LEGISLATIVE COUNCIL.

Tuesday, November 12, 1963.

The PRESIDENT (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.

PETROL CHARGES.

The Hon. K. E. J. BARDOLPH: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. K. E. J. BARDOLPH: I understand that in the North and on the Peninsula some major oil companies are selling petrol at fourpence a gallon below the usual price and are making provision for immediate delivery and for advance bookings. I ask the Chief Secretary whether the Government will refer this matter to the Prices Commissioner so that these lower prices shall obtain for all petrol users in the State.

The Hon. Sir LYELL McEWIN: The incident that the honourable member has referred to is not unusual and similar incidents have occurred frequently over the years. However, I am not aware of the actual circumstances in the present case and I shall have to examine the matter.

ROADWORTHINESS OF VEHICLES.

The Hon. G. O'H. GILES: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. G. O'H. GILES: My question refers to an article in this morning's *Advertiser* about the inspection of unsafe vehicles on roads in the State of Maryland in the United States of America. The article contended that the fatal accident rate was sliced appreciably by proper inspection of vehicles for roadworthiness. Several cases have been brought to my attention recently of vehicles without brakes being used on the roads. Does the Minister of Roads think this avenue of limiting the number of fatalities on South Australian roads could be further explored and, perhaps, acted upon?

The Hon. N. L. JUDE: As many honourable members know, the inspection of vehicles originated basically in New Zealand and was first started in the Auckland province, and is also carried out in places with dense traffic, such as California. Anyone who knows Auckland is aware of the very steep hills there and because of this it is necessary to have brakes in first-class order. A six-monthly examination of brakes is still conducted there. This matter was considered by the Australian Road Transport Advisory Council. At the moment vehicles are examined by the police from time to time, and publicity is given to this. Some owners are warned not to use their vehicles on the roads until they are in better repair. I believe the honourable member's suggestion has merit but it must be remembered that if examinations take place regularly additional charges will have to be met by many motorists. They will have to take their cars for an examination and there may be many minor faults which have nothing to do with the safety of the vehicles, but they will have to be repaired and this will mean further costs for owners. I point out that most of the cars in South Australia are modern, which is not the case in New Zealand.

HILRA RAILWAY CROSSING.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. L. R. HART: Yesterday a fatal accident occurred at what is known as the Hilra crossing north of Salisbury. This is only one of a number of fatal accidents that have occurred at this spot. The District Council of Salisbury has made repeated requests to the department to have some form of protection, or warning lights, erected at the crossing, but up to date without avail. A recent communication received from the department was to the effect that if the Department of Works were prepared to meet one third of the cost, and the District Council of Salisbury one third, the department would be prepared to meet the other one third, in order to effect alterations at the crossing, including the cost of acquisition of land. I do not regard this as a scheme which should only be applied to places like that crossing. If this is the principle on which the department operates, it should apply to all crossings where there is a danger. In view of the recent fatality and the possibility of further fatalities occurring there, will the Minister of Railways give further consideration to making some alteration, or placing some warning device, at the crossing?

The Hon. N. L. JUDE: When the honourable member refers to the Department of Works does he mean the Highways Department?

The Hon. L. R. Hart: The proposal was for the cost to be met one third by the Commonwealth Department of Works, one third by the council and one third by the department.

The Hon. N. L. JUDE: I see. I give an undertaking that this matter of the Hilra crossing will be examined again immediately.

HOSPITAL SUBSIDIES.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. C. DeGARIS: From January 1, 1963, pensioners with medical entitlement cards are being treated free in Government hospitals and Government subsidized hospitals. The payment to be made by the Commonwealth Government is 36s. a day and it is to be paid to the hospital concerned. Previously a subsidized hospital could make its own charge for pensioners, and the charges varied from hospital to hospital. Under the pensioners' hospital benefits scheme for 1s. a week a pensioner can obtain a benefit of 36s. a day. Some subsidized hospitals decided to limit the charge to 36s. a day, but others have charged more than the hospital benefits payment of 36s. a day. In other words, some hospitals collected only the amount claimable under the benefits scheme. Can the Minister of Health say whether the hospital that is charging the minimum of 36s. a day will be at a disadvantage in the subsidy payment, as against the hospital charging more than 36s. a day?

The Hon. Sir LYELL McEWIN: The honourable member asks whether the hospital that did not collect more than 36s. a day will suffer any disadvantage. The answer is simple arithmetic. If it charged only 36s. a day before and is getting 36s. a day now, it is no worse off now than previously. An amount has been provided in the Estimates for other hospitals. I think that two did not charge more. At the other hospitals where the insurance applied there were a few additional shillings which the pensioners contributed, and were happy to do so. In consequence, I think the average collection over the State was 40s. or 45s., or something like that. The hospitals that collected it will be at a disadvantage, because their income has been reduced by that amount, and consequently it may require some adjustment in the subsidy because of the income that has been compulsorily taken from them. That matter is being examined to see what is involved and will receive consideration. Two hospitals have declined to come under this new scheme. If a hospital has not been charging before and requires some consideration now, it will be necessary for it to apply and set out the conditions that have resulted in some disadvantage to it in the discontinuance of this arrangement which was available to it before. It is a matter of submitting a special case to show that the hospital is worse off because of this arrangement since January 1.

MUNNO PARA DISTRICT SEWERAGE.

