**LAND SETTLEMENT ACT AMENDMENT BILL 1948**

**Legislative Assembly, 25 August 1948, page 850**

Second reading

**The Hon. C. S. HINCKS (Yorke Peninsula—Minister of Lands**)—The object of this Bill is to enable the Government to acquire land in the western division of the South- East. The Bill is based on the recommendations of the Land Settlement Committee in its report on South-Eastern Drainage and Development, which was presented to Parliament in April of this year. The committee expressed the opinion that a comprehensive drainage scheme for the western division of the South-East should be undertaken as a Governmental undertaking, and that the Government should be empowered to acquire any land within a prescribed drainage area for the settlement of ex-servicemen. The committee also recommended, that in the event of acquisition, present owners should be permitted to select from their holdings sufficient land to successfully continue production. The Government has given careful consideration to the report and this Bill is the result.

Clause 3 defines the expression “Western Division of the South-East,” by declaring that it is the land mentioned in the schedule to the Bill. The schedule sets out all the land which was referred to the committee for investigation. As far as can now be seen there is no need at present to extend the operation of the Bill to any other land.

Clause 4 provides that the Minister of Lands may acquire any land in the western division of the South-East by agreement or compulsory process. Such land may be acquired whether it is, or is not, under-developed land within the meaning of the principal Act. The recommendation of the Land Settlement Committee will be required for all acquisitions under the clause. If the land has been declared to be under-developed land as provided in the principal Act it will be acquired in accordance with the special provisions of that Act dealing with under-developed land. When land which is not under-developed is acquired under clause 4 the provisions of the Compulsory Acquisition of Land Act, 1926, will apply. This means that the owners will be entitled to compensation on the principles usually applied when land is taken by the Government for any purpose.

Clause 5 provides that the former owner of any land which has been acquired under the Bill will have a preferential right to be allotted a block of that land. If, however, a block of acquired land contains land previously owned by two or more different owners the Land Board will have to decide which of them is to have it. If an owner is disqualified by law from being allotted a block—e.g., because he already has the full amount of land allowed by the Crown Lands Act—the preferential right will not apply to him. The Government considers that this clause is the most satisfactory way of giving effect to the recommendation of the committee in favour of allowing owners to retain part of their land.

Clause 6 provides that when any land is acquired under the Land Settlement Act the Minister may permit the former owner to remain in occupation temporarily until the land is required for developmental operations or allotment. The occupation will be on any terms mutually agreed on between the Minister and the former owner. Under the present law acquired land becomes Crown lands and can only be dealt with in accordance with the terms of that Act. Clause 6 will widen the powers of the Minister so that he can make any arrangement with the owner which may be regarded as desirable in the circumstances. Clause 7 sets out the land forming the western division of the South-East as I previously explained.

In conclusion it should be mentioned that any land acquired under the Bill will, subject to the rights of previous owners, be allotted in accordance with the Government’s usual policy of preference to returned soldiers. There is no doubt that the greater part of any land which may be acquired under the Bill will be used for soldier settlement. It is, however, not practicable to provide in this Bill that all the land acquired must be allotted to soldiers. Some of the land may not be suitable for this purpose, and it cannot be definitely said at this stage that all the land will be accepted by the Commonwealth under the Servicemen’s Land Settlement Scheme. I move the second reading.

Mr. O’HALLORAN secured the adjournment of the debate.