club was in a very fair position and that at least half of those attending the meetings are city people. By interjection I drew attention to the fact that meetings within 80 miles of Adelaide cause a lot of absenteeism in industry. I have always said that was wrong and tried to stop mid-week racing within, say, 100 miles of Adelaide. I should regret very much if this Bill resulted in an additional Wednesday meeting. Members know what goes on at the corner of Parliament House. It is ironical that the buses and taxis for country racing and trotting meetings should start from this corner, but almost every Tuesday and Wednesday morning we see people gathering together in order to travel to country meetings. They must have absented themselves from work, for we know there is no such thing as unemployment in these days. My lamented friend, Mr. Oates, used to say that most of these people were shift workers and that is how they got off to keep trots and races within a reasonable distance of Adelaide going, but anyone who has been to these mid-week meetings knows that it is nearly always the same people who attend and the amount of betting transacted is quite extraordinary.

The Hon. S. C. Bevan—There would be a fair number of the managerial type there, too?

The Hon. C. R. CUDMORE—I should think not.

The Hon. S. C. Bevan—If you are relying on the 2s. punters you will not keep racing going.

The Hon. C. R. CUDMORE—I am not. I have been advised by a bookmaker that he holds more money at a Murray Bridge meeting than if he draws No. 1 position at Morphettville. These meetings are where the big gambling goes on, but I am not complaining of that; the people I am talking about are professional gamblers, who sometimes are of great assistance to the bookmakers and sometimes not.

The Hon. K. E. J. Bardolph—But you still want an extra day for the professional gamblers?

The Hon. C. R. CUDMORE—I support an extra day for Morphettville mainly because I want to see racing in the metropolitan area every Saturday. Racing is a habit and if there are no races for the people to attend they will go elsewhere to bet. Mr. Cowan

suggested that although the S.A.J.C. has much greater responsibility than other metropolitan clubs because it is a court of appeal and is responsible for seeing that jockeys, trainers and everyone else do not have their living taken from them without an opportunity to appeal, it is well paid for what it does. I have pointed out before that racing is a voluntary sport. Certain people join racing clubs and those clubs get together and appoint one of their number to be the senior club to fix dates and make arrangements; it is all on a voluntary basis, and the senior club in each State draws up the rules of racing. No-one has to be in this game, but if they come in they have to abide by the rules as agreed upon by the various members. Mr. Cowan contends that the S.A.J.C. is well paid for what it does, but I think we forget that all the horses which patronize these other meetings have to be trained somewhere, and to those who ask why should it be the S.A.J.C. at Morphettville rather than the A.R.G. at Victoria Park or the P.A.R.C. at Cheltenham, I point out, on the latest figures available, that 450 horses are in training at Morphettville compared with 80 at Cheltenham and 50 at Victoria Park.

The Hon. S. C. Bevan—How many are in training at Somerton?

The Hon. C. R. CUDMORE—I do not know of any course at Somerton. The honourable member may not have been mixed up with the restrictions on riding horses along the beach at Somerton, but I have, and that is the only training track I know of there. All the horses around Brighton and Somerton are trained at Morphettville. I therefore heartily support this clause.

The Hon. K. E. J. Bardolph—Will the honourable member support a racing control commission?

The Hon. C. R. CUDMORE—Certainly not. As I have pointed out, racing is a voluntary game, and, as in sports like cricket and football people get together and form clubs. The clause gives a particular privilege to the South-Eastern clubs. Mr. Cowan told us he was instrumental in asking the Government to agree as regards the South-East and I have no quarrel with that. There are peculiar circumstances which probably justify the arrangement. These clubs have their eight days each and more or less among themselves arrange the meetings where they like. Such a privilege is granted to no-one else. I am quite happy about it. It has been discussed

at length and I think it is good. I am not sure that there could be no further provision for the Chief Secretary or the Government to be able to take steps to do as was done for a charity meeting this year and remove the licence from one course to another. It seems to me that in exceptional circumstances it is very desirable. The other two clauses about which Mr. Condon was so humorous in his speech are logical and sensible suggestions from this Council on a financial matter. The five-day week has been accepted and therefore the present situation is impracticable. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

FRUIT FLY ACT AMENDMENT BILL,

Adjourned debate on second reading.

