

**LEGISLATIVE COUNCIL.**

Tuesday, November 15, 1955.

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

**QUESTIONS.****PORT WAKEFIELD HOSPITAL.**

The Hon. F. J. CONDON—I ask leave to make a statement before asking a question.

Leave granted.

The Hon. F. J. CONDON—In an issue of the *South Australian Farmer* of November 11, the following report appeared:—

A public meeting attended by over 100 residents of Port Wakefield on Friday last voted nine to one for the reopening of the hospital closed almost five years ago, and electing a new board.

I understand that the district council has held the matter up. As this Council passed the second reading of the Port Wakefield Hospital (Transfer of Assets) Bill and referred it to a Select Committee, what is the position?

The Hon. C. D. ROWE—I do not know that it is competent for me at this stage to indicate what matters will arise when a matter that appears on the Notice Paper comes up. However, it is probably in order for me to state the facts. For some years a private hospital was run by a local hospital committee at Port Wakefield under the name of the Port Wakefield District Hospital Incorporated. About five years ago it closed down, mainly because the resident doctor left the town and because there were not enough patients. Since then the hospital building has been let as flats. The people representing the hospital and the Progress Association conferred with one another and decided that they wished to have the assets of the hospital disposed of and the proceeds paid to the Progress Association with the idea of building a new hall. They consulted their solicitor, who advised that the only way by which that could be effectively done was by means of a private Bill. At the request of the solicitor concerned, and as I thought with the approval of everyone in the district, the Bill was introduced into this House. It was referred to a Select Committee, which interviewed various witnesses, and its report will be brought up under the heading appearing on the Notice Paper, and I think it will indicate to the honourable member what the procedure will be.

**MORGAN-RENMARK ROAD.**

The Hon. C. R. STORY—Has the Minister of Roads a reply to the question I asked last week relating to the Morgan-Renmark Road?

The Hon. N. L. JUDE—Yes. As I intimated last week, I felt quite certain there was no change in Government policy in regard to construction work on that road. The departmental gang camped near Waikerie has not been moved. It is at present engaged on the earthworks of the connecting road between Taylorville and Waikerie, and will shortly be returning to the Morgan-Renmark Road to complete the base between Taylorville and Westons Flat. For the moment it is short of crushed metal and is waiting further supplies.

**SITTINGS OF THE COUNCIL.**

The Hon. F. J. CONDON—Last week I asked the Chief Secretary whether the House would be required to sit at night this week. I ask again whether it is the Government's intention that the House sit at night this week, and whether he can indicate the Government's intentions for next week?

The Hon. Sir LYELL McEWIN—I can only repeat what I said last week, that it is impossible to anticipate the amount of time that this House desires to devote to the respective measures presented to it. I think honourable members should realize that in view of the expected prorogation within the next fortnight, they should make arrangements so as to be prepared to sit at night if necessary. Obviously, it is impossible to keep the House sitting if there is no business before it, but if there is business to be discussed it is desirable that the House should devote its attention to it. The only definite answer that I can give is that the House will not sit at night unless it is necessary, but should business require that it should continue I will ask members to sit at night.

**MARGARINE QUOTAS.**

The Hon. F. J. CONDON (on notice)—

1. Have the Ministers of Agriculture arranged for a meeting to discuss quotas of margarine?

2. If not, is it the intention of the Government to take action to see that a meeting is called?

3. Is it the intention of the Minister to lay on the table minutes of the conference of Ministers of Agriculture held at Canberra and the minutes of the meeting of the Standing Committee held at Adelaide recently?

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

1. and 2. A communication was recently received from the Commonwealth Department of Commerce and Agriculture advising that, in view of the Federal elections, no meeting of

the Australian Agricultural Council could be held during the remainder of this year. It is anticipated that a meeting of the council will be held early in the new year.

3. Minutes of meetings of the Australian Agricultural Council are recognized as confidential. Minutes of meetings of the Standing Committee of Agriculture are not supplied to the Ministers of Agriculture; however, the committee makes separate reports and recommendations to the council on the various matters discussed.

#### PARLIAMENTARY SUPERANNUATION ACT.

The Hon. F. J. CONDON (on notice)—Is it the intention of the Government to introduce a Bill this session to amend the Parliamentary Superannuation Act?

The Hon. Sir LYELL McEWIN—The honourable member's attention is drawn to the debate in the House of Assembly on the Industrial Code Amendment Bill, vide *Hansard* November 10, 1955.

#### NOXIOUS TRADES ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary), having obtained leave, introduced a Bill for an Act to amend the Noxious Trades Act, 1943.

Read a first time.

The Hon. Sir LYELL McEWIN—I move—  
*That this Bill be now read a second time.*

The Noxious Trades Act provides for the regulation of noxious trades. The general scheme of the Act is that all noxious trades must be annually licensed by local boards of health. Before premises can be licensed they must comply with the regulations. Noxious trades areas are proclaimed and trades established after the commencement of the Act are required to be set up in a noxious trades area. Any noxious trade existing outside a noxious trades area at the time the Act came into operation is entitled to be licensed if the premises comply with the regulations but, after a lapse of five years, the Minister may direct that a further licence is not to be issued for the premises and, in such event, compensation may be ordered to be paid by the Supreme Court based upon the cost of removing the business to a noxious trades area. If a local board of health refuses an application for a licence there is a right of appeal to the Central Board of Health. There have been several recent appeals to the Central Board of Health and, in the main, this Bill is intended to correct certain deficiencies in the Act revealed by these appeals.

As before mentioned, section 9 of the Act provides that if a noxious trade was, at the time the Act came into operation, carried on in any premises which are not situated in a noxious trades area, the person carrying on the trade is entitled to a licence in respect of those premises if they comply with the regulations. This right is subject to section 10 which enables the Minister to withhold a licence after the lapse of five years. There has been some doubt as to whether the effect of section 9 is that the licence must be confined to the actual building existing at the time the Act came into force and that, therefore, an extension of an existing building could not be licensed outside a noxious trades area. It is considered that section 9 should not be restricted in this manner and clause 2 therefore provides that where licensed premises outside a noxious trades area existed at the time the Act came into force the licence can be extended to include further premises erected on land occupied with the original premises.

As before mentioned, section 10 enables the Minister, after the lapse of five years, to declare that a further licence is not to be granted to persons situated outside a noxious trades area in which event certain compensation is payable to the licensee. Clause 3 is complementary to Clause 2 and provides that if new buildings are erected and licensed after the Act comes into force, no compensation is to be payable in respect of those new buildings. Obviously, compensation under section 10 should be confined to premises existing at the time the Act comes into operation and, if a licensee chooses to extend his premises, he should not be entitled to compensation in respect of the extension. If a local board refuses an application for a licence there is a right of appeal to the Central Board. Some time must elapse during the hearing of the appeal and, if the application were for the renewal of a licence, it must almost inevitably follow that for some time during the hearing of the appeal the premises are not licensed and the owner is technically guilty of an offence if he continues to carry on business.

Clause 4 therefore provides that if the local board refuses to renew a licence and there is an appeal to the Central Board, the premises are deemed to be licensed until such time as the Central Board either allows or dismisses the appeal. The clause also deals with another matter. It has occurred, on an appeal, that the Central Board has found that the premises do not comply with the regulations and therefore cannot be licensed, but the Central Board has been of opinion that the premises could be

made to conform with the regulations. It is therefore provided that, in those circumstances, the Central Board may order that the premises are to be deemed to be licensed for the time fixed by the Central Board in order to give the licensee time to make his premises conform with the regulations. I am sure the Bill will commend itself because of its fairness, as experience has shown it to be necessary so that no injustice will be done to industry.

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

#### POLICE REGULATION ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary), having obtained leave, introduced a Bill for an Act to amend the Police Regulation Act, 1952.

Read a first time.

The Hon. Sir LYELL McEWIN—I move—  
*That this Bill be now read a second time.*

It makes provision for the appointment of a Deputy Commissioner of Police. Under the Police Regulation Act, 1952 (which incorporated the previous law on this matter), there is provision for a person to carry out the work of the Commissioner of Police during temporary absences of the Commissioner, but no provision for a permanent Deputy Commissioner. Section 9 of the Act lay it down that in the case of the absence of the Commissioner of Police the senior superintendent, or such other person as may be appointed by the Governor, may exercise and perform all the duties and functions of the Commissioner. This section is open to the criticism that it requires a person who has the status neither of a Commissioner nor of a Deputy Commissioner to do the work of the Commissioner from time to time, and to exercise full control and management of the Police Force.

It has been represented to the Government that the appointment of a permanent Deputy Commissioner is necessary for two reasons. The first is to ensure that the person who represents the Commissioner and manages the force in his absence will have adequate status for that purpose. The second is that owing to the increase of the size and work of the Police Force it is necessary that there should be an officer of high rank to act as a permanent assistant to the Commissioner and to relieve him of some portion of the administrative work for which he is responsible. The Government has given this matter full consideration and is of opinion that there is a strong

case for the creation of the proposed office. The Bill creates the office and prescribes for the Deputy Commissioner the same retiring age and pension rights as those of the Commissioner.

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

#### THE NATIONAL TRUST OF S.A. BILL.

Read a third time and passed.

#### INDUSTRIAL CODE AMENDMENT BILL (PENSIONS).

Second reading.

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

*That this Bill be now read a second time.*

This is a short Bill, the sole object of which is to alter the system of pensions for the President of the Industrial Court and any Deputy President who may be appointed. The present pension scheme for occupants of the Industrial Court Bench was introduced in 1947, and followed the principles which up to that time had usually been followed in judicial pension schemes in Australia. In particular, it was very similar to the scheme applicable to Judges of the Supreme Court. Since 1947, however, the pension scheme of the Judges of the Supreme Court has been liberalised, and there has been a general tendency to adopt more liberal schemes in the other States of Australia. The Government considers it just that the President and Deputy President should now be given the benefit of the new principles which are commonly adopted.

