

SOUTH AUSTRALIA

PARLIAMENTARY DEBATES (HANSARD)

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT (1968)

The Thirty-eighth Parliament of South Australia having been prorogued until February 13, 1968, and the life of the House of Assembly having expired on that date, general elections were held on March 2. By proclamation dated March 28 the new Parliament was summoned to meet on April 16, and the First Session began on that date.

LEGISLATIVE COUNCIL

Tuesday, April 16, 1968

The Council assembled at 11 a.m. pursuant to proclamation issued by His Excellency the Governor (Sir Edric Bastyan). The Clerk (Mr. I. J. Ball) read the proclamation summoning Parliament.

GOVERNOR'S COMMISSION

The Commissioners appointed by the Governor to do all things necessary to prepare for the opening of the session, the Honourable John Jefferson Bray (Chief Justice) and the Honourable Reginald Roderic St. Clair Chamberlain (a judge of the Supreme Court), were announced by Black Rod (Mr. A. D. Drummond) and conducted to chairs on the dais.

A message was sent to the House of Assembly requesting members of that House to attend to hear the Governor's Commission for the opening of Parliament. The members of the House of Assembly having arrived, the Clerk read the Commission.

The Senior Commissioner (the Honourable John Jefferson Bray) announced that His Excellency the Governor would, in person,

declare the reasons for his calling the Parliament together as soon as the new members of the Legislative Council and the members of the House of Assembly had been sworn and the two Houses had notified that they had elected respectively their President and Speaker.

The members of the House of Assembly and His Honour Mr. Justice Chamberlain retired.

SWEARING IN OF MEMBERS

The Senior Commissioner produced a Commission from His Excellency the Governor appointing him a Commissioner to administer to newly elected members the Oath of Allegiance or receive an affirmation in lieu thereof, also writs and returns for the election of ten members.

The Oath of Allegiance was then administered to and subscribed by the new members, who signed the members' roll for their respective districts.

The Senior Commissioner retired.

ELECTION OF PRESIDENT

The Hon. A. J. SHARD (Chief Secretary): I remind the Council that the time has arrived for the election of its President, and I have the honour to move:

That the Hon. Sir Lyell McEwin be President of the Council.

The Hon. R. C. DeGARIS (Leader of the Opposition): I have much pleasure in seconding the motion.

The Hon. Sir LYELL McEWIN (Northern): I humbly submit to the will of the Council.

There being no other nomination, the Hon. Sir Lyell McEwin was elected and was escorted to the President's Chair by the mover and seconder of the motion.

The Hon. A. J. SHARD (Chief Secretary): Mr. President, now that you have been elected President of the Legislative Council I take this opportunity to extend my personal (and, I think I may say, all honourable members' of this Council) congratulations upon your election. It must be for you most gratifying that, after a long experience and almost a lifetime within Parliamentary circles, you have commanded the respect and good wishes of the whole Council to such an extent as to be re-elected President.

Your record in public life has been exceptional and outstanding. I will not go into all of it now but, briefly, for the benefit of the record and those people present, let me say that you were first elected to Parliament on October 20, 1934—about 33½ years ago. You soon became a member of the Ministry as Chief Secretary, Minister of Health and Minister of Mines on August 8, 1939, and remained in office until March 10, 1965—an outstanding record of 9,347 days, or 25½ years.

On the defeat of the Government of which you were a member, in March, 1965, you were elected by your Party to the highest possible position it could give you, the Leader of the Opposition in this Council. On the retirement of the Hon. Mr. Densley as President of the Council about two years ago, you were unanimously elected President of the Council. You were also honoured by Her Majesty the Queen by being granted the high honour of Knight Commander of the British Empire in 1954.

I think all members of this Council will agree with me that some of us may have wondered just what type of President you would be but, as I have said on another occasion, you surprised at least me, and perhaps most honourable members, by your most capable manner and the high efficiency you showed as President, being totally unbiased and treating all honourable members the same. Therefore, it was with the greatest

pleasure that I had the honour today of renominating you for the highest position in this Council. I wish you well and trust that your present robust health will be with you both during this Parliament and for many years to come. I am sure you will retain the respect of all honourable members and we shall try to make things easier for you by not being so troublesome as sometimes we have been. However, you have had the happy knack over the past two years of bringing us all together on some course of sweet reasonableness, and I hope that that will continue during the life of this Parliament.

The Hon. R. C. DeGARIS (Leader of the Opposition): Mr. President, I have much pleasure in supporting the remarks of the Chief Secretary, who has already given details of your public service and service in the Parliamentary field. In every Parliament since 1934 you have occupied, as the Chief Secretary has said, many positions and you have performed your duties in those positions with honour and distinction. Last session, on the retirement of the Hon. Les. Densley, you were unanimously elected President of this Council. Once again, you filled that position with distinction. By your election today, again I feel that this Chamber has demonstrated the esteem in which you are held here. Every honourable member within this Chamber has no doubt that you will uphold the traditional dignity of the position of President of this Council, controlling its functions without fear or favour. I join with the Chief Secretary in extending our best wishes to you during your term of office and our congratulations on your election as President of this Council.

The PRESIDENT (Hon. Sir Lyell McEwin): I thank the Chief Secretary, Mr. Shard, and the Leader of the Opposition, Mr. DeGaris, and honourable members all for the compliment they have paid me in re-electing me to the highest position it is within the power of honourable members to bestow upon a member of the Legislative Council. During the short period that I have occupied the President's Chair, honourable members have given me every assistance to maintain the decorum and dignity of this Chamber. The expression of confidence that your selection implies is a compliment I deeply appreciate. For the future, I shall strive to retain these kindly impressions by an impartial interpretation of Standing Orders, which so amply provide for the guidance and conduct of the business of this Chamber. The traditions

established by my predecessors in office down the years gained for them and for this Council a reputation of which we may be justly proud. That I may be able to emulate and maintain that high standard and retain your generous and kindly appreciation during my term of office is my chief and sincere desire. I thank honourable members of the Council.