(Continued from October 4. Page 957.)

The Hon. C. R. STORY (Midland)—In looking at the history of the legislation one cannot but be impressed with the efforts of the State Government to ensure that the menace of the fruit fly is kept at least at bay. I pay a very high compliment to its officers for their efforts to eradicate this pest. In reading the speeches made on this legislation I have been amazed at the number of people who think that the fruit fly is not such a menace as I, who live in an area where the damage would be most strongly felt if it became impossible to keep it in check, think. The Government's efforts since the fruit fly was first discovered in this State in 1947 have been outstanding and an immense amount has been spent in stripping and spraying trees and paying compensation in the areas infested.

The Hon. F. J. Condon—How much has been spent in country areas?

The Hon. C. R. STORY—It has not been necessary to pay compensation in country areas yet, and I sincerely hope that with the support of my honourable friend it will never be necessary. It is most essential that it should be kept away from our commercial growing centres. The compensation paid is a great incentive to those in the metropolitan area to be perfectly honest when they find infected fruit, knowing that they will be suitably compensated for their losses. I think that is one of the best features of the legislation and therefore we should not grudge anything spent

for compensation. I have the greatest sympathy for those whose properties are stripped from time to time and also for those who are foolish enough to think that if the fruit fly is not checked in the metropolitan area it will die a natural death. We know that on the coastal belt of New South Wales you can get mid-season and late fruit which is completely infested and the only sound fruit obtainable from the household gardens are the early ripening types and late citrus. In Western Australia the canneries have been forced to close down because they are unable to can fruit. If one buys 40 lbs. of apricots they may appear to be in good condition, but one is lucky to get three pounds of good solid fruit out of that total for making jam. We could easily find ourselves in the same position if we did not take stringent steps to see that this menace is kept at bay.

I have noticed from time to time that the public, and sometimes members of both Houses of Parliament, have been doubtful as to the necessity for paying compensation to keep this pest in subjection. I am surprised at that attitude when one considers that it would be not only a State-wide but an Australia-wide problem if it got out of hand. South Australian producers of fresh fruit and vegetables have been able to build up a very lucrative market in the eastern States only because of the fruit fly infestation in Queensland and New South Wales. Recently in the Murrumbidgee irrigation area, which is the equivalent of our Upper Murray areas in South Australia, and which was the biggest exporter of citrus fruits in Australia, owing to the infestation of the fruit fly, which is of the same type as experienced here, it is now necessary when exporting fruit, especially to New Zealand for the growers to provide a certificate of freedom from the fruit fly. New Zealand is one of our best export markets for fruit. The Murrumbidgee growers have been unable to supply such a certificate and consequently unable to export any fruit during the last 12 months. As a result, growers have suffered a severe loss and the export market has been lost to California and South Africa. Australia can ill afford to miss out on any market it has already established, whether it is fruit or anything else. As a result, except from some fruit processed into juices, the Murrumbidgee growers received practically no income last year.

So far the fruit fly has not become established in South Australia in the same sense as it has in New South Wales and Western

Australia. Only isolated spots have been infested. If we were affected in the same way as in Western Australia the asset which the Government has built up in the soldier settlement areas in the Murray Valley, the Barossa Valley and the southern districts would become a total write-off, because unless we can supply a certificate of cleanliness we cannot send any fruit out of the State. Our South Australian canning industry would be unable to buy fruit because, although the outside of a peach or an apricot may appear to be all right and there is nothing to indicate the presence of the fruit fly, the inside is polluted. When it is cut open one half may be completely eaten away by the fruit fly maggot, although the other half may be edible. In Sydney last year they were selling half peaches for fourpence, the reason being that they had to be cut in halves to ascertain whether the fruit was infested. Having thrown away twopenny worth of fruit they charged fourpence for the other half. We found that throughout the various areas where fruit fly was found, both in Australia and overseas.

