LEGISLATIVE COUNCIL

Wednesday, November 9, 1966.

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

QUESTIONS

ABORIGINAL REPORT.

The Hon. Sir LYELL McEWIN: I noticed a report in the *Advertiser* this morning in which the word "eccentric" was used in a criticism by the Attorney-General of a witness who appeared before the Select Committee. Does the Chief Secretary (who was chairman of the committee) think that such comments, in which people of reputation in the community are reported in the press as being eccentric, are justified?

The Hon. A. J. SHARD: I think the safest way to answer that is, "No, I do not think it was justified."

SNOWTOWN POLICE STATION.

The Hon. L. R. HART: Has the Chief Secretary an answer to my question of November 3 regarding the Snowtown police station?

The Hon. A. J. SHARD: Yes, I have the following report:

The Snowtown police station has not been officially closed. It is because the premises are in such a poor condition that no police officer will reside in the town after November 21. Senior Constable B. R. Schulz, Officer-in-Charge since February 12, 1964, put up with the conditions for some time rather than shift again and thereby interfere with the education of his children. However, the sub-standard accommodation prompted him to apply for transfer to Williamstown on November 22, 1966. The department endeavoured to arrange for a single man to batch in the premises at Snowtown, but his inspection of the quarters and the objections of the Police Association have since ruled this out of the question. On and after November 22, 1966, police officers from Brinkworth and Bute will visit Snowtown on four days each week and attend to routine police work. They will also be required to attend any emergency calls in the Snowtown police district. This is considered the best arrangement for policing the area pending funds being made available for the erection of new premises on land acquired in November, 1964, for the purpose. A recommendation for the erection of a new station, etc., at Snowtown was first included on the building programme of the department for 1964-65, and plans were prepared and approved at the time.

DOCTORS.

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

Leave granted.

The Hon. M. B. DAWKINS: Only two or three days ago I was in the Karoonda district, where there has been something of a minor epidemic, particularly among schoolchildren, and it was brought to my notice forcibly that the situation there was far from satisfactory in that no doctor resided in the area. I am aware that a similar position in relation to other places has been mentioned in this Chamber by the Hon. Sir Lyell McEwin and the Hon. Mr. Geddes. I know that Parliament has passed a Bill this year to correct this matter in due course, and I understood that the Government was inquiring into the importation of medical practitioners from Great Britain. In view of the difficulty that is being experienced in places such as Karoonda, will the Minister of Health say whether any progress has been made in this regard or whether the Government has any other plans in view to alleviate the position in these towns?

The Hon. A. J. SHARD: The Government has given this matter much consideration in recent months. On Monday last Cabinet decided to take up the matter with the Agent-General in England to try to secure some doctors for this State for the particular purpose of practising in country areas. If necessary, the Government would be prepared to consider assisting people prepared to go to those areas. I am happy to announce that a communication has been received from a general practitioner in London, who I believe is an ex-South Australian who desires to come back, and inquiries have been made to see what assistance, if any, the Government can give him. The Commonwealth Minister for Immigration has already agreed to make an assisted passage available provided that the minor formalities can be arranged, and I hope that this doctor will be made available to some country town early in 1967.

The Hon. R. A. GEDDES: Will the Minister say whether the Government expects that doctors from overseas will be asked to stay in a country area for a specific time?

The Hon. A. J. SHARD: Where the Government assists any practitioner to come from England, that practitioner will be under a bond to go to some town at the Government's direction for a specific time.

STAMP DUTIES.

The Hon. C. D. ROWE: Has the Chief Secretary further information in answer to a question I asked yesterday about the possibility of notice being given to solicitors and others involved in the increase in fees in stamp duties?

The Hon. A. J. SHARD: Yes. As promised, I took up the question with the Treasury this morning, and I have the following reply:

The Commissioner of Stamps proposes to send a circular notice to country solicitors and land agents who have dealings with the department informing them regarding the new rates of duty on conveyances and the date of operation of the new rates. This was done in 1964 when the rates of stamp duty on mortgages were varied.

I understand that the circular cannot be sent out until after tomorrow morning's Executive Council meeting.

RENMARK HOUSING.

The Hon. R. A. GEDDES: Because of the anticipated increase in population at Renmark owing to the Chowilla dam project, can the Minister representing the Minister of Housing say whether the Housing Trust has sufficient land at Renmark and the necessary plans to build enough houses to cope with this expected increase in population?

The Hon. A. J. SHARD: I shall be happy to refer the question to my colleague, the Minister of Housing, and bring back a report as soon as possible.

MOORLANDS ACCIDENT.

The Hon. R. C. DeGARIS: I ask leave to make a brief explanation before asking a question of the Minister of Roads.

Leave granted.

The Hon. R. C. DeGARIS: On November 4 at Moorlands a serious accident occurred on the corner of Ouyen Highway and Pinnaroo Road, in which five people were killed. In today's *Advertiser* a letter appears criticizing that corner and claiming that it is probably the worst engineered corner in South Australia. I do not know whether that claim is right but I do know that this corner is dangerous, particularly at night-time, as both roads are fast roads. Will the Minister have this matter investigated and bring down a report about this corner?

The Hon. S. C. BEVAN: I am awaiting a report about the accident and its cause. When I have that information, I shall be only too pleased to impart it to the Council.

HOUSING FINANCE.

The Hon. C. M. HILL: I ask leave to make a short statement prior to asking a question of the Chief Secretary, representing the Minister of Housing.

Leave granted.

The Hon. C. M. HILL: I am making some research into the problem of temporary finance as it affects the building and housing industries and migrants and other purchasers of houses. Will the Minister obtain for me from the South Australian Housing Trust the number of houses completed and unsold owned by the trust and the number of houses (including flats) in the course of construction, as at October 31, 1966?

The Hon. A. J. SHARD: I will refer the question to my colleague, the Minister of Housing, and ask for a report, which I will bring down as soon as possible.

GEPPS CROSS RAILWAY.

The Hon. C. D. ROWE: I have been overseas for some time and am not quite certain of the position about the construction of an overway over or an underway under the railway line at Gepps Cross. I know there is a real problem there about means of access. Will the Minister bring me down a report about the present position there?

The Hon. S. C. BEVAN: As the honourable member has mentioned, planning for the crossing envisages an overway being constructed at Gepps Cross. Part of the road has been constructed, but work on other parts has yet to be commenced. However, the overway will not be commenced in this financial year, unless there is a complete alteration of plans. It is intended that it will be commenced and completed in the next financial year.

MURRAY RIVER BACKWATERS.

The Hon. C. R. STORY: I ask leave to make a statement prior to asking a question of the Minister representing the Minister of Works.

Leave granted.

The Hon. C. R. STORY: Statements have been made from time to time by senior officers of the Engineering and Water Supply Department that in future it will probably be necessary to close off certain backwaters of the Murray River in order to conserve the water available to South Australia. Will the Minister ascertain the departmental policy in this respect and whether the department visualizes that some work will commence on the closing off of these backwaters in the near future?

The Hon. A. F. KNEEBONE: I shall be pleased to convey the honourable member's question to my colleague and bring back a reply as soon as possible.

DOG-RACING CONTROL BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 2703.)

The Hon. R. A. GEDDES (Northern): I support the Bill. I think that the percentage of our population wishing to race dogs in pursuit of a mechanical lure should be permitted to do so if they get enjoyment from that form of sport, and I would not raise objections to their doing so. I have trained many dogs: greyhounds, staghounds, sheep dogs and fox terriers. I am trying to speak to the argument that the chasing of a mechanical lure will involve cruelty to other animals, and that it will be necessary for the dogs to be blooded in some way. My experience has been that it is completely unnecessary and unwarranted to reward a dog for something it has done by giving it a piece of sugar, a piece of meat, a bone or something that it can kill and eat. A staghound that is allowed, at an early age, to chase foxes indiscriminately is the worst possible type of dog that one can have for the purpose of catching foxes, because he never learns to select what he wants to chase. He elects to chase when he wants to and, because of that, he is hard to command or control.

On the other hand, a dog in whose training blooding has not been a part can be commanded and will do as one wants it to do. I have had experience of training dogs since 1945 and have found that there is no necessity to blood a dog in order to teach it to do things. Cruelty has been mentioned, and I do not know anything more cruel than the method at present adopted. That method is for a person to drag a sheepskin around the track and then around a corner. At that time, a pilot dog is released and when it has gone around the corner eight dogs are let out of cages and they chase the pilot dog.

The Hon. L. R. Hart: Is this a shaggy dog story?

The Hon. R. A. GEDDES: It is an escalation of the problems. The dogs come to the finishing line, beyond which is a cage containing rabbits or hares. In tin hare racing, dogs are trained to chase a mechanical lure. Therefore, I cannot understand why there should be any problem in this regard.

On the other hand, if a dog has been blooded and taught to kill and, while chasing a mechanical lure, bites a dog in front of him in a race, the coursing association, under their laws on tin hare racing, warns off the course dogs that engage in this sort of sportsmanship. I agree with the statement made by Sir Norman Jude last week that a minority group of citizens are suffering a limitation of their right to enjoy themselves as they wish in their leisure moments. I support the Bill.

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

MONEY-LENDERS ACT AMENDMENT BILL.

Consideration in Committee of the House of Assembly's message that it had disagreed to the Legislative Council's amendments:

No. 1. Page 1, line 13 (clause 3)—Before "by" insert "(*a*)".

No. 2. Page 1 (clause 3)—After line 20 insert new subclause as follows:—

"(*b*) by inserting after the colon sign at the end of paragraph (*f*) in the definition of "money-lender" the word "or" and adding thereafter the following new paragraph:

(*g*) any person or company lending money solely on mortgage of land where the rate of interest in respect of such loan does not exceed twelve dollars per centum per annum".