The Hon. M. B. DAWKINS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. M. B. DAWKINS: On October 15, I directed a question to the Minister representing the Minister of Works regarding sewerage problems in the Gawler area and subsequently I was called upon by the Chairman of the District Council of Munno Para to inspect, in company with Mr. Laucke (member for Barossa) some urgent sewerage problems in the Munno Para council area. The problems at these places are very similar and possibly could be overcome by a common interim scheme. Will the Minister of Local Government ascertain whether the Minister of Works is yet in a position to give a reply?

The Hon. N. L. JUDE: I will ask my colleague for a reply and let the honourable member have it.

SIGNS AT DANGEROUS BENDS.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. L. R. HART: On many of our highways there are dangerous "S" bends and curves at which accidents often happen, some fatal. Although there may be warning signs indicating an approach to a curve or "S" bend people still tend to approach them at too high a speed, and thus accidents happen. In Victoria, in similar circumstances, the County Roads Board erects signs indicating the safe speed at which these curves and bends may be negotiated, and I have found them very helpful. Can the Minister of Roads say whether his department has ever considered erecting such signs indicating the safe speeds at which these dangerous spots can be negotiated and, if not, will he consider doing so?

The Hon. N. L. JUDE: The answer is that this matter has been very carefully considered—in fact, quite recently in regard to the Mount Barker Road—and it was decided that on balance we were already tending, to use the vernacular, to clutter up the roads with speed limit signs such as "Under 35 m.p.h.", "Beginning of 45 m.p.h.", and "End of 45 m.p.h.". A curve with a radius of 1,000 ft. could be taken at 60 miles an hour, and that speed should not be exceeded on roads near the metropolitan area. It was considered undesirable to add any more signs on the highways.

SOUTHERN YORKE PENINSULA WATER SUPPLY.

The Hon. M. B. DAWKINS: Has the Minister of Mines a reply to my question of last week regarding an investigation of underground water supplies in the southern Yorke Peninsula area?

The Hon. Sir LYELL McEWIN: As promised, I have obtained particulars of the progress that the department is making in its search for water which may be in sufficient supply for reticulation in the areas west of Warooka. The position is that so far five bores have been completed and one of these (in section 161, hundred of Carribie) shows promise of a reasonable supply. However, pump testing has not yet been undertaken. Further drilling is proceeding to determine the extent of this supply and bores will also be constructed in portions of the hundreds of Coonarie and Warrenben.

LICENSING ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

It may most conveniently be dealt with under two main headings. The first and most important amendments to the present Act alter the existing basis of licence and permit fees. For publicans' and club licences these fees are based on the annual value of the premises while for other classes of liquor licences there are fixed fees ranging from £10 to £20 a year. This system is basically unsound and inequitable. It takes no account whatever of the true commercial value of a licence and has meant that many small establishments have in the past paid fees greatly exceeding the fees payable where a larger volume of business is transacted over the same period simply because of the basis on which the fee is assessed. In future all fees for licences of the various kinds and for permits for liquor with meals will, broadly speaking, be based upon a percentage of the gross amount paid for liquor bought or sold during a preceding year with a minimum fee of £10 in all cases. The fee will be at a rate of 3 per cent on what is defined as the "gross amount" paid for liquor for the establishment. In computing the amount of the fee duties other than sales tax are to be included, but packing and delivery and freight charges (which will obviously vary with the situation of the particular premises) are excluded. As regards the various types of licences other than those for hotels, clubs and restaurants, the fees will of course be payable only in respect of sales to persons other than persons licensed or otherwise permitted to sell liquor because in the case of sales to persons licensed to sell liquor the fee will be charged on those persons and this provision is designed to prevent double payment.

The removal of the present provisions concerning fees for licences and permits is effected by clauses 6 (*a*), 7, 8, 9, 10, 11, 12, 13, 14 (in part), 19 (*a*), 21 and 23 (*g*) (in part). The new substantive provisions concerning the basis of fees chargeable are made by clauses 6 (*b*) (which relates to Wilpena), 14 (enacting new sections 30, 31 and 32 concerning fees for all licences), 19 (*b*) (clubs) and 23 (*h*) (restaurant permits).

In connection with the foregoing amendments I mention the necessary administration provisions made by the Bill. New section 31 provides that the Licensing Court shall finally and conclusively fix the amount of the fees payable, with power to review, fixing a reasonable fee where no or insufficient information is available. All suppliers of liquor may be required to provide full information about liquor supplied by them and an applicant for a new licence must furnish such particulars as may be required to enable the court to make an estimate. In the case of applications for renewals, applicants are to furnish statutory declarations setting forth their purchases, the persons from whom liquor was obtained and the gross amounts paid. Similar details are required of applicants for transfers and in the case of death of a licensee or other specified events details of liquor purchased before the happening of the event are required. These matters are provided for in new sections 31 and 32. They are applied with the necessary modifications to Wilpena (clause 6 (*b*) in part) and to restaurants (clause 23 (*h*) in part, (*i*) and (*j*)). In regard to restaurants, provision is made for permits to terminate on January 31 in each year instead of at any time during the year as at present, so that when the court is required to fix the permit fee it will have a firm date from which to operate. To safeguard the position of existing permittees whose permits expire at various times, new subsection (4e) in section 197a entitles them to a refund of a proportion of fees already paid to cover any unexpired period of their existing licences as on January 31 next.

Other administrative and ancillary provisions are made by clauses 16 (concerning procedure on the grant of licences), 17 (expressly enabling the court to call evidence relating

to the fixing of licence fees), 22 (reducing additional bar room fees from £15 to £1 in view of the changed basis of licence fees), 31 (empowering inspectors by the direction of the court to inspect and examine books and records) and 32 (reducing the fees for booth certificates, which were raised in 1956, to the lower amounts provided by the principal Act).

