

LEGISLATIVE COUNCIL.

Thursday, October 13, 1960.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2.15 p.m. and read prayers.

ADMINISTRATION AND PROBATE ACT AMENDMENT ACT.

His Excellency the Lieutenant-Governor, by message, intimated his assent to the Act.

QUESTION.**PRIVATE SCHOOLS.**

The Hon. K. E. J. BARDOLPH—Has the Attorney-General, representing the Minister of Education, a reply to my question of October 5 regarding the Government's assisting independent schools in their capital expenditure by making money available at low rates of interest?

The Hon. C. D. ROWE—I regret that I have not yet been able to get any further information on the matter, but if the honourable member will raise the question again on the next day of sitting I will endeavour to have an answer for him.

PUBLIC WORKS COMMITTEE REPORTS.

The PRESIDENT laid on the table the following final reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:—

Blackwood, Plympton and Taperoo High Schools.

Campbelltown, Darlington, Modbury, Naracoorte South, Seaton Park, Sturt, Seaton North and Gilles Plains Primary Schools.

Enfield High School Additional Wing.

Gawler High School.

Keith Area School.

MARGARINE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1249.)

The Hon. W. W. ROBINSON (Northern)—I should like to take the responsibility for the adjournment of the debate on Tuesday. It seemed to me that after the scathing criticism of the dairying industry during the debate we should have time off to have another look at the question, and my moving of the adjournment was not in any sense done to hold up the discussion of the Bill. To me it is an anomaly that on the one hand the Commonwealth Government should spend some £13,500,000 to subsidize the dairying industry

and then allow cheap ingredients to be imported into Australia to undermine that industry. The overall picture of the dairying industry in Australia has become so alarming that at a meeting of the Agricultural Council the Ministers of Agriculture came to an agreement that they would recommend that quotas for the manufacture of margarine should not be increased. The South Australian quota is not very large, comparatively, with that of the other States, and is only 528 tons. If we honour the agreement arrived at at the council meeting and do not increase our quota, it is just possible that the other States, whose dairying industries are also being adversely hit, may see fit to reduce their quotas. The Hon. Mrs. Cooper spoke scathingly of inefficient dairymen who should leave the industry and the Hon. Mr. Potter suggested the importation of butter from New Zealand at 2s. a pound sterling, which is 2s. 6d. a pound Australian. I would suggest that the price of New Zealand butter in the United Kingdom is about 3s. 2d. to 3s. 3d. lb., so the New Zealand exporters of butter should look for at least 3s. to 3s. 1d. a pound (Australian), free on board.

It is said that an industry is inefficient because it is being subsidized. In his speech on the second reading on Tuesday the Chief Secretary pointed out that the shipping industry at Whyalla was being subsidized to the extent of some 33½ per cent. Therefore, would it be suggested that this industry is inefficient and should be closed down? All secondary industries are receiving a subsidy by way of a tariff. If we accepted Mr. Potter's suggested principle in regard to New Zealand butter we would be able to purchase washing machines and refrigerators overseas where they are manufactured much more cheaply. We have established the principle of protection for our secondary industries and, of course, that affects our primary industries. For years, in the wheat industry, use has been made of money that has been subscribed to a pool by wheat-growers, but this year it seems that the Commonwealth Government will be called on to provide a considerable sum to subsidize the export of wheat. It seems also that the time is not far distant when the wool industry will have to be subsidized, and no-one can say that it is inefficient. It is the most efficient wool industry in the world. Australia has an excellent climate and plenty of good feed to produce good wool, yet the industry will find it difficult to carry on if costs increase and present prices remain. I can understand city people wanting to get cheap food, and that

desire was strongly emphasized in the debate on a similar Bill in 1956. At that time the Hon. Mr. Bevan, who was then president of the Australian Labor Party and who could speak with some authority, in reply to a comment by the Hon. Mr. Anthony that thousands of tons of butter and cheese were exported overseas, said:—

I readily agree that the biggest proportion of our butter and cheese manufacture is exported. I would like to see the whole of our manufacture kept for our own consumption for we would then find that the retail price would fall to about 2s. a lb. and the producer would still be getting a good price.