The Hon. S. C. BEVAN—That is all the more reason why we should continue this legislation.

The Hon. C. R. STORY—I hope nobody in this Chamber would even suggest we should not continue it, but as I have read from the official reports of this Chamber that people have suggested from time to time that it has not been wise for it to go on, I want to make sure that no honourable member has any doubts about my feelings, even though they have doubts about their own. This State is now one of the up and coming canning States and unless this fruit fly menace is kept in check we could find ourselves as importers of canned fruit instead of exporters. If that stage is reached—and let us not delude ourselves that it cannot be reached—we could very easily find that our cost of living would be increased because of increases in the prices, not only of canning fruits, but tomatoes and other things that we export. We have had plenty of precedents of the taxpayer being asked to provide money when it has been in the interests of the State as a whole to look after a particular industry or a particular part of the State's economy. At present there is a grasshopper plague, and it is necessary for the Government to provide baits. Recently, storms washed out foreshores and beaches, and a call was made on the State to put them in order. In the same way, the fruitgrowers are contributing their full share

as taxpayers to compensate some small interests in the city area for the losses they sustain when their trees are stripped, but I am broadminded enough, as I hope all honourable members are, to realize that if fruit fly gets out of control we will need the resources of the whole of the Commonwealth. I therefore heartily support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Compensation."

The Hon. F. J. CONDON (Leader of the Opposition)—Mr. Story said that some members were opposed to this legislation. I fail to recognize what he means, because every member supports the legislation but some have expressed the opinion that some other method might perhaps be found in order to minimize the cost. During my second reading speech I suggested that perhaps the officers of the department might be able to introduce other methods to bring this about. I quite agree that this is a very important industry and means much to the economy of the State, but although I support the legislation I point out that it has cost the taxpayers £854,000 up to the present.

Clause passed.

Clause 6 and title passed.

Bill reported without amendment; Committee's report adopted.

CONSTITUTION ACT AMENDMENT BILL (ELECTORAL BOUNDARIES).

Adjourned debate on second reading.

(Continued from October 5. Page 975.)

The Hon. R. R. WILSON (Northern)—When this Bill was introduced in the House of Assembly I expected that there would be a lengthy debate, but strange to say only the Leader of the Opposition spoke on the second reading. The fact that that House has 39 electorates makes one wonder at the silence, and one can only assume that the commission's report must have given satisfaction. Soon after I entered Parliament, the late Hon. Oscar Oates mentioned gerrymandering. I hope that nothing will be said about gerrymandering in the future, although I thought the Opposition would have had a lot to say about it on this occasion. I referred to a dictionary to obtain a definition of the term, which is:—

An arbitrary, unnatural and unfair arrangement of voting districts intending to favour one political party or candidate.

The commission has done an excellent job in arriving at its decision, with one exception to which I shall refer later. It had the terms of reference as a guide and I believe it also had before it a statement made in this Chamber last session that it was hoped that the districts in the Legislative Council would remain somewhat the same. The commission concentrated on rearranging the Assembly districts first, which was only natural, but I think that fitting in the Legislative Council districts to suit presented a problem. That is one portion of the finding on which I wish to enter a protest. Mr. Story and Mr. Melrose last week gave their opinions on what I think is really an anomaly in the Midland district. As a member of the Northern district I point out that if this Bill is carried it will be difficult to serve the district of Chaffey. It has been claimed, I think correctly, that the Northern district comprises four-fifths of the area of South Australia, and it reaches the borders of New South Wales, Queensland, Western Australia and Victoria. It is a large area, a great deal of which is sparsely populated, but the people who live in those parts are just as important as those who live in the thickly populated parts. We hear a lot about one vote one value, but I think the northern part of the State, where sheep and cattle are grazed, is the complete answer to that. Recently, when wool dropped in price by over 20 per cent, the whole of our economy was threatened. An approach was made by the Prime Minister to the trading banks and import cuts were introduced. This shows that the people in the sparsely settled areas are entitled to have three and a third votes to one vote in the metropolitan area.

