HOUSE OF ASSEMBLY.

Wednesday, October 21, 1964.

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

PUBLIC LIBRARY EXTENSION.

Mr. FRANK WALSH (Leader of the Opposition) moved:

That Standing Orders be so far suspended as to enable him to move a motion without notice.

Mr. HUTCHENS seconded the motion.

Motion carried.

Mr. FRANK WALSH: I move:

That all books, papers and documents, contracts, letters and plans relating to the first stage of the Public Library extension and in possession of the Public Buildings Department or the Supply and Tender Board be tabled in this House on Thursday, October 22, 1964.

In this House yesterday the member for Norwood (Mr. Dunstan) asked a series of specific questions concerning the tenders for and contracts for the first stage of the Public Library building reported on by the Public Works Standing Committee in 1962. The questions were not answered in the form they were posed, but the following answer was given by the Minister of Works:

Possibly the information required by the honourable member is in connection with the library building. Here the lowest tenderer asked to withdraw his tender owing to a mistake and the next lowest tenderer has requested permission to alter the method of construction also claiming that a mistake was made by him in tendering. The whole matter is under consideration by the Director of Public Buildings in conjunction with the Auditor-General.

This answer reveals a most disturbing situation. The building and details of its construction were reported on by the Public Works Standing Committee. Tenders were duly called this year after the plans and specifications had been made available to prospective tenderers over a period of months. The Minister refused to answer the question yesterday concerning the contract as a result of the tenders which were made, but the Premier announced, not in this House but over his weekly session on a television station on September 2 this year, that the contract in fact had been let to F. Fricker Proprietary Limited. It now appears that, although a contract was let, negotiations are proceeding to let Fricker Pty. Limited out of its contract and for proposals for alteration in construction which would not appear to be in accordance with the tenders that were called by the Supply and Tender Board. Nothing in the Minister's reply given in the House yesterday appears to show that the Government intends to refer this matter back to the Public Works Standing Committee, and the evasiveness with which the matter was dealt with in this House by the Minister can only produce the greatest public disquiet. In consequence, I ask that all papers in relation to this matter be tabled so that they may be publicly examined and the House may be satisfied that there is nothing untoward in the negotiations now proceeding in relation to this contract.

Serious disquiet could result from any suggestion that the specification is to be altered in any way. I think the Government knows my view: if a contractor who tenders for certain works finds at some stage before the matter is concluded that he will lose a considerable sum, I would be the first to try to arrange, for the sake of administration generally, that he be given every assistance to carry out the contract. I believe that in the case of a major contract it would be cheaper in the long run to adopt that procedure rather than to try to call tenders again to complete the work. In this case a grave element of doubt seems to exist, because the answer given in this matter cannot be reconciled with the Premier's statement on September 2. For the sake of the business of this House generally, it is not much use if public announcements can be made before a contract has been finally let, nor is it very satisfactory if, after a contract is let, the contractor decides not to go ahead with it.

Mr. DUNSTAN (Norwood): I second the motion. I raised this matter by a question on notice to the Minister of Works yesterday because I had certain information that had caused me some disquiet. I took that course because I thought I should ascertain as clearly as possible from the Government exactly what the basis of the matter was so that I could see whether the aspect I thought should be raised had some basis. I asked a series of specific questions in relation to this building yesterday. Certainly, the original question related to the museum building, but I telephoned the Minister and told him that, in posing the question, I was referring to the first stage of what I now understand is the Public Library and Museum extensions but which is basically the Public Library at this stage. The Minister understood that, and he dealt with the matter is his reply. I specifically asked who were the tenderers, what were their tenders, who was the lowest tenderer, what was the price contracted for by him, and when was the

contract let. Those matters were not covered in the Minister's reply, which was rather vague; he simply said that the lowest tenderer in respect of this building had asked whether he could withdraw his tender because of a mistake. The Premier, over ADS7 and 5AD on September 2 (and I am quoting now from the *Advertiser*, which I imagine is accurate on this subject as it sponsors the Premier on these sessions) said:

Cabinet approval for the letting of a contract for a new Public Library building in North Terrace was announced by the Premier last night. He said over ADS7 and 5AD that the contract had been let to F. Fricker Proprietary Limited. The new library ultimately would go to nine storeys as in the plans and specifications approved by Cabinet but for the present three storeys only would be built.

"The new building will provide all of the amenities to make the library thoroughly up-to-date," the Premier said. Competition for the contract had been keen and had included interstate tenders. The first stage of the new building would cost about £1,050,000 and would take about two years to complete.

"It will enable the Libraries Board to give the public very good service indeed," the Premier added.

Then there were published details released by the Minister of Works as to the building itself. This building was reported on by the Public Works Committee to this House in 1962 and its report stated:

The proposed building covers the major part of the site and is of two storeys for the southern half and three for the northern, *i.e.*, upper and lower ground floors over the whole area with a basement in the northern half. The fall in the land to the north together with the incorporation of a pedestrian ramp at the southern end will enable access at two levels, namely the upper and lower ground floors. Foundation and column design will allow for the provision of six further floors and the scheme, as presented, will be built in two halves (northern and southern) to enable the retention of storage buildings until the completion of the southern half.

I understand that after the contract had been let (and I should be glad of information from the Government on this), the successful tenderer, F. Fricker Pty. Limited, complained that there had been a mistake concerning the quantity surveying and it would, in consequence, be occasioned a loss of £48,000, a sum that was subsequently amended to £38,000. Negotiations appear then to have proceeded concerning whether F. Fricker Pty. Limited could be allowed out of the contract and it appears, from the Minister's reply, that some redesign is contemplated. I am aware of fears by certain people who will have to use this building that this redesign will so alter the steel structure of the building and the foundation columns that it is doubtful whether the building will carry a further six floors. If that were to be the position (and it is because of some fears on that score that we should look at this matter), it would be a serious one indeed. I believe that the only way in which this can satisfactorily be dealt with is that all correspondence and plans on this matter in the possession of the department should be tabled. If there is nothing in these fears, members on this side will be the first to say that the procedure was all right, but if there is something in them we want to ascertain the situation. For the sake of the public, the matter should be dealt with publicly and it appears to me that this is an appropriate way to do so. Some fear may be expressed by the Premier that tabling this material will involve the placing of working drawings before the House and, because of the negotiations, the department may want to use them, as the building should be proceeding. I have not the slightest doubt that if the Premier considers that these papers should be released in due course, it is open to him to move a motion to that effect. The House controls the conduct of its own business in this regard so that the tabling of the documents for a period will not inhibit the proceeding of work on this building in due course. I ask honourable members to support the motion.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): The Leader of the Opposition and all other members know that the Government always makes available to members for perusal dockets that may be wanted in connection with public affairs and with the affairs of this House. It was not necessary for the Leader to move this motion if he wanted to see the documents. The question of the member for Norwood did not deal with the library building but with the museum building. Before he rang the Minister to say that he had made a mistake and that his instructions concerned the library building and not the museum building, Cabinet had realized that the honourable member was referring to the library building and not the museum building. This was obvious because the museum building was not at a stage where these questions could apply. The answer given to the honourable member yesterday was approved by Cabinet before he spoke to the Minister. I refer to this to show that there was no desire by the Government to conceal any facts. No problems are associated with the

tabling of these documents, except that any paper tabled becomes the property of the House and is no longer the property of the department.

This is a working docket, so the Government will not comply with the request to table it. The Government is prepared, however, for this docket to be brought here and to be available for the public purposes of any honourable member desiring to see it. I emphasize "public purposes", as I am informed that there may be litigation between two parties concerned with this contract. This litigation has nothing to do with the Government. The docket will be here tomorrow and any honourable member may see it for public purposes, but not for the furtherance of litigation that is not the province of this House. I am sure that honourable members will accept that as being a fair statement.

Mr. Jennings: You mean that the documents will not have to be regarded as confidential?

The Hon. Sir THOMAS PLAYFORD: No, I do not regard them as confidential. I said they would be available for any purpose in connection with this House. I stress that I have heard (although it may be incorrect) that litigation is pending between a contractor and a subcontractor.

Mr. Dunstan: That has nothing to do with us on this side.

The Hon. Sir THOMAS PLAYFORD: I accept the honourable member's statement. I will see that the docket is here and that it is available for honourable members to peruse tomorrow. It will disclose exactly what the problems are and just what the position is at present. I think it will entirely satisfy honourable members on the matter.

Mr. FRANK WALSH (Leader of the Opposition): I do not wish to curtail the debate, but with the consent of my seconder, I am prepared to accept the Premier's assurance concerning the docket. I ask leave to withdraw my motion.

Leave granted; motion withdrawn.

QUESTIONS.

HACKNEY BRIDGE.

Mr. COUMBE: A couple of months ago I asked a question of the Minister representing the Minister of Roads concerning the reconstruction of the Hackney Bridge in my district. At the time I was informed that plans were completed and that a tender for the work was expected to be let in October, 1964. Will the Minister ascertain from his colleague, by tomorrow if possible, whether a tender has been let for the reconstruction of this bridge? If it has not, will he ascertain when it is likely to be let? Further, will he ascertain how long the work will take to complete?

The Hon. G. G. PEARSON: I will inquire urgently of my colleague and see whether I can have the information for the honourable member tomorrow.

TELEVISED LESSONS.

Mr. HUTCHENS: Early this session I asked the Minister of Education what progress had been made following an announcement that television would be used for instructional purposes in our State schools. The Minister at that time expressed some disappointment as to that progress and pointed out the difficulties. Since then, I have received inquiries on the matter. Indeed, certain schools that have bought television sets are now wondering whether the money has been wasted. Has the Minister anything further to report on this matter?

The Hon. Sir BADEN PATTINSON: I have nothing definite to tell the honourable member, other than to say that the plans envisaged by the Education Department and the Australian Broadcasting Commission, in conjunction with representatives of some of the independent schools, were laudable enough but proved to be somewhat ambitious, and it has been found, after investigation and discussion, that they cannot be carried out in their entirety. However, it is hoped that a modified and more limited scale of lessons will be conducted next year. I will endeavour, if I can in the time, to obtain more up-to-date information for the honourable member by tomorrow. If I cannot, I shall write to him concerning the matter.

RAIL FREIGHT.

Mr. BOCKELBERG: On October 3 a constituent of mine had a baler, mower, and rake delivered to Lock siding for transport to Mudamuckla, a distance of about 140 miles. The baler and mower arrived at Mudamuckla on October 17, but at the time of writing (last Monday) it had not been discovered just exactly where the rake was, although it is in the hands of the South Australian Railways. Will the Minister of Works ask his colleague, the Minister of Railways, to inquire why such machinery is not transported more expeditiously?

The Hon. G. G. PEARSON: Yes, I will try to find out the fate of the said rake.

CLERICAL ASSISTANTS.

Mr. RYAN: On August 21, 1963, I asked the Minister of Education a question about clerical assistants in secondary schools, and he replied on October 3, saying that he had no doubt that I, acting on behalf of certain people, would make representations to achieve what we were seeking in this matter. On March 13, 1964, I received a letter saying that this matter had been considered on January 15, and that details had been prepared by the Deputy Director of Education for submission to the Public Service Commissioner. Up to the present nothing more has been heard about the matter. I think the Minister would agree that the people concerned have been patient in waiting for a final decision. Has a decision been made? If it has not, will the Minister have the matter expedited so that the people vitally concerned will at least know the result of their efforts?

The Hon. Sir BADEN PATTINSON: If a decision has been made by the Public Service Board, it has not been communicated to me. As I have pointed out from time to time in reply to questions by honourable members concerning clerical assistants in schools, it is not a matter for decision by me, as Minister of Education, because the people doing clerical work in schools are public servants and are not directly under the control of the Minister of Education. Therefore, such requests as this one are referred to the Public Service Commissioner for consideration by the board. That would have applied in this case. I shall endeavour to find out from the Commissioner whether the board has made a decision on the matter and, if it has, what that decision is. If it has not made a decision I shall ask it to expedite the matter.

MOUNT GAMBIER MILL.

Mr. BURDON: Some time ago the Premier made an announcement concerning the proposed establishment of a pulp mill at Mount Gambier. Can he say what stage the negotiations in this matter have reached?

The Hon. Sir THOMAS PLAYFORD: I did announce publicly that it might be necessary for Parliament to meet before the elections to consider an Indenture Act to enable an industry to be established at Mount Gambier, and I had hoped that that legislation could have been ready by February, which would be the time when Parliament could have met. However, the matter has been delayed because the firm of Softwoods Limited (I think that is its name), which was providing a considerable quantity of the chips necessary to make up the tonnages for the proposed plant and which had previously informed the Government that it agreed to our negotiating the sale of these chips, wrote a letter and asked us to hold our hand because it was going to look at an alternative proposition. Obviously, we became most concerned about that, and we immediately opened negotiations with Mr. Alstergren on behalf of Softwoods. Those negotiations have been proceeding, and I think the last meeting took place yesterday. I believe that Mr. Ohlstengren will now be prepared to go along with his original proposition, and this will enable us to continue our negotiations with Australian Paper Manufacturers, with whom we were previously negotiating. I believe that the prospects of the industry's establishing there are still good, but it will not be possible for all these matters to be concluded in time to have a Bill before the State elections.

First, we have to make an important survey regarding the disposal of effluent. That matter requires much study and, because of the delay, we have not yet ascertained the composition of the effluent and whether it would be possible to put it into open drains or whether we would have to install special pipes to take it away. Another unresolved problem concerns the purchase by the company of a block adjacent to the site on which the previous factory was to have been established. Although it has bought that land on which to establish the factory, the company believes that it is too close to Mount Gambier and that under unfavourable conditions some odour from the factory would reach that city. Therefore, the company desires to negotiate with us for a site a little farther away from Mount Gambier to prevent any nuisance from the factory being felt in that city.

The honourable member will see that there are still some things to be negotiated, and until they are negotiated we cannot start to draw up a Bill. However, the prospects of the industry's establishing are good. Mr. Alstergren has conferred with us. I think his decision will be that the chips will be available and, if that is the case, we can proceed with negotiations for the disposal of the effluent and for a site for the factory somewhat farther away from Mount Gambier than the one already purchased.

STRATHALBYN WATER SCHEME.

Mr. McANANEY: Can the Minister of Works say when the Strathalbyn water scheme is likely to commence pumping operations?

The Hon. G. G. PEARSON: The Engineer-in-Chief has supplied me with the following report from the Engineer for Water Supply:

The whole of the Strathalbyn scheme is in an advanced stage of construction. The mains are laid with the exception of about three miles of 4-in. reticulation main on the outer limits of the scheme. All the reinforced concrete tanks are constructed and although the permanent pumping plant has not yet been delivered, arrangements have been made to install temporary pumps, including the main pump at Milang. This work should be completed by the middle of November, when the system will become operable and a supply will be available to all properties with the exception of a few on the higher areas for which a supply will be available early in 1965.

TRAMWAYS TRUST BUILDING.

Mr. LANGLEY: For many months constituents of mine have complained to me about a building owned by the Municipal Tramways Trust at the Goodwood Road crossing of the Glenelg tram line at Goodwood. This building is used by the Goodwood Boy Scouts, who now have a building project in Goodwood under construction. As this building is a traffic hazard for motorists travelling to and from the city, will the Premier obtain a report on whether the building will be demolished when it is vacated by the Boy Scouts?