Another set of provisions will enable the payment of licence fees, including club registrations but not billiard table or packet licences, quarterly. At present only publicans enjoy this privilege. In view of the increased amounts that will be payable it has been thought reasonable to extend this privilege to other licensees, and provision is accordingly made by new section 30 (5) (inserted by clause 14), clauses 15, 16 (*b*), 19 (*b*) and 20. The second set of provisions of the Bill makes certain important amendments in regard to hours for the supply and consumption of liquor.

In the first place, the evening hours for hotels and restaurants (including Wilpena) are extended from the present 10 p.m. to 10.45 p.m., with the existing half-hour's grace. These amendments are made by clauses 6 (*c*) (Wilpena), 23 (*k*) (restaurants), and 24 (*a*) and (*c*) (hotels). Clauses 24 (*b*), 28 (*a*) and 29 (*a*) relate to the serving of liquor with lunch at hotels on days other than ordinary days, at present limited to the hours between 1 p.m. and 2.30 p.m. Hotels are required by the Act to supply lunch on demand from 12.30 p.m. and it is anomalous that, if a person requires a meal at 12.30 p.m. on a day other than an ordinary day, the licensee must refuse to serve him with liquor with his lunch before one o'clock. Clauses 28 (*b*), 29 (b) and 30 make consequential amendments in relation to hours.

A further amendment is made by clause 23 (1) of the Bill, which will enable restaurants holding a "liquor with meals" permit to serve wines with Christmas dinner between 1 p.m. and 3.30 p.m. and 6 p.m. and 10.45 p.m. Two further amendments to the law that the Government regards as important are made by clauses 26 and 33 of the Bill. Clause 26 will enable the service of liquor with light meals in hotels or clubs (except on Sunday, Good Friday and Christmas Day) between the hours during which liquor may be served on those premises with normal meals. As in the case of meal permits a special permit will be required and the light meal must be served in a specified room on the premises other than the dining rooms or bar rooms, and the light meal must cost not less than 7s. 6d., except in hotels outside local government areas where the minimum cost is to be 2s. 6d. Provision is made that on request a person must be served with a light meal whether or not he desires to partake of liquor with it and a light meal for this purpose is not to be regarded as a meal for the purposes of the provision of the Licensing Act requiring a licensee to supply a meal on demand. Having regard to the large amount of administrative work that will fall upon the Licensing Court and its officers, the provisions of this clause concerning permits to supply liquor with light meals will not come into force until a date proclaimed by the Governor (clause 2 (2)).

Clause 33 will empower the making of regulations fixing the sizes of glasses and other containers in which liquor is supplied for consumption on the premises and for the identification and the exclusive use of any containers that are prescribed. This is regarded as an important amendment, experience having shown that measures in use in this State, and particularly in the metropolitan area, are by no means uniform.

I deal now with some drafting and minor amendments made by the Bill. The first of these is made by clause 5, which removes the definition of "mead, wine, cider and perry" now expressly limited to liquor made from fruit grown or produced in the State. It may surprise honourable members to learn that the provisions of the Licensing Act refer throughout to "liquor", which is defined as including mead, wine, cider and perry, but these terms are in turn so defined as to omit imported liquor of those types. This curious gap in the law appears to have existed for a number of years and the opportunity is now being taken of removing it.

Clause 18 likewise removes a gap in the law. Under section 70 of the principal Act a person who, because of some illness, accident or misadventure, fails to apply for a renewal of his licence at the proper time can obtain a certificate to carry on until the next quarterly meeting of the court. On being given the certificate he pays his licence fee or (in the case of a publican's licence) the first quarterly instalment. However, section 70 goes on to provide that, if the court at its next meeting grants a renewal of the licence, no further fee is payable for the rest of the year. Clause 18 remedies this defect by requiring payment of the remaining instalments for the whole year.

Another series of amendments of an administrative character is made by clause 23 (*a*), (*f*), (*g*), (*m*) and (*n*), which will substitute for any special magistrate the Licensing Court

as the authority to deal with restaurant permits. These amendments are consequential upon the new general scheme under which the Licensing Court will fix licensing and permit fees and it is clearly appropriate that applications required to be lodged with the clerk of the Licensing Court and other matters in connection with restaurant permits shall be dealt with by the court and not by any special magistrate.

Further amendments made by clause 23 (*b*), (*c*), (*d*) and (*e*) will remove the present limitations upon the serving of liquor with meals at restaurants under which only dry wines and cider containing a certain percentage of proof spirit can be served. Under the amendments any Australian wines or cider can be served and provision is made for the serving of mead and perry if required.

Two further minor amendments are made by clauses 24 (*d*) (altering the fee for permits to supply liquor with meals from £1 1s. to £1) with a view to the transition to decimal currency and 16 (*d*) abolishing the fee of 2s. 6d. payable on the issue of a licence. Clause 27 makes a necessary drafting amendment to section 199b. The last amendment to which I refer is made by clause 25 which amends section 198a. That section permits a licensee to supply liquor to up to six non-excepted persons at the expense of a *bona fide* lodger from outside the State. This means that a lodger in a hotel who happens to live in South Australia cannot entertain his guests under that section. Clause 25 removes the residential qualification.

I have outlined in general terms the provisions of the Bill with appropriate references to the clauses. There are two comments which I should like to make. The first is that the new basis of licence fees will, as I have already said, provide for more equitable assessments as between various licensees. This system has been in operation in all of the other States for a number of years and has worked well. I do not believe that there will be any objection to it in principle. The rate suggested is 3 per cent (in other States it is higher, being 6 per cent in the majority of them).