The Hon. A. J. SHARD (Chief Secretary): I think the point of contention is the definition of "money-lender" and the other place has given as its reason for disagreeing to the amendments that they would deprive borrowers of a desirable protection. I said something along those lines earlier in the debate. However, I now have further advice from the Parliamentary Draftsman. I move:

That the Committee do not insist on its amendments.

The purpose of the amendments is to exempt from the definition of "money-lender" any person or company lending money solely on mortgage of land where the rate of interest in respect of such loan does not exceed 12 per cent. Many companies lend money regularly only upon mortgage. There is no reason why they should be exempted from the provisions of the Act and borrowers deprived of the protection afforded by including the requirement that they be issued with a contract or a note setting out their financial obligations in detail. There is no real justification for depriving borrowers on mortgage of the protection afforded to other borrowers. People who

merely invest money occasionally do not come within the present definition, as their business is not that of money-lending. For those reasons, and because of what I have said previously in Committee, I ask the Committee not to insist on the amendments.

The Hon. F. J. POTTER: As honourable members know, I was responsible for raising this subject in the first place and for drafting the amendment when the Bill was before us, because some considerable time has passed since the Money-Lenders Act was last amended. I have listened with interest to the Chief Secretary's further explanation and I find it difficult to follow his line of reasoning.

It seems to me that the alleged protection that people get when they borrow money from a money-lender on mortgage of land, namely, that they have to receive a full statement of their total commitment and obligations under the law, is something that is available to them anyway. Under the terms of the mortgage, the amount lent, the description of the person lending, the rate of interest, the term and the repayments are set out. Nothing more is available in the detailed statement that one gets from a money-lender than what it will cost for the disbursements—namely, the cost of registering the documents, and the transfer fee. To regard this as a substantial protection is ridiculous.

The members of the Government who have opposed this amendment in this and another place have blithely overlooked the core of the problem, which is that some protection must be given to people lending money on mortgage. These people should not run the risk of losing their principal. I will support the motion if the Chief Secretary undertakes that before Parliament resumes in February next the Government will look at this problem, which is worrying the business community of Adelaide, and introduce an amending Bill later if it considers one to be necessary.

The Hon. Sir Lyell McEwin: Will there not be a restriction on certain borrowers?

The Hon. F. J. POTTER: Yes, and we do not want this restriction. If the Minister refers the matter to the Law Society, he will get an opinion from the Law Advisory Reform Committee. Perhaps the matter can be corrected in a different way from that contained in the amendment, but I should like the matter to be considered.

The Hon. C. M. HILL: I, too, am amazed at the Government's reply. This involves the important matter of temporary finance made available by people who invest part of their savings for this purpose. These people will not go to the trouble of applying for a money-lender's licence to ensure that their principal will be safe, so they will not make this money available and this will affect migrants, young people and the building industry. This is a serious matter. The Minister says that the Government thinks these people do not come under the definition of "money-lender", but courts decide these things.

The Hon. F. J. Potter: There should not be any shadow of doubt about it.

The Hon. C. M. HILL: No. We have heard that buyers need a protection. It is a poor reflection on members of the legal profession, who are entitled to prepare and certify mortgages, that they are not, according to the Government, able to prepare the simple mortgage documents involved. Under these documents interest is payable periodically, the borrower knows how much he has to pay, and he pays it.

The Hon. F. J. Potter: In nine cases out of 10 he gets a copy.

The Hon. C. M. HILL: Yes, in most cases he is given a copy, irrespective of whether he asks for it: the only difference is that it is not required by law. It is unbelievable that the Government should ask us not to press the amendment.

The Hon. A. J. SHARD: I have had discussions about this matter since the report was prepared and, if it will satisfy members, the Government will be prepared to have another look at it. If it finds an amendment is necessary, no doubt it will be introduced. I give an undertaking that the matters put before me will be placed before Cabinet.

Motion carried.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL.

Returned from House of Assembly without amendment.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Returned from House of Assembly without amendment.

DENTISTS ACT AMENDMENT BILL.

Returned from House of Assembly without amendment.

MOTOR VEHICLES ACT AMENDMENT BILL (REGISTRATION).

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council granted a conference, to be held in the Legislative Council conference room at 8 p.m. on Tuesday, November 15, at which it would be represented by the Hons. Sir Lyell McEwin, A. F. Kneebone, F. J. Potter, Sir Arthur Rymill and S. C. Bevan.

Later, a message was received from the House of Assembly agreeing to the time and place appointed by the Legislative Council for the holding of the conference.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 8. Page 2787.)

The Hon. D. H. L. BANFIELD (Central No. 1): I do not agree with the opening remarks made by the Hon. Mr. DeGaris when he spoke on this Bill. He must have known that I would not agree with him. He said:

If there is any lesson to be learnt from this Bill, it is the lesson of the value of the Legislative Council. That is because, but for the action of this Council last year, the people of South Australia would have had foisted upon them a measure that was one of the most vicious pieces of legislation ever to appear on our Statute Book.

No doubt honourable members opposite would agree with the Hon. Mr. DeGaris, because the action taken by this Council last year in rejecting the Bill was to deprive many people of concessions, which were to be given to people in the middle and lower succession brackets. Its action has also prevented the State from collecting about $1,000,000 in the last financial year. I believe it was possibly more than $1,000,000, but I am letting honourable members down lightly. However, the fact remains that, when honourable members threw out the Bill, they deprived the State of $1,000,000 in the last financial year and ever since that time they have been hammering this Government for the size of the deficit that has occurred in the last 12 months. Honourable members cannot have it both ways.

The Hon. C. D. ROWE: Mr. President, on a point of order, the honourable member said that we deprived the State of nearly $1,000,000. I understand that the second reading speech said that the Government expected to get only $150,000 last year.

The PRESIDENT: I do not think I can take it as a point of order: it is merely a correction.

The Hon. D. H. L. BANFIELD: In addition to the throwing out of that Bill, you defeated other financial measures, which deprived the Government of money required to run the State. As a consequence of your action, you gave yourselves a talking point about the deficit incurred by this Government in the last 12 months.

The PRESIDENT: It would be a good idea if the honourable member addressed the Chair; he would not then be interrupted so much.

The Hon. D. H. L. BANFIELD: I am sure that you, Mr. President, will be more sympathetic to me than other honourable members are, so I will direct my remarks to you. This Government, as was the case with the previous Government, has never suggested that the Succession Duties Act is other than a means of raising money for the development of the State. The only difference between this Government and its predecessor is on the question of who is to pay and how much is to be paid. It is a matter of priority.

The principal features of this Bill raise the exemption for widows and children under 21 from $9,000 to $12,000, and in the case of widowers, ancestors and descendants from $4,000 to $6,000. There is an entirely new exemption of up to $2,500 for insurance payments kept up for a widow, widower, descendant or ancestor.

The Hon. R. C. DeGaris: Isn't that in the Act at present?

The Hon. D. H. L. BANFIELD: No, not in the Act.

The Hon. R. C. DeGaris: It is $4,500, I think.

The Hon. D. H. L. BANFIELD: The Bill also provides an additional exemption so that, for land used for primary production, an amount of $12,000 in a particular estate is freed from duty. This exemption is in addition to other exemptions, although it cannot be claimed where an exemption is claimed for the matrimonial home or where land is held in a joint tenancy in a tenancy in common, in a partnership or in a company. There is a further exemption where the matrimonial home passes to a surviving partner. The exemption provides for up to $9,000 for the matrimonial home passing to a widow, plus $9,000 of other property. Where the home passes to a widower, the exemption provides for up to $4,000 for

the home plus $4,000 of other property. This exemption applies whether or not the house is held in a joint tenancy.

It is to be noted that, in the case of a widow, should the total under this heading fall below $12,000 (or, in the case of a widower, below $6,000) the basic exemptions of $12,000 or $6,000 still apply. In addition to introducing new exemptions and raising the present exemptions in certain cases, the Bill also provides for increased rates on the higher successions to raise revenue, which is in line with our election policy. I know that honourable members object to that, but I understand they have no objection to the lowering of new exemptions.

The Hon. C. R. Story: This speech is a case of a man having an argument with himself.

The Hon. D. H. L. BANFIELD: The Bill also provides for aggregation to eliminate methods by which property is disposed of in order to avoid or reduce duties payable. Much has been said about the effect of this Bill on the small primary producer. I let the Hon. Mr. DeGaris down lightly with regard to the illustrations that he gave and subsequently corrected. I suggest that in future he refrains from "oiling the slide rule" and then perhaps he will get his figures correct the first time. Under the Act rebates apply only where land is held solely in the deceased person's name.

Section 55e of the existing Act defines land used for primary production in order to exclude the case of a share farmer holding partnership, joint tenancy and tenacy in common as defined in this Bill. It is a replica of the definition in the Act, except that only three years of use is required instead of five as at present. The section also makes it clear that the maximum applies only to that part of the succession which is primary producing land but the Bill provides a basic exemption of $12,000 in Part IVB and this can be claimed so long as there is at least $12,000 value of land in the succession. Under the Bill, where the succession pertains to all primary producing land and is left to a son over 21 years of age, the rates are as follows:

Value.	Proposed duty.	Present Duty.
$	$	$
10,000	nil	525
20,000	300	400
30,000	1,900	2,450
40,000	3,575	3,500
50,000	5,440	4,860
60,000	7,350	6,233
80,000	11,625	9,000

It can be seen from those figures that the break-even point between the Bill and the existing Act is approximately at the $40,000 mark and not $30,000 as suggested by the Hon. Mr. DeGaris.

The Hon. C. R. Story: I think those figures were corrected by Mr. DeGaris, were they not?

The Hon. D. H. L. BANFIELD: The figure corrected was the amount of duty payable and not the break-even point.

The Hon. R. C. DeGaris: The figures are exactly the same as those I gave in my correction.

The Hon. D. H. L. BANFIELD: Numerous illustrations can be given, but the illustration given by the honourable member was on the amount payable and not on the break-even point which is, as I have said, at the $40,000 mark.