The Hon. Sir THOMAS PLAYFORD: Yes.

MOORLANDS-PINNAROO ROAD.

Mr. NANKIVELL: Has the Minister of Works, representing the Minister of Roads, an answer to the question I asked on October 1 regarding the Highways Department's proposals for the Moorlands-Pinnaroo road?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that it is intended to reconstruct about 50 miles of the Tailem Bend to Pinnaroo main road between Moorlands and the Victorian border. It is not practicable, however, at this stage to indicate when this can be undertaken. It is not intended to reseal any of the sections between Moorlands and Chandos in the near future, especially those sections requiring reconstruction, but the other sections which are in reasonable condition at present will be resealed when surface conditions indicate the necessity to carry out this work.

DENTAL SERVICES.

Mr. CASEY: During the Budget debate I raised the matter of providing an aerial dental service for the northern areas of this State. As this area, covering over 100,000 square miles, has a population of about 32,000 people, dental treatment should be provided for the people there. The Education Department provides a dental service for the school-children, but at present its dentists are only inspecting the teeth of children up to grade 4. The lack of a service is a great hardship to the people in the Far North. Has the Premier taken this matter up with Cabinet? If he has not, will he do so in order to see whether something can be done to give these people an opportunity to obtain dental treatment?

The Hon. Sir THOMAS PLAYFORD: This problem, which the honourable member is concerned about and which is also concerning the Government, arises because of the great shortage of trained dentists in South Australia. Although we maintain a dental school at the university, the number of students available and the number that pass their examinations have been extremely disappointing. Speaking from memory, I think that over the last five years the average number of dentists that have graduated each year is 17; indeed, in one year only one or two graduated. That is extremely disappointing. However, the number of students now offering is good, the classes are much bigger, and we hope that we will get some relief in the future. Actually, at present we still cannot successfully man the dental services provided by the Education Department. I know that the honourable member appreciates, as do other country members, that if it were not for the caravan services that visit country schools, country children would have no dental attention under existing circumstances. I will bring the honourable member's question to the attention of the Minister of Health, but I believe that the reply will be that at present we cannot get the trained personnel to extend even the services that we wish to extend in the department, let alone to provide services beyond our existing obligations. However, I will refer the honourable member's question to the Minister of Health.

Mr. HUTCHENS: The Premier has drawn attention to the grave shortage of dentists, and that reminds me of information given me over the telephone a few days ago. Incidentally, although I have tried to check the facts as told to me I have not yet been able to do so. I understand that three of Adelaide's fully qualified dentists have announced that they will no longer continue to practise in the fullest sense but will carry on as dental mechanics and work for other dentists. As there is a grave shortage of dentists, will the Premier investigate the possibility of at least temporarily allowing qualified dental mechanics to

take impressions and to do certain other work to ease the existing shortage of dentists?

The Hon. Sir THOMAS PLAYFORD: I am not clear what the honourable member is asking me to do. Is he asking me to consider whether we should allow dental mechanics to perform work on the patients in the dentist's chair?

Mr. Hutchens: To take impressions.

The Hon. Sir THOMAS PLAYFORD: Now that the question has been clarified, I will look into it.

WATERVALE WATER SUPPLY.

Mr. FREEBAIRN: Has the Premier a reply to my question of yesterday regarding boring operations in connection with the water supply at Watervale, on the new site at the south-west of the town?

The Hon. Sir THOMAS PLAYFORD: The Mines Department has completed a survey and made recommendations on a site. It has not yet received formal approval to drill but, subject to this being received soon, work can be commenced, as scheduled, by December of this year, when a rotary plant will become available.

WHYALLA SCHOOLS.

Mr. LOVEDAY: Has the Minister of Education a reply to my question regarding the Stuart Avenue Primary School and the McRitchie Crescent Primary School?

The Hon. Sir BADEN PATTINSON: The Director of the Public Buildings Department states that the new Stuart Avenue Primary School at Whyalla is expected to be completed about the end of May, 1965. He also states that he expects the contract to be let about the end of February, 1965, for the erection of a primary school in McRitchie Crescent, Whyalla Far West.

POTATO PRICES.

Mr. HARDING: On October 15, the following appeared in the *Advertiser*:

> Potato prices were expected to remain high until a full supply was available, probably in mid-November, the secretary of the South Australian Potato Board (Mr. J. J. McCullagh) said yesterday.

On Monday, October 19, the price to the grower was reduced from £96 to £64 a ton. In today's *Advertiser* it is suggested that the great shortage and high price of potatoes could be one of the main reasons for the serious increase in the cost of living in South Australia. I understand that the Minister of Agriculture has been asked by the Chief Secretary to prepare a report on the shortage and cost of potatoes. Can the Minister of Agriculture comment on the future price and supply of potatoes for this State? If he cannot, will he obtain a report?

The Hon. D. N. BROOKMAN: I understand that I have been asked a similar question through the Chief Secretary in another place and a report will be prepared. When it is available I shall let the honourable member have it.

HAND BOOKS COMMITTEE.

Mr. BYWATERS: During the Budget debate I referred to the Hand Books Committee of South Australia, which was previously known as the British Science Guild Books Committee. I praised this committee for its work and for services rendered to the State, particularly to students, field naturalists, and those teaching agricultural or scientific subjects. I said that, although the committee gave a service to the community, it did not receive recognition as a committee. I suggested that this committee be converted to a board to give it continuity and that a report be submitted to Parliament on its work. Has the Premier examined my comments and can anything be done in the way I suggested for these people, who give so freely of their services?

The Hon. Sir THOMAS PLAYFORD: I have had no opportunity to examine the honourable member's comments, but I shall do so in due course.

AIRDALE PRIMARY SCHOOL.

Mr. McKEE: Has the Minister of Education a reply to my question regarding the proposed primary school at Port Pirie?

The Hon. Sir BADEN PATTINSON: The Director of the Public Buildings Department states that tenders are expected to be called in January, 1965, for the erection of a primary school at Airdale.

HAMPSTEAD FARM.

Mr. SHANNON: Some time ago I got in touch with the Education Department about the possibility of providing a temporary classroom for children who visit Hampstead Farm. I have information from Mrs. Priest, the proprietress, that children from 16 metropolitan schools have visited the farm and that more children will visit it this month. The weather conditions in the Aldgate Valley are not always appropriate for outside tuition. I understand Mrs. Priest instructs children on animal life, including cattle, sheep, and dogs. This is

the type of thing that most children from metropolitan schools enjoy. Will the Minister of Education consider providing a temporary classroom to accommodate children who visit this farm?

The Hon. Sir BADEN PATTINSON: I have given the matter sympathetic consideration without coming to any final decision, because I doubt very much whether I have any authority under the Education Act or any other Act to comply with the honourable member's request. However, when the session is completed and members of Cabinet, including me, have more time, I hope to have discussions on this matter to see whether we can assist this lady in some other way, perhaps with the provision of a cheap cabin home. I do not think we have any authority to provide a classroom for a person not concerned with education. I think that the lady is doing fine work and I should like to assist her. I am sure that the responsible officers of the Education Department would agree with that view. I have discussed the matter with the Deputy Director, in particular, and he agrees with me. When there is an opportunity, I shall see whether the lady can be assisted in some other way.

BERRI FERRY.

Mr. CURREN: On September 29 I asked the Minister of Works for a report from the Minister of Roads regarding the likely date of the duplication of the ferry service at Berri. The reply indicated that it was hoped to have the second ferry in operation soon after the middle of October. I inspect the work at the ferry site practically every day when I am home in Berri, and I understand that it is most unlikely to be finished before the middle of November. Will the Minister obtain a further report from his colleague on when the ferry service will operate?

The Hon. G. G. PEARSON: I regret to hear that the work is not proceeding as rapidly as was planned. I am sure that the original answer was given in good faith, but I shall ask for a further report.

MOUNT COMPASS WATER SUPPLY.

Mr. McANANEY: Has the Minister of Works information about the investigation of a possible water supply for Mount Compass?

The Hon. G. G. PEARSON: The Engineer-in-Chief has supplied me with the following report from the Engineer for Water Supply:

Preliminary investigations into a water supply for Mount Compass were made about 10 years ago, following a petition from the townspeople. The most feasible scheme envisaged the use of water from flowing channels near the township, with the provision of a standby bore equipped with pumping plant, a storage tank and reticulation mains. The scheme proved to be economically unsound and was not recommended. The proposal is at present being re-examined, taking into consideration present-day costs and the growth and development of the township. When the investigations are completed, a further report will be made.

PORT AUGUSTA ADULT CENTRE.

Mr. RICHES: In reply to my recent question about the progress of the building for the Port Augusta Adult Education Centre, the Minister of Education said that he had received a schedule of requirements from the Deputy Director of Education and the Superintendent of Technical Schools, and that this schedule had been submitted to the Public Buildings Department to draw up plans and specifications. I have considered these plans and find that the engineering room is 300 square feet smaller than the existing room; the boiler-making room is 300 square feet smaller; the electrical workshop is 400 square feet smaller, and the new woodwork room is 330 square feet smaller than the existing provisions. I know that Mr. Bone has said that the existing boiler-making room is overcrowded, but it seems that the new one is still smaller. Because of this situation, will the Minister of Education reconsider these plans to ensure that the accommodation to be provided will be adequate?

The Hon. Sir BADEN PATTINSON: I shall be only too pleased to do so. I considered the schedule of requirements but did not check the measurements and would have been no wiser had I done so. I realized that several desirable adjuncts were being omitted for the time being, but did not know that we were cutting down on the size of essential rooms. I shall be pleased to take up the matter with the Deputy Director of Education and the Superintendent of Technical Schools, both of whom are interested in this matter and have been advising me on it.

SITTINGS.

Mr. LAWN: Recently the Premier said that the House would possibly resume in mid-January or early February of next year. Since then, announcements by the Premier have indicated that this is unlikely to eventuate. To meet the convenience of members who will be receiving invitations to attend functions in January and February, can the Premier say when the House will sit next year?

The Hon. Sir THOMAS PLAYFORD: The Government desires that several urgent matters be considered by Parliament, but since I made the statement referred to, the matters of the Mount Gambier industry and the pipeline from Gidgealpa have lagged; we have not yet received information to enable the Government to introduce a Bill to assist the Renmark irrigation scheme (it will be some time before the engineers receive this information); and the Government has not received a copy of the Bill concerning the citrus fruit marketing scheme. In those circumstances the Government will probably have an early election next year and meet immediately afterwards. This would enable greater consideration to be given to the problems than could be given at a hurried meeting in February prior to the election. I believe that the best procedure will be to have an election early in March and the House to meet as soon as possible after that. This will allow ample time to consider the matters I have referred to.

DANGEROUS DRUG.

Mr. HUTCHENS: On October 7 the Premier, in answer to my question, said that he would obtain a report and would try to ascertain the name of a drug that was available to pregnant women and could cause blindness in their babies. Has he obtained that report?

The Hon. Sir THOMAS PLAYFORD: The Director-General of Public Health states:

There has been some confusion regarding the reported statement by Sir Lorimer Dods that certain drugs readily available to pregnant women could cause blindness in their babies. The President of the South Australian Branch of the Australian Medical Association, Dr. N. J. Bonnin, has clarified the matter with Sir Lorimer Dods and is reported in the *Advertiser* of October 7, 1964, as saying that the statement was merely a general one which advised that women who were expecting should not take any drugs except under medical direction. In Australia, the Commonwealth Department of Health, with the assistance of the Australian Medical Association, the Australian College of General Practitioners and the medical profession generally, has set up a drug evaluation committee. Every State Health Department has a Food and Drugs Advisory Committee. The States inform the national drug evaluation committee of any adverse effects of drugs, and that committee studies all reports on drug reactions, and in its turn recommends control measures to State Health Departments. The Government has always acted promptly on recommendations to prohibit or restrict the sale of all drugs concerned, or to apply other appropriate controls.

MOUNT GAMBIER HIGH SCHOOL.

Mr. BURDON: Can the Minister of Education say what progress has been made on the planning of the new Mount Gambier High School, and when the plans are likely to be submitted to the Public Works Committee?

The Hon. Sir BADEN PATTINSON: During the middle of this year I was informed that sketch plans and estimates of costs would be ready for submission to the Public Works Committee during October. However, the Director of Education informed me today that the schedule of requirements which had been drawn up, and a copy of which was sent to the school council, had to be varied to some extent to provide for increased science teaching accommodation. But in spite of this variation in the plans, it was expected that they would be completed for submission to the committee this year. The Director also informed me that the architects were giving special consideration to the design of these new high school buildings in order to make the most effective use of the available accommodation and to ensure the buildings conformed to the most modern requirements.

TAILEM BEND TO KEITH MAIN.

Mr. BYWATERS: Has the Minister of Works a reply to the question I recently asked relating to the Tailem Bend to Keith main?

The Hon. G. G. PEARSON: The Engineer-in-Chief has forwarded the following report from the Engineer for Construction:

Transport of Pipes: It was proposed to rail the first 5½ miles of pipe to Tailem Bend, from where they would be carted to the route of the main by road transport and then rail pipes for the next section to Cooke Plains, from where they would be carted to the main in the vicinity of this siding. The unloading of pipes from rail trucks requires the use of a high lift crane, but this cannot be used at present in the Cooke Plains siding as the Adelaide-Melbourne trunk telephone line runs parallel to the railway line and passes through the siding yard. The use of the crane would require a clearance of 35ft. under the wires or their deviation around the yard. An approach has been made to the Postmaster-General's Department asking if one of these proposals could be adopted. These are still being investigated, but considerable technical difficulties associated with transmission quality are involved if the line is altered and, at this stage, it is not possible to say if the Postmaster-General's Department can move the line. In the meantime all pipes are being railed to Tailem Bend.

Damage to Roads: As is the usual practice of the construction division, a joint inspection of roads likely to be used within the district council area of Meningie has been made with representatives of the council, the Assistant

District Engineer for the Highways and Local Government Department, the Resident Engineer for the pipeline and the Assistant Engineer for Construction (Engineering and Water Supply Department). The condition of all roads was assessed and a similar inspection will be made upon the completion of construction within this area. If it is found that damage has been caused to district roads by the department, a recommendation will be forwarded to recompense the council for damage attributable to construction activities.

Progress: 1. Pumping Station: Specifications for the pumping plant are in hand, but further bores are required at the pumping station site south of the town to determine foundation conditions for the design of the station structure. 2. Pipeline: It is anticipated that 15 miles of main will be laid during the 1964-65 financial year.

RENMARK IRRIGATION.

Mr. CURREN: Recently the Minister of Irrigation visited Renmark to inspect the Renmark Irrigation Trust's distribution system. Following that visit the trust received a letter from the Minister, which stated:

Following my visit and inspection I informed Cabinet that a complete overhaul of the irrigation, water supply and distribution was an urgent necessity at Renmark and that the magnitude of the changes indicated a very heavy capital expenditure which was beyond the capacity of the Renmark Irrigation Trust. Cabinet agreed that the need was urgent, and steps are being taken to work out the time factor and assistance necessary.

I have had several discussions with officers and members of the trust, and I have often inspected the channels and irrigation system. I realize that the system is in rather a bad state of repair. Can the Minister say what action has been taken following his report to Cabinet on this matter?