The Hon. Mr. Bevan was seeking cheaper food for workers in protected industries, where they worked 40 hours a week over five days as against the dairy farmers who worked exceedingly long hours over seven days a week.

The Hon. S. C. Bevan—There is only one thing wrong with your statement—I was president in 1951 and not in 1956.

The Hon. W. W. ROBINSON—I assumed, from reading *Hansard*, that you were president in 1956. If that is not so I correct my statement and say that at the time you were a past president of the Australian Labor Party. The South Australian dairy industry comprises 17,725 holdings, on which there are 191,000 head of dairy cattle. In 1955-56 the number of cattle was 195,000 and in 1956-57 it was 191,205. In the dairy industry 41 dairy factories are spread throughout the State. They are at Port Lincoln, Port Pirie, Laura, Orreroo, Saddleworth, Gawler, Penola, Naracoorte, Glencoe West, Glencoe East, Victor Harbour, two at Mount Gambier, two at Meadows, several in the hills and several at Myponga. This is decentralization of industry to a greater extent than is found elsewhere. The industry provides employment for many country people. In the factories there are 746 workers, apart from transport workers. In 1956-57 we had three margarine factories employing 35 people. In 1957-58 there were still three factories, and they employed 33 people. In 1958-59 the same three factories were employing 31 people. It will be seen that in the margarine industry numbers have been falling, despite the increase in the quota in 1956. Some members have been critical of the dairy industry receiving a large bounty, but I suggest that the principle of granting a bounty to the dairy industry applies all over the world.

The Hon. S. C. Bevan—Does the Farmers' Union manufacture any margarine?

The Hon. W. W. ROBINSON—I think some cooking margarine was manufactured at Woodside about 12 years ago, but then the view was taken that that manufacture was in competition with the dairy farmers and it ceased.

The Hon. K. E. J. Bardolph—For how long was the margarine manufactured?

The Hon. W. W. ROBINSON—It was done for a number of years.

The Hon. F. J. Condon—Who in this place criticized a bounty going to the dairy industry?

The Hon. W. W. ROBINSON—I did not suggest that. The honourable member spoke about the financial assistance received by the industry. Overseas countries that subsidize the dairy industry are the United Kingdom, Canada, New Zealand, United States of America, Denmark, Netherlands, France, and West Germany. My information is obtained from the *Dairy Produce* issued by the Commonwealth Economic Committee, London, in 1960.

The Hon. Sir Frank Perry—Do you know what the amounts are?

The Hon. W. W. ROBINSON—I have the figures for the various countries. In the United Kingdom there is an average guaranteed price. It is guaranteed by the Government and the total Government expenditure on milk support for 1959-60 was £50,000,000 sterling, of which £10,500,000 was a direct subsidy. In Canada the Agriculture Stabilization Act, 1958, applies and although the amount of the subsidy is not known the report I have states it as "considerable" in recent years. The relevant Act in New Zealand is the Dairy Products Marketing Commission Amendment Act and, again, the total amount of subsidy is not known, but the rate of subsidy on butter and milk was reduced in 1953 to £11,500,000 New Zealand. In the United States of America the Agriculture Act of 1949 applies and 75,000,000 dollars is the annual maximum allowed under this Act. In Denmark very little Government control is exercised and price fixing is controlled by export committees. Consumer subsidies were abolished in that country in April, 1955, but in 1959 an Act was passed allowing a levy to be made on domestic sales to provide an equalization fund.

In connection with the European Economic Committee (Inner Six) an agreement was reached to implement, within two years of the treaty coming into force, a common agricultural policy for price support. The Netherlands have a regional support plan which varies the assistance in accordance with the district. A guaranteed price is paid, up to a maximum

of 5,000,000 metric tons of milk, and the present subsidy is 5.96 florins a 100 litres. France has a Milk Market Reorganization Fund provided by the Government. The amount provided in that country is not known but it includes subsidies on exports to meet the difference between the level of French prices and those on export markets. In West Germany for the year 1957-58 a milk subsidy of 474,000,000 Deutsche Marks was paid and 56,000,000 Deutsche Marks was paid for dairy research. The average return to dairy farmers for the year 1956-57 stated in United States dollars a 100 kilograms was:—