My other comment is—and I do not go into detail on this point—that the provisions of the Bill relating to fees have been based upon provisions in other States which have been upheld by the High Court as valid. No radical departure from the scheme or language as used elsewhere has been made in this Bill, although some slight variations have been necessary having regard to the basic provisions of our own Act. I would therefore urge upon honourable members that they accept or reject the scheme as it stands and do not seek to introduce serious amendments or modifications which might result in the rejection of the whole scheme upon the grounds of contravention of the Commonwealth Constitution.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL.

Read a third time and passed.

STATUTES AMENDMENT (MENTAL HEALTH AND PRISONS) BILL.

Adjourned debate on second reading.

(Continued from November 7. Page 1544.)

The Hon. K. E. J. BARDOLPH (Acting Leader of the Opposition): I support the second reading. As was pointed out by the Minister of Health, it amends the Mental Health Act and the Prisons Act. In essence, it makes provision for effective control in the custody, housing and treatment of persons who are criminal mental defectives and have been committed to the Parkside Mental Hospital. In fact, it simplifies the administration of the Acts in relation to those persons. At the moment, criminal mental defectives are housed at the Parkside Mental Hospital and the provisions there are inadequate for their safe custody and for the protection of the public. Recently inmates have escaped from the criminal section of this hospital and it is now proposed that a security block will be established in the grounds of Yatala Labour Prison. This has been recommended by the Director-General of Medical Services (Dr. Rollison) and the Sheriff and Comptroller of Prisons (Mr. Allen). The Minister has advised the Council that this legislation has his recommendation and blessing. In addition, the recognized mental authorities dealing with mental health consider that the penal atmosphere should be removed from an institution such as the Parkside Mental Hospital.

I believe all honourable members appreciate the modern treatment used and the progress being made in dealing with mental illnesses, and the authorities of the Parkside Mental Hospital are indeed doing excellent work. Instead of having a closed prison atmosphere they are taking down the walls and are often successful in bringing inmates back to normal health so that they can again be useful members of the community. The authorities I have mentioned have considered the most appropriate locations to deal with criminal mental defectives. I shall not labour the various clauses of the Bill because it has been very

effectively explained by the Minister, but in passing I wish to express my appreciation to all concerned for their personal interest in dealing with all matters appertaining to the hospital.

The Hon. C. R. STORY (Midland): I also support the second reading. I consider that the Bill is a definite step forward in social legislation in this State. As has been stated by the Minister of Health, its object is to put people certified as criminal mental defectives into a place that is, perhaps, more fitting for their keeping. I was impressed this year when I found how much public opinion has changed with regard to the work being done at the Parkside Mental Hospital and other institutions. It is right to take away any prison atmosphere which might exist at that place, and I believe the Bill does this. For many years a huge wall has surrounded the Parkside Mental Hospital and we have rather come to think of it as a place where people must be kept in. That attitude has been changed entirely and the new approach to mental health is that the walls are no longer necessary. A genuine endeavour is being made to rehabilitate people and return them to civilian life where they can be useful to society.

The criminal mental defectives are in a different category. They are dangerous and need to be in custody and, therefore, it seems proper to me that they will be put in a place where they can be kept away from society. I think it would be fair to say that, but for the fact that these people were found to be criminal mental defectives, it is probable that the sentence of the court would have been carried out—a sentence of death in many cases. Therefore, it is necessary that these people be kept under close supervision and in a prison atmosphere. However, there is hope for the patients at Parkside Mental Hospital and other hospitals, and I commend the Government for introducing this Bill and have much pleasure in supporting it.

Bill read a second time and taken through its remaining stages.

ROAD TRAFFIC ACT AMENDMENT BILL (DIAMOND TURNS).

Adjourned debate on second reading.

(Continued from November 7. Page 1542.)

The Hon. S. C. BEVAN (Central No. 1): This is a short Bill, which I support, and which clarifies the position in connection with what is now known as the "diamond turn". Actually, it is the short right turn. The Bill legalizes this short right turn at intersections, except in some circumstances. For instance, the person making the turn must observe nearby notices and signs. In the suburbs particularly there are indications that traffic must go straight through, or that the right turn must be made in a special way.

There may be no marks showing how the short right turn is to be made. There appears to be some doubt as to the correct procedure in making the turn. When walking along King William Street I have seen that motorists reaching an intersection, and desiring to make a "diamond turn", do not always follow the arrow on the road indicating how it is to be made. Consequently, following traffic is unable to pass through the intersection. Some motorists wanting to make the right turn stop at the line which indicates where drivers must stop when the red light is against them. When they stop in this way the following motorists who want to make the short right turn are held up. All this happens because some motorists are not conversant with the law about making the turn: they do not approach the turn as they should. The Bill clarifies the position, which is why I support it.

Some motorists do not obey the law and go as near as practicable to the centre of the road in order to make the short right turn, but go as near as practicable to the opposite side of the road, thereby taking up much of the room at the intersection. Consequently, following motorists wanting to make the right turn cannot do so. Motorists should know how far they can go towards the other side of the road, and how far they cannot go. The Bill sets out the procedure to be adopted in making the short right turn, which will effect an improvement in the traffic position, particularly at peak periods.