The Hon. P. H. QUIRKE: The letter that I wrote to the trust is really an answer in itself; it also describes how I found the position. The whole system was designed for a much smaller irrigation area than the network of channels it is now forced to supply. Indeed, it is in danger of breaking down; the multiple method of pumping from Ral Ral Creek is now completely out of date and, in my opinion, as well as in the opinion of the engineers concerned, it must be replaced by a single pumping station, or perhaps two pumping stations, which would pump directly from the river, to the exclusion of the Ral Ral Creek. Existing conditions indicate that, with the high river level, there is a danger of saline waters entering the system, which would be extremely difficult to prevent. The whole system needs a complete overhaul; in fact, I think it needs to be completely rebuilt. That would involve tremendous expense, for I do not think we could expect to spend less than £1,000,000 on the pumping station, drainage and channel systems. Rebuilding of the channels could be achieved not in one year, but only over a period of years, because the channels extend for many miles. Because of the tremendous sum necessary to restore the system, we shall have to get the engineers to assess the situation. That will involve some months of work. Pumping stations cannot be built without much work and their cost cannot just be guessed. I expect that it would not be possible to get an estimate of the cost even of the pumping station before the middle of next year.

NURSES REGISTRATION ACT AMENDMENT BILL (AGES).

Received from the Legislative Council and read a first time.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

The purpose of this short Bill is to reduce the age at which a person may be registered as a nurse, psychiatric nurse or mental deficiency nurse from 21 years to 20 years. This will bring South Australia into line with the other States excepting New South Wales, which is contemplating a similar change. In the case of registration as a midwife the minimum age will still be 21 years and there will be no change in the minimum age for mothercraft nurses or for nurse aides, which is 18 years in each case.

Clause 4 makes the required amendment to section 22 of the principal Act. Clause 3 makes a consequential amendment by repealing subsections (3), (4) and (5) of section 21 of the principal Act relating to the registration of persons trained outside the State. The effect of the repealed provisions was that a girl who had qualified as a nurse outside the State and who was under 21 years could be granted provisional registration here for the purpose of undergoing midwifery training. These provisions will no longer be needed because any such girl who is over 20 years will now be able to register here as a nurse.

The Parliamentary Draftsman has suggested that I add this comment: When another amending Bill on this subject was before the House last week some members alleged that the principal Act had not been consolidated. Actually, the Act was reprinted with all amendments in 1963. It is not, it is true, included in the annual volume, but is referred to in the index, and copies

were and are available from the Government Printer and from the Parliamentary Library. That information may help members if they desire to refer to the principal Act.

Mr. CORCORAN secured the adjournment of the debate.

POULTRY INDUSTRY (COMMONWEALTH LEVIES) BILL.

Returned from the Legislative Council with amendments.

LOTTERY AND GAMING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 1520.)

Mr. FRANK WALSH (Leader of the Opposition): In rising to this debate, I, as Leader of the Parliamentary Labor Party in this State, desire to tell the House that this Bill now under discussion will be considered as a social question on which our members are free to express their own views and vote as they please. Therefore, anything I may say in association with this matter is not to be taken as being binding on my colleagues. The introduction of this Bill has for its foundation my public statement during the last election campaign (almost three years ago), when I said that I believed the Betting Control Board could introduce a system that would provide for off-course betting in the country areas without reintroduction of betting shops as we knew them in the period of their operations. Since that election was held, the matter of a totalizator agency board system has been prominently before the notice of the people in this State. Momentarily, I leave that matter there, as I wish to elaborate more fully on some points.

About 200 licensed bookmakers in this State will be asked to find an additional £136,000. Therefore, this tax must be recognized as a sectional tax on some members of the community, and I believe they are the only people who would have to pay a tax on losses because the turnover tax provides that they must pay at the present time 1 per cent on turnover whether they win, lose or draw on the day's transactions. In addition, they are permitted to accept what is known as "nod" bets. They write a ticket according to the sum, and on settling day between the customer and the bookmaker, which is normally the Monday after the previous Saturday's race meeting, if the "nod" bettor-customer desires to avoid his obligation of payment, the bookmaker must still pay turnover tax and is not permitted under the Act to institute legal proceedings for the recovery, but I will probably refer to the bookmakers again later. I now desire to continue with some references to the off-course totalizator committee. I know that many conferences have been held between an organization known as the South Australian off-course totalizator committee and the Premier of this State.

Mr. Jennings: He is an organization known as the Government of this State.

Mr. FRANK WALSH: However, what took place at those conferences I do not know—probably the Speaker and the Premier may know. I have accepted, by way of deputation, members of the South Australian off-course totalizator committee concerning T.A.B. I have also accepted a deputation from the South Australian Bookmakers League. I can intimate to the House that at no time did representatives of the South Australian off-course totalizator committee say that they did not desire bookmakers to operate, and I am not breaking any confidence when I say this. The representatives of the committee frankly admitted that the bookmakers have a certain attraction to many people who attend both race and trotting meetings and that they also added to the carnival spirit associated with such meetings. I am a little surprised that the Government at this stage, or at least the Leader of the Government, has said that Government policy is to provide for ½ per cent increase in the turnover tax concerning bookmakers in this State—particularly in view of a circular that I received from the South Australian off-course totalizator committee which said (and it was underlined):

> Our suggestion then is that rather than a telephone only system which would be an economic failure and do little to solve the problem, the whole question of legal betting facilities in the metropolitan area be left in abeyance and that cash and telephone betting facilities be established at ten country centres as you (the Premier) suggest: These centres could transmit their result direct to the on-course totalizator and thus by-pass the need for an expensive central headquarters. This is in accordance with your 14-point plan.

Under the heading, "Winning Bets Tax and Turnover Tax", the same authority states:

> We have many times pointed out that the winning bets tax and turnover tax have nothing to do with the operation of either an on-course or off-course totalizator. However, if you insist that the existing winning bets tax and turnover tax be altered at the time of introducing T.A.B., we maintain that the division of proceeds between the Government and some clubs should be varied from your suggested formula to protect the existing revenue of these clubs.

Now, I do not know what the Premier's formula provided for; all I know is that, in

the first instance, as a result of what I have quoted, the matters to which I have referred have been signed by Clifford A. Reid as chairman of the South Australian off-course totalizator committee, and in consequence thereof, I am greatly surprised to learn that he is now prepared to accept any gift irrespective of how it is collected or of any hardships that may be imposed upon those people who will be responsible for the payment of the increased tax. I can only assume that this acceptance has been approved by the members of that committee and I understand that the Speaker is a member of that committee. You, Mr. Speaker, as member for Ridley, have never used your privileges (if I understand them correctly) to refer to the importance of T.A.B., although I believe Standing Order 434 gives you sufficient opportunities. That is to say, when the House is proceeding to the Committee stage any member may raise a matter of public importance without giving any notice, but you, Sir, have failed on every occasion to test the validity or otherwise of that Standing Order. I understand that you, Mr. Speaker, are the President of the South Australian Racehorse Owners Association Incorporated. I do not know what qualifications are necessary to become a member of that organization. Probably you, Mr. Speaker, will be able to inform the House of that later. I have heard that on one occaion, Sir, you had a race horse on lease and it won a race, but now no horses are racing in your name. I also understand (and this may be corrected) that the association recently held a meeting in the Oriental Hotel and passed a resolution that, unless there was complete agreement on the question of T.A.B. to be introduced into this State on similar lines to that on which it operates in Victoria, you were obliged to oppose the scheme. I believe you will have that opportunity in the future.

However, in view of the matters already mentioned by me and the assurances that seem to have been given by the South Australian off-course totalizator committee, the drastic attempt to penalize one section of the community cannot be justified because of what appeared to be a firm understanding that the principle of providing revenue for the racing clubs in this State was to be on the establishment of T.A.B., preferably that operating under the Victorian system. The already deliberate statement that I have made from the extract of the circular that the winning bets tax and turnover tax had nothing to do with the operation of either on- or off-course totalizator, forces me to the conclusion that even at this stage this Bill should be read and discharged from the Notice Paper until such time as this Government tells the people of South Australia that under no circumstances does the Playford Government believe that T.A.B. should be established in this State, or that T.A.B. should be established on the broad basis that was asked for by the off-course totalizator committee. As I have already mentioned, it does not want to interfere in any way with the bookmakers of this State but, in view of the changed attitude because of a certain sum of money, probably this House instead of proceeding with this Bill, should introduce one that will provide for the setting up of a racing board to control racing in this State.

With the apparent criticism on the radio, over television and through other publicity mediums, the racing fraternity in this State does not seem to be in the clear. I am not a racing authority but statements made recently appear to have caused some alarm, and have posed the question of whether a racing board was needed in this State. We have several feature races in this State, such as the Adelaide Cup, having stake money of £4,000 and the Port Adelaide Cup with £6,500, but do these encourage the industry by attracting the highest standard of entrants as would, say, the Doomben Ten Thousand in Queensland which carries a stake of £14,500? The Treasurer has said that the tax is expected to raise an additional £136,000, but irrespective of the amount that may be concerned there is no denying the fact that it is a strongly sectional tax in that it is being borne by a relatively small section of the community, and in any case it is possible that the amount that is not kept by the Government will all go to other States.

The Adelaide Racing Club in 1948 raced two meetings without bookmakers when the attendances were about 5,000 on the first day and 3,000 on the next. The object of this Bill is to increase the bookmakers' turnover tax by 50 per cent whilst still retaining the iniquitous winning bets tax, and to my knowledge ours is the only State in which a winning bets tax is imposed. Over the years, this Government has deliberately bled the racing industry white. I have prepared a detailed schedule from information contained in the Auditor-General's Report showing the payments made by racing and betting clubs to consolidated revenue, funds retained for stake money, and amounts paid to charitable institutions over the last 10 years, but because of the detail involved I ask permission to have it incorporated in *Hansard* without my reading it.

Leave granted.

PAYMENTS TO CONSOLIDATED REVENUE, CLUB FUNDS AND CHARITABLE INSTITUTIONS FROM RACING AND BETTING CLUBS FOR THE TEN YEARS, 1954-55 TO 1963-64

	Consolidated Revenue						Racing, Trotting and Coursing Clubs				Charitable Institutions	
Date	Totalizator Tax and Licences	Commission on Bets	Winnings Bets Tax	Stamp Duty on Betting Tickets	Dividends and Bets Unclaimed	Total	Commission on Bets	Winnings Bets Tax	Totalizator	Total	Totalizator Fractions	Totals
	£	£	£	£	£	£	£	£	£	£	£	£
1954-55..	112,989	55,373	501,496	26,848	31,225	727,931	218,709	152,356	185,451	556,516	31,075	1,315,522
1955-56..	105,528	61,938	549,293	27,173	33,294	777,226	242,985	172,544	182,103	597,632	30,107	1,404,965
1956-57..	102,736	61,786	548,650	27,080	35,135	775,387	244,396	175,418	174,634	594,448	27,486	1,397,321
1957-58..	105,838	58,416	521,501	25,586	34,130	745,471	230,373	162,163	179,192	571,728	27,384	1,344,583
1958-59..	96,152	57,791	494,663	24,249	34,361	707,216	210,818	150,615	161,734	523,167	23,068	1,253,451
1959-60..	108,955	63,959	504,501	25,596	29,542	732,553	214,437	154,995	183,321	552,753	22,171	1,307,477
1960-61..	114,561	71,703	539,978	25,289	32,236	783,767	223,378	165,274	187,453	576,105	20,924	1,380,796
1961-62..	118,956	69,770	523,104	27,010	34,723	773,563	219,327	162,058	198,099	579,484	21,669	1,374,716
1962-63..	113,000	71,200	523,959	25,570	34,724	768,453	213,765	160,408	181,609	555,782	19,370	1,343,605
1963-64..	115,842	75,427	516,368	26,402	36,508	770,547	216,291	169,795	187,049	573,135	19,109	1,362,791
Totals .	1,094,557	647,363	5,223,513	260,803	335,878	7,562,114	2,234,479	1,625,626	1,820,645	5,680,750	242,363	13,485,227

Mr. FRANK WALSH: From the schedule, members will see that over the last ten years the Government has taken nearly £13,500,000 from the racing industry by means of totalizator, turnover, winning bets, and stamp duty taxes, etc., and it has certainly used this industry as a revenue raiser because of this figure more than £7,500,000 was retained by the Government in its Consolidated Revenue Account, and only slightly more than £5,500,000 was returned to the clubs from which they paid their respective stake moneys. If members examine this schedule they should also be interested to notice that in this same period, the winning bets tax has imposed a burden of £6,849,000 on the racing industry, and of this figure £5,223,000 has been paid direct to Government revenue. This is a further illustration of the Government's using this relatively small section of the community as a revenue raiser in an attempt to meet mounting Government expenditure.

During this same period, the turnover tax has raised £647,000 for Government revenue, and £2,234,000 for the clubs to use as stake money, but this legislation proposes an increase of £136,000 in a full year, with £68,000 going to Government revenue and £68,000 to be returned to the clubs. Why is not the return to the clubs in about the same proportion as the distribution of the turnover tax at present, namely, three-quarters returned to the clubs and one-quarter paid to revenue, or, better still, if the original intention of turnover tax was to provide attractive stake money for the various events, why does not the Government return the whole of this tax to the respective clubs? This would give far greater encouragement to the progress of this industry than will the imposition of an onerous burden on bookmakers. For the twelve months 1963-64 the bookmakers as a body for all on-course operations received a gross profit on turnover of 4.7 per cent from which was deducted a 1 per cent turnover tax. This represented 4s. 3d. in the pound on the bookmakers' gross profit, but the Government now wants to increase this figure to 6s. 4d. in the pound, and it is the reason I believe that I am not being unfair when I say that the Government is imposing an onerous burden on the bookmaking section of the community. Many attempts in the last 30 years have been made by the Liberal Government to increase this tax beyond the 1 per cent level, but it has always found that the industry cannot stand a tax higher than 1 per cent, and it is of great concern to me to know what will happen to the industry, and also what will happen to the winning bets tax, if all bookmakers are driven from the industry by the Government's insisting on such a heavy tax rate. If the Government is interested in encouraging the industry by means of more generous stake moneys, I suggest several avenues of investigation; for example, the annual reports of the South Australian Jockey Club, the Adelaide Racing Club and the Port Adelaide Racing Club supply the following information for the year ended June 30, 1964:

	Surplus from race meetings.			Surplus for year.		
	£	s.	d.	£	s.	d.
S.A.J.C.	41,624	12	9	3,534	19	9
A.R.C.	21,195	15	0	5,229	8	11
P.A.R.C.	62,631	7	7	12,570	11	1
Total	125,451	15	4	21,334	19	9

Why is it that these clubs can show a large surplus from race meetings but then only a relatively small surplus for the year? In addition, the annual report of the S.A.J.C. shows that from the charity meeting on Anzac Day this year £5,782 was handed to the trustees of the Returned Soldiers and Sailors Distress Fund, but this club, from 16 meetings, could show only a surplus of £41,624 12s. 9d., or approximately £2,600 a meeting. I know that we can expect some increase from an Anzac Day meeting, but surely a figure of well over double would be worthy of some investigation to see whether additional funds are not available for more attractive prizes before further impositions are placed by the Government on the bookmakers in this State. I am completely opposed to the provisions of this Bill.