United Kingdom	9.34
United States of America	8.84
Norway	9.70
Finland	11.81
Switzerland	8.82
Sweden	8.17
Holland	7.74
Denmark	5.91
West Germany	7.52
Australia	5.54
New Zealand	3.20

The authority from which I obtained those figures is *State of Food and Agriculture* 1958. Australia has the lowest return, with the exception of New Zealand, of any part of the world and it is apparent that the dairy industry in all known production countries receives a subsidy enabling it to carry on. One member suggested that we may receive our intake of proteins by using milk instead of butter. I examined that matter and found it would take two gallons of milk to make one pound of butter so the cost of an equivalent protein value in milk would be about 12s. compared with the price of one pound of butter. Margarine is produced from imported mineral oils which mainly come from low wage countries. Figures at my disposal show that 3,873,000 gallons of coconut oil were brought into the Commonwealth and most of that oil was used in the manufacture of margarine.

The Hon. Sir Arthur Rymill said that a friend of his used margarine because it contained fewer calories than butter and it was more suitable for a man engaged in a sedentary occupation. I suggest that such a man could have achieved the same result by using less butter. However, the main argument is that margarine provides a cheap product for the industrial worker and the old age pensioner. I suggest that the people engaged in the heavier industrial work and the old age pensioners are not concerned with the fewer calories, and they deserve the best product that is available for their use. The Chief Secretary

suggested that South Australia should honour the agreement entered into at a conference of Ministers of Agriculture. I shall vote against the Bill in the hope that our Minister may be able to go to a conference with a view to getting a reduction in margarine production in other States before any increase is allowed in this State.

The Hon. A. J. MELROSE (Midland)—I think that I must not depart from my previous practice when speaking on this Bill, for it strikes at some of our basic principles. This Council prides itself that it is not parochial. It views legislation from the point of view of the whole State and from the viewpoint of people in all walks of life. It, therefore, long ago cut the ground from under its feet when it comes to legislating heavily in favour of one industry. What I am saying amounts to this: I do not believe that Parliament has the right to legislate heavily in favour of any one section of the community at the expense of other people, as is the intention here, who cannot afford to buy butter, which is more expensive than margarine, or who have to use margarine for health reasons.

It has been said, probably more than once, in this argument that figures can be made to prove anything, but that statement is wrong because only wrong figures can be made to prove anything wrongly. If the right figures are used and treated properly they can only prove one result. It is only when inadequate figures are used that they can be made to support any argument. They are not, however, proof of that argument. Our ears are belaboured with masses of figures, but I do not think we should be carried away by them. I believe that, in this Chamber, I have the reputation of being somewhat conservative. I do not think that is a real fault but, on the other hand, I do not think I am ultra-conservative. I am certainly not so conservative that I would vote contrary to what I thought would affect our rights and I would not vote to debar some small section of the community from purchasing the cheaper foodstuffs to which they are entitled when it would probably do no harm to the subsidized industry of dairying. Besides being a hard and fast Conservative I am by training a cocky. I have been a farmer and know the game, and I have no sympathy whatsoever with a man who calls himself a farmer, not even if he is a dairy farmer, if he is too lazy to make his own butter. Such a man sells his whole milk to the factory because it is cheaper and easier, and, because

he has completely lost the art of bacon curing he does not keep pigs and does not know how to make bacon. The old art of curing good bacon is practically lost. Any farmer or dairy farmer who cannot make a living has himself to blame for the reasons I have just stated. He sells his milk to the middle man and buys it back as butter. He sells his pigs to the middle man and buys back his bacon, and therefore adds to his own cost of living because in doing so he is helping to pay the costs incurred in all these intermediate processes. Does he deserve almost maudlin sympathy simply because the poor beggar has to work seven days a week? One living in the country, working at that occupation, and being free of the trammels of the metropolitan area should be glad to work seven days a week.

The Hon. G. O'H. Giles—The dairy farmer gets more for milk than he does if he makes it into butter.

The Hon. A. J. MELROSE—He is too lazy.

The Hon. G. O'H. Giles—He has too much sense. He is better off by buying butter.