The Hon. R. C. DeGaris: The figures apply only where all of the succession is primary producing land.

The Hon. D. H. L. BANFIELD: Yes, that is what I am saying; the same as the honourable members used for certain illustrations. The size of a succession is normally less, and frequently substantially less, than the value of the property because dutiable value is calculated only after all mortgages and encumbrances have been accounted for. I agree with the Hon. Mr. DeGaris that there has been a great deal of discussion as to what constitutes a living area, and no doubt such discussions will continue, but it is significant to read the report on the 22 projects investigated last year by the Parliamentary Committee on Land Settlement. I understand that the Hon. Mr. DeGaris is a member of that committee and he would be aware of these things and that the average price paid for each property was $27,517. It is true that in various parts of the State and for various types of land the figures would fluctuate considerably. However, of the 22 projects investigated the average value was only $27,517 and the average value of the land as assessed by the Land Board was $30,427.

The Hon. R. C. DeGaris: Does the honourable member think that that may have been because the limit of the advance under the Act is $30,000?

The Hon. D. H. L. BANFIELD: The argument has been confined to what may be regarded as a living area, depending on the type of production together with the area of land taken up. All of those factors may fluctuate, but in the 22 projects investigated by the committee in every case the Director

of Agriculture has issued a certificate as required under the Rural Advances Guarantee Act to the effect that the land is adequate to maintain the applicant and his family after meeting all reasonable costs and expenses together with repayment for the price of the land and interest thereon. The figures were given by the Treasury, and it was stated officially that of the 22 projects investigated only nine were for dairy farms. It can be seen that a living area in these cases is approximately $10,000 below the break-even point of the figures that I have quoted in relation to succession involving a son over 21 years of age. Let me now examine the position where succession is to a son over 21 years of age where only half of the succession is primary producing land and the rest of it is other property, including a house, machinery, etc.

Value.	Proposed duty.	Present Duty.
$	$	$
10,000	nil	630.50
20,000	600	1,700
30,000	1,900	2,975
40,000	3,575	4,250

The Hon. R. C. DeGaris: The point I wish to make is that there is no part of the estate in section A or section B in those cases; the honourable member is taking the worst possible example.

The Hon. D. H. L. BANFIELD: I wonder what the Opposition has been doing with illustrations they have given? I do not think I am taking the worst example, but possibly the best in order to illustrate the point I wish to make. I am not suggesting it is the worst; that is the honourable member's interpretation. Further examples are as follows:

Value.	Proposed duty.	Present Duty.
$	$	$
50,000	5,440	5,805
60,000	7,350	7,366
80,000	11,625	10,500

It can be seen that the break-even point is approximately at the $60,000 mark. In each case this is above the living area previously mentioned in connection with the investigations of the Land Settlement Committee.

I now give figures where two sons are involved, both being over 21 years of age, and I will give instances of where the succession consists entirely of primary producing land and others where it consists half of primary producing land and the remainder in house, machinery, etc.

	Proposed Duty		Present Duty	
Value.	All P.P. Land	Half P.P. Land	All P.P. Land	Half P.P. Land
$	$	$	$	$
			Each pays	Each pays
10,000	nil	nil	106	87.50

Where the value of the land is $20,000, it is proposed that no duty will be payable, whereas the Act at present provides that each of the sons is required to pay $525. If the succesison is half land, each son is required to pay $637.50. The following table shows the position in some other cases:

Value of land.	Proposed duty payable by each son.	Present duty payable by each son.	Where half of succession is land.
$	$	$	$
30,000	450	962	1,169
40,000	1,200	1,400	1,700
50,000	2,015	1,925	2,337.50
60,000	2,850	2,450	2,975
80,000	4,550	3,500	4,280

The break-even point here is slightly less than $50,000 if the succession is all primary-producing land and about $60,000 where only half of the succession is primary-producing land.

The Hon. C. D. Rowe: If all those concessions are granted, where will the extra $1,000,000 come from?

The Hon. D. H. L. BANFIELD: We said in our policy speech we were prepared to give exemptions to certain people and we have made no secret of the fact that other people would have to pay more. I have shown where the extra money will come from. Some of of it will come from successions of more than $40,000 and in other cases the increased duty

will come from successions of up to $50,000 and $60,000. We consider that the people involved in such successions are better able to afford the increased duty than are those involved in the lower successions.

The Hon. Sir Norman Jude: You are going to get the extra duty from the $60,000 successions, are you?

The Hon. D. H. L. BANFIELD: A man involved in a succession valued at $60,000 is in a better position to pay more duty than the man involved in a succession of $40,000. The following table shows the position where only one son under 21 years is involved, where the succession is all land and where half of it is land:

Value of land.	Proposed duty.	Present duty.	Where half of succession is land.
$	$	$	$
10,000	Nil	105	127.50
20,000	Nil	1,155	1,402.50
30,000	950	2,205	2,677.50
40,000	2,600	3,290	3,970
50,000	4,420	4,608	5,504
60,000	6,300	5,977	7,063
80,000	10,500	8,737	10,193

Again, a succession of $50,000 is about the break-even point. It can be seen clearly that, in the case of the primary producer who is a son over 21 years, provided he has a succession of less than $40,000 (and in some cases less than $50,000 and in other cases less than $60,000) he will be better off under the Bill than he is under the present Act. We believe in looking after the small primary producer.

The Hon. R. C. DeGaris: I have noticed that.

The Hon. C. R. Story: I thought the honourable member had finished speaking.

The Hon. D. H. L. BANFIELD: No. I was just having a drink. I am not going to let the honourable member off so lightly.

The PRESIDENT: That is what we are afraid of!

The Hon. D. H. L. BANFIELD: That is what the honourable member is afraid of. Will he tell his constituents who have property valued at less than $40,000 or $50,000 that those properties will attract much more duty if the Bill is thrown out? I found when I was in the river area recently that the people there were in favour of the Bill.

The Hon. C. R. Story: The results of the election last Saturday week did not show that.

The Hon. D. H. L. BANFIELD: Many people in that area did not have an opportunity to express their opinions. I congratulate the Hon. Mr. Whyte on his election and do not wish to take any credit from him. I consider that he will be a real democrat and that he will assist us to see that everybody in the river area is entitled to vote in Legislative Council elections. I am sure that he would prefer to come here under those conditions than under the present method, by which only a limited number are allowed to vote and only a portion of that number exercise the right to vote. However, I take nothing away from the Hon. Mr. Whyte: the system was in operation before he came here.

The Hon. C. R. Story: The people of Port Pirie were not too pleased with the Government, either, according to the election result.

The Hon. D. H. L. BANFIELD: The people of Port Pirie are just as anxious to receive the benefit of the exemptions in this Bill as are the people of Renmark. I do not think many estates in Port Pirie are valued at more than $40,000, and many of the people there are looking forward to the passing of the Bill.

The Hon. Mr. DeGaris was also astray when he said that the break-even point was $30,000 in the case of successions where joint tenancy was involved. The break-even point is at a figure greater than $40,000 where the property passing to a widow includes a joint tenancy valued at $9,000 in the matrimonial home and insurance valued at $2,500 kept up by the deceased and assigned to the widow. Where the joint tenancy is valued at $9,000 and insurance is valued at $2,500, the position is as follows:

Value of succession.	Existing duty.	Proposed duty.
$	$	$
20,000	375	Nil
25,000	1,050	697
30,000	1,800	1,504
35,000	2,550	2,330
40,000	3,300	3,160
50,000	4,800	5,865
60,000	6,512	7,962
80,000	10,012	12,281
100,000	13,512	17,100

The Hon. R. C. DeGaris: This relates to widows with exactly $2,500 in insurance, does it?

The Hon. D. H. L. BANFIELD: Yes. The figure quoted was $2,500, and I have repeated it twice. The Hon. Mrs. Cooper gave as an example an estate in the United Kingdom of a value not exceeding £8,000 sterling. She said this was subject to a rate of not more than 3 per cent, whereas under this Bill an estate of the same size ($20,000) would incur a duty of 15 per cent. However, under this Bill exemptions of up to $20,000 can be claimed in certain circumstances and no duty will be payable, so people in this State are better off than those in United Kingdom, where there is an estate duty. In view of the concessions and the few increases proposed by the Bill, I consider that it will be favourably received, and I have much pleasure in supporting it.

The Hon. C. R. STORY (Midland): I oppose the Bill, which I think is an illustration of the Government's trying to weld together two completely dissimilar systems of taxation—estate duty, which is levied by the Commonwealth Government and some other States, and succession duties, which we have known for some years in this State. This is about as easy to do as it is to mix oil with water, because they are dissimilar systems, and the Government is taking bits and pieces out of each. If this Bill goes through, for ever we shall have inequality and pretty shocking anomalies in respect of certain groups of people.

The Hon. Mr. Banfield has gone to great pains to use a table that has been put out to the public in the press. The public may easily be led into a position of false security in that it may believe that the position is very much better than it really is. I noticed that the honourable member did not dwell on insurance (he seemed to think it was a good subject to dodge). However, I think one of the most important parts of the measure is the privilege we now have regarding insurance and what is proposed in the Bill.

A previous Bill introduced in another place last year was a savage measure. Fortunately, the Opposition in another place pointed out to the Government the folly of proceeding with it as introduced. As a result, about five pages of amendments were made, some by the Government and some by the Opposition. By the time this Chamber received the Bill, it had been considerably improved. I listened with interest to the Hon. Mr. Kneebone a few days ago say by interjection, "Of course, you said you would support this Bill if we did certain things." I imagine he was referring to the fact that, during the debate on the previous Bill, some members said that, although they would not be happy about it, they would support a move by the Government to increase the existing rate to enable the Government to get the money it needed but that they were not in favour of the system that operated under this Bill. This should be made clear, because the inference has been left that some members of the Council said that they would support another Bill if it gave greater benefits. They did not say this: they said they did not like the aggregation of all sections of estates, the provisions relating to insurance and the way in which the Bill was drafted.