This tax is a sectional tax on about 200 people who are called upon to pay considerable fees even before a race meeting commences. They pay an entrance fee for themselves as well as for their staff (whether they are situated in the grandstand, derby or the flat) at all racecourses, except Victoria Park. In addition, of course, they pay the 1 per cent turnover tax, as well as a tax on tickets issued and in certain cases, such as at Morphettville and, I think, Port Adelaide, they pay a fee for the privilege of being under cover; indeed, they may pay for that privilege for a number of years, only to be eventually told by the racing club, "This cover is now ours for keeps." A prominent bookmaker is liable to pay in costs to operate anything up to £200 or £250 before he lays one bet on the first race.

The Hon. P. H. Quirke: They are privileged people, you know.

Mr. FRANK WALSH: They are so privileged that they pay a tax on their losses. Will

the Minister, who I assume will support legislation to tax them, tell me of any other section of the community that does that?

The Hon. P. H. Quirke: Is anybody else so legally protected as they are?

Mr. FRANK WALSH: No racing community in Australia is as protected as are the public of this State, where investments with a bookmaker are concerned.

Mr. Fred Walsh: The only ones protected are the racing clubs.

Mr. Ryan: Yes, they are going broke!

Mr. FRANK WALSH: If a person invests with a bookmaker and loses a winning ticket he can fill out a form and present it to the Betting Control Board (within three months of placing the bet), and if the ticket has not been found or paid on, and if the board approves, he can receive his winnings. On the other hand, if a person loses his totalizator ticket, how much does he get? These are the privileged classes that the Minister mentions. Even if a person backs a winner he still pays the Playford tax. A person does not have to go to the races or bet. I maintain that as we provide for these people to operate we should give them a chance to make a reasonable living.

The Government is the taxing authority in this matter, and it pays half of the amount it receives back to the racing and trotting clubs, with a few pounds to the coursing people. The Government is only acting as a tax collector to still further bolster up the racing clubs in this State. Only a selective few will benefit under the Bill's provisions. According to the Premier, the extra money will be allocated to feature races, and probably stake money for the Adelaide Cup and some other races will be doubled. However, only one person will receive the prize, which will not necessarily be retained in this State, either, because under the Premier's proposals the increased stakes on these feature races could attract the best of the horses from other States.

The Hon. P. H. Quirke: That is a good idea, isn't it?

Mr. FRANK WALSH: A terribly good idea! According to the Premier, the stakes generally will be higher than they are in Queensland.

Mr. Fred Walsh: There are only about four races in Queensland that can be compared, anyhow!

Mr. FRANK WALSH: The tax to be imposed will be most selective, and the proceeds will benefit only a few people. On the broad basis of imposing a tax on the ability to pay, this proposal is wide indeed of the mark. I have always understood that the first principle with any tax was that it was imposed on those that have the ability to pay it.

The Hon. B. H. Teusner: How does this tax compare with the tax in the other States?

Mr. FRANK WALSH: This is the only State that imposes a betting tax, and it is the only State that asks bookmakers to employ extra staff to account for every ticket that has to go to the Betting Control Board to be checked and to account for every penny in order to provide revenue for the Treasury. Victoria once had many bookmakers, but the fraternity there has dwindled because of the turnover tax.

Mr. Hall: Their turnover has risen substantially in the last few years.

Mr. FRANK WALSH: That does not help them. We are taxing people whether they win, lose, or draw. If Government members do not want the bookmakers, let them say so. We should not tax those people out of existence. If we abolished bookmakers, where would the Government obtain the finance that it would lose as a result of that action? If the Government abolished bookmakers, where would the racing clubs be today? The metropolitan racing clubs had a considerable surplus on the previous year's operations. When those clubs are provided with money to do a job, why are they not doing it? I oppose the Bill in its present form, and will support the second reading merely so that I can move a motion for an instruction.

Mr. FRED WALSH (West Torrens): I oppose the Bill. I regularly patronize the noble sport of racing, as some are pleased to call it, and I have a modest investment on horse races. I do that, I consider, with considerable experience behind me, and I am not affected by any amount of money that I lose on horses because my investment is modest. I have no brief for bookmakers as such. I know some of them and I think that in the main they are reputable citizens. To be quite frank, I would much rather trust those whom I know among them than I would trust many of the so-called leading members of some of the racing clubs.

The Premier's attitude on this matter is difficult to follow. I must introduce at this stage the question of T.A.B. off-course betting, because the Premier introduced it himself when explaining this Bill and also when replying to questions yesterday afternoon. Quite frankly, it appears to me that he is introducing this measure as a sort of sop to the racing clubs because he never had the

courage to introduce a system of T.A.B. in this State. Attempts were made to bring considerable pressure to bear upon him and the Government to introduce such a system, and you, Mr. Speaker, were not far behind in trying to put pressure on the Government in this regard. The Premier tried all kinds of subterfuges to avoid this pressure. Finally he suggested his 14-point plan, which he thought was a brainy idea. However, it was completely impractical and unsuitable to everybody.

Mr. Clark: He knew that.

Mr. FRED WALSH: Yes. He knew that it would not be accepted. Representatives of the off-course totalizator committee opened their mouths too soon and decided that they would attempt to have private members move amendments to the Bill when the Premier introduced it. The Premier realized this and it did not suit him. He then put forward his plan and told the committee that it could accept that or have nothing. You know that, Mr. Speaker, because you introduced some of these deputations to the Premier. Now, with only two days of the present session remaining, a Bill of this kind has been introduced. With the Leader, I should not be adopting this attitude if this revenue were going to the State, but 50 per cent of it is to be distributed to the racing clubs. As the Leader said, the three metropolitan clubs have shown a profit in the last 12 months. I don't know of any of these clubs showing a deficit in recent years. In fact, I do not know of a deficit ever having been shown by them unless it was in cases where substantial improvements were made in the grandstand areas of the courses. Morphettville is the only course that can be credited with improvements of a general character.

My attitude to T.A.B. is fairly well known. I am not very impressed with the system that operates in Victoria. Any system of T.A.B. should eliminate S.P. betting and should have facilities for people who wish to bet off the course. I suggest that the system that should operate should allow people to bet at all times. When a person backs a winner by any chance (and it is a pretty remote chance at times) if the dividend has been declared he should be able to collect his bet and continue betting in the following races. Facilities should be provided so that the names of horses, their riders and barrier draw are known. If necessary, broadcasting facilities should also be available. This method is used in Western Australia and Tasmania. Tasmania has no T.A.B. system, but betting shops are operated in an orderly manner. The trouble is that when the system I am talking about is mentioned it is compared with the betting shops we used to know in South Australia. That is unfortunate and everybody decried that system including me. Nobody opposed the introduction of bookmakers more vigorously than I did when a resolution supporting their licensing was tabled by the Labor movement in 1933.

I suggest that the Premier ask racing clubs whether they want an all-totalizator system including T.A.B. and providing for the abolition of bookmakers. If that proposition were put to them, I suggest the clubs would be against it. They want it both ways. I doubt whether you, Mr. Speaker, always bet on the totalizator. I should be surprised if the leaders of the racing clubs make all their investments on the totalizator; they bet mostly with bookmakers. Many big bets are laid with bookmakers on the Friday night before a meeting and this affects the opening prices of horses at the racecourse on the Saturday. This is how many bets are made and the race clubs want to retain bookmakers for this reason. In the old days they wanted bookmakers introduced so that they could get the best prices, because when the totalizator system alone existed they had to accept the same prices as the ordinary bettor. Nowadays, they are able to get the best prices obtainable. Often no money comes for a horse and its price drifts. Sometimes they tip off bookmakers and have whisperers go around and advise bookmakers to lay a certain horse. The bookmakers accept this as good advice and extend their prices. As soon as they do that the betting commissioners come forward and back the horse causing its price to shorten. Then followers of the betting move back the horse and the price further shortens. And so the game goes on. I know all about this and I could spend the whole afternoon talking about it if my lungs could stand it.

I believe that the racing clubs would not subscribe to the abolition of bookmakers despite what they have said about them from time to time. I believe that is why they want the Victorian system to operate. This would enable them to close totalizator agencies at certain times before the first race in Adelaide. They believe that people would then go to racecourses in the metropolitan area. However, that need not be so. People who are not inclined to go to the races and still want a bet will have it with an S.P. bookmaker. S.P. bookmakers still exist and there is an organization in and around Adelaide that is

nearly perfect. S.P. bookmakers operate in most Housing Trust tenements and have their representatives to collect the bets. The money goes into a central organization. If anyone opens up and interferes with this organization the police are informed, a prosecution is launched, and that is the end of him. I am not a policeman and it is for them to find out about this organization, but it is common knowledge that this goes on. If one wants a bet it is not difficult, as there is always an enterprising gentleman to oblige, without going to a racecourse. I am speaking about the metropolitan area, but I am sure that those who live in the country know that it is not difficult to lay a bet there. Some members on this side of the House have a different view from me on this question and on the whole question of gambling. I respect their views but I am one of those people that do not see evil in gambling on race horses any more than I see evil in gambling on the stock exchange or investing money in any other business for profit. They are the same things to me: it is a way of life. It is an incentive for people to invest money, and in doing so the object is gain. What is the difference whether it is invested on a race horse or otherwise, so long as a man does not expend more money than he can afford. That is where the trouble starts for a man and his family, and that is where I condemn it.

It may be claimed that the racing clubs should receive the money because they provide entertainment and amenities. I have been on all principal racecourses in Australia and many overseas, and know what amenities are provided, and, with the exception of Western Australia, South Australia provides less amenities than any other mainland State. With the exception of Morphettville, the amenities are poor in all enclosures in this State. The S.A. Jockey Club at Morphettville has done a good job and is entitled to credit for providing a pleasant course. The Port Adelaide Racing Club has done nothing at all. Until last winter one needed a boat to move around, and in the summer it was a dust bowl. It is a positive disgrace for flat patrons, of which I am frequently one. The Adelaide Racing Club has never spent anything at Victoria Park flat for as long as I can remember. Recently this club was involved in a case before the High Court. The Taxation Commissioner and a taxation board of review had held that some of the improvements, notably to the members' reserve, were not made to produce taxable income. Improvements included a new members' stand, transfer of the old stand to the public enclosure, course reconstruction and a boundary wall. Mr. Justice Owen of the High Court upheld a submission by the club that the whole 58 acres which it leased from the Adelaide City Council should be considered as a whole, and in his opinion the land did not have to be used exclusively for the production of income. It was sufficient if it were used predominantly for that purpose. Mr. Chandler, Secretary of the club, said that the High Court ruling would help considerably in raising stake money at Victoria Park meetings and that, although figures had not been calculated, extra money would obviously become available for the club to provide stake money. The Adelaide Racing Club has never provided amenities at Victoria Park for flat patrons. It leases portion of the flat enclosure, but it receives revenue from the investments that are made in the totalizator, certain revenue from the turnover tax of the bookmakers and revenue from the publican's booth on the flat. The Adelaide City Council claims that Adelaide is a city of culture and cleanliness, but I suggest that council members should go to Victoria Park on a race day and inspect some of the crude shanties or shelters and see the unhygienic manner in which food is sold and consumed. Changes should be made there. All the metropolitan racecourses, including Gawler, have transformed the flat enclosures into car parks and I have seen 1,500 to 2,000 cars on the two principal privately-owned courses (Port Adelaide and Morphettville) which at 2s. a car brings in much revenue. The people go on to the flat enclosures to bet, but are charged 2s. 6d. I have been going to races for 60 years and know from which parts of the course one can obtain the best view of the racing. These matters should be considered by racing clubs if they want the support of members on this side of the House for legislation about future moves.

The Premier spoke of feature races but that was misleading because he knows nothing about horse racing. A couple of years ago he made a presentation at a meeting held by the Port Adelaide Racing Club and commended the club on the improvements it had made. Naturally, at the time he was facing green lawns and shrubs and had his back turned on the dust bowl which, only a couple of days later, was under water because of rain. Mr. Clifford Reid has said that the clubs want the right to determine whether the

whole of the money should be spent on feature races, or only portion of it, so we see that the clubs are not even prepared to commit themselves that far. The Premier has left that matter up in the air. Feature races only signify that three, or perhaps four, races are selected in one year, such as the Port Adelaide Cup, the Adelaide Cup, the Great Eastern Steeplechase or the Birthday Cup. I shall quote now from an article that appeared in the *Advertiser* after the last Australian Cup meeting, written by Tracery, that paper's leading sports writer, who said:

Victorian racing (and trotting) is all beer and skittles under the patronage of its wealthy relation, the T.A.B. But not every day is a winning day for the clubs. In fact, I have seen bigger crowds at Gawler than attended vast Flemington yesterday. Stakes of £9,700 for the six races were hardly warranted in view of the poor response from owners and trainers, to three major events, which attracted only 15 starters. Small fields attract small wagering with the T.A.B., the on-course tote and bookmakers. The V.R.C's. loss yesterday would be £6,000 to £10,000. On an off-day, such as yesterday, there are not enough paying customers to provide the stake money. But the big days take up any slack and there is always the T.A.B. handout to take care of other financial problems over 12 months and still keep stakes at a high level. As an outsider looking in I think if next year's programme were framed to attract large fields, with less emphasis on class, the V.R.C. could cut its loss by many thousands of pounds by bringing more paying customers to the course. And the T.A.B. would have a larger cheque for the club.

Feature races mean only that the three or four good horses in a race squeeze the others out, and the average punter does not have a bet on that race, which, of course, affects the totalizator and the bookmakers. The last Adelaide Cup prize was £4,100 and a gold cup valued at £250, but if we exclude Cilldara, Red Metal and, perhaps, Merry Knight from that field I would not give two shillings for the rest of that time. I have not named the winner of that race, either; it was, of course, Jamagne. At the race meeting held on October 12 (Labor Day) the Invitation Stakes, which was sponsored by George Adams, Tattersalls, offered a prize of £2,000 and a trophy valued at £100, and from a good field of horses Senator Mattner's horse won (which I had fortunately backed). The next race was the Labor Day Cup, at a prize of £1,050, with a £50 trophy, won by Jamagne; then the South Australian Oaks was valued at £1,500 but comprised a poor field. One would not even have wanted to buy the horses in the field for the stake. So, feature races are no answer to the question. Even the Premier spoke about Queensland's feature races, but I have seen them there. The Doomben and Brisbane Cups and the Stradbroke Handicap offer stake moneys running into £10,000. However, the stake money for the other meetings does not come anywhere near our stake money, nor do their attendances come anywhere near our attendances. The ordinary Saturday race meetings are very ordinary indeed.

Taking it by and large, on a population basis our attendances compare very favourably with those in the other States. Last Saturday the principal race of the day, the Albyn Rankine Handicap, was worth £715, and the difference between the top-weighted horse and the bottom-weighted horse was 4 lb. That gives some idea of the quality of the horses engaged. This does not apply only to South Australia: generally speaking, it applies throughout Australia, with a few exceptions. The class of rider is pretty near the same in all States as well. There is hardly a decent rider in Australia when one gets away from New South Wales. I have had long experience in watching riders.

Mr. Lawn: The good ones go overseas.