The Hon. A. J. MELROSE—He is no longer a primary producer, but a factory as it were. He is only working for what he can make out of it.

The Hon. L. H. Densley—You are referring to the family outfit?

The Hon. A. J. MELROSE—The dairy farm was always a family outfit founded on the physical strength of the wife and a whole swarm of children. If the woman will not have children and she and her husband must have a big motor car, a television set, and go to race meetings, they cannot carry on dairying properly. They cannot have it both ways. Some people do not know their own minds. I cannot understand why legislation is not passed on a trial basis for a year or so. If it does not work we can repeal it and try something else. It seems we have often battered our heads against a stone wall in an endeavour to prove ourselves infallible at the first attempt. If we were infallible there would be no need for amending legislation, and it would be a good idea if the Government would pass legislation sometimes on a trial basis. I know we are bound by the undertaking given to the Agricultural Council and I do not propose that we should default on that. However, I see no reason why this Bill should not be passed as an expression of our opinion to the Agricultural Council with a strong recommendation that these are the views of this Parliament. That is how this Bill should eventually emerge from this Chamber.

The Hon. Sir Arthur Rymill—If we passed this Bill it would be a departure from the agreement.

The Hon. F. J. Condon—How many Bills have we passed since then?

The Hon. Sir Lyell McEwin—How many trial Bills have we passed?

The Hon. F. J. CONDON (Leader of the Opposition)—I appreciate the courtesy the Chief Secretary has extended to me in allowing this debate to continue immediately today. As I anticipated, if this Bill had not been dealt with this week, it could not be discussed in another place. I thank honourable members for the consideration they have given to this Bill and ask that it be considered on its merits. I am sorry the Government is opposing the Bill but trust that the majority of honourable members will support the second reading. There have been no valid arguments put up against an increased margarine quota and I emphasize that in the past the reason given by the Government for increasing the quota has been the increased population of the State. No other manufactured article in South Australia is subject to a quota. In answer to the Chief Secretary I refer to what he said in 1956 after he introduced the Margarine Act Amendment Bill. He said that the Government took the view that an increase of 50 per cent was reasonable because of the State's increased population and because the demand for table margarine was strong and manufacturers were exhausting their quota in the first eight months of the year. He went on to say:—

I think it is a good Bill and think that the extra 60 tons is warranted and for the reasons I have stated I commend it to the favourable consideration of the Council.

There was no division on that Bill, yet the Chief Secretary asks me to justify my action in bringing down the present Bill. I am only doing what the Government has done since 1939, because every Margarine Bill, with one exception, has been introduced into this House by the Government. The Chief Secretary also said that the Agricultural Council agreed in 1956 to adhere to the existing quota, and that had been the position since 1956. It is all very well for honourable members to say the agreement has been honoured, but in the Commonwealth Parliament on August 7, 1958, a question was asked as to how much margarine was manufactured in Australia in each year from 1950 to 1957. When this alleged agreement was supposed to have been made why were the other States' margarine quotas increased from 11,853 tons in 1956 to 16,363 tons in 1957? That information was given by the

Hon. W. McMahon, who was then Commonwealth Minister for Primary Industry. The Minister's reply clearly refuted all the tripe that has been put forward about the agreement being honoured. I challenge the Chief Secretary to prove where I mentioned in my speech a figure of 19,000 tons. I mentioned 16,000 tons, and yet he accused me on Tuesday of mentioning the higher figure. He should be more accurate about his facts. Another question asked was "Where did these ingredients originate?" and the answer was:—

The animal fats and oils are produced in Australia and imports are allowed only when there is a shortage from the Australian production. Coconut oil is obtained from copra, which is produced mainly in the Australian territories of Papua and New Guinea, whilst peanut and cottonseed oils are produced locally, but may be augmented from imports to meet requirements not necessarily confined to the manufacture of margarine.

I do not want honourable members to be misled, but the fact is that compared with 1956 there was an increase of 5,800 tons in 1957, of which South Australia was allotted 60 tons. The quota in other States has been increased since. The Hon. Mr. Giles said that I was the guinea pig of the Labor Party and he questioned my sincerity to the dairy farmers.