The Assembly district of Young will no longer exist under the Bill. The northern part of that district, consisting of Koolunga and Yaaka, will go to Rocky River, Bute, Alford and Paskeville will go to Wallaroo, and Gouger will extend from the boundary of Port Adelaide to Port Broughton. I think the problem arose in trying to fit that altered district into Legislative Council Northern. When Mr. Story was elected to Parliament a few months ago I think it was the unanimous opinion that at last we had a worthy representative of the river districts; his technical and practical knowledge, his success in his own undertaking and his great interest in public affairs in those districts fits him as a proper person to represent the people of that locality.

The Hon. F. J. Condon—It was said that at last we have a representative who knows the country.

The Hon. R. R. WILSON—He has a superior knowledge of the fruit-growing industry and irrigation and his address this afternoon on the fruit fly should have convinced members of that. We have never had such a speech on a Fruit Fly Bill, and it was most enlightening. Any member of Parliament is surely conscientious, as I claim to be, but to travel to the Chaffey district means that Northern district members must pass right through the Midland district before reaching the river at Kingston, and this does not facilitate service to the people; to use a colloquialism, it is right out on a limb. According to the *Year Book* the revenue produced from the River Murray districts amounts to £247 an acre a year, so surely they are worthy of the best representation that can be given them. If the amendment is unsuccessful and the Bill is accepted in its entirety the Northern members will have to do their best to give proper representation to Chaffey, but they are recognized as dry land farmers and have not a superior knowledge of irrigation. However, I feel sure that if we have to represent Chaffey my colleagues and myself will give it the best attention possible. I have much pleasure in supporting the second reading.

The PRESIDENT—As this Bill amends the Constitution it is necessary that the second reading should be carried by an absolute majority of the number of members of the Council. There being present an absolute majority I put the question—That the Bill be now read a second time.

There being no dissenting voices the second reading was declared carried.

In Committee.

Clauses 1 to 4 passed.

The Appendix.

The Hon. C. R. STORY—I propose to move—

In the new Second Schedule of the Appendix after "Ridley" in the definition of "Midland District" to insert "Chaffey".

The Hon. Sir LYELL McEWIN (Chief Secretary)—On a point of order, Mr. Chairman, we have just carried clause 3 which covers this schedule?

The CHAIRMAN—It will be necessary to reconsider clause 3 if this amendment is carried.

The Hon. F. J. CONDON—Don't you have to report back to the Council, Mr. Chairman?

The CHAIRMAN—Not for reconsideration, only for recommitment.

The Hon. C. R. CUDMORE—It seems to me that as we have passed clauses 3 and 4 the only thing we can do if we are to consider these schedules is for the Chairman to report back to the Council and then recommit the clause for further consideration.

The CHAIRMAN—Recommitment is only necessary when it is desired to make further amendments to words previously amended or when a proposed amendment was defeated. I draw attention to Standing Order 303, which provides:—

When a Bill has been gone through, its reconsideration, in whole or in part, may be moved for the purpose of making amendment or further amendment thereto; but upon such reconsideration no amendment, not being a merely consequent amendment, shall be entertained in respect of words which have been the subject either of a previous amendment or of a proposed amendment unless the latter was withdrawn.

My ruling is that as there was no amendment made if someone moves that clause 3 be reconsidered and that is carried, the Committee will be at liberty to reconsider it.

The Hon. F. J. CONDON—That is the first time this has happened during my experience as a member. It has been the practice, Mr. Chairman, for you to report that the Committee has considered the Bill and then an honourable member can move that a clause be reconsidered. That has always been your policy.

The CHAIRMAN—Exactly the same position arose last year or the year before. The ruling was the same on that occasion, but no objection was taken to it.

The Hon. F. J. Condon—Two wrongs do not make a right.

The Hon. C. R. CUDMORE—I doubt whether that is what the Standing Order means. It provides:—

When a Bill has been gone through, its reconsideration, in whole or in part, may be moved for the purpose of making amendment or further amendment thereto.