The Hon. G. O'H. GILES (Southern): Briefly, I support the Bill, which deals with the "diamond turn". It is not frequently that I find myself almost uniformly in line with the Hon. Mr. Bevan on matters that come before the Council, but on this occasion I am. Whether that means that he is wrong, I will not say. I think that Melbourne was the first city where the "diamond turn" operated. Some time later the Adelaide City Council, in its wisdom, introduced it in King William Street. I think that honourable members will agree that the process worked with much efficiency and aided the flow of traffic. Under crowded conditions this is most helpful in dispersing the traffic. I agree with the Hon. Mr. Bevan

that sometimes anomalies exist that are rather difficult to overcome, particularly, as he points out, when traffic goes across with the green light but perhaps not clear of the pedestrian lights. There are times when the traffic turning to the right has in fact not stood in line and some cars have pulled inside. This can cause confusion and will cause more confusion at crossings where there are no lights because frequently at these crossings someone in a hurry does not stay as near as practicable to the left of the centre and goes across the corner to the great disadvantage and surprise of drivers coming from the opposite direction.

Despite these anomalies, I believe that in both country and city areas it is a good move to legalize this diamond turn, which is conditional on instructions as laid down by lines at certain corners for some specific purpose. I congratulate the Government on introducing the Bill and trust that the anomalies will be overcome and that the legislation will prove to be efficient.

Bill read a second time and taken through its remaining stages.

RURAL ADVANCES GUARANTEE BILL.

Adjourned debate on second reading.

(Continued from November 7. Page 1549.)

The Hon. C. R. STORY (Midland): I support this Bill with a great deal of pleasure. It was foreshadowed on August 8 in the local press. The Premier, who has been responsible for many brain children, has, I think, added another. As he pointed out, the Bill was introduced as a result of his tour of America on other business, but he did take the opportunity to look at some phases of American agriculture. What he probably referred to and what the local press at that time referred to was something slightly different from what is in the minds of some honourable members, particularly those in another place. The Premier particularly referred to areas of 40 to 160 acres. He did not mean that those farmers would be restricted to that area, but what he did say was that a vast percentage of American agricultural production came from areas of that size. Also, I think, he was referring to the irrigation areas of Arizona and the other dry States in that area.

In 1902 the then President of the United States of America (Mr. Theodore Rooseveldt) brought down legislation setting up an organization called the Bureau of Reclamation, which has done a fantastic job in harnessing the waters from the mountains and delivering them to the particularly arid parts. In the 17 dry States of the U.S.A., which have rainfalls ranging from one inch a year to 10 inches, is produced 25 per cent of the agricultural crop of that country. No doubt when the Premier flew over this patchwork quilt he was seized with the importance of these holdings and then no doubt had a look at the statistics and ascertained the position. There is one vital thing about this American type of agriculture that should not be overlooked by people in this country. The farms are small family units. The main thing about them is that the landholder owns what may be termed an irrigating shovel. The rest of the work is done by contract. There are huge contract pools of farm machinery. I can talk with a little knowledge of this subject as in my area the average holding is 17 acres and on these areas the owner has a tractor and necessary machinery, the latter costing about £2,500. That tractor and machinery are perfectly capable of working up to 60 acres. This shows how extremely over-capitalized these holdings are. Americans have woken up to this state of affairs, particularly those in California, where there is one valley with 5,000,000 acres under irrigation; and they are all small holdings. When this Bill was being dealt with in the other House, in view of the speeches made on it by some members damning it with slight praise one would think they would have voted as they spoke—against it.

The clauses of the Bill are quite interesting. Clause 2, which deals with an approved borrower, reads:

> "approved borrower" means a person—
>
> (*a*) to whom a bank has made or proposes to make a loan for the purpose of enabling or assisting him to acquire land for the business of rural production; and
>
> (*b*) who, having regard to his ability and experience in such business, is approved by the Treasurer as a suitable person to undertake or conduct such business:

That is the crux of the Bill. The number of phases the applicant must go through to get his land should, I think, screen out practically everybody. It certainly will be a more rigorous test than that to which the war service land settlers were put when they acquired their land. In the light of the experience of both this Government and the Commonwealth Government of war service land settlement, this is probably a wise precaution.

The first process is that an application is made to the Land Board, which, in turn, has a responsibility as follows:

the board furnishes the Treasurer with a certificate signed by the chairman or any member of the board certifying that the amount paid or to be paid for the acquisition of the land by the applicant for the guarantee is no greater than the fair value of the land, . . .

This will enable the applicant to meet his responsibilities in respect of interest and capital and give him an opportunity to have a decent livelihood and provide for his family and himself. Clause 3 (2) (*b*) provides:

The loan for which a guarantee is sought does not exceed eighty-five per centum of the value of the land as stated in such valuation;

That is far more generous than anything I have ever heard of. I have had some experience in trying to borrow (quite often, as a matter of fact) and I find that if I have not one-third of the money I am not very well received by any lending institution. If a person is to be able to get 85 per cent of the purchase price guaranteed by the Treasurer, surely then it must be necessary that he be a very proficient farmer on a good property and the Treasurer must be sure—

The Hon. K. E. J. Bardolph: That would represent a very low valuation on the part of the landowner.

The Hon. C. R. STORY: Somebody else makes the valuation: he wants to buy the land.

The Hon. K. E. J. Bardolph: It would be on the mean values.

The Hon C. R. STORY: Quite. Several types of people will benefit under this scheme. First, I visualize this being a very good opportunity for the transfer of land from father to son. That will happen where a man is getting on in years and cannot quite afford to retire although he still wants his son to have the property. There may be one or two small difficulties in this because, if his valuation has to meet the Land Board's valuation, the position may become slightly difficult in respect of the Stamp Duties Department because this valuation will be rather lower than that prevailing on the open market. However, we must give this legislation a "go". It can bring young people on to the land.

The Hon. K. E. J. Bardolph: Do you think your speech will be received favourably in country areas?