The Hon. G. O'H. Giles—I did not.

The Hon. F. J. CONDON—He mentioned my name and that of Mr. Bardolph at the by-election in Light. I did not have the opportunity to reply to him then, but I will do so now. This was the first time since I have been in Parliament that I have heard the honesty and sincerity of any honourable member questioned and I resent it very much, because in my politics I try to do what I think is right. Let me tell my honourable friend a couple of things which he will probably be able to pass on to the South Australian dairy farmers. When I was a member of the Prices Regulation Commission in 1915 the price of milk was fixed. I was approached by dairy farmers, who complained about the wholesalers and distributors getting too much. I was instrumental, with my colleagues, in evening up the position a little so that producers got their fair share. In 1936 there was a milk strike and dairy farmers refused to supply milk to the metropolitan area. Who were fighting the dairy farmers then? It is not necessary for me to mention names, but they are the people who today are alleged to be their supporters. No-one played a more important part than I did in securing the dairy farmers their rights. The very people who are taking them down now,

then posed as their friends. I presented a petition to the Metropolitan Milk Board on behalf of 265 dairymen against the introduction of the Metropolitan County Board Bill, and at every opportunity I supported the dairy industry. In my opening remarks, when introducing the Bill now under consideration, I said I thought it would have been better had the Commonwealth Government continued its subsidy to the dairy industry of £15,000,000 a year instead of reducing it to £13,500,000. Does that appear that I am opposed to dairy farmers? It is all right for honourable members to come here stating how they support the dairy industry. What have they done in the past?

I now come to the Hon. Mr. Hookings' remarks. In his speech he said he had ascertained that 12 tons of margarine was being distributed annually at Mount Gambier. On December 31 the population of that city was 13,850, and whereas the annual consumption of margarine per head in South Australia is 1.3 lb., at Mount Gambier it is 2 lb. That was because of importations from Victoria. What consideration have honourable members opposite given to the dairy farmers in Mount Gambier? No member of this Chamber has done more for the Eight Mile Creek dairy farmers than I have, and I resent the imputation that I am opposed to dairy farmers. In 1956, when the late Mr. Arthur Christian was Minister of Agriculture, it was at my instigation that inspectors were sent to Bordertown to persuade business people there not to import margarine from Victoria, and that effort was successful. Have my honourable friends opposite ever tried to do anything like that? Do they care anything about importations from the other States, and where is their interest in the dairy farmers? They are not attempting to stop importations of margarine from the other States, but instead are penalizing the local manufacturers and giving preference to interstate manufacturers.

The Hon. G. O'H. Giles—What you are saying doesn't make sense.

The Hon. F. J. CONDON—The honourable member cannot say inside this Chamber what he says outside. I am being lenient with him today and I hope to give him a little advice.

The Hon. Sir Lyell McEwin—Who are the local producers?

The Hon. F. J. CONDON—Golden Nut is one. The Minister said that it was a monopoly. It is not. Members opposite have encouraged the interstate manufacturers. Is the Chief Secretary prepared to do anything to stop the importations from the other States? Of course

he is not, but he is prepared to penalize the manufacturers here by allowing margarine to be imported.

The Hon. Sir Lyell McEwin—What happened with the last quota?

The Hon. F. J. CONDON—The two manufacturers here received an increase of 30 tons each. Every increase in the quota to date has been the result of Government action, so why this opposition today? Is it because a Labor member has introduced the Bill? Why has the Government changed its policy? In 1939 the late Hon. A. P. Blesing, then Minister of Agriculture, introduced a Bill providing for the manufacture of 312 tons of margarine and on every occasion since, with one exception, the Government has agreed to increase the quota. Why the change of front now? If it is wrong to increase the quota now, it was wrong to do it then. If the dairying industry is being penalized today, it was being penalized then. In one hit in 1952, Western Australia increased its quota from 364 tons to 800 tons.

The Hon. Sir Frank Perry—What Government did that?