The present scheme, among other provisions, provides that the full pension contributed for is not payable unless the President or Deputy President serves for at least 15 years. As the retiring age is 65, it is quite possible that some appointees could never obtain a full pension. Another deficiency in the existing scheme is that there is no provision for the wife of a President or Deputy President in the event of his death, and no provision for any pension at all if a President or Deputy President should break down before completing five years' service. Another feature of the present scheme which now needs alteration is that for the purpose of computing the rate of pension the salary of the President is to be taken as £1,500 a year, and that of a Deputy President as £1,200 a year, although as a result of recent movements their actual salaries are now more than twice these amounts. All the restrictions

of this kind which were formerly applicable to the pensions of the Judges of the Supreme Court have now been repealed and it is proposed by this Bill to repeal the existing provisions relating to the Industrial Court pensions and to enact others similar in principle to those of the Judges of the Supreme Court.

The benefits now proposed are as follows:—On retirement at the age of 65 or on permanent invalidity or infirmity the President or Deputy President will be entitled to a pension equal to half his salary at the time of retirement. This pension will be available irrespective of the length of service. If a President or Deputy President dies, whether before or after retirement, and is survived by a widow she will receive a pension equal to one quarter of her husband's salary immediately before his death. If a President or Deputy President dies before retirement without leaving a widow, his personal representatives will be entitled to a refund of his contributions; and if he retires in any circumstances not giving a right to pension he will also be entitled to a refund of his contributions. The existing provision that the amount of the pension is to be based on an assumed rate of salary which is lower than the true rate is repealed. It is provided that the pension will be based upon the actual rate of salary of the President or Deputy President.

As a consequence of the more liberal benefits it is proposed that the contributions of the President and Deputy President should be increased a little. The present contribution is 4 per cent of the President's or Deputy President's salary. In lieu of this it is proposed to require a contribution varying from 5 per cent to 8 per cent of salary according to the age at which the President or Deputy President commenced to contribute to the fund. These percentages are similar to those applicable to the Judges of the Supreme Court, but as the retiring age for the President and Deputy President is five years younger than that of the Judges the respective percentages apply to ages five years less than the corresponding percentages in the Supreme Court.

There is one other provision of this Bill to which I draw attention. It provides that if a subscriber to the Public Service Superannuation Fund is appointed as President or Deputy President, he may elect to remain in the Superannuation Fund instead of subscribing for pension under the Bill. Stipendiary Magistrates (who are required to subscribe to the Superannuation Fund) are sometimes appointed to the Industrial Court, and in some

cases it might prove more satisfactory for such an appointee to remain in the fund. As it makes very little difference, from the point of view of cost to the Government, whether the appointee is in one pension scheme or the other it is considered desirable to give him the option of electing to which scheme he will subscribe. This option is given by section 12d contained in clause 3 of the Bill.

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

#### METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 1523.)

The Hon. F. J. CONDON (Leader of the Opposition)—I hope that I will not be told as I was this afternoon on another matter, that if I want information on this Bill I will have to look at *Hansard* to see what occurred in the House of Assembly. That is belittling the members of this Chamber, and unworthy of the Minister who made the statement. This House has just as much responsibility for the legislation of this State as any other House, and I resent the reply that was given to me this afternoon.

Clause 3, which deals with stock slaughtered at Port Lincoln, is a very important provision. New section 78b deals with permits for carcases from country abattoirs, and defines country abattoirs as being abattoirs situated more than 50 miles from the metropolitan abattoirs. Members should appreciate when discussing this legislation that much Government money is involved in the metropolitan abattoirs and it is therefore necessary that it should have some protection. Some years ago we heard about a proposed abattoirs at Kadina. I do not object to country abattoirs, but if it is proposed to erect them in a number of country towns they will interfere with the metropolitan abattoirs. This is a very important industry, and must be protected.

The principal functions of the Produce Department are to arrange for the slaughter of export lambs, pigs, etc., by the Metropolitan and Export Abattoirs Board at Gepps Cross, the shipment of export meat and, where required, the marketing of meat on behalf of clients. The function of the Port Lincoln Abattoirs is to treat lambs, pigs, and cattle for export and for the township of Port Lincoln. Private enterprise was instrumental in establishing the Port Lincoln Freezing

Works, but due to many things it was unable to carry on and the Government was forced to take it over. That undertaking should have every encouragement and assistance because it is playing a big part in an important area of our State. The total number of lambs, sheep, and pigs treated for export by the Metropolitan and Export Abattoirs Board at Gepps Cross and the Produce Department at Port Lincoln during the year is as under:—

	Gepps Cross.	Port Lincoln.
Lambs . . . . .	709,005	131,257
Sheep . . . . .	89,058	37,220
Pigs . . . . .	—	159
Cattle . . . . .	198	—

The total number of lambs treated for export during 1954-55 was 840,262, an increase over the previous year of 418,929. The increase at Gepps Cross was 340,009, and at Port Lincoln, 78,920. The number of sheep treated for export for the year decreased by 127,003 at Gepps Cross and 28,292 at Port Lincoln compared with the previous year. At Gepps Cross the number of lamb carcasses treated for export jumped from 57,632 in 1945-46 to 638,185 last year, and at Port Lincoln from 43,872 in 1945-46 to 120,656 in 1954-55. Over the same period the total exported increased from 101,524 to 758,841. With favourable seasons during the next few years, I venture to say that a similarly large increase will occur.

When there is a large amount of money involved, as there is at both Gepps Cross and Port Lincoln, we must be careful to protect it. I have heard it said that abattoirs may be erected at Riverton and Tailem Bend, and this Bill will give the necessary power for that to be done as those places are outside the 50-mile radius. As this measure will extend facilities to a certain degree, I support the second reading.

The Hon. L. H. DENSLEY (Southern)—I support this Bill which provides prescribed quotas of meat slaughtered at country abattoirs which can be delivered to the metropolitan area. This will be a distinct advantage to farmers on Eyre Peninsula who, of course, market their lambs through the Port Lincoln Abattoirs. It will be an advantage for the people who are manufacturing smallgoods in Adelaide, who have certain meat rejected for export that they will be pleased to market in the metropolitan area, because the Minister will be able to give permission to market a quota in the metropolitan area.

The Bill also deals with country abattoirs that will be permitted to operate outside a radius of 50 miles from the Gepps Cross abattoirs. The Minister will be able to give the people prepared to commence abattoirs work outside that area the authority to market a percentage of their rejects and other meat in the metropolitan area. A quota has not by any means been fixed, nor is it likely to be a determined quota that will be constant. It is difficult to say whether this will be an advantage to those who propose to construct new abattoirs. The most important pre-requirement of any company considering the establishment of an abattoirs will be whether they will have a definite quota for the metropolitan area fixed by the Minister. Obviously, the very high costs involved in building an abattoirs must make any company that will be involved in heavy capital expenditure reasonably certain of a reasonable quota to enable it to continue throughout the season because, if they cannot do that, very few would be prepared to invest money in an abattoirs. The Bill will enable the Minister at his discretion to give companies who may desire to establish an abattoirs outside of the 50 mile radius the authority to market the meat, and if they can get some markets it will be an advantage to the primary producers. There is considerable disappointment that a more liberal basis has not been granted. It is claimed that the competition that an additional abattoirs would set up within a 50 miles radius would cause the present abattoirs to become uneconomic and consequently, owing to the large amount of Government funds involved, it is held undesirable to accept that competition. The recent strike at the abattoirs must have cost growers of fat lambs a very large sum indeed. Many who had lambs ready to market at the time either had to hold them or shear them, and consequently were not able to realize on them. Some who were able to sell their lambs did so on a very depressed market, and it must be appreciated that the people who are prepared to buy lambs whilst a strike is in progress must protect themselves against the possibility of not being able to have them slaughtered. The killing of export lambs has been subject to strikes for many years; indeed, it has become almost an annual fixture. The killing period is comparatively short, and if graziers are unable to market their lambs when they are ready they are in trouble with grass seeds and shearing operations, and must suffer considerable loss. The lambs become prime, as a general rule, on the lush spring feed which

does not last any great length of time, and the deterioration is very rapid once the grass seeds become prevalent.

Considerable pressure has been brought to bear on the Government to influence it to license another export abattoirs near the metropolitan area and I feel that any such venture should have a share of the metropolitan market. However, the move has been resisted by the Government on the grounds that it would be uneconomic for the present abattoirs. That the Government is aware of the disability of having only one centre is quite evident from the remarks of the Premier in a broadcast speech on February 13, 1953, when he said:—

Considerable difficulty has been experienced each year in handling the large quantities of export lambs which now become available and which must be slaughtered expeditiously if the primary producer is not to experience heavy financial loss. The bottleneck at the Abattoirs has seriously restricted meat export and deprived the people of Great Britain of meat in which they are in desperate need and of which we have large supplies. Although the Government has provided ample money to the Metropolitan Abattoirs Board and the plant which has been established has plenty of capacity to handle all lambs offering and many more, experience shows that every year for some reason or other the full capacity of the plant is never worked; that a heavy accumulation of lambs inevitably occurs, with resultant wastage, and as a consequence, valuable export of meat to Great Britain is held up and the lamb producer suffers losses. Last December I made a statement that the Government was not prepared to allow these conditions to continue and would consider applications for the establishment of additional export meat works in an attempt to solve this long-standing and difficult problem. Following that statement, negotiations have proceeded, and a definite offer has now been made for the establishment of a country export meat works and abattoirs at Kadina.

As we are all aware, that project did not come to fruition. Towards the end of his broadcast the Premier said:—

The additional competition which these large works will provide will assist in securing a competition in the stock market, but above all it will provide a welcome relief from the bottleneck which always exists in the spring-time in the handling of our export lambs . . . The Government believes that these works will provide for the lamb raising areas immediately north of Adelaide, but that it will be necessary to establish another export abattoirs to meet the large expansion taking place in the South-East.