Mr. FRED WALSH: I do not want to be unduly critical, because the unfortunate part of it is that the boys have not had anyone to teach them. In fact, the person who was the teacher at the apprentices school here and is now a steward rode only a few winners in the country, and I do not think he ever rode a winner on metropolitan courses. We might attract good horses from the other States for our feature races. However, what we should do is build up a good quality horse here in South Australia, and the only way we can do that is by breeding. Successful breeding is possible only through the proper control of racing, which means that the doping of horses must be prevented. I do not have to tell people who know anything about horses at all that if horses are affected by doping they cannot breed. I was brought up amongst horses and have been associated with horses practically all my life, and I consider that doping has much to do with the poor quality racing today. How many horses have we seen drop dead or break down early in their careers in recent years? At one time horses used to go right through up to six and seven years of age and then go on to hurdling and steeplechasing, but we do not see that today. A horse will bob up and win a race and then fade into obscurity. Only last year a horse by the name of Algalon came over here to run in the Port Adelaide Cup, and it ran second in that race. I do not think it

has shown any form of any consequence since then, and I watch Melbourne form pretty closely. Last Saturday that horse won the Welter at Caulfield, and the owner, who is one of the biggest patrons of the stable where the horse is trained, withdrew all his horses from that stable because he was not told by the trainer that the horse could win. A report on this matter in yesterday's *News* states:

Mr. Laurie Reid, who has been one of Caulfield trainer Norman Creighton's main patrons for several years, yesterday transferred all his horses to George Hanlon at Epsom. Mr. Reid's action followed a big betting plunge on one of his horses, Algalon, winner of the Welter (10 furlongs) at Caulfield on Saturday. Mr. Reid said last night, "My wife and I, who race Algalon in partnership, were not involved in the plunge. My wife had a few pounds each way on the tote, and I had enough on the horse to give the trainer and jockey a present if he won. I was amazed to see a flood of money for Algalon. I thought he was a 15/1 to 20/1 chance on his recent form."

Algalon started at 9/2 after 15/1 had been bet in places on the course. From 8/1, Algalon firmed to 9/2, eased to 6/1, then firmed to 9/2 again. Mr. Reid said last night Algalon was an unlikely starter in the Moonee Valley Cup next Saturday.

The point I want to make is that the owners themselves do not know about these things: they have been "pulled on" by the trainers and by the riders, and in my opinion all this reflects a fault in the administration of racing. I honestly believe that some of the administrators of the racing game are themselves a party to some of the things that go on, not only in South Australia but in Victoria. As a matter of fact, some of the leading riders from New South Wales will not go to Victoria and some of the leading owners in New South Wales will not take their horses to Victoria because of what goes on there.

Let me remind the House of what happened at a Gawler meeting last June. I give credit to the Gawler stipendiary steward in this matter. The S.A.J.C. in May this year passed a rule that for every horse that received some form of treatment by a veterinary surgeon within seven days of a race meeting a certificate had to be given to the stewards setting out that the horse had received treatment and the details of the treatment, and an assurance had to be given that the treatment would not affect the speed, stamina, courage, or conduct of the horse. The club surgeon (Mr. Eastick), acting under this rule, prevented three horses from racing at Gawler on June 27. Those horses were Woolmast and Burke, trained by R. Dini, and Don Cortes, trained by C. Hayes. These are two of the leading trainers in South Australia. Mr. Eastick would not accept the veterinary report that the treatment that the horses had received would not affect their speed, stamina, courage, or conduct, and the stewards of the S.A.J.C. had no alternative but to withdraw the horses. However, horses receiving similar treatment have since been allowed to start in races.

A conference was to have been held by the Veterinary Surgeons Committee with the object of reaching a decision on a uniform policy to be followed in future, but no report has been issued. The chances are that people have got to Mr. Eastick and that a decision has been made to back-pedal in the matter. In my opinion, the Government or the police should carry out investigations, because this sort of thing constitutes deliberate fraud and conspiracy. Therefore, it is a case where the police should take action. Unless that is done they can carry on in this way. It seems strange that the stewards appear to take action only against a battler. Recently they took action against a trainer named Cutler and an apprentice named McInerney for not allowing the horse, Leicanut, to run on its merits in a race about three weeks ago. In the race that brought about their suspension, the horse finished second and his form previously had not been very good. A horse that ran fourth behind Leicanut ran second in the Invitation Stakes, an important race. He was beaten by a whisker and should have won. Not a word was said about the performance of that horse because he is trained by one of the leading trainers. The stewards took action against the battler. I have no time for Cutler because he was involved in an incident at Berri and was suspended for 18 months, but the point I make is that the stewards should take action against all these people and try to clean up the racing game. Only in this way will the clubs get people to support racing and Parliament to approve of it. Until they endeavour to clean up the sport I am not prepared to subscribe to any Bill that gives assistance to them.

The Premier has given comparisons in turnover tax in the different States. It is not a good comparison because in other States most of the revenue goes to the Government and little indeed to the clubs. Racing clubs are more generously treated in South Australia than in any other State of the Commonwealth. Hardly any betting takes place on local races in Tasmania and racing there is at a fairly low ebb. The revenue in Tasmania is obtained

from betting on interstate racing and quite a considerable sum goes to the State. The same position applies in Western Australia where nearly 50 per cent of the betting is done on New South Wales and Victorian races. Strangely enough, no betting takes place on Adelaide races in Western Australia. If the turnover tax were to be used by the State my attitude towards this Bill might be different. It must not be thought for a moment that racing clubs are entirely bereft of avenues for obtaining revenue other than from turnover tax.

They obtain revenue from entrance charges, car parking charges, race books, catering rights, entrance fees, acceptance fees, track fees, licensing fees and from many other charges they make. This revenue contributes towards the maintenance and cost of running race meetings. In addition, clubs receive 7¾ per cent of totalizator receipts, a share of bookmakers' turnover and a share of winnings tax. As the Leader said, this position does not apply in other States. The Premier talked about removing the punters' stakes tax and if he had moved in that direction he might have received some support. However, he is not prepared to drop this tax and the clubs do not want it to be dropped—they are not concerned about the punter. I am not concerned about the clubs, not for that reason but for the reasons I have given in my speech. I hope the House will not accept the Bill as it has been submitted.

Mr. SHANNON secured the adjournment of the debate.

STATUTES AMENDMENT (ORIENTAL FRUIT MOTH CONTROL, RED SCALE CONTROL AND SAN JOSE SCALE CONTROL) BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 1521.)

Mr. CURREN (Chaffey): I support the Bill and wish to refer to its provisions and to suggestions made to me by the committees formed under the relevant Acts that were passed some time ago. The oriental fruit moth control committee and the San José scale control committee operate in the Renmark area and have found difficulties in carrying out their duties under the existing Acts. Some regulations under the Vine, Fruit and Vegetable Protection Act have had to be used to make the powers of the committees fully effective. I have had numerous discussions with committees about their difficulties, and various suggestions have been made about how these three Acts should be amended. One suggestion dealt with the definition of an owner-occupier of a property. The committees have had legal opinions from their solicitors to the effect that it will be rather difficult to enforce the payment of levies under the powers provided by the Act as it now stands. In Committee I will move that clause 4 be amended to provide for a date each year in respect of the registration of the number of trees on a property. This will enable the committees to maintain a continuous register that can be kept up to date each year, and this will enable the committees to operate more efficiently particularly in striking their levies and raising the necessary funds from the growers. Another suggestion made to me relates to the power to pay committee members for their services. That power is in the Act but there is no provision for a chairman's allowance. As members realize, a person appointed chairman of a committee usually has far more work than has the ordinary committee member. This legislation will be welcomed by the committees operating under the Acts, and who are endeavouring to eradicate the pests infesting orchards in the river districts and in other parts of the State. I commend the Bill to honourable members.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Contributions to Committee."

Mr. CURREN: I move:

In new subsection (5) after "Committee" second occurring to insert "on or before the twenty-eighth day of February in each year".

The committee considers that there should be a definite date each year for the completion of the register so that it may levy the growers.

The Hon. D. N. BROOKMAN (Minister of Agriculture): This is a good amendment and I support it.

Amendment carried.

Mr. CURREN: I move:

In new subsection (5) after "trees" second occurring to insert "as at the first day of January in that year."

The committee in Waikerie has drawn up a form that is circulated to growers, and has laid down that January 1 in each year shall be regarded as the birthday of trees.

The Hon. D. N. BROOKMAN: This is a good amendment and I support it.

Amendment carried; clause as amended passed.

Clauses 5 to 8 passed.

Cluase 9—"Contributions to Committee."

Mr. CURREN moved:

In new subsection (5) after "Committee" second occurring to insert "on or before the twenty-eighth day of February in each year".

The Hon. D. N. BROOKMAN: I have no objection to this amendment.

Amendment carried.

Mr. CURREN moved:

In new subsection (5) after "trees" second occurring to insert "as at the first day of January in that year."

Amendment carried; clause as amended passed.

Clauses 10 to 13 passed.

Clause 14—"Contributions to Committee."

Mr. CURREN moved:

In new subsection (5) after "Committee" second occurring to insert "on or before the twenty-eighth day of February in each year".

Amendment carried.

Mr. CURREN moved:

In new subsection (5) after "trees" second occurring to insert "as at the first day of January in that year."

Amendment carried; clause as amended passed.

Remaining clauses (15 and 16) and title passed.

Bill read a third time and passed.

PHYSIOTHERAPISTS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 1530.)

The Hon. P. H. QUIRKE (Minister of Lands): Clause 3 provides that £16 16s. shall be paid for an initial examination conducted by the Physiotherapists Board, which has not applied hitherto. This may appear to be excessive, but I have been assured that much cost is involved in holding such examinations, although I personally do not know what is entailed. I am always afraid that these examinations might be made excessively difficult in order to obtain a result that was never intended, but we shall give the board the benefit of the doubt in that respect. The Bill also provides, under the heading "Miscellaneous":

A person who is a registered physiotherapist shall not administer to any of his patients any treatment otherwise than by physiotherapy unless he is qualified and entitled to do so by or under any other Act.

I do not think that is entirely necessary and I will move an amendment to that intended section. Whether it will achieve the desired effect I do not know, but I shall listen with interest to what other honourable members have to say.

Mr. DUNSTAN (Norwood): I have no objection to the first three clauses of the Bill, but clause 4, which substitutes a new provision in relation to what may be done by physiotherapists, seems to me wholly objectionable. It is wise to look at the existing provision in the Act, section 47a of which states:

A registered physiotherapist shall not in the course of his practice as a physiotherapist, administer, sell or supply to, or prescribe for, any of his patients any drug for the treatment of a disease or ailment of the human body. Penalty: £25.

The House did not object when that section was included in the Act last year, for it seemed designed to cope with the situation where medicaments for internal use were being prescribed by physiotherapists. But, Sir, the new provision goes very much further and says that a registered physiotherapist shall not administer to any of his patients any treatment otherwise than by physiotherapy unless he is qualified or entitled to do so by or under any other Act. In the principal Act "physiotherapy" is defined as follows:

The external application to the human body for the purpose of curing or alleviating any abnormal condition thereof, of manipulation, massage, muscle re-education, electricity, heat, light, or any proclaimed treatment.

So far as I can discover, there is nothing much in the way of proclaimed treatments. Therefore, this new section would confine a physiotherapist to purely physical application of that kind. It is quite clear to me that that would mean that he could not prescribe for a patient the use of a liniment, which is not a physical application but the prescription of something else. He cannot administer to any of his patients any non-physical treatment; he cannot hand him some liniment to take home and rub on, apparently. It seems to me that this is going much too far. The Minister said that he has taken this matter up with the board and the board has assured him that it does not intend to use the section in that way. Well, if it does not intend to use the section in that way, why provide the section? If what it is concerned about is the fact that the section we passed last year does not sufficiently define what a physiotherapist may administer, then the simple way of dealing with that is to define "drug" in the Act. However, that is not the proposal now, and it seems to me that the board is going about the matter in entirely the wrong way and that physiotherapists are going to be limited in a way in which they should

not be limited concerning treatment. In consequence, I support the view advanced by the Leader in this matter. I support the second reading, but in Committee I will oppose clause 4.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Physiotherapists not to practise otherwise."

The Hon. P. H. QUIRKE (Minister of Lands): I move:

In new section 41a to strike out "other". Under the new section a registered physiotherapist is prohibited from administering to any of his patients any treatment otherwise than by physiotherapy unless he is qualified and entitled to do so by or under any other Act. The word "other" excludes the Physiotherapists Act itself, but under section 8a of the Physiotherapists Act an osteopath is entitled to practise osteopathy without being registered under the Act, and it might be argued that new section 41a would preclude an osteopath, if registered as a physiotherapist, from practising osteopathy. Those people are so registered. The omission of the word "other" would therefore entitle an osteopath, even if registered as a physiotherapist, to practise osteopathy. Under the Chiropractic Act of 1949 chiropractors are also entitled to practise chiropractic without being registered under the Physiotherapists Act. The Bill is not intended to affect chiropractors and osteopaths, and the amendment, if agreed to, will put the matter beyond doubt. This amendment has been referred to and approved by the Registrar of the Physiotherapists Board.

In 1949 some members found it necessary to remove the osteopaths and the chiropractors from the scope of the Physiotherapists Act, which originally embraced all of them. Sooner than be registered as a physiotherapist, many of these people refused to practise at all. Some of us here could see the injustice in this matter, so in two separate amendments we removed these people from the operations of the Physiotherapists Act. I remember that well. I remember the difficulties that were engendered by such legislation, and I would not want anything like that repeated now. It is necessary to ensure that neither of these groups will be hauled in under the all-embracing Physiotherapists Act. My amendment is designed to see that a physiotherapist can still practise osteopathy and chiropractic if he so desires.

Mr. FRANK WALSH (Leader of the Opposition): The Opposition opposes both the amendment and the clause. New section 47a, inserted last year, states:

> A registered physiotherapist shall not in the course of his practice as a physiotherapist, administer, sell or supply to, or prescribe for, any of his patients any drug for the treatment of a disease or ailment of the human body. Penalty: Twenty-five pounds.

I think that provision has worked very well. The Act as it stands is enough without our amending it by clause 4. Has this Act been abused by newcomers to this country?

The Hon. G. G. PEARSON (Minister of Works): The amendment is perfectly simple and has merit. I accept the Minister's reasons for the amendment and the Government has no objection to it. If the Committee will deal with the amendment first, I am prepared to deal with the clause as a whole later.

Amendment carried; clause as amended passed.

Mr. FRANK WALSH: We haven't passed the clause. We have only carried the amendment.

The CHAIRMAN: I put the question that the word "other" be omitted and this was carried, and then I put the question that clause 4 as amended be agreed to and that was carried.

Mr. FRANK WALSH: I misunderstood your reasoning and I am going to insist that we clarify this position by a vote of the Committee.

The CHAIRMAN: Order! There is no reasoning about it. I put the question "That clause 4 as amended be agreed to", and I gave the decision to the "Ayes".

Mr. FRANK WALSH: I rise on a point of order. The matter was not put to the Committee clearly. I shall move that your ruling be disagreed to, Mr. Chairman. You know that I have opposed this clause and I have not had a chance to be heard properly on the matter.

Hon. G. G. PEARSON: The clause can be reconsidered presently.

Clause 5 and title passed.

Bill reported with an amendment.

Bill recommitted.

Clause 4—"Physiotherapists not to practise otherwise"—reconsidered.

Mr. FRANK WALSH: I hope that the Government does not insist on this amended clause.