The Hon. F. J. CONDON—I understand it was a Liberal Government. In 1956-57 Western Australia imported 1,320,616 lbs. of margarine, equal to 589 tons, and this was in addition to its quota of 800 tons, compared with South Australia's quota of 528 tons. In 1958-59, under a Liberal Government, Western Australia imported 1,195 tons from other States. It is important that I should give one or two quotations. I remember when you were on the floor of the Council, Mr. President, you always supported a Margarine Bill and on November 30, 1939, this is what you said:—

I cannot understand any attempt to make people buy something they do not want and to prevent them from buying what they do require. Today many people cannot afford butter and I am not prepared to do anything which will prevent them buying margarine if they cannot afford butter. If we closed our margarine factories the only result would be that we would import margarine from the other States. Therefore, I favour our quota being as high as possible.

One should take notice of what the honourable member said on that occasion. The Honourable C. R. Cudmore (now Sir Collier) said in that debate:—

As far as I know margarine has never done any harm. If people cannot afford to buy butter and want to buy margarine I do not want to do anything to stop them.

The Melbourne *Age* of September 11, 1960, contained a London report that Australian and Dutch butter prices were down to 2s. 10d.

a lb., New Zealand to 3s., Danish to 3s. 1d., and that further falls were expected. We do not complain about paying about 5s. a lb. for butter in order to help the dairy industry, and that has been my attitude right through. In 1952-53 South Australia imported 2,614 tons of butter from other States, 3,220 tons in 1956-57, 4,308 tons in 1957-58, and 4,129 tons in 1958-59.

The Hon. G. O'H. Giles—How much butter did we produce?

The Hon. F. J. CONDON—In 1958-59 we produced 16,103,461 lb. of butter, and 25,087,550 lb. of cheese, of which we exported 8,971,967 lb. We do not wish to hinder the dairy industry in any way. In the other States the yearly consumption of margarine is 3 lb. a head as against 1 lb. here. The yearly average for butter is 25 lb. a head. If we increase the margarine quota I cannot see how the dairy industry will be affected. Have we interfered with the industry in any way since 1939? Let us be consistent. Since 1939 the Government has agreed to increases in the margarine quota, with the exception of once when it did not agree to the 100 per cent increase I suggested but compromised with 50 per cent. It has previously agreed to an increase in the quota, but one is not favoured now. Has the position altered in any way?

The Hon. K. E. J. Bardolph—There is a by-election coming up.

The Hon. F. J. CONDON—I would be sorry if politics were introduced into this matter. We have before us an innocent Bill designed to give people the opportunity to buy more margarine if they want it. Members opposing the Bill represent sectional interests, but I represent everybody. Other people than dairymen must be considered. The following is an extract from the *Advertiser* of June 29, 1960:—

The Federal Cabinet decided on a rise of 2d. a lb. The present subsidy is £13,500,000, which represents 7½d. a lb. of butter. The Government decision follows a series of discussions between Mr. Adermann (Minister for Primary Industries), his officers and representatives of the dairying industry. Ministers have also had the assistance of information from the Dairy Industry Committee of Inquiry. The Government has taken into account other factors, such as competitiveness of margarine, the effect of price increase on butter purchases, and even the possibility of competition from imports.

The press in the eastern States suggests that it is likely that New Zealand butter will be imported into Australia and sold for about 7d. a lb. less than Australian butter. What are the representatives of the dairymen doing

about that? It has even been suggested that butter will be imported from overseas. How are the dairying industry representatives reacting to that? Some members think that a private member gets some kudos for bringing forward this Bill, but I ask all members to give it their serious consideration and support the second reading.

The Council divided on the second reading—

Ayes (9).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller), Jessie Cooper, E. H. Edmonds, A. J. Melrose, Sir Frank Perry, F. J. Potter and A. J. Shard.

Noes (10).—The Hons. L. H. Densley, G. O'H. Giles, A. C. Hookings, N. L. Jude, Sir Lyell McEwin (teller), W. W. Robinson, C. D. Rowe, Sir Arthur Rymill, C. E. Story and R. E. Wilson.

Majority of 1 for the Noes.

Second reading thus negated.

APPROPRIATION BILL (No. 2).

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

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

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

PORT PIRIE RACECOURSE LAND REVESTMENT BILL.

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

PRICES ACT AMENDMENT BILL.