That broadcast gave to the primary producers a very definite ray of hope that further abattoirs would be set up, but so far, although negotiations have taken place, nothing has come out of them. To show partly the reason

why nothing further was done I now quote a joint statement issued by the general secretary of the Abattoirs (Mr. K. T. Wharton) and the secretary of the union (Mr. W. W. Pirie) as published in *The Stock and Station Journal* on May 20, 1953. It was as follows:—

The union had given its assurance that it would co-operate with the Abattoirs management in every way to ensure that there would be no unnecessary hold-ups in the treatment of stock for slaughter. In addition to other consequential conditions, this assurance included an agreement to work all overtime required by the management, including full tallies on Saturdays, Sundays, and public holidays, other than the day of the butchers' picnic, according to the joint statement. The union also agreed that all industrial matters competent to be dealt with by the Abattoirs Industrial Board would be taken to that tribunal, and that the union would abide by the decision. Mr. Wharton said that, as a result of the agreements, the board considered that delays in slaughtering lambs would be obviated in the future. All stock available for slaughter could now be handled quickly and satisfactorily.

That agreement was used by the Minister at the time as a reason why no further export licences should be granted to private abattoirs in and around the metropolitan area. Secondly, the Minister said that it was desirable that an opportunity be given under this agreement to see whether the abattoirs could be made to work satisfactorily. At that stage, he said, they were not prepared to take any action. In the following season, 1954, the export lambs offering at the Abattoirs were killed expeditiously and little loss of time occurred, showing that the union did stand up to its obligations. Unfortunately, at the opening of the 1955 season, just at the time when export lambs were coming to maturity, a strike again occurred and continued for about five weeks. This, of course, created a great deal of trouble, expense and inconvenience to the graziers who had lambs for sale. The only solution that was found to encourage the men to go back to work was the board's threat to take legal action against them. Immediately after agreement was reached however, there was further agitation amongst the unions generally for the exclusion of the penal clauses of the awards. This shows very definitely the desirability of having more than one abattoirs to handle lambs available for export. There are in Victoria abattoirs which have taken quite a lot of lambs, but this has made things very difficult indeed. We know that Melbourne buyers came across to South Australia and bought a great many of the lambs in the country as well as a great many more at the

Abattoirs at prices at which they could afford to rail them to Melbourne for killing. I believe that they took, on many occasions, all the trucking facilities available, and as the cost of railage is about 8s. a head it will readily be understood the losses that must have been suffered by the producers who normally would have sold their stock in Adelaide.

The Hon. F. J. Condon—Do not most of the South-Eastern lambs go to Victoria in any case?

The Hon. L. H. DENSLEY—There is little doubt that many do. I know that many lambs were sold in store condition on account of the impossibility of getting killing done in Adelaide at a suitable time. The action of the master butchers during this strike is to be commended. They were responsible, by undertaking killing themselves in private abattoirs, for keeping the metropolitan market supplied with meat. Whilst this was of very great advantage to the consumers, nothing could have been worse for those who had export lambs for sale, for if there is one thing which will tend to break a strike it is adverse public opinion. Whilst everybody in the city was getting all the meat required obviously no great degree of public hostility to the strike grew, and consequently the exporters of lambs were the only ones in very great trouble. We owe something to the master butchers for keeping the market supplied although their action did not help to settle the strike. Melbourne butchers were taking up to 5,000 lambs a week and, of course, all this extra expense had to be paid for by the people who owned the lambs and who would normally have sold them in the Adelaide market.

It is obvious that things are not at all satisfactory with regard to the killing of export lambs. We all know how this trouble occurs year after year. I have no intention of moving any amendment to this Bill as the Government has obviously made up its mind to give this proposal a try. We hope that it will bear some fruit and consequently I am prepared to support the Bill which provides for some relief, but I would ask the Government to give more sympathetic consideration to the export lamb industry which is growing considerably every year. A great number in our newly settled areas are now producing fat lambs for export and I think that from their point of view, as well as that of the older producers, it is desirable that every opportunity be given to people who are prepared to establish

killing works in and around the metropolitan area.

I know that there is a possibility of certain butchers combining to work abattoirs, and I think it would be a desirable thing that they be given an opportunity to export during the export season. This would help to maintain the stability of the lamb trade and to build up an industry which is of great importance to primary producers.

The Hon. Sir Lyell McEwin—Private enterprise is not prepared to go anywhere without some protection.

The Hon. L. H. DENSLEY—The killing of export lambs is not a business that lasts all the year round and consequently if people are to invest the large sums necessary it is essential that they should be given some protection as well as just the right of killing in the short season for export purposes. The Government could help by providing inspection facilities at some of these smaller abattoirs. This would be some compensation for the enterprise and initiative these people have been prepared to show. I do not want to make it a question of giving facilities. It is merely a business matter of providing the opportunity for people who have grown lambs to market them in their proper state, and not be continuously faced with losses from hold-ups in the killing. I have met a number of people who have affirmed that they will not continue to grow fat lambs unless something is done. On the other hand I feel certain that the export lamb industry is one which is growing so rapidly that it will be necessary for us to take full cognizance of the requirements of the trade and assist wherever possible. I support the second reading.

The Hon. E. H. EDMONDS (Northern)—Although the amendments may not go as far in giving the expected relief sought by some people, I feel sure they will give considerable relief in the marketing of stock, particularly in the outer areas. The principal reasons for liberalizing this legislation include the increase in our land development, and going hand in hand with it the increase in stock production. Under the circumstances it is necessary that we should have markets so situated as to enable stock to be placed on the market under the most favourable conditions.

In the post-war years throughout the State, from the South-East to the far North and in the important province of Eyre Peninsula, there has been considerable development in the stock carrying capacity. Mr. Condon gave

interesting figures of the increased slaughtering at the metropolitan abattoirs and at the Port Lincoln works over a period of years, and they indicate the truth of my statement.

With the development of pastoral properties in the South-East, the increased production has been of considerable importance, and it will grow for some time to come. Therefore, we might easily reach the stage where the metropolitan abattoirs will be over-taxed if all the stock produced in these areas had to come here. In the far northern areas, aided and encouraged by the good seasons in the last few years, great development has taken place and the carrying capacity has been considerably improved. The people there are looking for more favourable markets for the disposal of their stock. Then we come to Eyre Peninsula, where, with the policy adopted of the aggregation of some of the holdings in the doubtful country, and with improved production technique and pasture development, the carrying capacity has shown considerable improvement, and it will continue to improve.

As one who has been actively associated with Eyre Peninsula for a long time, I appreciate what the slaughtering works at Port Lincoln have meant to the producers of that area. An important part in the disposal of stock has been played by private enterprise in establishing very satisfactory periodical markets at Port Lincoln. The position as to sheep and lambs is satisfactory in that overseas export can be direct from that port, as from the Adelaide abattoirs, but the position is different with cattle. It is necessary that the cattle produced for human consumption must be brought around for disposal in the metropolitan area. Under the Bill, the Minister will have authority to issue quotas for dead meat to be transported to the metropolitan area. I visualize that that will be a considerable advantage to producers.

Mr. Condon mentioned the necessity to protect the capital invested in the metropolitan abattoirs. I quite agree with that, but considerable capital is also invested by primary producers in the production of meat, in improving pastures and increasing the facilities for carrying extra stock, all of which are worthy of consideration. The suggested amendments will considerably improve the position. Perhaps the limitation for the establishing of additional abattoirs within a radius of 50 miles from the metropolitan abattoirs is not quite as great as some of us would have liked,

but it will be of great assistance to the industry, and for that reason I support the Bill.

The Hon. R. R. WILSON (Northern)—The main object of the Bill is to encourage the establishment of country abattoirs outside a radius of 50 miles of the Gepps Cross works. The Governor may by proclamation declare what proportion of the meat slaughtered at country abattoirs can be brought into the metropolitan area. This legislation would have been very valuable during the last abattoirs strike. I pay a tribute to the master butchers who made a great effort to keep the public supplied with meat during that period. They were forced to work at the abattoirs every Sunday and usually every Monday, and some butchers who were selling large quantities of meat had to work additional days to keep their customers satisfied. When one butcher started to serve the public in this way it meant that every other butcher had to fall in line to hold his customers.

I think the answer to many of our problems will be the transport to the metropolitan area of chilled meat slaughtered in the country outside the area prescribed in the Bill, either by water, rail, or road. There are negotiations regarding transport of carcasses by air from Port Lincoln. Unfortunately, when a strike occurs at the abattoirs it is generally when the lambs are ready for slaughtering, and as a lamb will only hold its bloom for approximately a fortnight it deteriorates very rapidly and the meat, so to speak, goes into wool. The lamb becomes overweight, and the return to producers is reduced. The transport of chilled meat from the country would be of great benefit, but more accommodation would be necessary to freeze the carcasses on their arrival.

Port Lincoln is about 430 miles from Adelaide. Quite a number of sheep are brought around by road, but if they were transported as chilled carcasses only half the weight would be involved and they would not take up so much space on the transport vehicles. Special arrangements are provided for Port Lincoln in the Bill, and that is probably the main reason for its introduction. The following figures indicate the increased production on Eyre Peninsula. In 1950-51 there were 79,373 sheep, lambs, pigs and cattle treated at Port Lincoln, in 1951-52 73,206, in 1952-53 195,656, in 1953-54 138,322 and in 1954-55 the total had increased to 192,341. This year to date about 100,000 have been treated. The increased production on Eyre Peninsula has been brought



about mainly by the development of land for soldier settlement and because so much virgin country has been developed inside areas with rainfalls ranging from 16 to 24 inches. With the introduction of trace elements and increased dressings of superphosphate production on Eyre Peninsula has been nearly doubled in the last 10 years.