The Hon. C. R. STORY: They put me here.

The Hon. K. E. J. Bardolph: They did not think you would make a speech like this, though.

The Hon. C. R. STORY: I am doing my best. I think I interpret country people's points of view. I have been here for a few years; I have stood up to a few plebiscites and managed to get through them all right. Getting back to the Bill, I think the third process is something quite new in our experience: first, we intend to bring members of Parliament in to look at the valuation that the Land Board submits; secondly, they will look at what the Director of Agriculture or his deputy or nominee has said about a particular piece of land; and, thirdly, we are to use the Parliamentary Land Settlement Committee to put the final seal on the matter as a recommendation to the Treasurer. Irrespective of all this, the Treasurer still has the final say whether he issues a guarantee or not.

If a man can get through that screen, I rather wonder whether he ought to go on the land: perhaps he should be the Director of Agriculture himself, because it is a very stringent set of rules by which to work. So I do not consider that this State will ever be out of pocket as a result of putting a man on the land under this scheme. I think, too, that due provision is being made for repayment and that the guarantee is protected in that an opportunity is given for waiving the interest charge for a period if, in the opinion of the Treasurer, that should be done; and it can even go as far as allowing the waiving of the repayment of capital for a period, if that is thought necessary.

I can think of various occasions upon which that would have been most necessary, of occasions during the 1956 flood when, had people been on the land in these circumstances and been flooded out, it would have been necessary to rehabilitate them; so I think those clauses are necessary. In broad-acre farming no doubt it may be thought desirable to change over from one particular type of farming to another, which would mean little income for perhaps two or three years. The Treasurer has that power and no doubt if the bank recommends that to him he will see his way clear to follow up the recommendation and enable a man to do exactly what is recommended.

The Hon. S. C. Bevan: But how would that affect his period of repayment?

The Hon. C. R. STORY: His period of repayment would be tacked on to the end. It is a 30-year period.

The Hon. S. C. Bevan: The Bill does not say that, does it?

The Hon. C. R. STORY: No, but it is something where one has to rely on the good offices, probably, of the people in charge at the time. I cannot imagine that one could compress the catching up of interest and principal into 27 or 26 years, as that would probably impose far too heavy a burden upon the man concerned, especially in view of the priority given in making sure that he has reasonable opportunity to pay any expenses and also to give his family a reasonable standard of living. Members will notice that this provision is above the section dealing with repayments and, therefore, I presume that in any case of difficulty there will be an extension of that to, perhaps, a longer term. This would not be difficult to do and would merely be a matter of amending the wording accordingly. I would hope that if people were successful in this venture they would pay off their properties within the period. I believe we should be pleased that we have a measure such as this on the Statute Book.

I have read carefully the debates that took place when the Industries Development Committee was set up, and I noticed there were similar expressions of gloom as with this Bill. That committee has proved very successful and no small part of that success has been due to your chairmanship, Mr. President. I believe the committee has made many wise recommendations. If anything has gone wrong it has been because of unforeseen circumstances. The same position will apply under this Bill. When dealing with the land one can never predict precisely what will happen. I hope this Bill will be the fore-runner of another dealing with the same subject. I have always been keen to have the Government make available modest sums of money to foreman types on share farms to enable them to obtain a stake in the country. Such grants would not need to be nearly as large as those visualized in this Bill, but they would give these men an opportunity to buy land so that they could continue their share farming and eventually acquire larger areas. I do not believe this aspect is covered in the Bill.

I know many people who began as share farmers and who are now useful members of rural communities and good farmers, with a real stake in the country. I believe it can be said that the majority of farmers of 40 or 50 years ago got their start in that way—by being able to acquire a small portion of land and having the plant and equipment to work it and so gradually build it up. I believe that the Bill should be extended to include the people I have referred to or else a scheme allowing for this should be introduced at some future date. I have much pleasure in supporting the second reading.

The Hon. G. O'H. GILES (Southern): I also wish to give my blessing to this Bill. In speaking on the Appropriation Bill some time ago I pointed out that I hoped this type of legislation would enable young people to own their own blocks of land. This Bill is not in quite the form that I thought and wished it would be. Nevertheless, I accept the fact that within the principles of normal business and banking it is a good Bill. At a later stage I will elaborate on this point and explain how much better I think it is than the Advances to Settlers Act, with which I have had a series of unfortunate experiences in trying to help applicants with wide experience to get blocks of land. This Bill is ideal for share farmers, and what better section of the rural community should be helped? They are people who have made a practical contribution to rural production, having learned the know-how of their job and a great deal about agriculture.

Perhaps an appropriate applicant under this Bill may be working in a certain district and notice a suitable block in a neighbouring area. As a result of his share farming he will probably have more than enough equity to cover 15 per cent of the price of the block. I point out that the Government guarantees 85 per cent of the Land Board valuation, not 85 per cent of the bank's proposition. In the case of a really good applicant the bank might well advance more money than the 85 per cent guaranteed by the Government. I have made this point before when speaking on the Appropriation Bill, namely, that the entire method of selection of applicants under this Bill must be based on the candidates themselves. Certainly, the proposition taken on by the bank and guaranteed by the Government must be a good one. However, all the experience gained from the Australian Mutual Provident Society's scheme in the South-East and from the soldier settlements since the last war proves that the most important factor in successful farming today is the quality of the farmer himself as a manager and worker, and it is on this basis that the scheme will go ahead or fail. If the method of selecting a candidate is good enough, I feel that any number of successful applications can be made under this scheme to the great advantage of the State.