The Hon. G. G. PEARSON: Honourable members have said that what was inserted last year is working satisfactorily and should

remain. However, the term "drug" in the 1963 Act creates a difficulty because it is considered almost impossible to define the word. If this is so, last year's provision creates a difficulty for physiotherapists, who do not know their exact position. A physiotherapist is not a qualified medical practitioner; he does not necessarily understand the action of complex drugs, and therefore should not administer them. He is inhibited because he is in doubt about the meaning of "drug", and the patient does not know what can be prescribed. I think honourable members will agree that, when read in conjunction with the definition of "physiotherapy" in the principal Act, the clause as printed does not prevent a physiotherapist from administering liniment; it deletes "drug" and replaces it with clear language that does not prevent a physiotherapist from doing the things he must do in the course of his practice. I ask the Committee to accept the clause.

Mr. LOVEDAY: The Minister has said that physiotherapists do not understand their position owing to the difficulty of interpreting "drug". When the member for Norwood mentioned a physiotherapist giving a patient liniment a member opposite said that the legislation would never be interpreted in that way. If that were so, how would the physiotherapist know where he stood under this clause, which provides that he shall not administer any treatment other than by physiotherapy? The Minister has emphasized that that is what it says, yet we are told that the board will not interpret it in that way.

The Hon. G. G. Pearson: If there was any doubt, the board would probably not implement it in that way.

Mr. LOVEDAY: If, as the Minister says, the physiotherapist would know precisely where he stands, the amendment must be taken literally, which means that he cannot do anything other than physiotherapy. One uncertainty has been replaced by another. It will be the province of the board to decide on any issue at any time because of the rigid interpretation in this clause.

The Hon. G. G. Pearson: The board asked for the amendment.

Mr. LOVEDAY: If this is taken literally, the physiotherapist cannot do anything but physiotherapy.

The Hon. G. G. Pearson: I think that gives him plenty of scope; it gives all he wants.

Mr LOVEDAY: I do not know whether or not that is true, but the physiotherapist must remain uncertain.

Mr. DUNSTAN: Under this clause a physiotherapist is restricted to doing the things mentioned in the principal Act. As far as I am aware, there is no proclaimed treatment, so he is restricted to manipulation, massage, muscle re-education, electricity, heat and light. Many external medicaments are used in physiotherapy, but, as they are not within the definition, how can a physiotherapist apply them? What if he applies a plaster? How does he apply liniment? The restriction has been drafted to go too far and with a difficulty in defining "drug" it creates further difficulties. We have not heard from the Minister of any cases where there has been difficulty to a member of the public arising from the present section. This is an ill-advised provision, and it would be safer to leave the matter until next session so that the board and the Parliamentary Draftsman could reconsider it.

Mrs. STEELE: What concerns members is that prior to the board being set up in 1949 many persons practised the art of massage, and used in conjunction with it many homoeopathic remedies. Today many old masseuses and masseurs, who practise under the Act and who are registered as physiotherapists, are using these homoeopathic remedies. This clause will deny to the people who practise massage or physiotherapy and to patients, remedies which they consider are well tried and have given good results. This matter concerns the livelihood of the older members of the physiotherapy profession.

Mr. MILLHOUSE: Physiotherapists do apply plasters, but under the definition of "physiotherapy", to which the member for Norwood referred, there is the convenient blanket, "or any proclaimed treatment". So far as I am aware none has been proclaimed. It would be possible to overcome any practical difficulties by proclaiming a specific treatment if it were found to be part of what is normally regarded as physiotherapy. I understand that an evil has to be remedied and that such a clause is needed, as certain persons have been claiming to treat incurable diseases by means of injections and so on, and they have no right or capacity to do that. It is not much better than quackery and can have tragically misleading results for the so-called patient.

Mr. Loveday: Can you give us an instance.

Mr. MILLHOUSE: I do not know of any cases and what I am saying is not first-hand. I have grave doubts about this clause because of the matters raised by the member for Norwood and others, but in view of the evil

to be cured it should be included. If it is found too restrictive, or the difficulty cannot be overcome by proclamation, it can be amended next year.

The Hon. G. G. PEARSON: I do not think there is any problem but the obvious thing is for the Governor to exercise his powers to proclaim what is "proclaimed treatment". We have passed clause 5 which has repealed last year's section 47a. If we now delete this clause we are left with nothing. I presume that is not the wish of the Committee. It would make the Bill unworkable and it must remain workable. I am prepared to give an undertaking to the Committee that, if it is found desirable to make a proclamation under the Act for purposes of defining precisely what is proclaimed treatment, that will be done. That can be done simply at any time and will meet any requirements of the profession.

Mr. FRANK WALSH: The Minister says he is prepared to define by proclamation, if necessary. What about the definition of a drug? There are all kinds of drugs. I have had some personal experience of this. A certain drug was prescribed as treatment and the result was not to my advantage but, when younger doctors who are developing the use of drugs administer them to me, I get greater relief. Has the Government some information on this that we have not? If it has, why doesn't it tell us so? Why attempt to amend something that is proceeding satisfactorily? If the Minister is unable to define these drugs, what he now seeks to provide is just as impossible of definition.

Mr. LOVEDAY: I cannot accept the Minister's assurance on this, because he says "if it is found desirable" to proclaim something. Who will decide that? Members should decide the desirability and nature of a proclamation. The member for Mitcham (Mr. Millhouse) started telling us about an evil but he could not produce any evidence. That sort of suggestion should not be made unless it can be backed by evidence. When asked whether a registered physiotherapist was guilty of what he said had been done, he could not point to one concrete instance. There appears to be no great urgency about this. If the physiotherapists were asked about it, I think they would object to being tied down so rigidly as to allow anybody in a position of authority to give one of their number a real "kick in the pants", in respect of which he would have no redress because of the absolutely literal interpretation of this clause. It would not be what was intended by Parliament: it is what is in the legislation that matters.

If it is not to be interpreted literally, it opens the door to all sorts of interpretations, which is not desirable, particularly if somebody wants to get his knife into a certain physiotherapist. We have been told that it can be interpreted in various ways. It has to be taken either absolutely literally or not: it is one thing or the other. If it is to be taken absolutely literally, there is no room for amendment. Physiotherapists as a body would find themselves in difficulties if this were to be determined absolutely literally. Therefore, we should not agree to this amendment being accepted in its present form.

The Committee divided on the clause:

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, and Millhouse, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (17).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, and Frank Walsh (teller).

Pair.—Aye—Mr. Nankivell. No—Mr. Hughes.

Majority of 1 for the Ayes.

Clause as amended thus passed.

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

Mr. LAWN: On a point of order, I understand that, when the Committee reports, the question "That the Committee's report be adopted" must be put. Is not that right?

The Hon. G. G. Pearson: The question has been put.

The SPEAKER: Yes; I have put it.

Mr. LAWN: No, you have not.

The SPEAKER: Yes I have, but I will put the question again: "That the Committee's report be adopted."

The question having been put:

The SPEAKER: The Ayes have it.

Mr. LAWN: Divide!

The House divided on the question "That the Committee's report be adopted":

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Hutchens, Jennings, Langley, Lawn (teller), Loveday, McKee, Riches, Ryan, Frank Walsh, and Fred Walsh.

Pair.—Aye—Mr. Nankivell. No—Mr. Hughes.

The SPEAKER: There are 18 Ayes and 18 Noes. There being an equality of votes, I give my vote in favour of the Ayes. The question therefore passes in the affirmative.

[*Sitting suspended from* 6.06 *to* 7.30 *p.m.*]

The Hon. G. G. PEARSON (Minister of Works) moved:

That this Bill be now read a third time.

Mr. DUNSTAN (Norwood): We now have in this Bill, if we vote for the third reading, a provision that members who are registered physiotherapists are not allowed to do certain things that members of the general public are entitled to do. That is to say, there is nothing permissive in the Bill for physiotherapists to do anything they are prevented from doing under the provisions for the registration of medical practitioners in South Australia. Members of the public may do things that are not prohibited by the Medical Practitioners Act and the allied Acts controlling the distribution of medicines. However, physiotherapists are prevented from doing it, which seems a most extraordinary provision to me, and I cannot support it. I think it is going too far, and the objections that were rightly raised by honourable members on both sides in the Committee stages should be supported now. I hope honourable members will vote against the third reading of the Bill.

The House divided on the third reading:

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, Nankivell, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, and Mrs. Steele.

Noes (18).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Frank Walsh (teller), and Fred Walsh.

Pair.—Aye—Mr. Teusner. No—Mr. Hughes.

The SPEAKER: There are 18 Ayes and 18 Noes. There being an equality of votes I give my vote to the Ayes. Therefore, the question passes in the affirmative.

Third reading thus carried.

Bill passed.

FAUNA CONSERVATION BILL.

Returned from the Legislative Council with amendments.

COMPANIES ACT AMENDMENT BILL.

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

PORT PIRIE TO COCKBURN RAILWAY DEVIATION BILL.

Returned from the Legislative Council without amendment.

BUILDING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1366.)

Mr. FRANK WALSH (Leader of the Opposition): I do not think for one moment that there will be any new town halls or major buildings erected in country areas where the Building Act does not already apply, and instead of making proclamations to govern these matters I think there should be a simple approach by applying it throughout the whole of the State, excluding that part which is not under local government. I also believe that both corporations and district councils have almost unlimited powers concerning the approval of buildings, but it appears that there is a tendency on the part of local authorities not to insist upon what should be done in the carrying out of the powers already granted to them under the principal Act, and under their own by-laws for that matter. Therefore, it would appear that the same people now desire to have certain proclamations made so that they may apply the legislation in two ways. The first is to be able to quote a proclamation to an offending party and indicate that he must do a particular thing, and the other is that knowing that they have all those powers under the Building Act they do not want to use them because they might offend the people they represent. I think that instead of going into all types of legal jargon or phrases, as contained in clause 3, this Bill should be amended to say that the Building Act should apply throughout the whole of South Australia, excluding the portion not served by local government, instead of waiting for some proclamation to be made. I can only liken it to the Scaffolding Inspection Act, and the sooner we get down to a common basis with these types of legislation the better. Although 60 per cent or more of the State's population lives in the metropolitan area, it is no excuse for applying this

legislation only to those people, unless, of course, a proclamation is issued applying it to portion of the remaining 40 per cent or less of the population that lives in the country areas. The principal legislation is aimed at insisting upon a high standard in the building industry in the areas that have been proclaimed, and I believe that this high standard should be insisted upon right throughout the State, excluding the portion outside of local government areas. Although I believe this should be done, I have no alternative at this stage but to agree to the passing of the Bill.

Mr. COUMBE (Torrens): Although this legislation has not been before this House for about 11 years, it is extremely important. The Building Act and the Local Government Act are the two bibles under which local councils operate. The important thing is that the provisions of this Bill have been recommended by the Building Act Advisory Committee, a committee set up by the Government to consider the workings of the Act and any improvements that should be made to it. That committee from time to time has brought forward some most interesting and constructive suggestions.

Clause 7 deals with the removal of dilapidated and neglected buildings. The power prescribed has been requested by local government for some time.. Until now councils inadvertently have had to cause hardship to some owners of old, dilapidated and unsightly premises, because when those premises have become unsavoury or unsafe the owners have been ordered to remove or demolish them. This clause gives an option to the owner to reinstate the premises, and I believe that it is worthwhile. The owner now has the option of doing whichever is the more economical. Clause 8, which deals with zoning, has the merit that by-laws for zoning are set out. The important thing is that the by-laws will be subject to Parliamentary scrutiny, first, by the Subordinate Legislation Committee and, secondly, by Parliament itself.

Clause 9 is somewhat different, for it gives power to councils to make regulations for off-street parking. I agree wholeheartedly that we are faced with a problem of providing this parking, and I believe that we should do something about it. With the rapid growth of flat building and the enormous increase in new motor vehicle registrations, much difficulty is being experienced, particularly in city and suburban streets, in the parking of cars. Sometimes it is almost impossible for people to park their cars close to their places of abode. Flats are springing up all over the place. In my district many flats are now under construction, and it is expected that soon another 100 will be built at Gilberton. This emphasises the need to provide off-street parking, not only in the interests of the people who reside in those flats or houses but in the interests of ratepayers in adjoining streets who often find that they and their visitors cannot park cars in front of their properties. Cars are parked across driveways, which is a breach of the law. This clause provides for regulations whereby owners of certain types of building will be compelled to provide some facility for off-street parking. Such powers need very careful scrutiny by this House when the relevant regulations come before us and then sensible application, because if they are applied lightly or capriciously, they could cause much hardship to the person intending to build a large block of flats. Considerable hardship could be experienced by owners of buildings, especially near the city where land bears an extremely high value. Taken generally, this is an extremely important clause. I have pleasure in supporting the second reading.

Mrs. STEELE (Burnside): While this Bill to amend the Building Act is before the House I should like to speak on a subject to which I am sure other members have given some thought at some time or other as they have moved around their districts. Increasing numbers of blocks of flats called home units are being erected in areas that are largely residential. In fact, within a few hundred yards of my own home, which is almost in the centre of the Burnside electoral district, premises are being pulled down to enable the erection of a number of home units. I noticed this morning as I drove past what was previously one residence that six home units are to be erected on the property. The aspect that particularly concerns me is that this type of housing unit is designed to take full advantage of the depth of the allotment by staggering the units. The result is that in a place where there was originally only one house which provided for a family, several units are being built, each unit providing for a single person or a couple. This may be all right at present but I think the matter might be considered by local councils and by the Government to ensure that these multiple home units are not the beginnings of what could be substandard buildings in the future. I say this because, although some of them are well built, I consider that others do not measure up. In some cases, those erecting them keep just within the Building Act in providing the type

of home unit permitted and there is a danger in allowing this kind of development. I therefore raise the subject in this debate, to bring this danger to the notice of members.

The member for Torrens referred to parking and, here again, many of the buildings to which I have referred do not provide for parking. In addition, there is very little facility for the various amenities that we associate with a home, such as laundry facilities and drying areas for each unit. This is another aspect of the development that holds some danger for the future. Of course, I realize that in voicing this opinion I may be cutting across the interests of some councils because each of these home units is rated as a residence and full rates are charged. I bring this matter to the notice of members because I believe an inherent danger is to be found in this type of development on a block with a frontage of, perhaps, 60ft. and a depth of 150ft. on to which six home units are crammed. Members should examine this position with a view to preventing a possible deterioration into substandard dwellings in the future.

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

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1366.)

Mr. JENNINGS (Enfield): I support the Bill and I thoroughly agree with its provisions. It amends an Act in which I have been interested for a long time. However, if someone had come up to me in the street and asked whether the provision in the Bill was contained in the Act, I should have answered that it was and yet, of course, that would not have been so. I am constantly astonished by the need from time to time to amend existing legislation. My ego is rather fortified in this respect by the fact that the House of Review frequently does not find our sins of either commission or omission, and that is why, it seems, every piece of legislation on the Statute Book has occasionally to be revised and amended.

The only operative clause of this Bill enables veterinary surgeons to dispose of diseased or injured animals, and gives them immunity from any action that may be taken against them as a consequence. Police constables have had this power for years.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1369.)