Port Lincoln has faced many problems in recent years, and it experienced one last week when an overseas ship called for carcasses, but a berth was not available. Eyre Peninsula has no way of participating in the metropolitan markets as it has no rail connection, as is the case with every other part of the State, and the cartage of livestock by road would result in much bruising and deterioration in the long journey involved. There is no outlet for beef, pork or veal at Port Lincoln, apart from local consumption. The population is less than 6,000 and therefore the consumption is very limited. The meat agreement with England ceased in 1954. Up to that stage export meat was guaranteed very good prices, but any meat exported now takes its chance as to what it will bring on arrival overseas. If Eyre Peninsula producers transport some of their meat to the metropolitan area, as is provided in the Bill, it will be a big advantage to them. I visited there last week-end, and everyone to whom I spoke is looking forward to the additional outlet for this important industry. The Minister will have the power under this Bill to fix a quota in his discretion. Previously the board fixed quotas, but that did not seem to work very well.

The Port Lincoln slaughtermen took no part in the recent strike, proving that if slaughtering is distributed throughout the State we will not have the troubles with which we have been faced for so many years at Gepps Cross. The Government Freezing Works at Port Lincoln has not paid in the past. The Leader of the Opposition referred to the early days when production was not good, but today the picture is different. With increased production, the Railways and Highways Departments will have a greater opportunity to gain additional revenue. I support the second reading.

The Hon. S. C. BEVAN (Central No. 1)—I had suspicions about some clauses of this Bill, and after listening to Mr. Densley they have intensified. I support the second reading, because I feel that a considerable amount of discontent will be removed by the establishment of additional abattoirs in some areas. From time to time many complaints have been made

that the transportation of stock from outlying areas into the Metropolitan Abattoirs has caused losses to the producers. Complaints have also been made about the treatment of stock in transport. Setting up additional abattoirs will to some extent prevent this discontent. This Bill seems to conflict with the attitude of the Government in relation to the Noarlunga Meat Works, which culminated in appeals to the High Court. It was decided that those works were within the boundary prescribed by this Bill. The Government's attitude was that the company was out of order in killing stock for export. It took action against the company, but now legislation has been introduced to establish abattoirs in the country, although certainly outside a radius of 50 miles from the Metropolitan Abattoirs.

The Hon. F. J. Condon—You would have thought the Southern members would have supported the Noarlunga Meat Works.

The Hon. S. C. BEVAN—The conflict is there, and I am trying to reconcile this Bill with the action taken against that company. All the comments made this afternoon have been in relation to the killing of lambs for export. We all appreciate that if lambs are kept too long the producers suffer loss. This afternoon Mr. Condon quoted figures relating to slaughterings at Port Lincoln and Gepps Cross, which showed that last year a record was created. Because of that, the Abattoirs Board congratulated members of the Meat Employees Union on their efforts during that season. Mr. Densley said that if members of the union again take action similar to that taken this year in the export lamb season, this Bill will have the effect of being a strike-breaking measure. He criticized the action of the employees, so it is rather interesting that the Abattoirs has shown a considerable profit for the year's operations.

The Hon. C. R. Cudmore—The loss was to the growers, not to the Abattoirs.

The Hon. S. C. BEVAN—I appreciate that the growers suffered some monetary loss.

The Hon. F. J. Condon—Was not the board responsible for that?

The Hon. S. C. BEVAN—I am coming to that. I know something about that strike, so I can say that if it had not been for the action of the board in sacking two union delegates on the job, it would not have taken place. In the first instance the union applied to the Wages Board for a review of wage rates. The case came up for hearing, and after

evidence was taken from both sides that board increased wages to slaughtermen and other employees. We are now told that the board had no authority to deal with such matters because of a provision in the Abattoirs Act.

The Hon. Sir Lyell McEwin—What section is that?

The Hon. S. C. BEVAN—I think it is section 33, which states that any industrial dispute shall be settled by arbitration. It has been reliably reported to me that the Abattoirs Board said that the Wages Board had no right to operate under the Act. Whatever the position, it was in operation, it heard the evidence tendered in relation to conditions at the Abattoirs, and increased wages to slaughtermen. That was near the commencement of the export season. The Abattoirs Board appealed to the Industrial Court against that decision, and the court, after hearing evidence, referred the matter back to the Wages Board. The chairman of the Wages Board reversed his decision, stating that he would adopt the suggestion of the employers, and he reduced the rates. There was no strike at that time, although the members of the union were dissatisfied because of the reversal of the decision, so they decided that no more labour would be used on the job.

It has been an accepted practice that union delegates should have the right, when a new employee starts on a job, to interview him on the job. When three new employees started work the shop stewards, after getting someone else to take over their places on the chain, went to interview them. The Abattoirs Board immediately sacked them for leaving the job, knowing perfectly well that collective action would be taken. A strike occurred, having been aggravated by the board, and once it started demands were made by the employees for the original wage rates ordered by the Wages Board. The Metropolitan Abattoirs Board then dictated the terms for a resumption of work. The employees of the union decided they would return to work under the conditions operating before the strike. They were quite prepared to accept the decision of an independent arbitrator, but the Abattoirs Board said, "These are our conditions, and you do not go back to work until you accept them." The established practice that had been in operation for years was wiped out by the board, which said what it was going to do in future, and told the men "You can take it or leave it. If you do not accept our offer we will enforce the penal clauses of the Abattoirs Act, the minimum penalty being imprisonment for

six months." The Trades and Labor Council then attempted to bring about a settlement. I was appointed as one of a deputation which waited on the Abattoirs Board, and the deputation proposed, firstly, a return to the *status quo*, i.e., the conditions obtaining before the strike, and secondly, the appointment of an independent arbitrator, the union giving its assurance that it would accept his decision. The board said it would not budge from its terms. There was one very obnoxious provision in the terms that the board placed before us and we sought its removal and suggested the substitution of the following:—

Provided that where the union was unwilling or unable to supply labour for the Metropolitan Abattoirs the board reserves the right to obtain labour wherever it sees fit.

That gave the board full power in the matter of the supply of labour. The board said, "No. There are our terms, take them or leave them." On the Friday afternoon at 4 p.m. I and another representative of the Trades and Labor Council again waited upon the chairman in an effort to reach a settlement. We put that proposition to him, and naturally he said that he had no power to accept it without consulting other members of the board. If they agreed it would be all right. The board met on the Saturday morning. At 11 o'clock the secretary of the board informed me that the conditions were not acceptable and that if the men did not return to work on the Monday morning the board would prosecute them. I informed the board that if it did it would be its own responsibility. I could not get the disputes committee together on Saturday morning nor could I do anything before the men assembled on Monday morning at 10 o'clock. However, wise counsel prevailed and a disputes committee meeting was held at 10 o'clock on the Monday and it was decided to approach the Premier. We did and eventually an independent arbitrator, acceptable to both parties, was appointed and it was agreed that his decision would be accepted. It is interesting to note that he increased the men's wages. In my opinion the strike—if it can be so called—for increased wage rates was justified in view of the independent arbitrator's decision. The suggestions that the employees or their union can be blamed for the disruption of the export lamb season will not bear investigation. It was the Abattoirs Board's attitude which precipitated the strike and kept it going. It could have been settled in its early stages. If that had occurred producers would not have lost anything, there would have been a record

killing of lambs. When we debate matters of this nature all relevant facts should be disclosed and one party should not be selected for the blame. I agree with Mr. Edmonds that it would benefit producers if their stock could be killed expeditiously at various centres and transported rapidly to trans-shipping ports. The producers would not be faced with any losses and the State would benefit. I support the second reading.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

#### LAND SETTLEMENT ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

#### APPROPRIATION BILL (No. 2).

Adjourned debate on second reading.

(Continued from November 10. Page 1533.)

The Hon. L. H. DENSLEY (Southern)—I congratulate the Government on the manner in which it has handled the State's financial affairs. We are passing through possibly the most prosperous time we have known. As a community we have procured more facilities and amenities and are enjoying a happier and better lot than ever before. Things we did not dream of a few years ago have come to pass. In South Australia we have the highest percentage of cars, wirelesses and telephones of any State in the Commonwealth. A few years ago it was unheard of for a workman to drive a motor car to work, but today it is common and as a result it is most difficult to find parking space in the metropolitan area.

The Hon. F. J. Condon—Do you complain about that?

The Hon. L. H. DENSLEY—No, I am expressing pleasure at it and am congratulating the Government for having brought about that state of affairs.

The Hon. F. J. Condon—Isn't the 40-hour week responsible for it?

The Hon. L. H. DENSLEY—No. Apart from the Government's good management of the State's financial affairs, the fact that we have experienced an exceptional run of good seasons has been responsible for the present prosperity. When I first entered Parliament, in parts of the Murray-Mallee, which I represent, the people believed that if they enjoyed one good season in 10 they were fortunate. The last

seven years have been particularly good in that area and obviously such conditions must aid our prosperity considerably. Today we are faced with a retrogression in prices. Wheat, barley and wool—our major agricultural exports—have dropped in price. Lambs are the most payable proposition and have maintained their prices better than any other primary product. Fortunately, our production has been increased and the demand for wool and lambs is good. Our wool income has declined to almost half of what it was a few years ago and that must surely be reflected in the country's economy. Producers generally, however, have taken advantage of the period of high prices and have mechanized their holdings to a great degree. They have replaced most of their obsolete plant and have spent a great deal in erecting farm buildings and consequently will not be called upon to spend so freely in the future. Producers must exercise care in administering their lessened incomes, but there is no reason why we should not continue to prosper. It is a fundamental principle that our standard of living is related to our production. If we do not produce sufficient to provide for adequate amenities we cannot enjoy them. If we are prepared to work and produce we can continue to enjoy the fruits of our labours.

The Hon. F. J. Condon—That is if we are allowed to produce.

The Hon. L. H. DENSLEY—I know of few people who have not been allowed to produce. I know of many people who are not satisfied when they have done their day's work—even if killing at the abattoirs—and accept additional employment to earn more money. There are opportunities for people to work hard and earn money whereby they can provide themselves with amenities. I agree almost entirely with what Mr. Edmonds said about roads. I feel that anything I could say would only endorse and lend strength to his remarks. We have seen a great deal of road-making within recent years. In the area in which I travel most there are many more miles of sealed and made roads than there were 10 years ago. From time to time I have eulogised the Highways Department for the amount of work it has done and I appreciate the value of that work to primary producers. We have seen very great improvements in interstate highways, but very great damage done to them. Consequently we are driven to the thought that we may not be attaining full efficiency in the work that is being done and

one wonders whether the present methods of road construction are the best that can be obtained for the money spent. We have sent delegations abroad to study road-making in other countries and no doubt have received considerable benefits from them, but when we compare some of our roads that were made years ago with some of the newer roads we are forced to wonder whether we are getting full value for our money. Some of our old roads are standing up very much better than some of the new roads; whether the technique is not so good, or whether the materials are inferior I do not know.