Your suggestion to the Committee, Mr. Chairman, is that this is what we do. Further on the Standing Order reads:—

but upon such reconsideration no amendment, not being a merely consequent amendment, shall be entertained in respect of words which have been the subject either of a previous amendment or of a proposed amendment unless the latter was withdrawn.

The CHAIRMAN—That is so. There has been no amendment or previous amendment.

However, my ruling is that it can be done if anyone moves it and it is seconded and carried.

The Hon. C. R. STORY—I move that clause 3 be reconsidered.

The Hon. F. J. CONDON—I oppose that, as I do not think it is the correct procedure to adopt. I think the procedure that has always been followed should be adhered to now. The honourable member will not be denied the right of recommitting, as I am sure members will give him that opportunity.

The CHAIRMAN—The honourable member is entitled to take any view that he likes.

The Committee divided on the question that the clause be reconsidered.

Ayes (13).—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, E. H. Edmonds, N. L. Jude, Sir Lyell McEwin, A. J. Melrose, Sir Frank Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, C. R. Story (teller), and R. R. Wilson.

Noes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller), C. R. Cudmore, L. H. Densley, and A. A. Hoare.

Majority of 7 for the Ayes.

Motion thus carried.

Clause 3 "Alteration of electoral districts"—reconsidered.

The Hon. C. R. STORY—I move the amendment I previously indicated. During the second reading I suggested that I would move amendments in an endeavour to have the district of Chaffey included with the districts of Ridley and Angas in the Legislative Council district of Midland, so that those three districts, comprising the major portion of the fruit and wine production areas of the State, would be in one district represented by one group of people. We have a classic example of this in the Federal sphere, where the member representing Angas (Mr. Downer) represents the whole of the wine, dried fruit, canning and citrus industries of the State. In debates that have taken place recently in the Federal House and in representations to the Minister responsible for those industries, Mr. Downer and the member for Mallee in Victoria have been particularly successful in their efforts to gain consideration for those industries that are under-represented in politics throughout Australia. Those members, because they have been able to speak with almost one voice, represent the whole of an industry. They have taken the trouble and have been able to acquaint themselves very fully with the requirements of those industries, and have been able to present very

sound cases to the Ministers who represent the interests that they represent. Four members, if they have all these industries under their control, can endeavour to learn something about them, but the unfortunate members who represent the Northern district will have to travel great distances in order to be of service to their constituents in this very small area of the State. I am quite sure if this amendment is not carried the Northern members will do their utmost to represent these people but the position would be so much easier if this House agreed to the district of Chaffey going back into its natural environment with the districts of Ridley and Angas, where the main like industries are situated.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I think the remarks of the honourable member, in which he referred to community interests, are probably an interpretation that belongs more fittingly to another place. When single electorates were adopted in this Parliament and the then commission had to deal with the problem of deciding boundaries, it was a direction that as far as possible the representation was to be in the community interest. When it came to applying that same principle to the Legislative Council, of course, the whole of the State had to be divided into five districts. The position that has arisen as a result of the commission's report does not create any new problem, because the River, I think, has always been divided. At one time it was divided between the Southern and Midland districts, and now the division is between Midland and Northern.

The proposal in the amendment is that Chaffey be transferred from the Northern district to Midland, and although I regret that I was unable to hear the whole of the debate on this matter, I believe the honourable member claimed that the numbers for the two districts would be somewhere about even. I point out, however, that that can only be temporary, because a new town, which in the next few years will carry a high population, is being developed. This would have the immediate effect of throwing the voting out of balance if it were to apply to the Legislative Council districts. The commission has endeavoured to divide House of Assembly districts as equally as possible. It has put nine in Southern, nine in Northern and eight in Midland, where it can be expected that there will be an immediate rapid increase in the number of voters. I am in agreement with many of the opinions expressed by Mr.