Mr. FRANK WALSH (Leader of the Opposition): This Bill deals with one of the most important matters in this State. The Party I represent should have a reasonable opportunity on all occasions to consider local government matters, yet this Bill has been introduced in the dying hours of this Parliament, and this is not good enough. A few minutes ago the member for Torrens (Mr. Coumbe) spoke about the importance of the Building Act and the Local Government Act. Will he tell us the same about this Bill? It has been introduced too late for members to be able to move amendments. Now we are prevented from giving voice to important local government matters. The Government says it supports local government because it is closest to the people, but the Opposition should be able to put the views of the people it represents to prove that it is interested in local government affairs. I support local government, as do my colleagues, but I protest at the late introduction of this legislation. The amendment to section 100 of the principal Act deals with plural voting. Perhaps it is time we considered whether we should have plural voting at council elections or whether the electoral roll should be used. I am concerned about clause 7, which amends section 287 (1) (j4) of the principal Act, which states:

> Subject to any provision of this Act relating to any particular revenue a council may expend its revenue in—
>
> (j4) subscribing for the purposes of any organization having as an object the furtherance of local government or the development of any part of the State in which the area of the council is situated: Provided that the total amount which may be subscribed to organizations as aforesaid in any financial year shall not exceed £250.

I have no objection to that, but I shall not support the amendment. The Local Government Association of South Australia has submitted its views on this matter. My colleagues and I conferred with representatives of the Local Government Association of South Australia, and this matter was discussed. We agreed that we should retain what is in the present Local Government Act. It is appropriate for me now to refer to the views of that association, which wrote to me on October 15 last as follows:

You were good enough to receive a deputation yesterday morning dealing with the amending Bill to the Local Government Act which is now before Parliament. At that interview we urged that you oppose the proposed amendments to section 287 (1) (*j*4) as we believed that the alteration would have the effect of making it illegal for a South Australian council to subscribe to interstate organizations such as the Murray Valley Development League and the Portland Hinterland Development Council. The Minister of Local Government is reported to have given an assurance to a later deputation that these amendments did not have the suggested effect. However, we have referred this matter to this association's solicitor today and he assures us quite definitely that the amendments would have the effect of making such a contribution illegal. In view of this, we shall be pleased if you will oppose this amendment to section 287 (1) (*j*4) so that those councils which wish to do so may continue to subscribe to organizations of this nature which, rightly or wrongly, they believe confer benefits on their respective areas.

It is well-known that the councils in the area of the Murray Valley Development League have been subscribing to this organization for many years, but the matter of subscriptions to the Portland Hinterland Development Council from the council at Mount Gambier is in dispute. This amendment will do what the council at Mount Gambier desires: it will allow it to say to that organization, "The Local Government Act will not permit us to subscribe to your organization." This Parliament is big enough to retain what has been in operation for many years. If the council at Mount Gambier does not desire to subscribe to that organization and the people of Mount Gambier feel that it should, then under the Local Government Act they should be able to elect a council that will do what they want. That can be done every 12 months when an election is held on the first Saturday in July. Nobody in this place would deny the right to councils in the Murray Valley areas to subscribe to the Murray Valley Development League. I do not think that Parliament would want that at all. If agreement can be reached on that matter this amending legislation is not necessary. The council concerned should be able to determine the issue itself. Another letter, dated October 15, was forwarded to the Minister of Local Government by the same organization, and part of it stated:

When these proposed amendments first came under our notice we formed the opinion that they would have this effect—

to which I have already referred—

and this has been further confirmed by a legal opinion obtained by this association which very definitely asserts that the proposed alterations would legally prevent a council from belonging to one or other of these interstate organizations.

When we reach the Committee stage I will give further information on this matter if it is required. I assure members that we will oppose clause 7. I understood that original legislation provided that certain councils should be able to subscribe, if they so desired, up to about 50 per cent of rates for flats erected by the Housing Trust, the money spent to be recoverable over 15 years. The council at Walkerville wanted to subscribe about 47 per cent of its revenue in this way. I see no reason why we should clutter up the legislation unnecessarily when already in existence is the Housing Improvement Act which authorizes councils to work in co-ordination with the Town Planner's proposals for the clearance of slum areas for re-development purposes. With that objection in mind, I think there is an obligation on the Government, and if the Walkerville council desires to do something in the interests of the ratepayers, as it is an old area and it would like it further developed, then let us go to the fullest extent.

Let us have the Housing Improvement Act implemented and show the people that we want to improve certain older sections of this State in harmony with the newly established areas. Let it be known that we believe in a better system of town planning and recognize that some of the older suburbs containing old-type houses should be improved. Many of them have had to be provided with bathrooms if they were not already installed, and this would be an additional expense. Modern houses have these amenities and I see no reason why the Housing Improvement Act should not be used instead of amending the Local Government Act.

I hasten to assure the House that if the amendment I refer to is moved I will oppose it, because I believe the powers in the Housing Improvement Act are sufficient to do all that is desired in the redevelopment of older areas. I have indicated there are two clauses that I will oppose, but I support the second reading.

Mr. MILLHOUSE (Mitcham): This Bill is usually regarded as a Committee Bill on which not much need be said on the second reading. That is so, of course, but it means that we never get a real chance to discuss any of the broader issues of local government or many of the 890 sections of the Act. I am not going to discuss them all but I intend to discuss two matters of general importance and they are matters that come within the purview of this Act. In 1954, I think it was, His Honor

the Chief Justice who, happily, is still with us, described the Local Government Act—and I am paraphrasing his words: they are not absolutely a quotation as I have not got it with me—as being not so much a thing of threads and patches as a heap of junk. That was 10 years ago and since then in every session except one we have continued to dicker with it, to fiddle and take bits out of it and put other bits in. I don't know how His Honor would describe the Act in 1964 if that is how he described it in 1954! I am perfectly aware of the fact that it would be a mammoth job to consolidate it and renumber and generally rationalize its provisions. However, that is a job which I believe should be undertaken.

Mr. Shannon: It was done back in the 1930's.

Mr. MILLHOUSE: Yes, in 1934 actually, which is 30 years ago, and it is high time it were done again. However, there is one particular section to which I desire to refer, because during the course of my professional experience in the last few months I have discovered what I think is a glaring anomaly in it—a mistake, I think one could call it—but one which could be very easily remedied. Section 319 is a pretty important one because it is the section which enables councils to recover from adjoining landowners the cost of constructing public streets. All metropolitan members will agree that that section is one which is of very great importance, especially in the metropolitan area. In subsection (1) of that section we have a very curious definition of "owner". An "owner" is said to mean any person appearing in the assessment book as the owner of any property. That is fair enough on the face of it. I will explain presently why I think that should be altered. Then in subsection (2), which is the operative section, we find this:

> If any one or more of the following works, namely—

and then it sets out the works which can be charged for—

> have not been previously carried out, and if the council carries out either separately or together all or any of the said works not previously carried out, the council may recover from the owners at the time of the completion of the work of ratable property abutting on the public street or road the cost of such work or such part thereof.

I need not read the rest of it. The important thing is that the recovery is made from the owners at the time of the completion of the work, and an owner is defined as any person appearing in the assessment book as the owner of any property. It means that the right of the council is to recover from the person whose name appears in the assessment book as the owner of such property, whether or not he is in fact the owner. That is the point. The case which has come to my notice in the last few months concerns, I hasten to say, not one of the councils in my own district but one of the other metropolitan councils, and it is this: the ownership of a certain quite large piece of land abutting on an important road changed hands on May 6, 1963. The work of remaking and widening the road running past that piece of land was finished, according to the certificate given by the council pursuant to section 319 (6), on June 14, some five or six weeks after the change of ownership of the land.

When the work was finished the council sent out accounts to those people whose names appeared on a list which had been prepared some time before. In fact, the account was sent first of all to the person who had been the owner before May 6, 1963, and that owner sent it on to the new owner and said, "You are the owner now and you must pay; the responsibility is yours." The new owner did not pay at first, and subsequently when the council sent him an account he demurred. I will not detail all the facts, but eventually a court held that in fact the old owner's name still appeared in the assessment book on June 14, the day the work was completed, even though the ownership in the property had passed some six weeks before, and therefore the old owner and not the present owner was liable to pay. That old owner's name appeared in the assessment book on June 14 simply because the clerk in the council office whose job it was to make alterations in the assessment book had not had time to get round to making the alterations. Of course, that is an absurd situation.

Mr. Riches: Are you sure that he was notified of the transfer in the first place?

Mr. MILLHOUSE: Yes. The Land Titles Office, at the end of the month during which the transfer was lodged in the Lands Titles Office, notified the council but the officer of the council whose job it was to do the work was too busy to make the alteration in the book before June 14, the operative date under this section. Therefore, because the section is worded as it is and because the definition of owner is as it is, the court held that the person whose name actually appeared in the book was the person liable to pay the road moiety, not, in fact, the actual owner of the property. I am sure that we all agree that that is an

absurd situation and it comes about because of this strange definition of owner in this section as the person appearing in the assessment book, not the person registered as the owner in the Lands Titles Office, and not the person who is entitled to have his name in the assessment book.

I believe that that definition should be altered. That could be done very simply. I see that the honourable member for Norwood has been following me with very great attention and I am sure that he will agree that this could be overcome by changing the definition from "owner means any person appearing in the assessment book" to "owner includes any person appearing in the assessment book as the owner of any property". After all, in section 5 of the Act "owner" is defined *in extenso* and there is no real reason why there should be a different definition of owner in section 319. That is just one of the anomalies in the Act that I happened to pick up during the last few months. It could easily be altered and, in justice, it should be altered.

Mr. Dunstan: But it cannot be done under this Bill.

Mr. MILLHOUSE: No, it cannot.

Mr. Riches: I could produce 50 such cases.

Mr. MILLHOUSE: Then, if we can reduce the number even by one I think the member for Stuart will agree that that is a good thing. The other matter to which I desire to refer concerns an amendment that we made in the Act in 1961 giving councils power, under section 667, to regulate the speed of motor vehicles along or on any foreshore. That meant that councils were given the power to regulate the speed of motor cars on beaches. I confess that I do have an axe to grind on this matter. My family and I spend much time at Moana in the district represented by the honourable member for Alexandra, the Minister for Agriculture. My young children like to play on the beach and I am fortunate enough not to have to use my motor car to get to the beach or to take my children there; so I suppose I have an axe to grind. I am in a position no different, however from that of thousands of other parents of young children in this State.

The SPEAKER: Does this link up with any clause in the Bill?

Mr. MILLHOUSE: Yes, it is linked with section 29 of the 1961 Act. There is a very great danger to young children at Moana and other beaches where motor cars are allowed to drive up and down. I remember seeing a controversy in the newspaper some few months ago in relation to this practice at Semaphore, or at another beach in that area. On some hot days in the summer at the weekends at Moana 1,200 to 1,600 motor cars are packed on to the beach, each of them paying 1s. for the privilege of going on to the beach. This is a fertile source of revenue to the District Council of Noarlunga. When the beach is as busy as that, people are careful but it is still a great danger, not only to children, but to other people who may be on the beach, either going to or from the water. I have found it difficult to relax because of the danger from motor cars going up and down the beach. The council, in all fairness to it, has signs at the ramp advising of a speed limit of 10 miles an hour, but it is almost impossible to police that. It is more dangerous still on an off day when relatively few cars are on the beach and when people, especially children, like to be running about. On those occasions, Moana becomes a veritable speed track and many cars are driven by irresponsible young men and women, usually in their late teens, up and down the beach at speeds of up to 50 or 60 miles an hour.

I have complained to the council and also to the member for the district (Hon. D. N. Brookman) who was kind enough to take up the matter with the council. The council wrote him a letter setting out the difficulties that it experiences in policing this matter. In a letter dated January 31, 1964, the Town Clerk stated:

From what Mr. Millhouse said to me one of his specific complaints was about speeding on "off" days when there are few people or motorists on the beach, the ramp is not being attended, and neither the ramp attendants nor the lifesavers are present. This particular matter presents a good deal of difficulty and I personally doubt whether council would be in a position to pay someone wages just to patrol the beach during these "off" times. The result of not doing anything about this may well be a death or serious injury one day. Later in the letter the Town Clerk stated:

The local police also assist to the extent of their ability, which I am informed is considerably limited by the fact that they have to patrol from O'Sullivan Beach to Sellicks Beach, and have only one vehicle and about three men available. In the course of my investigations into this angle it was pointed out to me that the police vehicle is very easily recognizable (being a utility with a high cage on the back of it), also that the police are in uniform. The sight of this vehicle causes offenders to stop offending promptly, but they also start to offend again just as promptly after they see the vehicle drive away.

I need not read any more of the letter to point out the difficulty of policing the speed limit on the beach at Moana. As I said, it is only a matter of time before a serious accident occurs at Moana or some other beach. In my practice some years ago I had the experience of a child's being injured in an accident on the beach.

It is good to enjoy pleasure on the beach and I believe that every beach should have at least some part that is free of motor cars where people can romp and play without the danger of the motor car being ever-present. Sooner or later we shall have to decide what the beach is for, whether for recreation, swimming, playing of games and so on, or whether it is to be used, as it is now in some cases, for driving motor cars at speed. We are careful about road safety matters in some ways, but there is far more danger on the beach on some days than there is in a child's crossing even the busiest road, and I am surprised that the authorities are prepared to turn a blind eye to something I regard as very serious. You, Sir, have been very indulgent in allowing me to raise this matter. I have raised it because it is of great importance, and I hope that as a result of my raising it some general thought will be given in the community and something will be done about it. With these remarks, I wholeheartedly support the second reading.

Mr. RICHES (Stuart): I do not intend to mention all the anomalies in the prinicpal Act that are patent to everyone who has anything to do with local government matters. About half this Act could be thrown away altogether. There is a great need for it to be rewritten and for a full investigation to be made into the whole relationship between the State and local government concerning its financial provisions. The Government has made it a practice to reserve Bills dealing with the Local Government Act for the dying hours of every session, and it is not right that members on this side of the House should be restricted, because of the lack of time, in dealing properly with these measures or for referring to provisions of the Act not mentioned in the Bills.

The member for Mitcham (Mr. Millhouse) has mentioned something not dealt with by the Bill, although it concerns local government—the liability of an owner of property for payment of road moieties. This provision is different from that relating to the liability for arrears of rates. With rating, the charge remains a charge on the land, but with road moieties the council has to make the charge against the owner at the time the work is done; it is not collectible from the future owner. This is only one of the anomalies that this House should have the opportunity to correct, but I do not think we could ever correct all the anomalies in Parliament. To do this would require a body of experts to investigate the Act and throw half of it overboard. Many of its provisions would not be acceptable to this House now. For instance, I do not think the House would give a right to a town clerk or a subordinate officer to enter a house without any warrant other than a bill for unpaid rates, distress goods and chattels, and effect their sale. I think Parliament should also look at section 251, which makes an occupier as well as an owner liable for payment of rates. If these provisions were examined in the light of present-day requirements, they would not stand scrutiny or be accepted by the House, and many other provisions could also be discarded.

The Hon. P. H. Quirke: Would it help if every other section were thrown away?

Mr. RICHES: I think that would be a help. The Act contains about 900 sections, the provisions of which could be written into 100 sections. I support this Bill because it includes several matters in which a time factor is involved, and which are important to one or two councils. The correction of the mistake made by Parliament last year is considerably important to several councils. Last year Parliament decided that it was no longer necessary for councils to strike special rates for special undertakings, and it increased the amount that could be borrowed on the security of general rates. After deleting the special rate provisions from the Act, Parliament forgot to take out the limitation on the amount that could be repaid in any one year. Today a council can borrow on the security of the rates, but where councils have arranged loans they cannot make repayments because of the limit on the amount they can repay, although the money is being earned from the instrumentality upon which the rate was struck. Last year the Bill was introduced at the last minute, with no time for a proper scrutiny of it.