The Hon. C. R. Cudmore—It is the foundations.

The Hon. L. H. DENSLEY—I think that in years gone by perhaps better foundations were laid, but on roads that I travel frequently foundations have been strengthened and still they have not stood up as well as some of the older roads which have not been strengthened. I have given a lot of thought to this and I think it would be most desirable in view of the heavy expenditure with which we are faced from year to year and which is desirable—indeed much more is desirable—again to send a delegation overseas to study the latest road-making techniques. We have in our Minister of Roads a young man who must surely have a lot of service before him and I think it would be a good idea if he were sent away, accompanied by one of our most promising engineers, to see what is being done abroad. I have no doubt that they would come back full of knowledge that would be of great benefit to South Australia.

It is not merely a question of heavy traffic. Some of our roads are standing up to it whereas others are not. Portion of the Adelaide-Melbourne road has been strengthened with another layer of metal, resealed and then covered with a pre-mix of chipped granite and bitumen. It should have been an ideal road surface, yet, after only a few months, it is already showing bad signs of wear. I think we should make a survey of what is being done in other places, and I suggest to the Government the desirability of again sending a delegation abroad, preferably at Ministerial level.

I was interested in a press report a few weeks ago in which the Premier was reported to have told the Commonwealth Grants Commission of the desirability of assistance with regard to road work for developmental purposes. I have in mind the private developmental schemes taking place in the Coonalpyn

Downs. It is most desirable that the development of that area should be proceeded with. The A.M.P. Society has developed and partly developed hundreds of thousands of acres, and other private people are doing an extremely good job. This is one of the large areas still left to us enjoying a good rainfall and which, when properly developed, can become high producing country. I think fat lambs from there are as good as those from any part of the State, and I believe that the wool clips compare favourably with any. Although it sounds almost fantastic, one settler at Tintinara is reported to have averaged 20 lb. of wool a sheep, a yield any good stud breeder would be happy to record.

There are still hundreds of thousands of acres in the area suitable for development and if we can get it developed cheaply it will be in the interests of the State. The Premier told the Grants Commission that there was a possibility that the A.M.P. Society may discontinue its work if roads cannot be provided. There is no better visible means by which our production can be cheapened than the provision of good roads. If South Australia could rely on private enterprise for the development of her poorer soils, the Government should be prepared to provide the money for roads of access. The A.M.P. has developed country which is not really accessible from the point of view of the small landholder, and it is not desirable that the society should go on developing land to be parcelled out in big holdings; I do not think that was the idea of the scheme. If it is possible for the Government to scrape the barrel to get a little more money for roads it is extremely desirable to do so.

Coonalpyn Downs has progressed wonderfully. In the town of Keith the number of people has quadrupled in the last few years. They have collected a great deal of money for a hospital and production in the district has increased tremendously. If the Government is called upon in the initial stages only to supply money for roads it will be much cheaper for it than if it has to do all the developmental work. Some private landholders are spending hundreds of pounds on roads of access to their properties and these roads, of course, become public roads. I do not think that we should ask private people to build their own roads, and I would like to stress the point again that if it is possible the Government should provide more money for roads in those areas. I fully support Mr. Edmonds' remarks with regard to the manner in which money is

raised for road purposes. I agree with him that our main roads should be nationalized. That would relieve the State very largely of its responsibilities in this direction. Roads constitute a national problem. The Commonwealth could raise funds on a national basis for the building and upkeep of roads, which it would be difficult for the State to do. However, I realize that the Government is doing tremendous things in the provision of amenities. It is doubling our school capacity and expanding hospital facilities and many other amenities.

I commend the Government on what it has done with regard to the grasshopper menace. It has not yet worried us in the South-East, but we endorse the Government's action and the great effort it is making to control the menace in the Northern district. The Government is doing what the great majority of the people would like it to do. We read the other day that it is making a grant to the Elizabethan Theatre Trust on condition that it will make a certain number of its performances available to children. Most of us would not have thought about that, yet our Government is willing to contribute considerably towards the Trust's costs provided our children benefit. I commend the Government for the work it has done and have pleasure in supporting the Bill.

The Hon. R. R. WILSON secured the adjournment of the debate.

#### LAND AGENTS BILL.

Bill read a third time and passed.

#### TOWN PLANNING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 1522.)

The Hon. F. J. CONDON (Leader of the Opposition)—Any member who has had experience of local government knows how important is town planning. The State and individuals have suffered considerably because there has been no proper supervision of subdivisions and many people, too eager to get rich quick, have taken advantage of others. We all remember what happened last session when a Town Planning Bill was introduced. On this occasion we have more time to consider it and without committing myself in any way I certainly think it is an improvement. This legislation is in general interest of the community in providing further control of subdivisions of land and building allotments.

Secondly, it provides the legislation necessary to enable a plan for the proper development of the metropolitan area to be prepared and given effect. Under the Bill a Town Planning Committee, which will deal with plans of subdivision and other highly important tasks, will be constituted. There will be five members, including the Town Planner, who will be chairman. The remaining four will be appointed by the Governor. The Government should take members into its confidence and say who these four will be. Are they to be nominated by any particular bodies, including councils or those in the land agent business, or will they be officers of councils?

The Hon. C. D. ROWE—The Bill says that they may be officers of councils.

The Hon. F. J. CONDON—Before land is approved for subdivision, it is set down that it must not be liable to inundation from flood waters. There must be provision for shopping sites and natural beauty spots must be preserved. This is a wise provision and should have the support of members. One important clause deals with subdivisions. The owner must either form and pave all the proposed roadways in the subdivisions or arrange with the council to carry out the work at his expense. Those with council experience know of the difficulties of those who have bought land in low lying areas and have been compelled to pay for the provision of footpaths and roads.

Under the Bill the Engineer-in-Chief must certify that land to be subdivided can be advantageously and economically sewered and reticulated with water. This is a very important feature. Many people are building in the foothills on rising land and they expect the Engineering and Water Supply Department to connect their premises with water and the sewerage system. This involves much expense. It is only right that some authority should have the right to say whether these services can be provided, and it should not be expected that the Government should be financially involved under the conditions mentioned. Clause 10 provides for the proposed committee to prepare a development plan of the metropolitan area, this plan to be submitted to Parliament for approval. It will also apply to any other part of the State which the Governor by proclamation declares should be included.

Although I realize that this is an entirely different Bill from that introduced in the

House of Assembly, I take this opportunity to remind members that negotiations are taking place between the St. Peters and the Walkerville Corporations concerning a section of land situated between Eighth Avenue and River Street, St. Peters, and Gilbert Street, Gilberton, comprising about 15½ acres. From press reports it would appear that an agreement has been arrived at between the two corporations to acquire this land for an oval, undoubtedly a very popular project at the moment. A most interesting aspect of this is that the owners of the property, Messrs. Rogers and Brewster, who are also the proprietors of a carrying business, have not been consulted by either of the corporations. One would have thought that when the councils had agreed that this land should be acquired their first approach would have been to the owners of the property before any press publicity was given to the matter. I understand that the mayor of Walkerville is also chairman of the East Torrens Destructor Trust and that the destructor needs considerable repairs, probably costing £40,000, to make it serviceable for the burning of rubbish. Therefore, I can only assume that in the event of the land being acquired by the St. Peters Corporation it in turn will use this area for the dumping of rubbish. It could mean that it might be used for this purpose for 25 or 30 years. Messrs. Rogers and Brewster at present use this area for the dumping of industrial rubbish, also clay from excavations taking place in Adelaide and for cinders from the Adelaide Hospital. I believe it would be fair to estimate that they could carry on their present business to fill in the area for at least 20 years. I understand they estimate that if they had to go elsewhere for the tipping of rubbish they would pay £500 a year in tipping fees alone. With extra time and travel, in the event of their finding another suitable dumping area, further costs could be estimated at £2,000 a year. Therefore, whatever negotiations might take place between the St. Peters Corporation and the owners of the property, I visualize a very substantial amount being paid as severance allowance in the event of the property being acquired. It is well known that if a council acquires a person's property he is entitled to compensation, which might be considerable. I remember that not long ago the Government questioned the price it had to pay for certain land, and the seller was not satisfied with the price offered.

We should know what are the rights of property owners under the Bill. I am not com-

mitting myself on it until I know the exact position and I am therefore bringing these points forward for clarification. An important point to be considered concerning the land at St. Peters is whether it will be suitable for an oval within 20 years. During that period, would it be used entirely by the corporation for the disposal of rubbish, or would it attempt the dumping of household refuse lightly covered with soil instead of repairing the East Torrens destructor? This is a very important matter. I admit there are some good features in the Bill, and we should profit from past experience. In land transactions people have been defrauded in that the land they have bought has, on a survey taking place, proved not to be of the size indicated at the sale. Several people have complained to me, and they are mostly New Australians, that councils have resumed portion of their land for making roads. The whole position wants clearing up. Our town planning laws at present are not all that we desire. I intend to hear further argument on the Bill before I indicate how I will vote.

The Hon. E. ANTHONY (Central No. 2)—I agree with the honourable member that the Bill is like the curate's egg—good in parts. Before the legislation can be properly administered many difficulties will be encountered. Town planning is an old practice. Adelaide had the first town planning in Australia when Colonel Light laid out this City in such a wonderful fashion that it is the admiration of every visitor. It is a great pity that his plan could not have been completely carried out. If one could put the clock back and replan the State, I have no doubt that a great many wonderful changes would be seen. If the whole of the northern side of North Terrace had been planned as a wide expanse of lawn down to the river it would be a wonderful sight, but of course it is too late to do that.