I do not think there is any need for me to elaborate on a comparison between this and the other schemes, except to say that this

scheme will have great advantages because it is not under divided control as in the case of the soldier settlement scheme since the last war. It is under the one Act and virtually under one control and, therefore, the settler concerned will know exactly where he stands and what type of commitments he must honour.

The Hon. Mr. Story mentioned the trip to other parts of the world by the Premier and the impression that small American farms apparently made on him during his trip. I believe that Mr. Story is probably correct when he suggests that this might well have been the origin of helping farmers under this Bill. However, I believe it is as well to put small farms in America in their right perspective. The position is that 50 per cent of the total area may be taken up with small farms and 50 per cent with big farms, but the bigger farms produce far more than the small farms, except perhaps in arid areas. This is not, in fact, a case of increased production in America due to more intensive farming. More intensive farming is often carried out on the larger rather than the smaller farms, due to greater mechanization.

The Bill contains a clause that deals, virtually, with the living area. This opens up a field of thought, but I do not intend to elaborate on it fully today. However, there are many instances in South Australia where people live close to an industry and by working in that industry make their £25 a week. Many of them would give practically anything to be able to work their own block of land. Probably the Government is right in cutting out this type of applicant, but there will be many disappointed people, because they will be unable to find the necessary £8,000 or so.

The Hon. Sir Frank Perry: Is there a limit to the amount?

The Hon. G. O'H. GILES: Yes. That would be for a small block with a house on it. This is an aspect of the Bill on which there could be more than one line of thought. On balance, I think the Government has done the right thing in limiting a holding to a reasonable living area, but the problem is how to define it. I do not intend to elaborate that point. In the Adelaide hills there are probably too many small and uneconomic areas. I think it is because of areas in high rainfall parts of the State close to the metropolitan area that the Government has inserted the provision regarding a living area. I may be wrong, but I regard a living area as an airy-fairy proposition. It reminds me that soon after the Second World War when people wanted to buy land they were told by experts that the land was over-capitalized, and on the returns of that time it probably was, but experience has shown that within a few years it was not over-capitalized. I suggest there are many variables that are extraordinarily hard to assess when it comes to fixing a living area.

The Hon. C. R. Story: The returns from the land count.

The Hon. G. O'H. GILES: There are all sorts of movements in the cost structure, and in returns that have a big effect on what is a living area. In trying to assess that area we must also bear in mind the actions of Governments. We had an illustration recently concerning road transport, and to a minor degree that is associated with a living area. When the possible movements are assessed, and price fluctuations are considered (and we have had fluctuations in wool recently), it can readily be seen that a living area will be hard to define. Over the last few years there have been places in the Adelaide hills of up to 2,000 acres and producing fat lambs that could not be termed living areas. Although the man has lived on the block and carried sheep, which he had to obtain at considerable cost, and employed additional labour at times, there have been occasions when it has not been a living area.

The Hon. Sir Lyell McEwin: Are you coming to a definition of what is a living area?

The Hon. G. O'H. GILES: I was saying that it is almost impossible to arrive at what is a living area. I hope the matter will be treated with much leniency when the various propositions are considered. The problems that existed under the Advances to Settlers Act were, to say the least, great. Not long ago I took an applicant under the Act to the State Bank. Many people regard Land Board valuations as harsh, but I think we can expect its valuations to be more lenient than the bank's valuations. The provisions of the Advances to Settlers Act make it extraordinarily difficult for one to arrive at a workable proposition. I take the view that this is a good Bill, because it provides excellent help. As the Chief Secretary said, there are already many applicants for guarantees under the Bill, and I have no doubt that there will be many more. I think it is all to the good because it gives a wide range of applicants. On the ability of the applicants will depend the success of the propositions.

These are the main points of the Bill about which I have some worries. I will not weary

members with the matters on which I have no worries. By and large it is an excellent scheme and if its success is to be based on the number of applicants that success is already assured. There will be a wide range of applicants and this will enable the right men to be found. I have raised these two points on which I have some doubts, but the overall picture indicates that the Bill will be a success. I know a number of people who wish to take advantage of the aid being provided by the Government. I hope that they will be able also to take advantage of other conditions that will be provided by Parliament later. I support the Bill.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

RAMCO HEIGHTS IRRIGATION AREA BILL.

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

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

That this Bill be now read a second time.

Its general purpose is to facilitate the establishment of a private irrigation area (to be called the Ramco Heights irrigation area) near Ramco on the River Murray. A newly-formed company, Ramco Heights Poprietary Limited, which will be the board of management of the new area, has drawn the Government's attention to the long and complex legal procedure necessary to establish private irriga tion areas and, in particular, to enable the land which will be comprised therein to be surrendered by the present lessees and vested in the company by way of land grant. The company has requested that a special Act be passed providing for a more expeditious procedure. The Government has agreed to this request and this Bill is introduced accordingly. The land which will be comprised in the private irrigation area is at present held under Crown leases. (Particulars of the lessees and the leasehold land which, for the most part, is in the Waikerie irrigation area are set out in the schedule to the Bill.)

Clause 2 deals with interpretation and clause 3 is designed to ensure that the privileges conferred on the company will relate only to legal form and procedure as distinct from exemptions from substantive law. The principal provision is in clause 4, which facilitates the issue of certificates of title in the name of the company for the land concerned, without following the lengthy procedure required under the existing law.

The steps that would be necessary to convert the leases to land grants in the normal manner (the Minister of Lands having already given his approval) are:

(*a*) transfer of the leases to the company;
(*b*) issue of a miscellaneous lease to the company;
(*c*) surrender of the miscellaneous lease followed by an agreement for sale and purchase;
(*d*) exchange of the agreement for a Treasury receipt;
(*e*) exchange of the Treasury receipt for a land grant.