Story. I agree that in comparison with the old electorate of Northern, where the interests covered were industrial, agricultural and pastoral, this clause does add a new interest. Instead of irrigation and grapegrowing areas losing representation, which they would under the honourable member's amendment, they are retaining equivalent representation; that is to say, they have eight representatives in this Chamber of 20 who at least will have some responsibility regarding that area. I point out that in a House of review it is the responsibility of all members not to be parochial, but to give proper consideration to everyone's interests irrespective of where they may be. One might use the argument of the Assembly district of Young which has been completely obliterated, and the people there are not taking very kindly to the change. I find that there is a surprising amount of conservatism among the electors who have got to know the boundaries of their district and their representatives, and they resent any interference with the boundaries which control their representation. So, I suppose, I could bring many reports back to Parliament of the electors who resent this change. If I were to discuss it from the practical side of convenience to members I would still be in agreement with the honourable member that it will impose a very inconvenient district upon Northern members because, whereas the area which has been taken away was part of an area where the roads leading to the extremities of the district ran in parallel lines from one side to the other, no such condition exists in relation to working the district of Chaffey in association with Northern, for it is surrounded by open country and therefore access to it is only through another electorate.

However, Parliament appointed a commission which made certain recommendations, which, in the main, aim at greater equality of representation in House of Assembly districts. Those recommendations having been accepted by the House of Assembly I am afraid that the Legislative Council must either accept the report or stand indicted with interfering with the report of the commission which, after taking evidence, has made its recommendations. To interfere now I think would invite the suggestion that Parliament had, to use that favourite word which one hears so often, attempted to gerrymander the electorate. So I suggest that, the commission having done its job impartially, having included nine Assembly districts in two Council electorates and eight in another,

thereby covering the whole of the country electorate, and as the district of Midland includes an area where it is known that there will be an immediate considerable increase in population, it would be wrong for this Council to interfere to the extent of removing a district from the electorate recommended by the commission without substituting another to maintain the numbers on an equal basis.

As one who represents the Northern district I regret that that tremendous area, which is so difficult to cover, should be made more difficult through an outpost being added to it, but I fear that there is no practical solution to the problem in the amendment. I can only say that it is just one further responsibility that one will have to assume, and its representatives will have to endeavour to acquaint themselves more with the problems of the irrigation and fruitgrowing areas than before, but in so doing I feel that my colleagues will bring additional knowledge to this Chamber which the amendment would not make practicable.

The Hon. A. J. MELROSE—We have all listened intently to the Chief Secretary. I know he expresses the official view on this matter, but nevertheless I have no hesitation whatever expressing my own opinion. I am sorry to hear the word "gerrymander" used by any speaker in this Chamber, for I am certain that no sane person in South Australia could seriously think that, on any occasion when electoral boundaries are being dealt with, the question is not considered by absolutely unimpeachable people. If our friends of the Opposition in the House of Assembly had had any confidence in their own sneers about gerrymandering they had full opportunity to rise in their places—

The CHAIRMAN—The honourable member cannot criticize members of the House of Assembly.

The Hon. A. J. MELROSE—Well, the members of the Labor Party here had the opportunity of holding forth at great length about the general injustice of the matter before us.

The Hon. F. J. Condon—We have done it so often and you have been so dumb that it was no good doing it again.

The Hon. A. J. MELROSE—Well, I am not dumb today. The fact that they have not done so condemns them at once as trying to perpetrate a joke in rather bad taste. I find that, in the terms of reference to the commission, it had to consider only community of interests

in respect of House of Assembly districts, and the Chief Secretary has explained the difficulty of complying with that yardstick in dealing with Legislative Council electorates. That is undoubtedly literally true, but nevertheless I feel that the shadow of that advice at least could have been in the minds of the commissioners when they were thinking of the Legislative Council districts. Mr. Story and I the other day, and the Chief Secretary today, have emphasized the great practical difficulties that will be met by anyone who represents the Northern district in attending to the needs of the electors of Chaffey. As practical members of Parliament we know the great difficulty and the great onus that rests upon the shoulders of every member in keeping himself au fait with the needs and the thought of the people in their districts.