The Hon. C. D. Rowe—There are quite a number of lawns adjoining King William Road.

The Hon. E. ANTHONY—That is so; the city was wonderfully planned. It has a series of squares that are admired by every visitor. When a Town Planning Bill was introduced in 1929 a Town Planning Department was set up and a Town Planner appointed. I took considerable interest in that Bill because I was honorary secretary of the Town Planning Association. A great deal of propaganda was put forward before that Bill was brought to fruition. Mr. C. C. Reid was the first Town Planner, and I do not think that his first task, the planning of Colonel Light Gardens, was a good advertisement for him, because it was

not a good example of town planning. His successor was Mr. Earl, who was a very good man; he was followed by Mr. Scott-Griffith, probably our best planner. After he left the position, the office ceased to exist, perhaps because of the depression. The staff of that department was never very big, but it was reduced to what it is today—merely an annexe to the Lands Titles Office. Mr. Day, the present Town Planner, is a good officer, but I do not think he is a town planner in the modern meaning of the term.

Before setting up a town planning scheme such as foreshadowed by this Bill, it will be necessary to appoint a first-class town planner. Town planning is a profession, and the man who follows it has to do a great deal of specialized training. It will take a long time to plan the metropolitan area, and special treatment will be required, so I am sorry that, although the Bill provides for a Town Planner, there is nothing specific in it about such an appointment. It seems to me that when the committee is set up its first job should be to seek a town planner, and I hope that the position will be advertised not only in Australia but also outside this country, so that we will get a first-class officer.

We do not have to travel far before we see bad examples of what should not have happened and what could have been avoided if the Town Planning Department had carried on under good supervision. When the Brighton-Marino line was laid it cut through properties, and right along that line there are acute angled triangles of land. That has meant a great deal of wastage of land as well as time and money. If the town planning scheme had carried on, that probably would have been avoided and much money and inconvenience would have been saved.

During the boom period many subdivisions took place and people bought up land all over the place for which they were not able to pay. In many cases it fell back into the hands of the original vendors or was disposed of in some other way. Beautiful almond plantations were cut up, the trees died and became an ugly sight. That was an economic waste and it need not have happened. The introduction of a measure such as this is considerably overdue. I am thoroughly in favour of town planning provided it is on the right lines. The fact that the Bill comes to us in its present form is solid evidence that this Chamber did right to reject a similar measure last year. It then came to us in a hurry, we did not have time

to consider it, and although we were criticized for rejecting it, I think the present Bill is strong evidence that we were right.

I am strongly in favour of a Town Planning Committee taking the place of the Town Planner. That committee is to consist of the Town Planner and four members appointed by the Governor, who may be persons who are members or officers of councils. If the Acts Interpretation Act applies to this Bill, "may" will mean "shall."

The Hon. C. D. Rowe—I do not think that is the position; I think "may" is the correct interpretation, not "shall."

The Hon. E. ANTHONY—Then we may have as part of this committee members of councils. They may or may not be very good members. A tremendous amount of work will have to be done by the committee so it will have to be a full-time body, although the Bill does not provide that it shall be. Unless it is a full-time job the committee will not be able to take the place of a first-class town planner. I took the trouble to find out the present procedure when a plan is under consideration. The surveyor submits the plans in duplicate and the outer boundary survey plan to the Town Planner. The Town Planner forwards the plan to the council concerned, and it is then sent on to the Engineer-in-Chief for a report as to water and sewerage. I know that these matters are dealt with in the Bill, but the present procedure is a much plainer way of doing things than the method set out in the Bill. Today, the outer boundary plan is sent to the Lands Titles Office for examination of survey as regards title boundaries. The plan is also forwarded to other bodies, such as the Railways Department and Harbors Board, which may be affected. That seems to me to be plain sailing, and I cannot see that this new proposal is an improvement. After these bodies have seen the plan, under the regulations it must be returned with a report to the Town Planner within 28 days. The Town Planning Committee will take the place of the Town Planner, and I presume it will have to do all this work. Upon the return of all reports, the Town Planner issues what is known in the department as "Letter Form A," straight out, or subject to any conditions he may lawfully require. For the information of members, letter form A is an intimation that the outer boundary plans are satisfactory, and it entitles the surveyor to submit final plans to the Town Planner for checking and

ultimate deposit in the Lands Titles Office. That could not be made simpler, and nothing in this Bill makes it any better.

The Hon. C. R. Cudmore—You do not sound very enthusiastic.

The Hon. E. ANTHONY—I am keen enough on town planning, but I do not think that what is proposed in this Bill will improve what is already being carried out except, of course, in so far as it makes other alterations. In the present Act there is no provision for the metropolitan area; it was expressly excluded from the scheme, whereas this Bill expressly includes it. I very much object to the abolition of the Town Planning Appeal Board. It is a very good board and consists of the Town Planner as chairman, the Surveyor-General, the Architect-in-Chief, the Engineer for Water and Sewerage, the Chief Draughtsman of the Lands Titles Office and representatives of the Local Government Association and the Municipal Association. They are all men who know their job and every part of a plan. That board will be abolished and any appeals from a council or from the Town Planner are to be considered by this committee, whose personnel we know nothing about; it is a vague sort of thing at the moment.

The Hon. C. D. Rowe—There is a further appeal from the committee's decision.

The Hon. E. ANTHONY—Yes, and that is a part of the Bill that I am not very enamoured of. Should the committee object to a plan of subdivision it may be asked to reconsider its objection. I think I have some knowledge of human nature, and I cannot see that a committee, having once said nay, is likely to say yea.

The Hon. Sir Frank Perry—It might modify it.

The Hon. E. ANTHONY—Yes, and then agree to it, but that seems to be a cumbersome way of proceeding. Suppose the committee rejects a plan for the second time. It then has to be reported to the Minister who puts the onus upon Parliament, and in the final analysis of Parliament consisting of 39 members in one place and 20 in another will have to decide whether a plan is to be accepted or not. Parliament will have to sit down and decide the matter against the opinion of a committee that has gone into the question very carefully and will have to say whether it is right or wrong. I think that that is a very cumbersome procedure.

The Hon. Sir Frank Perry—Is not that with respect to the overall plan?

The Hon. E. ANTHONY—That is for a subdivisional plan. All the time subdivisions are being held up and the owner is between the devil and the deep blue sea. I would much rather the present system were retained.

There are lots of smaller matters which could be debated but which perhaps can better be dealt with in Committee. The major thing, however, is the great plan for the metropolitan area. That is a wonderful idea and it should have been done long ago. I am thoroughly in agreement that the metropolitan area should be planned. We should know beforehand where roads are to be made and transport provided, where industries are to go and where other amenities of civil life are to be provided. We must have a plan, but looking into this Bill and assessing the time it is going to take for the committee to prepare the plan makes me somewhat apprehensive. I should say that it would take the committee at least five years to produce a plan, and after that it has to be submitted to Parliament, which may not be sitting at the time the plan is ready. Look at the delay. All along the line there is nothing but delay.

I am thoroughly in favour of town planning, but let us get it on sound, simple lines and not clutter it up with too many formalities. The present system is plain enough. With a town planner who knows his job we could develop this thing quite easily and well. In this Bill we cannot see the horse for the harness and if, in the Committee stage, we can simplify this measure it will be a good thing. I shall await with interest the Committee stage because I think that is the time when we will be able to get some real shape into the Bill.

The Hon. C. R. Cudmore—Do you forecast any amendments?

The Hon. E. ANTHONY—I have been looking around to see where I could get them. It is certainly a better Bill than it was as introduced into the House of Assembly, but I think it still goes a long way around to achieve our ends.

The Hon. L. H. DENSLEY (Southern)—There are some occasions when it is not entirely disadvantageous to have the horse obscured by the harness. I would not suggest that this is one of the occasions, but there are things in this Bill which some of us would, perhaps, rather see left out. As a matter of general practice the more carefully plans are



laid for the development of an area the better it should be and the cheaper in bringing it to fruition. Obviously, we can take care of transport requirements and we can make sure that water and sewerage are available, but those things are for the ultimate good of the people generally and there are others to be considered.

If we are to institute town planning and place responsibilities on landholders we must surely look at the other side of the picture and decide what compensation we are prepared to give those landholders who are desirous of selling their properties but are prevented from doing so by the provisions of this Bill. It does seem rather harsh that a man who owns a parcel of land should be called upon to build roads and bridges before he can proceed with a subdivision. Have we not an authority in each district for that purpose? Are there any companies available for doing this work? I say that it is definitely not the responsibility of the private individual to make roads nor yet to build bridges, and I think it is a mistake to put so many responsibilities upon a landholder before he can subdivide his land unless, of course, we set out with the definite intention of restricting his right to do so. The Housing Trust has carried out considerable subdivisional work and at the end of almost each of its annual reports it has had something like this to say with regard to roads:—

In South Australia local governing bodies and not the trust are responsible for road making, but during the last few years the trust has been able to assist some of the hard pressed councils in forming many miles of roads. Road work requires a lot of labour and heavy equipment and the trust feels that in special circumstances it is justified in diverting its efforts to the work of making roads.

If an organization with the strength and resources of the trust finds some difficulty in making roads it is not fair or reasonable to place such responsibility upon the individual who happens to own a few acres. We have councils to do this work, and landholders are paying rates for that purpose. The Local Government Act provides for moieties for road work, so why should a man be compelled to do these things before he can subdivide his land? If he happens to own a beauty spot or a piece of land that is desired by the Government in the interests of the public for recreational purposes or a green belt it can prevent him from selling that area. Surely if a man has held a property for years—or even if he has

purchased it only recently—and desires to capitalize on it he should have the same right to do so as the man who owns a couple of allotments. If he has not that right then surely he is entitled to compensation. I would like to see these alterations made in the Bill in order to make it acceptable to me. Some people have been working for many years growing vegetables or fruit on a piece of land and surely if they now desire to retire and sell that land we should not do anything that would prevent them from gaining the results of their years of labour any more than anyone who builds up a farm in the country or an industry in the city. I hope that these points will be considered. The Bill is an improvement on that of last year. The fact that a plan has to be placed before Parliament for its approval is all to the good and in the long run should result in an improvement. It is proposed that those subdividing an area should be compelled to construct a metal road 24ft. wide and seal it, but frequently when this is done the sewers and waterworks people come along and cut up the road. Surely we are putting the cart before the horse. If we are to have compulsion, surely it should be compulsory for an area to be reticulated and sewered prior to a road being constructed. I feel that there is still room for improvement in our law, and I should like consideration given to the aspects I have brought forward. I support the second reading.