I should mention the extreme difficulty the administrator of an estate will have in trying to work out this voluminous measure. A tremendous amount of it is open to conjecture, and no doubt many cases will have to be put up so that an administrator will know what he must do on these matters. I believe great inconvenience will be caused to people, and I doubt that any lawyer who has studied this Bill will be able to advise a client clearly on the best way to dispose of his estate, because the thing is very cloudy. People experienced as executors have told us how extremely difficult it will be to administer many of these estates.

Another matter I should mention is where this aggregation takes place. I think we can illustrate it by saying that many assets can be tied up in paying this duty, which has to be paid by the administrator (who is responsible for the estate) before he can proceed to dispose of the rest of the estate. There may be very few cash assets in the estate; there may be a number of cases where a person who has given a sizable portion of his estate to his son as a gift dies within the 12 months, and the remainder of his estate is left to a couple of daughters or a widow. If the son has disposed of that property and has frittered the money away or has had some bad deal or something like that, from whom is the administrator to get the money in order to settle the portion of the estate left to the two daughters or the widow? This would impose great hardships upon the beneficiaries of his estate. Although this gift is now to be aggregated into the total estate, there is no relationship between it and the remainder of the estate that passes under the will; yet the whole thing is

to be aggregated. To me, this is completely wrong, and that would be the opinion of most people.

The Hon. Mr. Banfield has obviously given us the benefit of much reading and research. I suspect that most of the information he has given us has come from the same source as the Government gets most of its advice on financial matters.

The Hon. D. H. L. Banfield: I did not get it from where the Hon. Mr. DeGaris got his, because his was wrong and mine is right.

The Hon. C. R. STORY: He was a smart boy: it did not take him long to find out he was wrong. The Hon. Mr. Banfield last year was convinced that this thing was wrong, but he has obviously given it more thought. The honourable member has given us a figure of $40,000. That figure has been given by the Premier in another place and here by the Minister—that 3 per cent of the estates in South Australia exceed $40,000.

The Hon. D. H. L. Banfield: I did not quote that.

The Hon. C. R. STORY: The 3 per cent represents estates over $40,000. The honourable member said (and was open to correction when it was pointed out to him) that the Government had been robbed of $1,000,000 or over by the action of this Council.

The Hon. R. C. DeGaris: He said "£1,000,000".

The Hon. D. H. L. Banfield: Yes—I said "pounds" when I meant "dollars". I make that general explanation.

The Hon. C. R. STORY: The honourable member mentioned this figure of $2,000,000.

The Hon. D. H. L. Banfield: I mentioned the figure by mistake when I said "£1,000,000".

The Hon. C. R. STORY: I am merely stating what the honourable member said.

The Hon. D. H. L. Banfield: I hope honourable members will accept the correction.

The Hon. C. R. STORY: I do not know whether the correction is right. My job is to get on with my part of the debate. The honourable member has his own problems; I am only repeating what he said. However, we do know that the Government expects to pick up, as a result of this measure, a sum of about $2,000,000. I think that fact is accepted. If we take the $2,000,000 and we relate it to 3 per cent of the estates that are over $40,000 (which is not a very big estate; a $40,000 business or a farm is not very big), it means that 3 per cent of the total number of successions per annum will bear the additional burden of $2,000,000, because we have it quite clearly from the Minister's second reading speech (and the honourable member who spoke previously gave us some figures) that the 3 per cent of those estates of over $40,000 will have to pay an additional $10,000 each, on an average. They will have to find that additional amount of money.

We must try to get that message over to the people. It is all very well to get up and glibly say how well off people will be under this legislation. That is true, and nobody on this side has disputed the fact that there will be small benefits granted; 97 per cent of the people with estates of under $40,000 get further exemptions, but the 3 per cent will really pay for it. If we start on our small businessman (and he is only a small businessman if he has that much capital; he is not a big businessman) and we extract on an average an extra $10,000 from each of those estates, we shall find that before long we have dried up the little people, those people that the honourable member proudly says are the ones he is out to help.

Where we start to dry up the nice little private industries, we also dry up an excellent form of employment. After all, it is the small business in South Australia that has been the real success—the small person who has gone out and done something for himself. He is a much better employer than the great colossus that employs many thousands of people but the moment there is a slight recession in the economy of Australia it is forced to lay off many people. It is these middle-bracket people who are being hit, and severely hit, by this measure. I hope the honourable member will bear this in mind. He said gaily that my constituents along the river were fairly happy about this, that all their estates would fall into the benefit class; but let me remind him that those people are the ones who have insured to try to provide in every way possible for succession duties.

The present Bill cuts out the very thing that people have tried to do. It will mean that many people who have skimped and saved to pay the insurance premiums will find, if this Bill passes, that it has all been done practically for nought. This is not likely to meet with great hand-clapping, as the honourable member seems to think will happen. In fact, the people are terse about it, and once or twice before demonstrated just how

terse they can become. I was delighted to see how they turned out in great number (as they were asked to do) to protest against the actions of the Government, and as many of them came out as came out at Port Pirie. It was very good.

The Hon. D. H. L. Banfield: What was the percentage of the vote?

The Hon. C. R. STORY: About 42 or 43 per cent.

The Hon. D. H. L. Banfield: That is only 40 per cent of the people eligible to vote; that cuts it down a bit.

The Hon. C. R. STORY: The Labor supporters did not go out at all, because they did not want to show up the position; I thought they showed good judgment in staying at home. In dealing with this matter, many figures have been quoted and several tables have been produced, but I do not think it is necessary for each honourable member to produce figures and tables. I want to deal with one or two specific matters. The first deals with insurance, a subject on which I am keen. If this Bill passes the second reading and reaches the Committee stage I hope that the Government will accept some amendments that will assist the people in the middle-income bracket, of which I am now and have been speaking. A man may have given $200 per annum to his wife or children (and this is done by many people) and it may have continued for about 20 years; on the death of the person only the gift made in the last 12 months prior to death is dutiable. It is the final premium of $200 and not the total of the gifts plus accumulated interest. Why, then, should the policy proceeds be dutiable when the widow or children have chosen to maintain a policy by such a series of gifts? That seems a matter of logic to me.

Why the Government should adopt such an attitude I do not know. The only good reason seems to be an attempt to break down anybody who is successful and to aggregate matters in that attempt. It is typical socialistic procedure; that is the core of the matter. I think we should nip it in the bud before it becomes a habit, because it is possible that it will become a habit.

There is no poverty in this State; one can say that we have a fairly high standard of living. I cannot understand why any Government should attempt to pull down people who are trying to get on in the world and who are doing a good job. We were told by the Hon. Mrs. Cooper about the position in the United Kingdom, and I agree that the position there may be laid fairly and squarely at the door of the Attlee Government which instituted a policy of bringing people down to the one level and not trying to lift them up.

That was one of the first attempts to put a socialistic policy into operation. It must be remembered that the present practice will not be just for this year but will go on *ad infinitum*, or until the other half of the card emerges, when both will be joined to form a straightout estate duty. One half has emerged, and it will not be long before the other does so. When that happens, together with the savage aggregating provisions in this Bill, we will really be in trouble. Succession duty is much tougher here than in Victoria as it affects insurance. If a complete estate duty is introduced with these provisions we will have a particularly tough time. Whether the pub'ic knew this when considering the wonderful statements published I am not sure, but perhaps by the time this Bill is finished (and I hope it will be finished) perhaps we may have given the message to the people.

I think I have said sufficient to indicate that I am not enamoured of the Bill; I do not intend to support it. When it reaches the Committee stage I will support amendments that will attempt to make it as equitable as possible, but I am not in favour of the Bill at present. It is a piece of socialistic legislation that we can well do without.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

PROHIBITION OF DISCRIMINATION BILL.

Adjourned debate on second reading.

(Continued from November 8. Page 2794.)

The Hon. F. J. POTTER (Central No. 2): I did not intend to speak to this Bill, because in some ways I think the less said about it the better, but the Hon. Mr. Kemp, who was to speak today, is indisposed. First, I do not intend to oppose the second reading, but in saying that I should also say that the measure is one that is misconceived in the sense that it attempts to impose a penalty on people guilty of racial discrimination. In other words, it provides a penalty, following court proceedings, for something that is purely a moral offence. The Bill refers to a man who offends his fellow man by discriminating against him because of his race, country of origin, or the colour of his skin. This is principally a moral

offence and one regarding which a man must search his conscience. We do not have on our Statute Book laws that provide for moral offences. Many times I have been told by a judge or a magistrate, when I have been putting an argument in a court of law, "This is not a court of morals: it is a court of law." This Bill contains provision for courts of law to adjudicate on matters that are fundamentally moral matters. However, we do not provide in our Statute Book for breaches of the Ten Commandments. I think one Commandment is, "Thou shalt not covet thy neighbour's wife," but we do not provide that a person who breaks that Commandment shall be liable to a penalty not exceeding $200, nor do we provide penalties for people who do not follow a particular religious creed or belief.

If we are to have penalties for people who discriminate because of the race, country of origin or colour of skin of a person, why should we not provide penalties for discrimination against people who follow a particular religious belief or who are not members of a particular association? The Aboriginal population has been mentioned in the debate, but discrimination against the Aborigines hardly exists in this State. Of course, the Bill is much wider and will apply to all people who come from a different country or who are a different race from us. I wonder how far some of the provisions will extend or what kind of dilemmas the Minister administering the legislation will get into. I can think of instances in which it may be said that the provisions apply, whereas it has never been intended that that should be so.

The Hon. R. C. DeGaris: Would you think a person from New South Wales could take action?