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

ART GALLERY ACT AMENDMENT BILL.

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

BIRTHS AND DEATHS REGISTRATION ACT AMENDMENT BILL.

The Hon. Sir LYELL MCEWIN (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Births and Deaths Registration Act, 1936-1959. Read a first time.

TOWN PLANNING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1242.)

The Hon. F. J. POTTER (Central No. 2)—I support the second reading of this Bill, but it is not a matter which need occupy the attention of members for long. In many ways the

Bill effects some administrative improvements to the Town Planning Act but practically none of its clauses could be the subject of controversy.

Several controversial matters are being discussed by people generally, the real estate interests and people concerned in subdivisions, concerning the operation of the Town Planning Act as a whole, but this Bill does not deal with any of those controversial issues and, therefore, I do not intend to touch on them this afternoon. One amendment of fundamental importance is contained in clause 4. This extends the operation of the Town Planning Act to plans dividing any land within any area into allotments not exceeding 20 acres. Section 3 of the Act applies only to plans for subdivision of land into allotments for residences, shops, factories and so on and it does not apply in any way to land used for agricultural, horticultural and other like purposes. This amendment extends the operation of the Act from purely subdivision of allotments in the urban area to subdivisions that are outside what is technically or colloquially called the metropolitan area and it deals with the subdivision of land into what are colloquially called farmlets. I do not think there is any objection to the extension of the Act in this way and it is a pity that such an extension was not made many years ago because that would have obviated some headaches.

That particular amendment is unobjectionable and very desirable owing to the spread of the metropolitan area and the fact that around the metropolitan area many farmlets are springing up which will be the subject of subdivision later. The Bill also sets up a new appeal committee. There is no change from the old situation except that the Town Planner is replaced by an independent legal practitioner of not less than seven years' standing who is to be the chairman. It always has been a matter of complaint amongst people who are engaged in subdivision that any decision of the Town Planner is not subject to an appeal to an independent body. This amendment provides for that because the Town Planner is now removed from the committee for appeal purposes. As the appeal committee hears appeals against the decisions of the Town Planner it is essential that he should not be there to take part in the adjudication on a matter on which he has given the original decision.

The new member of the committee is to be appointed upon such terms, including remuneration, as the Governor shall determine. I

recommend to the Government that it consider providing for the remuneration of individual members of the Town Planning Committee, and for the appeal committee to be paid on a daily or sittings basis. We find that more and more boards are being set up under various Acts, and powers and authority are being delegated to them, and when that happens it should be a primary rule in each case that the remuneration is to be on the basis of the actual sitting days of the committee. It is uneconomic to provide for an annual fee for members of boards irrespective of the amount of work they do. The principle of paying so much for a sitting has been used in some instances, and in fact it is used in connection with the Board of Industry. If there is no sitting there is no payment, and I think that is the ideal method to adopt in every case.

Certain compensation will be available under the amendment foreshadowed in clause 10 of the Bill and this will provide for land taken for road widening purposes. This matter has caused some concern to people because they have had land taken in the past for highway purposes under the provisions of the Town Planning Act which, if it had been taken under the provisions of the Highways Act, would carry compensation. In the past there have been some isolated instances where compensation has not been paid. I commend clause 10 because it lays down the conditions under which compensation may be paid in future and I think those terms and conditions are quite satisfactory.

The remaining clauses in the Bill are unexceptionable in every way. I commend clause 16 because that provides that no person is to sell or offer to sell or contract to sell any allotments for subdivision without first having the whole plan of subdivision approved. Some objections have been raised recently because of the activities of certain real estate firms agreeing to sell allotments in anticipation that the subdivision will finally be approved. In actual practice it is usually fairly easy to judge whether subdivision plans will be approved or not and a reasonable guess may be made, but a subdivision or resubdivision is not legal until it is finally approved and therefore any attempt to sell any section or allotment in anticipation of a final approval should be regulated, and clause 16 does this. All in all, the Bill has my complete support.

The Hon. G. O'H. GILES secured the adjournment of the debate.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1243.)