At 11.35 a.m., attended by a deputation of members, the President proceeded to Government House.

On the Council reassembling at 12.10 p.m.:

The PRESIDENT: I have to report that, accompanied by honourable members of the Council, I proceeded to Government House and there presented myself as President to His Excellency the Governor, and claimed for the Council the right of free access to and communication with His Excellency, and that the most favourable construction might be placed on all its proceedings, whereupon His Excellency was pleased to make the following reply:

I congratulate honourable members of the Legislative Council on their choice of a President. I readily assure you of my confirmation of all the constitutional rights and privileges enjoyed by the Council over which you preside. The proceedings of the Council will always receive my most favourable consideration.

[Sitting suspended from 12.12 to 2.15 p.m.]

GOVERNOR'S SPEECH

At 2.15 p.m. His Excellency the Governor, having been announced by Black Rod, was received by the President at the bar of the Council Chamber and by him conducted to the Chair. The Speaker and members of the House of Assembly having entered the Chamber in obedience to his summons, His Excellency read his Opening Speech as follows:

Honourable Members of the Legislative Council and Members of the House of Assembly:

1. I have called you together for the dispatch of business.

2. People in all walks of life and of whatever political persuasion were deeply shocked by the sudden and unexpected death of the late Harold Edward Holt, a member of the Federal Parliament for over 30 years and Prime Minister of the Commonwealth for a period of nearly two years. My Government and the people of this State joined with world leaders in expressions of their regret at this

occurrence and I feel that it is only fitting that I should place on record our deep sense of loss in this tragic event.

3. During the past year we have lost two prominent political representatives in this State. I refer to the late John Leonard Sandoe Bice, a member of the Legislative Council for nearly 20 years, and to the late Douglas Clive Hannaford, a State member of the Senate for some 17 years. Both of these gentlemen performed meritorious public service and I place on record an expression of our sympathy with their respective families in the knowledge that you all join with me in so doing.

4. My Ministers have advised me to call you together at this early date to afford an opportunity for the discussion and determination of any matters that may arise in consequence of the recent election. I am informed that petitions disputing the result of the election have been presented and the House of Assembly must therefore urgently constitute the Court of Disputed Returns to deal with these matters.

5. The result of the recent election has aroused widespread comment in South Australia and elsewhere and it is evident that all people concerned with the future of this State are dissatisfied with the present distribution of electorates in South Australia and that persons of every political persuasion believe that action is urgently necessary to obtain a redistribution of electorates to ensure effective representation of the people in the House of Assembly. My Ministers will therefore present forthwith to the House of Assembly a measure seeking a reasonable compromise between all views held by members so that this matter, which is now grievously disturbing the political life of this State and affecting its reputation outside the State's borders, may be immediately resolved.

6. I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the State.

The Governor retired from the Chamber and the Speaker and members of the House of Assembly withdrew.

The PRESIDENT again took the Chair and read prayers.

PUBLIC WORKS COMMITTEE REPORTS

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

Berri Primary School,
 Bordertown Water Supply Augmentation,
 Engineering and Water Supply Department
 Soils, Bitumen and Concrete Laboratory
 at Netley,
 Modbury Hospital,
 Parafield Gardens East Primary School,
 Port Adelaide Roll-on Roll-off Berth,
 Ridgehaven Primary School,
 Roseworthy Agricultural College
 (Remodelling of Wine Cellars),
 Royal Park High School,
 Seaview Downs Primary School,
 Thevenard Harbour Improvements (Chan-
 nel Deepening and Jetty Reconstruc-
 tion).

SOUTH-EASTERN DRAINAGE AND DEVELOPMENT (EASTERN DIVISION)

The PRESIDENT laid on the table the report, by the Parliamentary Committee on Land Settlement, on South-Eastern Drainage and Development (Eastern Division) in respect of:

- (1) an extension of the Mosquito Creek Inlet Channel and construction of the Struan Relief Drain; and
- (2) extension of the Killanoola Main Drain and provision of three subsidiary drains.

SESSIONAL COMMITTEES

Sessional Committees were appointed as follows:

Standing Orders: The President, the Hons. R. C. DeGaris, F. J. Potter, Sir Arthur Rymill, and A. J. Shard.

Library: The President, the Hons. D. H. L. Banfield, M. B. Dawkins, and H. K. Kemp.

Printing: The Hons. S. C. Bevan, R. A. Geddes, L. R. Hart, C. M. Hill, and A. F. Kneebone.

COURT OF DISPUTED RETURNS

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

That, in accordance with the provisions of the Electoral Act, 1929-1965, four members be elected by ballot to be members of a Court of Disputed Returns.

Motion carried.

A ballot having been held, the Hons. S. C. Bevan, R. C. DeGaris, C. D. Rowe, and A. J. Shard were declared elected.

ADDRESS IN REPLY

The PRESIDENT having laid on the table a copy of the Governor's Speech, the Hon. A. J. SHARD (Chief Secretary) moved:

That a committee consisting of the Hons. D. H. L. Banfield, S. C. Bevan, R. C. DeGaris, A. J. Shard, and C. R. Story be appointed to prepare a draft Address in Reply to the Speech delivered this day by His Excellency the Governor and to report on the next day of sitting.

Motion carried.

ADJOURNMENT

At 3.4 p.m. the Council adjourned until Wednesday, April 17, at 2.15 p.m.