The Hon. F. J. POTTER: The Bill refers to any person within this State who practises discrimination: whether he comes from New South Wales does not matter. It seems to me that a completely wrong approach has been made to this matter. I was very impressed by the examples given and suggestions made yesterday by the Hon. Mr. DeGaris. It seems to me that America has had plenty of opportunity to find a solution to this problem, and I was impressed by the suggestion that we should have some kind of commission or administrative authority to deal, in the first instance, with complaints of alleged racial discrimination.

It seems to me to be patently clear that, if a person has such a psychological make-up that he wants to discriminate (and there will always be discrimination, not necessarily for the specific reasons stated in the Bill), then the only way we can deal with such a person is to try to get him to see the error of his ways and adopt a conciliatory attitude. An endeavour should be made to soothe his feelings and the feelings of the person aggrieved.

We should not, in the first instance, take the matter direct to the Minister so that a prosecution may be commenced, because I am convinced that neither party will be perfectly satisfied as a result of a prosecution. A person who is convicted and fined will consider that he has been dealt with unjustly and a person making a complaint will probably consider that the offender has not been dealt with severely enough. All these aspects will create a problem that does not exist at present. We in this State do not really know what racial discrimination means and it seems to be a pity that this should be the first State to introduce this kind of legislation.

The matter should have been considered far more carefully. I think the Bill is the product of some emotionalism on the part of the sponsor. I do not in any way wish to suggest that he does not genuinely feel that this Bill is required, but I should like to see a better approach. There should be provision for an authority or commission to consider these matters in the first instance. It would not be difficult to appoint a conciliation commissioner for the purposes of the Bill. It would not be necessary for a person to work full time in this capacity. In the old days, we had matrimonial conciliators and, although I do not think they did a very good job in that field, they were available on a part-time basis and gave services when required.

All that would be required under this legislation would be two or three people comprising a conciliation committee. I do not think the committee would have to spend much time investigating complaints, because the complaints would be few and far between. Such a committee could attempt to solve genuine difficulties before court proceedings were taken. As the Hon. Mr. Rowe said, one's attitude would be misinterpreted on all sides if one voted against this Bill. Consequently, for what the measure is worth and what it will do (and I do not think it will do what it is intended to do), I am prepared to support the second reading. At the same time, I should be happy if the Government were prepared to accept the

suggestion made by the Hon. Mr. DeGaris that the Bill be withdrawn and that a new approach to the matter be made.

The Hon. H. K. KEMP secured the adjournment of the debate.

NATIONAL PARKS BILL.

Adjourned debate on second reading.

(Continued from November 8. Page 2801.)

The Hon. G. J. GILFILLAN (Northern): I support this Bill, which brings together the reserves in the State under one National Parks Commission and authorizes the commissioners to administer and look after our parks. I believe that the principle involved is worthy of support, but I question the practicability of the approach in the Bill. The measure sets up the commission, defines its duties, and lists the land that will come under its control immediately, but it does not provide in any substantial way for the finance that will be required to administer these parks properly. On checking the Estimates, I noticed that for 1965-66 the sum available for the National Parks Commissioners was $119,200, and for the current year $110,200—a decrease of $9,000. It is one thing to be filled with enthusiasm for preserving the State's natural beauties and to develop them where development is considered desirable as a tourist attraction but it is another thing to acquire land and not have the finance available to administer it properly.

In many places there are huge areas of natural scrub land, which is completely in a virgin state. This land is a source of worry to adjoining landholders because of the risk of fire, the breeding of rabbits and other vermin, and sometimes the uncontrolled spreading of dangerous and noxious weeds. I think we face a very grave risk in following this ideal of preserving as much land as possible as national parks and then perhaps not providing sufficient finance to administer it and not defining the obligation of the commissioners in relation to maintaining these parks. The Bill defines the things the commission may do but it does not mention such things as the control of vermin, fire protection and other things, or say that they must be done. When land becomes vested in the Crown, we nearly always have the problem of vermin and weeds, and a fire risk.

It has been suggested by other honourable members that there should be some representation on the commission by practical men with a knowledge of the land. I believe this suggestion is worthy of consideration and that this should be written into the Bill. Probably the commissioners will be men dedicated to the preservation of our natural assets but they may be lacking in the practical application that every man acquires who has to make a living off the land. Apart from the things I have mentioned, we must take into consideration the management of the country and ways to preserve it to the best advantage.

It is well known that, where an area is shut off completely and stock is not allowed to graze and animals are not allowed to run freely, there is a build-up of vegetation, fallen limbs and grass under the trees. Should this catch alight, it creates what is known as a hot fire, which will burn the trees. In some cases the trees will not recover, but where land has controlled grazing there is lighter undergrowth and a fire can run through without the forest timber being endangered. All these points should be considered in relation to the management of these parks.

I have no doubt that the people chosen as commissioners will be dedicated to the management of parks, but I make a plea that men of practical experience be included to ensure not only that the parks will be run for the benefit of the people but also that they do not become a menace to adjoining landowners and districts.

The Hon. Mr. Hill yesterday mentioned an interesting point when he said the Bill could in certain circumstances place the control of park lands under this commission, and he expressed concern about the Adelaide City Council's area. I will go further: I think if we consider this point we should consider all councils throughout the State. I think that no park lands should pass out of the control of a council, which has an intimate knowledge of its area, to any other authority without the full consent of the council.

I believe another reason why there should be some representation from practical landholders on the commission is the compulsory acquisition clause. This provision gives me cause for concern, as it will enable the commission to recommend the acquisition of land for national parks. That is a very different purpose from that involved in the normal land acquisition for public utilities, such as the Engineering and Water Supply Department and Highways Department, where the need is clearly defined. The commission may, in its enthusiasm, desire to acquire large tracts of country at present held by private people. There may not be sufficient finance available to the commission

to administer these large areas efficiently and, more important, the security of tenure of people on the land will be interfered with.

The acquisition of land should by justified, and much thought should be given to the matter before there is compulsory acquisition. To many people the land they live on and work is a way of life. Many of these beauty spots throughout the State have been preserved by people who live in the country; in some cases they have been developed. There are stretches of country in South Australia that do not grow timber and have become effective beauty spots. We should give these people security to enable them to carry on their way of life.

By having on the commission people with practical experience on the land as well as people enthusiastic about national parks, we could give some balance to the uses of various areas of land. We should give the Bill at least a trial run without this compulsory acquisition clause in it. If the commission finds it impossible to administer the Act properly, that is the time to consider compulsory acquisition of land. With that reservation, I support the Bill.

The Hon. JESSIE COOPER secured the adjournment of the debate.

ABORIGINAL LANDS TRUST BILL.

(Continued from November 8. Page 2785.)

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Casual vacancies."

The Hon. A. J. SHARD (Chief Secretary) moved:

In subclause (1) (*d*) to strike out "twenty shillings in the pound" and insert "one hundred cents in the dollar".

Amendment carried; clause as amended passed.

Clauses 8 to 15 passed.

Clause 16—"Power to transfer lands to trust."

The Hon. R. C. DeGARIS: I ask the Chief Secretary to report progress as Sir Arthur Rymill is absent. He will be here tomorrow.

The Hon. A. J. SHARD: I know that Sir Arthur Rymill had a very important business engagement and is, unfortunately, absent. He has an amendment to move to this clause and I did give him an undertaking that I would see that he was present so that he could put his point of view.

Progress reported; Committee to sit again.

PLANNING AND DEVELOPMENT BILL.

Adjourned debate on second reading.

(Continued from November 8. Page 2812.)

The Hon. C. M. HILL (Central No. 2): This long Bill comprises 81 clauses. In the time available I have done my best to peruse it but, unfortunately, I have not been able to carry out the research I would have liked to. I inquired in this building several times on Monday whether a copy of the Bill was available, but it was not. I also inquired yesterday in the forenoon and early afternoon, but I was still unable to obtain a copy.

However, there has been for a considerable time public feeling that there is a need for further town planning legislation in this State. I checked on the present Government's policy speech made in February, 1965, and found that the then Leader of the Opposition said this about planning:

Town planning is a must to be implemented. Already £30,000 has been spent by the Government on the preparation of the report and plans contained therein. Do you realize that the Town Planner's Report is really outstanding for the information contained in it, and that the Playford Government has failed to appreciate its value and importance to this State and they as a Government are so unconcerned that it has no force in law? Whilst I will be elaborating more on the Town Planner's Report, I assure you that we, as a Labor Party, are very mindful of the need for its adoption in the interests of the people of South Australia.

I believe that refers to the 1962 report which, as honourable members know, was published but has not yet been given the force of law. However, I understand this Bill provides that the 1962 report shall be the initial plan to come into force if and when the Bill is passed. Looking at the plans that accompany the report, I wonder whether the Minister will consider at some stage of the debate producing the 1962 plan which shows the various zoned areas. It would be a most helpful visual aid in this debate. I believe three plans make up the whole of the newly prescribed metropolitan area. The question in my mind is one uppermost in the minds of most people in South Australia, and it is: what is the degree of planning necessary, or to what extent should town planning be permitted?

I think most of the people consider that great caution is needed in this matter. I know a vocal group in this State, consisting of professional town planners (and one understands their attitude), is keen to see this Bill passed and town planning introduced here as envisaged in the measure.

I believe these people realize and acknowledge that town planning as a science is not particularly popular with the people unless the climate for its acceptance has been created. I believe that these people have formed an association called the Town and Country Planning Association and that they are endeavouring to establish that climate. The association has invited any individual or association to join on the payment of a small membership fee. At its meetings the association attempts to mould public opinion to accept the principles of town planning, and it has given wide publicity to its objects and views. However, I think many people still are cautious about the results that will ensue if we are not careful in controlling the degree of power to be given to the town planning authority under this measure.

I have been told of a meeting of this association (of which I am a member, although I have not had time to attend any meetings) to which many representatives of various organizations were invited, and at which arguments in favour of town planning were put with clarity and vigour. With some bewilderment, somebody asked halfway through the meeting, "As we are invited here to form an opinion and as we have heard all of the arguments for town planning, is there anybody here to speak againet it?" or words to that effect. I believe at that time there was nobody there to speak against it.