The Hon. C. R. CUDMORE secured the adjournment of the debate.

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

Adjourned debate on second reading.

(Continued from November 10. Page 1533.)

The Hon. F. J. CONDON (Leader of the Opposition)—This is essentially a Committee Bill and therefore I will not address the House at great length. Clause 4 is one of the most important in the Bill and proposes to allow an increase in the permissible rent over that operating in 1939 from 27½ per cent to 33½ per cent. Clause 5 deals with notices to quit and clause 6 the recovery of possession of premises in certain cases, the notice to quit to be not less than six months. Protection of certain persons in possession of premises is provided for under clause 7 and clause 8 deals with the payment of rent on the sale of premises. If the lessee is not given notice of the name and address of the purchaser, he

can pay rent to the person to whom the rent has customarily been paid, and that shall be deemed to be a valid payment or tender of the rent. Clause 9 provides for the legislation to be extended until December 31, 1956. Parliament has been extending this legislation for a number of years and possibly in a couple of years there will be no Act as we know it.

The Hon. C. R. Cudmore—There will be no landlords.

The Hon. F. J. CONDON—There is the Housing Trust, and plenty of private building is being undertaken.

The Hon. C. R. Cudmore—Not for letting.

The Hon. F. J. CONDON—For sale. My experience is that the housing position is just as bad as it was five years ago, despite Mr. Densley's statement of our prosperous position. The number of rents finally dealt with by the Trust in 1954-55 was 4,143 compared with 2,744 in 1953-54 showing that many landlords took advantage of the Act. In addition 245 rents were provisionally determined in 1954-55 compared with 112 in the previous year. Because of the increases permitted under the law, the number of applications for increased rent necessitated an increase in the staff of the trust and their transfer to new premises, involving a cost of more than £8,000. No doubt this legislation will be more acceptable to a greater number of members than in past years. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Exemption from Act."

The Hon. C. R. CUDMORE—This clause contains several contentious matters, and as I did not expect that we would get into Committee quite so speedily, I ask the Minister if he will report progress so that we can be ready for the Committee stages.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I am quite happy for progress to be reported.

Progress reported; Committee to sit again.

#### HIGHWAYS ACT AMENDMENT BILL.

Received from House of Assembly and read a first time.

#### COAL ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

#### DANGEROUS DRUGS ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

#### MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

#### SEWERAGE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 1519.)

The Hon. F. J. CONDON (Leader of the Opposition)—Among other things, the Bill provides that the sewerage rate in country drainage areas shall not exceed 2s. 6d. in the pound. Even if this rate were doubled, it would be worth it because of the advantages which accrue. Just prior to an election we expect a little window dressing, as is provided for in this measure. State funds involved in the sewerage system in the metropolitan area amount to nearly £7,000,000. The deficit last year was £33,000 and the undertaking returned just under 2½ per cent on the capital cost. To have paid its way, the return should have been 3 per cent. In 1951-52 there was an increased income from this source arising from a reassessment of ratable properties. A further reassessment, which will apply this financial year, is expected to yield an increase of about 40 per cent in the income. During the last few years the Public Works Committee has made many recommendations for country sewerage schemes and it may be well to mention a few of them and show how impossible it is for some country towns to be sewered.

The Hon. E. H. Edmonds—You are referring to orthodox deep drainage?

The Hon. F. J. CONDON—Yes. Some councils are now demanding the installation of septic tanks, and yet at the same time are demanding an assessment for a sewerage scheme. Quite recently several schemes have been recommended. The Port Pirie scheme was recommended early this year, and it was estimated that it would cost £535,000. It is utterly impossible for 14,000 people to meet this cost, but everyone who knows anything about Port Pirie realizes that the scheme is required because the old pan system has operated without alteration right from the early days. That town is on low lying ground, and I estimate that it will now cost £750,000 for a sewerage scheme. It has been found necessary to have septic tanks, but everyone

cannot have them because the ground is not suitable. It is the largest town outside the metropolitan area but I cannot see sewerage being installed there for many years. The returns under the proposed rates will be only a flea bite compared with the cost involved. I do not advocate higher rates, because those proposed are a fair jump, but all this is a waste of time.

Mount Gambier is probably worse off than most country towns. A scheme to cost £237,000 was recommended for that town, and today it would probably cost £500,000. A scheme for Port Augusta estimated to cost £181,800 was recommended, but there are many people who are not able to pay the rates mentioned in the Bill. A scheme for Port Lincoln to cost £170,000 was recommended, but the cost would be much greater today. Schemes for Naracoorte, estimated to cost £96,100, Victor Harbour, £119,800, and Gumeracha, £45,250, have all been recommended, but when will they be started? Certainly not this year.

The Hon. N. L. Jude—We cannot proceed with any of them until water is supplied.

The Hon. F. J. CONDON—And you will not be able to do anything until you get money, and you will not have the money unless you make sacrifices in other directions. Although these things are urgent, they are not provided for on the Estimates. The Government is doing something about installing sewerage schemes at the new town near Salisbury and at Salisbury North, but nothing has been done to provide sewerage to country towns for which the people have been fighting for many years. Members who represent country districts should realize that they will not get anywhere in this regard for many years.

The Hon. L. H. Densley—We did not have to wait for the passing of this Bill before the new town could get a sewerage system.

The Hon. F. J. CONDON—No, and although inquiries were held in relation to such places as Murray Bridge, Bordertown, Balaklava, Whyalla and Gawler, they were only a waste of time because the schemes will not be started for some time.

The Hon. N. L. Jude—It is a wonder the Public Works Standing Committee does not report on those lines.

The Hon. F. J. CONDON—The Minister does not want to throw dust in people's eyes all the time by asking for urgent reports and doing nothing about them. At present he can

say that schemes are being reported on by the Public Works Standing Committee if any inquiries are made about them. In the report of the Public Works Standing Committee on the Salisbury sewerage scheme, the following appeared:—

In order to show a return of 4 per cent interest on the invested capital it would be necessary to increase the scale of rating to approximately 1.8 times the normal rate for country towns. The committee recommends that a sewerage system be constructed to serve the town of Salisbury, and adjacent areas at an estimated cost of £170,400.

It is utterly impossible to show a profit in many schemes, but are we to allow those on the land or in country towns to go without water? At present the State is supplying these services at a loss, and quite rightly so, but we cannot continue this way. In the second progress report of the Public Works Standing Committee on water and sewerage schemes for the new town north of Salisbury the following appeared:—

In submitting the above financial statement, Mr. Murrell said that the figures were based on the completed scheme. There would be fairly heavy capital expenditure and interest charges for a number of years before the maximum revenue was received. Although some saving in interest would be effected by postponing the construction of the big trunk main sewer for a while, a loss would be incurred during the period between its installation and the full development of the town.

When the town is fully developed, even at the charges suggested in this Bill, the scheme will not pay working expenses. The committee's recommendation was as follows:—

The committee recommends the laying of sewers to drain the proposed new town north of Salisbury and the enlargement and extension of the sewage treatment works near Salisbury, in accordance with plans prepared in the Department of the Engineer-in-Chief, at an estimated cost of £1,202,744.

Although this town has been built only recently, we are committed to nearly £1,250,000 for a sewerage scheme. Because of the pollution of water by factories at Gumeracha, it was urgent in the interests of health that action should be taken; a recommendation was made four years ago, but nothing has been done. The committee recommended:—

That a sewerage system be provided for the town of Gumeracha, in accordance with plans prepared by the Engineer-in-Chief, at an estimated cost as at August 28, 1951, of £45,250.

As the scheme was urgent, one would have thought it would have been carried out in a short time. Probably today it would cost about £80,000. In relation to a sewerage

system for Victor Harbour, the committee recommended:—

That a sewerage system, including works on Granite Island for the partial treatment of sewage and its disposal into the sea, be provided for the town of Victor Harbour, in accordance with plans prepared by the Engineer-in-Chief, at an estimated cost as at July 19, 1950, of £119,800.

What would be the price today? In relation to the Naracoorte sewerage system the committee recommended:—

That a sewerage system be provided for the town of Naracoorte, in accordance with plans prepared by the Engineer-in-Chief, at an estimated cost as at July 5, 1950, of £96,100.

What would that scheme cost today? All these schemes have been recommended, but nothing has been done, or will be done for years. I could mention others, and people want to know when the recommendations will be made, but what is the use of recommendations? The Government proposes to meet some of these cases by the increased rates mentioned in the Bill.

The Hon. C. R. Cudmore—Will this Bill help to push things on?

The Hon. F. J. CONDON—How can it?

The Hon. C. R. Cudmore—You say that they will not be done even on these rates.

The Hon. F. J. CONDON—How can they be done in view of the capital involved?

The Hon. N. L. Jude—You said you would not vote for the increase and at the same time you say it is useless.

The Hon. F. J. CONDON—I suggested that if you doubled the increased rate you could not meet the expense. However, this Bill is an attempt on the part of the Government to do something, and I am supporting it, but I am pointing out that we cannot expect very much from it. The Government will be compelled later to assist these people to meet their commitments, whether it be in regard to deep drainage or septic tanks. The Murray Bridge Corporation some time ago compelled every householder to install a septic tank, but after putting the people to that expense it still wants a deep drainage scheme. I am simply warning members that although this Bill is designed to assist country areas in obtaining sewerage systems, it will be many years before the objective is achieved unless it is in some country town where the cost is not very high. I support the second reading.