We agree that anyone representing Northern district in this Council already has a great complexity of interests to keep in mind, and members must be very hardworking men if they conscientiously endeavour to carry out their jobs. A member who has represented Midland for any length of time will have become acquainted with the problems of the viticultural and the gardening industry, so that the problems that arise in the irrigated areas do not add any tremendously unknown factors; we speak the language and we are familiar with all the difficulties of production and marketing. The only difficulty in representing Chaffey through the Midland district is a geographical one; it is a geographical extremity and we cannot visit it on the way to some other part of our district. How much more will that be the case if it is tacked on to Northern, as it will not only be a completely new interest to those members and a new knowledge that they will have to acquire, but, as the Chief Secretary admitted, an extremely difficult area to serve.

There is another practical problem, too. Notwithstanding the community of interest in the Midland district it has taken the electorate of the river provinces—and I always think of this locality as a province because I regard it as one of the most important parts of the State—until now to produce for themselves a practical representative in this Council. They have had to contend against the interests of electors in other parts of Midland, but they have no common interests with the electors of Northern, so is it likely that they will be able to produce a member, however good he may be, to give them direct representation? I emphasize that point because, as I said the other day, hard cases do not make good laws. We should not do

anything to make it more difficult for the very valuable irrigated fruit industry to maintain a direct representative in Parliament. No harm can be done in making a practical alteration to the commission's recommendations. I know the opinion is that Parliament having appointed a commission and its having made a report we must be bound hand and foot by its recommendations. I am not afraid of being accused of gerrymandering in expressing my opinion on this matter. Parliament is the supreme authority. South Australia is not ruled by a commission which Parliament appoints. I support the amendment with all earnestness.

The Hon. S. C. BEVAN—I support the clause in its original form. This afternoon a challenge has been issued by Mr. Melrose against members of the Labor Party that in expressing their opinion on this matter the term "gerrymander" was used. When the Bill to set up the commission was before the House I used the term "gerrymander" and have also used the same term in discussing other measures. I take members' recollections back to 1936 when a Bill was enacted dealing with electoral boundaries. It is common knowledge that the phrase was then used in the other House, and it was said the object was to keep Labor out of office for 25 years. I have made that statement here before and make it again. I honestly believe the term to be correct and that gerrymandering still exists. This afternoon Mr. Wilson used the term and said he favoured the present set-up of three and a third members in the country districts as against one in the metropolitan area. He considered that fair and just. Members of the Labor Party say that persons living in the city have equal rights to those in the country as to the affairs of the State. I have always believed that. In the House of Assembly we still have the same ratio of 26 country members to 13 metropolitan members. We have electorates in the country with about 7,500 voters whereas one metropolitan seat has about 25,000.

When the Bill was before us to appoint the commission, with one or two exceptions members accepted the terms of reference by supporting the Bill. Therefore, I suggest that they agreed to accept the umpire's decision. The commission held a public inquiry at which evidence could be submitted and after hearing all the evidence made its recommendations. Now, because in the redistribution there has been a change in the areas to be represented it is suggested that the

commission's recommendations should be disagreed with. The only logical reason advanced is that representatives of the Northern District will have a considerably longer distance to travel to serve the whole of their area.

It has been said that a member of this district could not adequately represent the new area of Chaffey. I do not subscribe to that because, knowing the representatives of that district, I feel sure they will be able to represent all the interests, whether they are in the north amongst the grain and wool producing industries or in the fruitgrowing areas of the Murray. Members in other districts represent various interests, but we do not hear any complaint because of the multiplicity of interests. When reference is

made to the distances that have to be travelled by members to serve their district, what about the district of Frome? If members were not prepared to abide by the umpire's decision, why did they not object to the setting up of the commission? The Bill is a slight improvement upon the present position, and therefore I support it.

Amendment negatived; clause passed.

Appendix and title passed.

Bill reported without amendment; Committee's report adopted.

ADJOURNMENT.

At 4.32 p.m. the Council adjourned until Wednesday, October 12, at 2 p.m.