The Hon. C. R. STORY (Midland)—I desire to speak briefly on this Bill. I read with interest the debate that took place on it. Those of us who have had much to do with animals must agree with a Bill of this nature. The history of the Royal Society for the Prevention of Cruelty to Animals goes back into the history of civilization and that association has played a great part in the history of Australia, stamping us as a civilized people. In every country we find cruelty practised by a section of the community and, unless some protection is given human beings and animals, some people will for sadistic reasons impose pain on animals and even people.

An increased penalty for this sort of offence will receive the blessing of right-thinking people. The Hon. Mrs. Cooper referred to caged birds and I agree with her argument about closely caged birds. I see no reason at all for a bird to be kept in a 2ft. x 2ft. cage for the purpose of teaching it to whistle. Although that does not seem to be the right thing to do to a bird I do not, on the other hand, agree with the fanatic who says that birds must be at large, for certain people in this State are doing useful work in keeping and breeding rare species of birds. If such birds had been allowed their freedom they would have been extinct 40 to 50 years ago. If birds of that kind are kept in large aviaries and tended properly the worst thing that could be done would be to let them out, as they would not survive in freedom for a week. They are not used to it. Some people are rendering a great service to the community by breeding rare birds in captivity, but there are people who, for the sake of having a bird hanging on the verandah, put it in a tiny cage, and there it spends its life entirely denied the natural things that a bird should have, including freedom. I do not think a small budgerigar is unduly hampered by being kept in a small cage when the door is kept open and the bird can fly about the house and get normal exercise. Budgerigars are a type of love bird which likes to be among company.

I agree with the Hon. Mr. Densley that a disciplined and trained working dog is more useful if kept on a chain and given reasonable exercise than the dog which is allowed to roam the country. It is not the fault of the dog that

the Alsatian breed has been brought into disrepute, for careless owners often allow dogs to become marauders. There should perhaps be a law to prevent certain people who do not understand animals from keeping them. People with a genuine love of animals learn how to look after them. This Act, with this Bill's amendments, is absolutely necessary. I will support the Hon. Mr. Giles's amendment because people who are prepared to breed show birds usually know how to look after them. The societies which provide for the housing of birds are comprised of people who would not inflict any cruelty upon them during shows or displays. The Royal Agricultural Society of South Australia can advise us in this matter and if it agreed that it would not be in any way detrimental to the birds to keep them confined for longer than 72 hours we should accept that advice. I support the Bill and will support the proposed amendment of the Hon. Mr. Giles.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Protection of captive birds."

The Hon. G. O'H. GILES—I move—

In paragraph (b) of new section 5b to strike out "if the time during which the bird is kept or confined for those purposes does not in the aggregate exceed seventy-two hours".

The Royal Agricultural Society of South Australia has the top exhibit of poultry in Australia and there is the possibility that larger birds might be prevented from being shown under the conditions under which they are shown today. The definition of "poultry" in the New Concise Oxford Dictionary is "domestic breeds of birds kept for one of three purposes," and it mentions meat, feathers and eggs. It does not include game species such

as pheasants, pigeons, wild duck and the like outside that domestic field. New section 5b deals with the confining of birds in cages of certain dimensions, and it also provides for certain exceptions. As the Hon. Mr. Story said, people who breed birds have a keen affection for them and people who breed and show birds care for them properly. They are kept in clean surroundings and are usually trained to the process of being exhibited. They are used to show surroundings, otherwise they would not be in a relaxed state and would have no chance when being judged. The Royal Agricultural Society of South Australia is a reputable society and indeed the President of this Chamber, Sir Walter Duncan, is an ex-president of that society. There are attendants at the Show who inspect cages and pens and watch for any cruelty or poor treatment of animals and birds.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with an amendment; Committee's report adopted.

ROAD TRAFFIC BOARD BILL.

The Hon. N. L. JUDE (Minister of Roads) obtained leave and introduced a Bill for an Act to establish a Road Traffic Board and to make certain amendments of the Road Traffic Act, 1934-1959 and the Local Government Act, 1934-1959, relevant to the function of the said board, and for other purposes. Read a first time.

ADJOURNMENT.

At 3.52 p.m. the Council adjourned until Tuesday, October 18, at 2.15 p.m.