The Hon. L. H. DENSLEY (Southern)—I thank the Leader of the Opposition for the mass of detail he has given us, but I venture to

say that all his arguments make a case for the Bill.

The Hon. F. J. Condon—I am supporting it.

The Hon. L. H. DENSLEY—Years ago, I think prior to World War II, councils were circularized and asked whether they would like sewerage schemes and, if so, whether they were prepared to finance them. A great many councils agreed to the charges then suggested. However, the war intervened and obviously prices have increased beyond all comprehension in the meantime. I should say that if the Government could introduce these schemes on the basis of an increase of about 35 per cent on the rates suggested at that time they would be doing a very good job, and I have little doubt that councils would be happy to accept them. Naracoorte has been mentioned and Victor Harbour particularly, where the population increases almost tenfold in the holiday season. They are crying out for a sewerage scheme and the time will come when they will have to have some satisfactory means of sewage disposal or there will be trouble.

The Hon. C. R. Cudmore—There will be a typhoid outbreak.

The Hon. L. H. DENSLEY—Yes, so we must work for the fulfilment of these projects. The Bill simply provides for an increase from 1s. 9d. in the pound on the assessed annual value to not more than 2s. 6d., an increase in the minimum rate from £2 12s. to £4 and for unconnected properties from 12s. to £1. I do not think those charges will stop the outcry from country towns for sewerage. My whole experience leads me to believe that the people would welcome it at that price, and if the Government can do it on that basis let us expedite the Bill as quickly as possible.

The Government is virtually forced to provide sewerage in some areas. We cannot imagine that it would build a new town and then take a poll of ratepayers to ascertain whether they would like sewerage or not. It is done automatically, and it is regarded as a necessity, so surely it behoves us not to do anything that would slow down the provision of this amenity for country towns. I remember that when our own council discussed whether septic tanks were comparable in efficiency with deep drainage there was no doubt in the mind of any councillor that the latter was the answer. I am happy to support the Bill for these increased rates in the hope that the Government will thereby be enabled to introduce it at least in one or two country towns in the near future.

Bill read a second time and taken through Committee without amendment; Committee's report adopted.

# SUCCESSION DUTIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 9. Page 1476.)

The Hon. C. R. CUDMORE (Central No. 2)—I have on many occasions since I have been a member of this Chamber expressed my general detestation of death duties which, I think, are a very bad form of taxation. It will be remembered that after the depression in 1930-31 there was a surcharge of 25 per cent on death duties which we in this Chamber battled to get reduced at the rate of 5 per cent a year, and eventually did. I am still in the frame of mind to welcome any amelioration of any charge for succession duty. In 1954 we made a considerable amendment of the Act, which I think in some cases was gravely misunderstood but which was of great benefit to small estates. Therefore, generally I welcome the legislation now before us. This position has been faced in England and in New Zealand, as the Attorney-General said, but in England any rebate of this sort is limited to property which consists either of land or a business, its being considered that if people have property such as shares in companies, or Government bonds, or general investments it is not completely breaking up an estate. On the other hand, if two or three successions come swiftly in an estate which comprises land, the estate must be broken up in order to pay the death duties. There were some heartbreaking episodes in England of people dying and their sons being killed in the war soon afterwards; sometimes this occurred three times if succession went from brother to brother. Therefore it became necessary to do something of this sort to preserve certain estates, and it is quite obvious that the same thing could happen in a business.

Here the Government intends to give these rebates on a sliding scale, and I support the general idea. However, there are two points that I would like to mention on which there may be some difficulty. The Chief Secretary in his second reading speech said

The scheme in the Bill is a simple one which contains no difficulties of administration and is not likely to lead to litigation in order to determine whether a rebate is allowable.

I think that is a perfectly good statement where a rebate is allowable, but before the Bill is passed there are some points to be

cleared up as to how much rebate is allowable. There are three points. One is the question of the duty paid. In these days two succession duties may become due quickly. For instance, if a man is travelling in a motor car with his wife and he is killed in an accident, and she survives for a week, there will be two successions within that time, although the duty will not have been paid. The Bill refers to the question of a rebate equal to a percentage of the duty to be paid. What I have mentioned is a technical point, but it might happen, and I draw attention to it. I should like to be clear whether it is satisfactory and whether it avoids the possibility of future argument and litigation.

Another point is that the principal Act has a clear definition of "the net present value" of an estate. What does "net present value" mean? It means—in relation to property derived from a deceased person—the net value of the property at the time of the death of the said person. If members will read subclause (4) of clause 3 it will give them as much of a headache as will the majority of the subsections in most of our taxation Acts. If anyone can read that straight through and tell me what it means, he is much better at these things than I am. I only want the position clarified and to know whether the definition of "net present value" in the principal Act is sufficient to cover the reference to "net present value" appearing twice in subclause (4). It is another technical point, but should be cleared up.

My only other question on the Bill is in relation to clause 4 where we are asked to strike out "two" and insert "five." This clause has reference to payments under assurance policies. The clause will allow companies to pay out larger amounts without the production of probate. Lately in the other States they have legislated to cover the question where someone has insured someone else's life, or has purchased a life insurance. Legislation has been introduced in one State to provide that when someone who has a life insurance on someone else's life dies and the policy does not exceed £500 and the value of the estate is not more than £1,500, surrender value on the life of the person still living can still be obtained without the production of probate. This Bill extends the provisions of collection without the production of probate. The position arises because of the decrease in the value of money. An amount of £500 today is the equivalent of £200 appearing in the law before. In Committee we might reasonably consider

bringing the position up-to-date with the practice elsewhere. I am proposing to submit an amendment. I understand that life insurance companies as a whole have considered it and favour it. I support the second reading.

The Hon. S. C. BEVAN (Central-No. 1)—When the Act was last before us I offered criticism regarding the schedule and suggested that exemptions should be higher. I think I suggested that the exemption should be £4,000, having regard to present-day money values. It is good to know that the Bill proposes to increase relief from succession duties under certain circumstances. At first glance it appears that the biggest benefits will be received by the beneficiaries of large estates, which incidentally are also subject to Commonwealth succession taxation. Clause 3 provides that where property has passed to a successor and the successor dies within five years a rebate will be allowed in respect of the duty on property passing on the second death. If the successor dies in the first year after the death of the predecessor, a rebate of 50 per cent is allowed, if in the second year 40 per cent; if in the third year, 30 per cent; if in the fourth year, 20 per cent; and if in the fifth year, 10 per cent, and after the expiration of five years no rebate is payable. My criticism relates to the term of five years. I consider that the Bill does not go far enough in granting concessions. On the death of a predecessor, succession duties are paid on the whole estate. The Government receives taxation not only on the death of a predecessor, but also on the death of a successor, provided that less than five years elapsed between the two deaths. Once the succession duty has been paid there should be no repetition on the same amount. This applies to income tax; once it is paid, it is not paid again.

The Hon. L. H. Densley—If you die, you are not called upon to pay again!

The Hon. S. C. BEVAN—But your successor is. On some properties succession duties have been paid over and over again. Once it has been paid there should be no further duty levied.

The Hon. E. Anthoney—Despite the fact that a property may go to someone else.

The Hon. S. C. BEVAN—It must go to someone. It is not taxable until it passes to someone else, but once having passed to a successor and succession duty paid, it should not be subject to further succession duties. Considerable interest may be derived from a

property and that interest should be subject to further succession duties, but not the actual property itself. As I interpret subclause (4) of clause 3, if during the life of the successor the property which has already been subject to succession duties is depleted in value, then instead of getting a full rebate, it would be in proportion to the value of the estate on present-day values. Owing to the decreasing value of money over recent years, the amount received by a beneficiary may be considerably reduced. For instance, in the case of an estate of £3,000, should the owner die and the beneficiary then die within four years of his inheritance, his successor would get the benefit of the 20 per cent reduction, but the concession he would receive would not be worth as much compared with that he would have received earlier.

This Bill contains no provision for retrospectivity, so any succession between now and its passing would not have the benefit of its provisions. Clause 4 deals with payments under policies of assurance on the life of the predecessor. Previously, only £200 could be paid without production of a succession duties certificate, but this clause increases that amount to £500, and the value of the estate from £500 to £1,500. That is a further concession which will be very acceptable. No doubt the present-day value of money has been taken into account. Although I do not think the legislation goes far enough in providing relief, I support its principles, and therefore support the second reading.

The Hon. L. H. DENSLEY (Southern)—I am pleased to support this Bill. I know of cases in two widely separated areas in which the imposition of succession duties has caused extreme hardship. In one case they became payable on three occasions in a short period, and in the other twice within a short period. Obviously, if the successor to an estate dies within a short period, the imposition of duties on his successor creates considerable hardship. The percentage reduction over a period of five years is a welcome relief in these cases. Although I have said before that I am not in favour of succession duties, I realize that taxes must be imposed, and this form of taxation has become an accepted method of levying them. To get the full benefit of the rebates provided in this measure, the estate must remain intact, and I think this is a reasonable provision. I presume that if the estate is somewhere near intact the amount levied will be subject to the reduction of 50 per cent.

That will meet the requirements of people who have mentioned to me the hardships that have been created.

I am pleased that the Government has introduced this measure, and the people who will be affected will also be grateful. I have much pleasure in supporting the second reading.

The Hon. Sir WALLACE SANDFORD secured the adjournment of the debate.

**MAINTENANCE ORDERS (FACILITIES  
FOR ENFORCEMENT) ACT AMEND-  
MENT BILL.**

Returned from the House of Assembly without amendment.

**METROPOLITAN MILK SUPPLY ACT  
AMENDMENT BILL.**

A message was received from the House of Assembly intimating that it agreed to the Council's amendment.

**PHYSIOTHERAPISTS ACT AMENDMENT  
BILL.**

A message was received from the House of Assembly intimating that it agreed to the Council's amendment.

**ADJOURNMENT.**

At 5.54 p.m. the Council adjourned until Wednesday, November 16, at 3 p.m.