The point I make is that there is a forceful group of planners in this State endeavouring to mould public opinion in an attempt to have accepted the principle of town planning. I am not convinced that most people are prepared to accept, or even want, such planning. It will introduce controls that will affect people in their normal way of life to such an extent that at a later date they may well be sorry that the controls were introduced.

I know that caution is needed, and I will touch on some facts that immediately come to mind when the dangers of town planning are discussed. It will affect people's lives, where they live, and in many respects how they live. When we speak of people we speak of individuals in society. Town planning will affect industry, and one wonders whether in this State at this time further problems should be allowed to confront industry in its present economic condition. Town planning also affects local government and takes more power from it, in my view, than any other measure has ever taken.

The Hon. C. D. Rowe: And therefore it should be under the control of the Minister of Local Government.

The Hon. C. M. HILL: I am pleased that the honourable member has mentioned that matter so early in the debate. A strong argument can be put forward, and should be put forward in this debate, in favour of town planning returning to where it belongs—that is, under the control of the Minister of Local Government. If town planning is applied to the community, it is in a position to tell the State what is good for the State, but that is contrary to some fundamental beliefs that we hold dear. It conflicts with deep-rooted habits in the Australian way of life. We, as Australians, have developed and established our attitudes and way of life along traditional lines, of which we are proud. When such conditions are in danger of being affected we should closely examine the legislation proposed by any Government. It restricts the choice of how and where people may live.

Recently we have noticed a growing trend to encourage people to become flat dwellers. By "people" I refer mainly to young families with children. When we see the possibility of great changes in the way of living in our urban areas, surely we must hesitate and examine a measure such as this most carefully. Overall, the measure introduces control, because with town planning there must be control.

The Hon. S. C. Bevan: It is a necessity.

The Hon. C. M. HILL: Yes, but many people do not like control. They accept it to a certain degree and with present day life a certain amount of control must be accepted. However, that is no excuse why more control should be foisted upon us.

The Hon. R. C. DeGaris: Most people do not mind it if it is not applied to them.

The Hon. C. M. HILL: That is so. The Minister in charge of the Bill has a main responsibility to the people, not to the town planning authority. If there is any elasticity, with all matters in this measure which go back to the Minister (one sees how time and time again everything must return to the Minister) then the Minister should favour the people's view. If we can have a Minister in charge of this Bill whose sympathies lie with the people and not with the planners, then the Bill can be viewed in a far different light from the light in which I am viewing it at present.

Still touching on these brief facets which sparkle out of the general need for caution on this measure, I say that we are giving much control to professional planners, who form, indeed, an elite. It is my experience

that they are not a compromising group of people once they have formed their decisions. I know they carry on much research before they form their opinions and come to their decisions, and if they did tend to shift their ground and to change their decisions one could well understand the pressures under which they would be placed.

Nevertheless, my experience has been that planners, once they have made decisions, are not a compromising group of people with whom to deal. I hasten in their defence to say that there is nothing personal whatever in my remarks against professional town planners, for I acknowledge that they are highly-trained people who are dedicated and most sincere in their work.

It is the belief of those people (and I accept this in the good faith in which they have put it forward) that as a result of planning people will lead a healthier and happier life and a better life economically, and that the State's economy will benefit from town planning. Those are the sincere submissions the planners put forward, and I am not criticizing them in any personal way whatever; I cannot stress that enough at this moment, because I know how easily one's comments can be misconstrued on matters of this kind.

I now wish to deal with some of these points in a little more detail. In town planning we are dealing with people, and the control of people's lives, of course, should be in their own hands. Although I think almost every country calls its system democratic, we consider that our system is the best type of democracy, and in our system control must come up from the little people to the top. It is these little people who, in my view, must have the final say on this question of town planning. Once we have planners telling these people what is good for them, as compared with a situation in which people tell the planners what they want, we are in trouble with our democratic and deep-rooted principles.

The Hon. R. C. DeGaris: Don't you think a fundamental test of a democracy is how much power rests with the people themselves?

The Hon. C. M. HILL: Of course it is. If we have government by the man at the top, we have an autocracy, with a single man in charge, and we have power coming down by orders and commands. This is in contrast to our system, which is government by the people.

Under our system, of course, the little people are the masters, and, as we know here, they can remove those who act for them in places of authority. The real strength and the real masters in the system must remain the people and not those who get to positions at the top, whose roles cannot be changed, and who have the power at their disposal to tell people what is good for them. I think in regard to town planning that is the principle that must be borne in mind.

I now want to give an explanation concerning subdividers and subdivisions, because, although subdividers and subdivisions do not play as big a part in this Bill as do some other matters, I think those things must be mentioned. There was a time in this State and in other places when these people came in for great criticism. I am not defending them at this point at all. The differences in the conditions that existed from those existing today that I want to point out are that in years previously the subdividers did not pay the cost of development within the subdivisions, whereas under the existing Acts and the existing regulations they do so. Previously, there was some burden to the State in extending services to these subdivisions, in building roads, footpaths and kerbing, and in other things, but now the subdivider has to do all these things.

Therefore, when we talk of land which can be subdivided in the outer fringes and which might be ripe for subdivision, I would like members to bear in mind that we are not talking any longer of subdividing causing a burden on the State's finances. Personally, I am in favour of the change, for I do not think the State should bear the cost.

The Hon. S. C. Bevan: What about a case in which there is a subdivision of only about three allotments?

The Hon. C. M. HILL: What I said still applies. If there is any doubt on this point, or if there is any need to amend the Bill to make my concept perfectly clear that the subdivider does or should pay all the development costs, then I am in favour of that point being clarified. I think it is a very important point, and it arises as one peruses this Bill in greater detail. Mr. President, I apologize for the disjointed manner of my speech, but I have not had time to collate the matter as I would have liked.

I now wish to touch on the matter of the suburban sprawl, and, of course, sprawl is a subject that interests us all. As I said earlier, we have had in recent times planners telling us that there is a need for renewal and redevelopment within the inner suburbs of the metropolitan area, and that this will involve the

building of flats. This, Sir, contrasts with our previous pattern and planning in which into the outer fringe areas, even beyond existing development, people have chosen to move and to live. New suburbs have developed there, and, of course, as we know, the metropolitan area has spread a long way.

Again, I refer back to the point that the costs in the developing of this sprawl are borne by the subdivider, and we have in the outer suburbs facilities and amenities such as community shopping areas, neighbourhood shopping centres, and the very large regional ones that provide people with ample shopping facilities. We have a very healthy existence for children, and in some localities, such as in the Tea Tree Gully area, we have attractive scenic beauty, with many gum trees. It is a very healthy life in these outer suburbs, where there are now many children and young couples.

The same principle, of course, applied to satellite towns. As we know, we built a satellite town near Adelaide. I am not saying that the people necessarily wanted to live there by choice, but it was part of the way in which our development occurred, on the basis of the sprawl. Against that, if this Bill is passed, there will be power for this modern trend to be acted upon so that, instead of having larger outer suburban development, we shall have high rise development (a popular term at present) in areas close to the city.

Those who will be in charge of this legislation must not plan so that families with younger children will be placed in that type of accommodation. We know that communal playgrounds go with that development, and I think that is completely foreign to our accepted way of life in metropolitan Adelaide. I do not think it is in the best interests of the State to allow that kind of development to take place. Of course, people seeking accommodation will be forced to live in it.

I do not want my remarks to be misunderstood, because I am in favour of multi-storey flats or apartment buildings being provided for couples whose children have left home and for couples who want to sell their suburban houses and rent apartments on the periphery of the city. I am in favour of that kind of development, and it is easy to be misunderstood when one objects to provision being made for that kind of development for families with children. Honourable members will remember that the Adelaide City Council tried to start a pilot scheme of this kind in an area facing the east park lands and one of the worst tragedies that have occurred in the State took place when the present Government, almost in pique, decided when it came to office that that plan was not to proceed. The plan was a practical example of what people and investors within the city needed.

The Hon. Sir Norman Jude: It was a warning regarding this Bill, too.

The Hon. C. M. HILL: Yes. That showed how, with one stroke of the pen, much thoughtful planning and lengthy investigation could be discarded, because the city's increasing population ranks with off-street parking as our most important challenge. I hope we shall not see the day when people, instead of having a choice to live in a suburb such as Tea Tree Gully, will find that the only accommodation available is "just the other side of the city", and that they must live there for several years.

The claims of planners that the health and happiness of the people depend upon the manner in which new suburbs are planned can be disproved by the manner in which people in South Australia, particularly those in the hills areas of the city, have dwelt happily and in good health, without economic problems because of their location, since the State was founded. They have built houses there and have raised families, even without a water supply or sewerage facilities. I refer to such places as Upper Sturt, Mount Lofty, Belair and Blackwood. Indeed, sewerage facilities are not yet available in those areas. Nevertheless, we must exercise care to ensure that a planner will not permit the subdivision of a block unless sewerage can be laid on. There may be no need for it in some areas, as has been proved in the hills areas and suburbs of Adelaide by people who have lived there without such facilities.

There is no need to rush into change without full consideration of what is involved. It is interesting to note how individuals do like to select the suburb in which they will live. I said that there was not a strong demand for houses at Elizabeth. However, people do like to go to Tea Tree Gully. A traditional feature of our life is that we try to ensure that people are given a wide range of choice about where to live. If we start telling people where they have to live, our whole way of life will change for the worse.

The 1962 report stated that it was expected that there would be a demand by 25,000 people to live at Tea Tree Gully by 1971 or 1972. However, I understand that that figure has been exceeded now, and that shows how people like to

make up their own minds about where to live. It also shows that planners can be wrong and that great care must be exercised when the State is placed under control of this kind, and I point out that the whole State is involved, because any area can be declared.