The minimum total time estimated for these steps is 12 months. With the utmost dispatch, the time could possibly be reduced to eight months, but there is no way by which the time could be further reduced.

The Bill obviates the foregoing procedure and replaces it with a simple and expeditious procedure under which the Registrar-General may take the last step (issue of the land grant) at once, if he is satisfied as to the discharge of encumbrances, questions of survey and other matters specified in clause 4 (4). That subclause empowers the Land Board to determine the purchase price payable to the Crown by way of compensation for its loss of ownership. Upon the issue of a certificate of title, where applicable, the land is excised from the Government irrigation area (subclause (5)). Where part only of land comprised in a lease is vested in the company, the Land Board and the Minister concerned are empowered (clause 5) to make appropriate adjustments and alterations to the lease. Clause 6 provides that, upon the issue of a certificate of title, the land therein is immediately constituted as a private irrigation area under the Irrigation on Private Property Act. This avoids the necessity of following the normal procedure under the Act, which is regarded as difficult to apply where many owners are involved.

Clause 7 enables the private irrigation area to be combined with the adjacent Golden Heights irrigation area as a single irrigation area upon petition by the two boards of management. This will make for the more efficient administration thereof. In the case of the Golden Heights irrigation area, it was necessary for the Minister to take encumbrances from owners to protect the Government's interests in the event of drainage or seepage of waters to the adjacent Government irrigation area. Clause 8 obviates the necessity of this by providing that the board administering the combined area shall

be required to undertake such drainage works as the Minister may require and that, upon failure to do so, the Minister may undertake the work and recover the cost thereof from the board.

Under clause 9 the board may lay pipes under roads to further its irrigation scheme, without restriction in the case of land within its irrigation area or, in the case of land outside that area, subject to any conditions thought fit by the Commissioner of Highways or the council district of Waikerie, as the case may require. In accordane with Joint Standing Orders the Bill was referred to a Select Committee, which recommended its acceptance.

The Hon. C. R. STORY (Midland): I know a great deal about this matter because I was a member of the early deputation that waited upon the Minister of Irrigation in connection with it. This is something unique in irrigation schemes. A private company of individuals, without any recompense whatsoever, decided that they would like to proceed with some development of irrigation adjacent to their town in order to build up its population. Some four years ago they started a scheme called Golden Heights, which is now a picture, and any honourable member travelling via Waikerie should turn off the road and travel the extra two or three miles to have a look at this citrus and deciduous fruit area. The committee went ahead and developed about 1,200 acres of the area known as Sunlands, about five miles south of this scheme, and has come back to near the original Golden Heights scheme to establish what is called Ramco Heights.

This is an excellent type of development, much more satisfactory in my opinion than a Government development scheme, because the Commonwealth Government comes into it through the Commonwealth Bank and makes money available to the individual settlers. I consider that where it is an individual stake the settlers tend to be more successful than when they lean on the Government for everything, as has been the case in some of the other irrigation areas. It is somewhat optimistic to say that the estimated time to complete all the steps involved and go through all the processes mentioned by the Attorney-General is 12 months, because when this committee was dealing with Sunlands it took two years to get the transfers through. It got into certain difficulties under the Taxation Act and this was not at all satisfactory. Had the Government not seen its way clear to introduce this Bill I feel quite sure that the committee could not and would not have gone on under the old system. This legislation will expedite the matter and settlers will be able to plant next season instead of waiting until the following season. I know the type of work involved and I know personally members of the committee. Therefore, I have no hesitation in commending the measure to the Council.

The Hon. M. B. DAWKINS (Midland): I agree with what my friend, the Hon. Mr. Story, has said. As he commented, these people successfully established Golden Heights and proceeded to set up Sunlands, and now they are proposing to establish the project to be known as Ramco Heights. It has been my pleasure to see some of this work and the picture presented in the original settlements. It is also my privilege to know some of the people involved and I am aware of their progressive outlook and their ability to establish these settlements. I therefore have much pleasure in supporting the Bill.

The Hon. L. R. HART (Midland): I join with my two colleagues in lending my support to the Bill. This type of irrigation settlement has much to commend it and is something of which we shall see a great deal in the River Murray area as development takes place. One feature well worth noting is that these schemes get away from the normal type of irrigation treatment that we are used to seeing along this river. These privately established settlements are prepared to seek the help and advice of engineering firms with a progressive outlook, firms that have not been steeped in the tradition of River Murray irrigation settlements and have been able to bring into play a system of irrigation completely new to that area. Also, it is something that is probably far more economical than the previous system.

These people are able, too, by the very nature of the system, to irrigate country of perhaps better quality that much of that irrigated along the Murray over the years. Some of the best country for irrigation is in this area. I believe that production there will increase as the years go by. One thing they are doing is planting perhaps twice as many trees in a given area at the start as are normally planted. They plant trees that will bring in a cash return in a short period and they include in their orchards a certain area for the growing of vegetables, which are also a very quick cash crop. Therefore,

all in all, this Bill is something that we should not only support but commend. I am pleased to support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Definitions."

The Hon. C. D. ROWE (Attorney-General): As copies of the Bill are not yet on honourable members' files, as they are required to be, I suggest that progress be reported.

Progress reported; Committee to sit again.

MANNINGHAM RECREATION GROUND ACT AMENDMENT BILL.

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

ADJOURNMENT.

At 4.1 p.m. the Council adjourned until Wednesday, November 13, at 2.15 p.m.