The Hon. S. C. Bevan: That is another reason for redistribution, isn't it?

The Hon. C. M. HILL: I did think the Minister's Party was keen on redistribution at present. I shall now deal with what might be called the hills face matter, which is an important aspect of town planning. It is important basically because it is part of the 1962 plan. I am not opposed to that plan or to some slight amendment of it. It requires little change. I am not opposed to that part of the Bill in which we start with that basic plan, because we have to start somewhere. However, a part of it deals with the hills face zone, to which I object.

That plan deals with a large area of land stretching from the hills south-east of Gawler and following the ranges southward right through the hills area to the east of the city, running down towards Darlington, then jumping further south to a further range behind the Christies Beach and Morphett Vale area, then jumping to another range behind Sellicks Beach, and finally meeting the sea. The face of these hills and a fairly large area over the crests are included in the area known as the hills face.

It was the concept in that plan that this should be kept as open space land, and I believe there are several reasons for this, the main one being the aesthetic point of view. It must not be confused with open space land suitable for parks, reserves and playing fields for people to spend their leisure time, as it is steep, hilly land.

Spectacular lookouts are included on it, but they do not form a large area. Basically, this was done to present an aesthetic view from the gulf and the Adelaide Plains, and the Town Planner and the people involved in the plan no doubt considered that its aesthetic value was important.

Another reason why it was reserved was the economics from the State's point of view. At that time the State had to bear a fairly high portion of the cost of providing water, sewerage and other facilities, and to take these services up these slopes would have been an expensive operation.

The third reason was that the authorities considered that the building costs were excessively high because of the extensive footings, foundations and build-up involved when one builds on sloping land of this kind. However, I think people are now having second thoughts about this and asking themselves whether it is not a better plan to have some residential development on the hills face area—development in which the blocks must be larger than usual so that the people will plan greenery and develop their gardens and the same green effect will be achieved.

Indeed, there will be green all the year round compared with the present appearance. We know it is very difficult for a public utility to grow trees on the land because of the attention they need, but there is now a brown effect in the summer and grass in the winter.

In the Burnside municipality it is being proved that this is a worthwhile alternative, as in that area subdivisions have been allowed to creep up on the slopes behind Beaumont and some parts of Glen Osmond. The new residents are developing their land and making it very attractive for people to see from the plains in the daylight, and the views from the area at night are very attractive.

We know that the present size of a block of newly-subdivided land usually varies from 6,000 sq. ft. to 7,500 sq. ft. If it is provided that land on the hills face, especially east of the Adelaide suburbs, must be at least 16,000 sq. ft. in area, and if we estimate that only 2,000 sq. ft. will be developed (I remind honourable members that most people will build two-storey houses there, so the ground area of the houses would not be large), only one-eighth of each block would be built on, and the balance would be turned into garden area.

I think we should not proceed with this concept of the hills face that we have been considering in the past: I think we should allow this special kind of subdivision. If we did, the same aesthetic effect as we ultimately want would be produced; the cost of roadways and all development would be borne by private enterprise; look-out areas would be maintained, and, indeed, would be implemented in the actual plans; and we would have some of the most beautiful suburbs in the metropolitan area.

This Bill starts off with the 1962 plan, which shows the vast hills face area. This is reserved for this purpose in the 1962 plan, and that is what concerns me.

The Hon. S. C. Bevan: We are dealing with 1966 now.

The Hon. C. M. HILL: We have no plan, and people would like to see a revised plan. In other parts of the world, many fine suburbs are on slopes of this kind above rivers, plains and harbours. It is interesting to see that, although all this hills face is apparently wanted for this purpose, the Flinders University was placed in such a position.

I know that this site was reserved for another purpose, because it was held by the Crown or an institution, not by private enterprise, in 1962. Nevertheless, that is an example of the kind of development that we can have on the face of the hills, and I do not think it is a retrograde step to consider this type of thing.

There is no need for me to tell the Minister or any other honourable member the fine job that local government does in South Australia or to remind the Minister, who understands the Bill well, of all the power and control local government will lose if this measure passes in its present form. There would be a great loss of zoning control. There are many other headings in the Bill. The power of local government would be whittled away. Although local government is given a big say in this Bill as far as the preparation of new regulations and changes are concerned, it is my personal view that local government should have the final say. That is not envisaged in the Bill.

People in a particular locality, suburb or local government area should be the first to initiate town planning in that area. If they want it, as far as I am concerned they can have it, because they are the masters in the society that I visualize. I should like to see written into this Bill a change, in that a local government area (which means local government representatives elected by the people) can initiate a town plan for that area or a change of any existing town plan.

The Hon. C. D. Rowe: A local government area would have no say in the siting of a freeway through it and extending beyond it?

The Hon. C. M. HILL: I understand that point and will deal with it in a moment. If local government went to this proposed town planning authority and said, "We should like a town plan for our area drawn up by you as experts," and if it was given a plan, possibly at that stage at the authority's office it could see the suggested updated master plan of which its own area would be shown as a part. If local government could be given that expert plan and time to consider it, it could do that in its own area and the representatives of the people in that area would no doubt be consulted by the members of that council; they would debate and argue the matter. If they wanted a change, they could come back to the authority and discussions could take place.

If common ground could be reached between that local authority and the State planning authority and if both were in agreement with a town plan for that particular area, then I should like to see that area having the right to say, "We now want the plan implemented." In other words, they would initiate it and would agree that it be implemented at a certain time; and the authority would have to agree with it, too. The plan would have to conform to the master plan for the whole metropolitan area.

The Hon. C. D. Rowe: What is the position if one local government area says, "This is to be residential" and another local government area adjoining says, "This is to be heavy industry"?

The Hon. C. M. HILL: I appreciate that is a problem. I realize that one council could be town planned and the adjacent council would have to remain as it was, subject to its existing zoning by-laws.

The Hon. Sir Norman Jude: As they exist now?

The Hon. C. M. HILL: Yes, and also subject to zoning that would apply in the 1962 measure. So the neighbour would not be completely free from town planning, and it would be happy and contented with what it had. But, if those people liked to fall into line—

The Hon. C. D. Rowe: Do you think the answer is that local government bodies should cover a larger area?

The Hon. C. M. HILL: No, I do not think so at all; but it is an interesting point that I hope will be taken up later in the debate. There should be some research into whether this Bill might be the thin end of the wedge for much bigger local government areas than at present. I do not mean the amalgamation of one or two small municipalities. My idea is not affected by the transport authorities, because they have the power to criss-cross any of these municipalities now. They have the power to acquire compulsorily.

The Metropolitan Adelaide Transport Survey is under way. It will produce a plan envisaging our overall future transport needs so that adequate planning can take place during the latter part of the century for the transport needs of the metropolitan area. But that does not affect a local council's having the right to

town plan its own area, because such a council now is subject to the Highways Department saying, "We are going to acquire land for freeway purposes here." It has happened and is happening. Authority has to have that right.

Apart from transport another overriding consideration is the need to provide national parks. That is not a local government matter but there are already established or there are being appointed authorities that can set up these public amenities, services and utilities that must be provided in the best interests of the whole State.

I hope that, as the debate proceeds, an approach enabling local government to have a real say in town planning will be further canvassed, because there is no argument against it from a democratic point of view. If people want it in their area, they get it. If they complain about it, they complain locally, and all the problems and arguments that will inevitably arise will be settled by the people in the area.

The Hon. S. C. Bevan: This plan will come into operation after consultation with local government.

The Hon. C. M. HILL: Yes. There are one or two amendments to that effect. A great endeavour was made to co-operate with local government but my point is: who has the final say?

The Hon. C. R. Story: It would be of advantage if the Minister of Local Government had charge of the Act, because he could talk to himself about it.

The Hon. C. M. HILL: I thought I expressed myself earlier on that. It is a great pity that the Minister of Local Government is not in charge of town planning in this State. Another point that crossed my mind when I was making notes on this Bill was that there is no kind of emergency in South Australia in town planning. We are told from time to time of the dire need of the individual, who is being so adversely affected by modern life that he has to have planning; but I do not believe that. Originally, we enjoyed, and we have been privileged to have, wise planning when there was hardly any development here. This happened, too, in Canberra, where they started their planning and kept it going. Since those initial plans were given to the people here I think individuals have done a great job, in which they have managed their own affairs.

One can understand that town planning was needed urgently in the bomb-ravaged areas of England, for example, where cities were razed to the ground. It was needed in such a climate, and also a need exists when large population explosions occur, but we do not have such a thing here.

The metropolitan area has a population of about 600,000. Melbourne, with a population of over 2,000,000 in the metropolitan area and with the number increasing rapidly, needs town planning. Despite the increase expected in the population of Adelaide, our numbers will not be great compared with the area of land envisaged in the metropolitan area and the amount of room in which we have to expand.

I turn now to the important question of compensation. It is not fair that people should lose capital as a result of a Government measure, and it certainly is not fair unless it can be proved beyond doubt that such a loss must be incurred to offset a great benefit to a greater number of people. The people on the hills face, to which I referred earlier, will be in an unfortunate position because they will see their land, if this Bill is passed, changed to a certain colour on a map and marked "hills face zone".

The person with a farm in such an area will simply be told, "You may carry on the same business or operation as before, but you cannot sell the land to anybody for conversion to a more valuable purpose." If a subdivider approaches him and wants to buy the land for the purpose of subdivision (and this has been a practice over the years, an understandable one on the outskirts of a growing city), it cannot be sold.

The farmer must see his land restricted to its value for primary production, and his operations will be greatly affected by urban development creeping towards his property. Many farmers cannot carry on efficiently because of the number of people living adjacent to boundary fences, perhaps because of the dog nuisance and other reasons.

However, the farmer must just carry on and he is expected to smile because it seems from this Bill that a great number of people will obtain a special benefit in life by being able to look up at that farm from the plains. I believe that is rough treatment, in any language.

The problem goes deeper than that because many people have raised mortgages on their properties, and valuations have been based on some subdivisional potential in many instances.

Valuations of land made with that potential in mind are, of course, higher than those for land to be used purely for farming purposes. Some people in such a situation are beginning to realize that, once an area is zoned and becomes a hills face area, the amount of money that may have been raised on the land may well exceed its value. What happens then?

The mortgagee who lent the money in good faith on the basis of a valuation, also made in good faith, must protect his interests. He takes not only the land because, as is well known, each mortgage includes a personal covenant, "I promise to pay", and therefore instances can occur of people not only losing their land but also facing the possibility of being sued for the balance of the money owing after the land has been sold under the hammer.

We all know how strong the demand would be today in the circumstances I have quoted where land has been declared "hills face area". If legislation is to be passed placing individuals in the predicament I have mentioned, then such legislation needs careful consideration by this Chamber.

I now deal with the matter of finance and points connected with proposed renewal and redevelopment. We know that the State is short of money at the present time for housing purposes, and I know that the Government is stretching itself to the limit with regard to the allocation of money for such purposes. I also know (and I was told this in an answer to a question in this Chamber) that the Government is planning to spend a little more this year than it did last year on housing. However, in comparing priorities, I think that before channelling State money into renewal or redevelopment we should look closely at the need to use that money for other matters relating to housing finance. I refer particularly to the temporary finance problem, and I am sure that the Government appreciates its magnitude.

If legislation is passed giving the authority power to renew, redevelop, plan and act as a developer (and that is the type of power that the authority has under the Bill; that is, to act as a developer) before such action is taken the Government should ascertain where the money is to come from, because it takes an enormous amount of money to enter the area of development and renewal. Planning is not an expensive matter, but renewal is most expensive.

I am concerned about appeal rights. I want to see adequate right given to the individual to appeal against decisions of the authority and of the director, because I notice that, apart from the authority's rights, the director has power to make decisions.

I have been told on good authority (and I am prepared to apologize if I am wrong, because I have not had time to check the letter in which the statistics are included) that, in spite of 190 objections lodged by private individuals following the 1962 plan and the measures that eventuated, no alteration was made to that plan. If that is true, it might be that the ability of the individual to appeal and the grounds upon which he can appeal are not sufficiently wide. That is a point I think should be looked at very closely in this measure.

Earlier I mentioned the effect of this Bill on industry. We all know the problem industry faces in this State, and we all know the need to retain industry in this State and to keep it expanding and problem-free. At the same time, we appreciate that some individuals sometimes are affected by their nearness to industrial developments. However, it might well be that in our present stage of development that is an unfortunate price that the State has to pay, so that we can keep our economy buoyant and keep the State moving along on the Australian scene as it has been moving in years gone by.

There are also other forms of zoning which can give some protection to individuals who are affected by their nearness to factories. I think the commonsense, practical, down-to-earth planning that has taken place over the years has been proved in this industrial field, when we realize that the decentralization of industry within the metropolitan area, which was planned in this sensible manner, has been so very successful.

I refer to industry, for example, in Daw Park, at Tonsley Park, and around the Christies Beach area. Plans to put industries south of the city proper met objections, but nevertheless it has been done, and it did not take an 81-clause Bill to do it. The industries are successfully establishing there. Industries at Elizabeth are another case in point. That, Sir, has all been accomplished, so I think any talk that there has been no planning, or that planning in the past has not been effective from the point of view of industries, is rubbish.

If we bring down, by our decisions here in the Legislature, plans under which industry suddenly finds that it cannot expand on land it has bought, if we find that industries have to shift out, and if we find that they are restricted, then we also might find that they look elsewhere and that they might well have

had in mind plans to consolidate their interests where they might already have branches in other States. We might find that they will go to where the markets are and where their costs of transport and so forth to the Eastern seaboard are no longer a factor. Rather than hamper industry in any way at this point, I think we should be bending over backwards in trying to help it. I fear that industry will be affected by this measure.

I come now to the composition of the authority. The proposal is that the authority shall consist of nine members. I suppose we all have different views regarding the number that is ideal for an authority of this kind. Over the past months people with whom I have discussed the subject, and associations that have made representations, are not on common ground regarding the ideal number needed for an authority such as this. In fact, I think the general consensus of opinion is that it should consist of a smaller number of people and thereby form in principle what might be called an executive. My personal view is that it is better to increase rather than reduce the number, because I cannot really see how any of the representatives who have been named here can be dispensed with.

I know that in its suggested form we have a majority of public servants on the authority, but by the same token I commend the Government on its choice of senior public servants, men who can contribute greatly, I think, to this authority. In my view there is a definite need for the senior public servants that are named here to be members of the authority. The Director of the department administered by the Minister of Roads and Local Government is concerned with all the State's highways and the proposed freeways, and is, therefore, responsible for much of the transport network that is so essential in the planning of this State, and surely a man of that kind should be a member of the authority. One could go on. The Engineer-in-Chief is to be another member.

The Hon. C. D. Rowe: I think the Government thought that there were nine members of the Cabinet and that this authority was as important as the Cabinet.

The Hon. C. M. HILL: I do not know whether the authority can be compared with the Cabinet. I look upon it not as an authority that is going to rush decisions but one that is going to make very close, intricate, detailed and complex investigations. I look upon it as an authority in which the senior public servants are going to bring forward all their departments' plans regarding the matters the authority might be considering.

The very worst that can happen is that decisions are rushed by this authority. Therefore, far from having any argument on that, I commend the Government on considering what I think are these necessary appointments.

However, I feel that private enterprise should be further represented on the authority for many of the reasons that I have stated this afternoon. I think we need a balance between private enterprise, individuals, people concerned with property and people who could be affected by town planning. If we have representatives of people of that nature sitting around the table with the other people named in this body, I think we will have a better arrangement of people and a better authority.

What I had in mind was that the Chamber of Manufactures should be able in its own right to appoint one representative or have an appointee chosen from three names it submits. I think that the Chamber of Commerce, which is very representative in the commercial and mercantile world in the city and in the State generally, should have a representative.

The Hon. D. H. L. Banfield: What about a trade unionist?

The Hon. C. M. HILL: I do not know whether the trade unions could also adequately contribute on this question of planning. If it could be indicated to me that there was a case for them, I would be perfectly happy to consider further nominees. I think by discussion and by co-operation in this Chamber we will be doing a great service to the State if we come up with the right answer after this very long and complex measure has been considered.

The third body I thought ought to be represented is the Real Estate Institute. Although I am a member of that body, I make no apology for stating that view, for I think it can be said that it represents landowners who could well be affected by planning. I think it could contribute to the good working of the authority. If three members, such as I have mentioned, were appointed, they would replace the one joint nominee suggested from the Chamber of Manufactures and the Chamber of Commerce, and would increase the membership of the authority from nine to 11.

Earlier in the day the Hon. Mr. Story mentioned his objection to socialistic legislation, and I commend him for having done this. I

know that we do not agree with our political opponents on this point, but I am opposed to any legislation of a socialistic kind. The authority appointed under the Bill is to have power to subdivide and develop land. It will be able to act as its own developer and its own subdivider. I question whether this is in the best interests of the State, although I think the authority would be an expert adviser. It will have power to approve or not to approve, and there is no reason why it cannot co-operate with private enterprise. If it does that, we will get the best result.

However, all sorts of worries and doubts can come in if the authority is given power to subdivide. One such doubt arises where land is acquired for certain purposes, whether for open space land or some other purpose, and is later resubdivided by the authority for another purpose. In those circumstances, great public critisism would result and, if the authority did not have this power, the possibility of such an outcry occurring would be prevented. Those in the van of the outcry would be the unfortunate people from whom the authority purchased. The way to prevent that from occurring is to take out the authority's power to be a subdivider. From time to time we read about problems that arise in other States from control of this kind.

As I have mentioned earlier, I do not want any of my remarks to be construed as criticism of persons in this State, especially those who are dedicated and professional planners. However, we know that bribery and corruption have occurred in other States in connection with town planning and it worries me that we are putting temptation of this kind before our people. Large tracts of land involve large sums of money and it is possible for great variations in value to occur.

When landowners see a plan declared, with the land of one man shown as open space and that of his lifetime neighbour and friend on the other side of the road shown in a different colour, and it is such that he is permitted to subdivide, it becomes obvious that there is now a great variation in the values of two pieces of land that had the same value a week before. In these circumstances, temptation to bribe can arise. I do not want to take the matter any further than that.

The Hon. C. D. Rowe: Discrimination as to colour on a plan?

The Hon. C. M. HILL: Yes, discrimination again. If we can reduce the possibility of that happening in this State, we should do it. Much damage has been done to the good names of other States and cities as a result of this type of thing occurring. In my opinion, the people of this State are independent individuals who have contributed to the welfare of the State in a grand manner in years gone by. They want to retain their right to choose where to live, what type of house to live in, and in regard to other factors.

I understand that a school of planners believes that the people should choose to go to Tea Tree Gully and that they should choose a particular house in which to live and that it is then the planner's job to move in and provide amenities and facilities in the area to enable the people to live more happily in that suburb. There may be many subdivisions, but they are not as jumbled as may be thought.

I am not opposed to a certain amount of planning in regard to subdividing. Men in private practice want the help of planners in many instances, and they have received much co-operation from the present Town Planner in regard to subdivisions. Why cannot that arrangement continue?

I should like to deal in detail with the individual clauses but, I have not been able to study the measure to the extent necessary. If I had had time, I would have completed my research and would have been able to discuss the clauses. However, as I have not had that time, I ask leave to conclude my remarks.

Leave granted; debate adjourned.

COTTAGE FLATS BILL.

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

EDUCATION ACT AMENDMENT BILL.

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

ADJOURNMENT.

At 5.47 p.m. the Council adjourned until Thursday, November 10, at 2.15 p.m.