Mr. Clark: That is a reason why the Act gets more and more cumbersome.

Mr. RICHES: Yes, and why amendments are necessary to correct mistakes. I suppose the Adelaide City Council is concerned about the additional money provided by this Bill, and I see no reason why it should be opposed, but my first thought was that the Bill could be left over and be properly examined next year.

Parliament should be able to scrutinize it properly. I believe that local government experts could re-write the Act, at the same time considering the re-arrangement of the financial liabilities and responsibilities of the State and councils. I think that is essential.

Mr. SHANNON (Onkaparinga): I support the Bill, because certain aspects of it are overdue. They are being provided and, no doubt, they will assist people who, because of their office, spend out-of-pocket money and who should be legally recouped by the council in whose interests they work. I am interested in the section, to which the Leader of the Opposition referred, dealing with the right of councils to contribute ratepayers' funds to organizations outside this State. I do not know what the member for Mount Gambier knows about this, but I suggest to the Leader that it is doubtful whether most of the ratepayers in Mount Gambier would favour portion of their rates going to Victoria for developing the Portland hinterland, but if the Leader's assumption is correct, it is surprising that the council is not of the same opinion, as I understand that it has not approved of this scheme.

Mr. Riches: If the council did not agree with the scheme, it would not pay the money.

Mr. SHANNON: I would be surprised if there were a majority of ratepayers in Mount Gambier who would agree to part of their rates being spent in Victoria. If there is a majority of that opinion, then obviously at the next election some changes will be made in the council if it does not approve of that policy. That is the proper democratic approach to the problem and we should not interfere with it.

Mr. Riches: It is a matter for the council itself.

Mr. SHANNON: Yes. I have serious doubts about the propriety of ratepayers' money being spent in an area in another State. So many things in local government require attention that the rates are fully used in dealing with them, and it is within the ratepayers' own area. I know of no council that is embarrassed with riches.

Mr. Riches: Port Augusta is!

Mr. SHANNON: If that is so, good luck to it! Port Augusta must be the luckiest town in the State. If that is true, I am delighted to hear it. No doubt the honourable member is unique in that respect. He would have no competitor in that field. I have three local government bodies in my district and I do not know one of them—

Mr. Riches: You have missed the point: I meant "Riches" with a capital R!

Mr. SHANNON: My own approach to the matter of ratepayers' funds is that they should be first spent in the area from which the rates were gathered. Almost from time immemorial councils have relied upon the central government for grants-in-aid, loans for plant free of interest, and for assistance in various ways, to make it possible for them to do the things that local government should be doing. I am all for local government having the authority to carry out much of this work. The councils are nearer to their own people than is the central government, and they know their needs. Also, nine times out of 10 they do the necessary work much more cheaply than the central government could do it. I say that to the Leader of the Opposition, who has the idea that the central government should do that work; but local government can do it more adequately and efficiently.

I am opposed to granting to local councils the power to spend the ratepayers' money on things other than those immediately concerning their own areas. For sentimental reasons a council may want to do something which, after mature consideration by the ratepayers, who find the money, may not be popular; but it is done. If councils were more than adequately supplied with funds and could spend moneys on any project irrespective of whether it had a bearing on the interests of the ratepayers concerned, that would be another matter but, in my experience, that is not so: all councils are short of funds. They have not enough money to do the essential work within their areas. For instance, they depend, and have to depend (and I support this), on assistance from the Highways Fund. In that case the ratepayers will get better value for their money. I am criticising the right of councils to spend ratepayers' money outside their own council area.

Mr. Riches: They have that power now but it has not been abused.

Mr. SHANNON: Yes, I think that giving a power to the Mount Gambier council to spend its ratepayers' money in the hinterland of Portland is undesirable. Under an agreement with the Housing Trust the sum of £35,000 has been specified as the limit to be spent on improving substandard areas. One criticism is that that sum is insufficient in some cases, but in any event it would relate only to the densely settled areas near Adelaide. The Leader says that this improvement work should be carried out under the Housing Improvement

Act, but I do not agree with that; nor do I agree with his view that it should be a matter for central Government. Local government is always nearer to the problem, and more is likely to be done under this amendment than under the Housing Improvement Act. I do not wish to criticize the Government unnecessarily in regard to the Housing Improvement Act, but I do not think that there has been sufficient activity under it to justify the Leader's argument.

Mr. Jennings: There has not been any.

Mr. SHANNON: I believe that this amendment will step up the improvement in housing conditions, which in some cases is long overdue. I understand that the sum of £35,000 was fixed, in consultation with local councils, as being within their financial capabilities. If that is so, I shall not embarrass local government by urging it to spend more than it can afford. I heartily support the Bill. We all know that as soon as a Local Government Act Amendment Bill is introduced everybody becomes an expert on local government and wants to talk about it. In my experience we had one Minister of Local Government who literally just could not stand up to the strain of bringing down a Local Government Bill because he knew that if he did there would be many amendments from both sides of the House. He just could not face up to it, and we did not get as much done on local government affairs as we should have.

I do not want to name anybody, but I think most members who were here in my earlier days will remember that that was the case. But at least we have a Local Government Bill before us now. It has been said it has come to us late in the session. I admit that it was not introduced early, but it was not in the dying hours of the session. This Bill was brought into the other House about a fortnight ago. Anybody interested in local government was able to see what was in the Bill; so it has not been quite as brief a period as would appear from the Leader's statement that we are getting it in the dying hours of the session. I admit that I like to put some time on important Bills; we all like to do that.

Mr. Riches: You made a mess of last year's, didn't you?

Mr. SHANNON: I don't know whether we did or not, but I will agree that we did not go as far as we could have. However, I have no doubt that in the next session of Parliament we shall have another local government Bill before us. There are two Bills that we have seen more of in my experience than any other legislation: they are local government and road traffic Bills. We have never got them right, and I do not think we ever will get them right. I am not sure whether it would not be wise to pass general principles only and forget about dotting the i's and crossing the t's. We should allow local government a little more scope and opportunity to exercise powers within a given ambit. We could have a kind of blanket control and trust local government a little more. I would be quite happy to do so. I think we try too much to nail them down.

Mr. Riches: You want to nail them down a lot.

Mr. SHANNON: I only want to protect them. My view with regard to ratepayers' money, and I lay it down as a general principle, is that such money raised for the purpose of looking after the area they are living in should be spent in that area. If councils want to go outside of that, they must come to Parliament to get the right to spend money outside of that area. I do not think we would be doing any harm by that. I support this Bill, and although there are some things about local government that we shall not be curing tonight it will not be the only opportunity we shall have, as I am sure we shall be given an opportunity almost annually.

Mr. HUTCHENS (Hindmarsh): I rise to support the second reading of the Bill and I am surprised at the remarks of the honourable member who has just resumed his seat. He pleaded for councils to be given the greatest liberty to do their best for their people, and yet he objects to giving them power to vote money where they consider it would be in the best interests of their area. That is what local government wants, and to say that it cannot spend money in the interests of a district outside of that district is stretching one's imagination too far. I point out that in many country areas voluntary fire-fighting units have to serve a number of areas, and areas so served subscribe to areas out of their district.

Mr. Harding: In their own State.

Mr. HUTCHENS: Yes. It may be that a fire-fighting unit is on the border of the State. Local Government is elected by the people, and there is no form of government that is closer to the people. Representatives of local government bodies can be voted out if they do not do the right thing.

The member for Onkaparinga said that we should trust local government bodies, yet we are denying them the right to decide to spend money in the interests of their districts. If

a council spends money contrary to the best interests of its district, the ratepayers have the right to vote out its representatives and pass censure on them, and they would certainly do so. This right of a council is something that has existed for many years, almost for as long as the Local Government Act has existed, and to take away that right would suggest that this central Government does not have the confidence in local government that it should have. I remind the House that people in local government serve for the love of it and because they are interested in the welfare of the areas they are elected to serve. As the Minister of Lands, the member for Mitcham and, I think, other speakers have agreed, this legislation is amongst the most important that we consider in this Parliament because it is so close to the people, yet every session the Bills amending it are introduced in the dying hours.

The Hon. P. H. Quirke: It is too close, sometimes, when you are a councillor.

Mr. HUTCHENS: If a councillor wishes to shun his responsibility, then he fears being so close.

The Hon. P. H. Quirke: He gets into more trouble sometimes when he accepts his responsibility.

Mr. HUTCHENS: The easiest way to keep out of trouble is not to look for it. We enter public life prepared to give service, to accept criticism, and to reason with people, and when we can reason together we can achieve the best in the interests of the people we serve. That is the democratic form of government, which I think is amply demonstrated by local government. I think that local government can be trusted and that it should be trusted in this respect, and I am amazed at the argument that we should take this power away from it.

I should like to say something about the clause regarding the redevelopment of run-down areas. No member is more interested than I am in the redevelopment of some of our run-down areas. I represent a district where the need is as great as it is anywhere in the metropolitan area. Members will recall that in my Address in Reply speech I pointed out that this redevelopment can be carried out effectively only when co-operation exists between central Government, local government, and the Commonwealth Government. I believe this responsibility will have to be shared by all these forms of Government, because this is a national problem and an urgent one. The run-down areas in this State are a fertile breeding ground for crime. The people living in these substandard houses in poor conditions are paying colossal rentals. There are no cheap rentals in these areas. In many instances these living conditions are injurious to the health of the people, and consequently money from Commonwealth sources is being paid out in sickness benefits. Therefore, the people in these areas cost the Commonwealth and the State Government much money and are a liability to local government. I maintain that we can play a part in this matter, and I do not think the Leader intended to suggest that the responsibility should be left to the central government alone. I should like to see greater authority given to councils to enable them to get on with this job but I am not happy about the present clause because I feel that it will have a tendency to nullify those provisions of the Housing Improvement Act which gives authority to local government to use initiative.

Mr. Jennings: Do you know of any instance where the Housing Improvement Act has been invoked?

Mr. HUTCHENS: To the honourable member's surprise, I am able to say "Yes", because under the Housing Improvement Act, many homes in my district have been declared substandard, thus permitting the rents to be controlled.

Mr. Dunstan: No clearance area has been declared.

Mr. HUTCHENS: More would have been done but insufficient money has been voted to enable that work to be carried out. I do not know whose fault it is but the only money received is allocated by the Housing Trust and so limited is the amount that it has been found necessary to reduce staff. I do not know of one block that has been cleared in accordance with the provisions under which the Housing Trust operates. In my area and in every other area where there are substandard homes there is a necessity for wholesale clearance. That is the only way in which an improvement can be effected. Streets need to be widened and new alignments defined.

An area adjacent to the South Australian Gas Company's works in Brompton is not suitable for housing and, therefore, it is necessary to have industry there. Portions of Brompton and Bowden are suitable for high density housing, but high density housing requires adequate shopping centres and I submit that the provision of the clause we will be considering will not provide for that. Not only will it fail to provide for such facilities: it

will prejudice the use of the Housing Improvement Act to carry out this very necessary work.

Mr. COUMBE (Torrens): I want to speak briefly on one clause on which there has been some comment this evening. That clause provides for the Housing Trust to carry out certain work in conjunction with councils. Let me say at the outset that I regard this clause as one of the most important in the Bill. As has been mentioned tonight, there is a scheme under which the Walkerville Council will collaborate with the Housing Trust to build a block of 100 flats in my own district of Torrens. I suggest that the council could not carry out this project on its own, if it had the power, and neither would the Housing Trust, on its own initiative, be able to carry it out. The area is run down and contains many substandard houses. Under the legislation, the council and the Housing Trust will co-operate to build this large block of flats. Apart from the fact that it will provide much needed housing of a desirable type, the main thing to be remembered is that the rents will be at an economic level. This means that many people who would not otherwise be able to do so will be able to take advantage of residing in the flats. The only reason that the rents can be kept at such an economic level is because of the scheme whereby the Walkerville council can co-operate with the trust. If the trust were to buy up this land I suggest that the rents would be at a much higher level than they will be under this scheme. I further suggest that this scheme would never see the light of day if that were the case. The Walkerville council wants this scheme and regards it as one of the major achievements of recent years.

Members have heard me say at some length over the years in this House that parts of Walkerville and North Adelaide close to the city represent a most desirable location for the building of flats, especially multi-storey flats. Whilst I will always maintain that the best type of residence for a family to live in is their own house on their own block of land, many people in the community with a grown-up family or young people without children find that a flat provides them with the most desirable type of residence both economically and aesthetically. In Walkerville, Gilberton and North Adelaide many areas exist where a flat building project could go forward. It should also be remembered that these areas are close to the city and that fares paid by the wage earner would thus be at a minimum. That is an important consideration. If this clause were not passed, I suggest that those who voted against it would have denied many people an opportunity to participate in this type of housing.

Mr. Lawn: To which clause are you referring?

Mr. COUMBE: The member for Mitcham (Mr. Millhouse) referred to this matter just a moment ago.

Mr. Lawn: You cannot speak about the suggestions of members.

Mr. Millhouse: You are not the Speaker yet.

Mr. COUMBE: If the member for Adelaide (Mr. Lawn) does not agree with what I am saying he can get up and say so. I am making a second reading speech on this Bill and I have not referred to any clause. Apparently the honourable member does not like what I am saying. I have heard Opposition members get up and speak at length about decentralization. I suggest that the practical means of giving a local council a bigger say in the development of its district is a form of decentralization.

Mr. Lawn: What clause are you speaking about?

Mr. COUMBE: Read the Bill and find out.

The SPEAKER: Order!

Mr. COUMBE: I have heard the honourable member speak about a gerrymander on many Bills that did not deal with that matter.

Mr. LAWN: I rise to a point of order, Mr. Speaker. I asked the member for Torrens about which clause he was speaking when referring to decentralization and he said that he was speaking about an amendment that will be moved in Committee. I understand that a member cannot speak on the second reading about an amendment that is to come up in Committee. I ask you, Mr. Speaker, whether the honourable member is in order.

The SPEAKER: This matter has been raised earlier in the debate and I do not want to give too much latitude to honourable members. I heard the member for Torrens speaking on this matter and I intended to stop him, but I did not wish to do that too soon because the Leader of the Opposition and the member for Mitcham also spoke about it. I will let the honourable member continue for a little longer but, if he does not come back to the Bill soon, I shall refer him to the member for Adelaide.

Mr. COUMBE: Thank you, Mr. Speaker. I shall endeavour to confine my remarks to general comments on the Local Government Act. I will follow the splendid example always set by the member for Adelaide. When considering the Bill members should remember that

local government should be local: it should be close to the people. I suggest that we should continue to give to local government responsibility with adequate safeguards. Under this Bill we shall be giving local government another avenue to exploit one of its true functions—the improvement and extension of facilities that have been lacking in some regards in some districts. My comments relate mainly to metropolitan and some of the larger country councils, but we must be prepared to trust local government. Many present or former members of councils are members of this House; I am one of these. In considering this measure, we should be prepared, with certain safeguards, to give councils adequate powers to develop their districts, and we should trust them. To decentralize in this regard, we should give them the opportunity to be local within their own communities. Some previous speakers have suggested that we may be denying councils this opportunity. I support the second reading.

Bill read a second time.

The Hon. G. G. PEARSON moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to the power of metropolitan councils to contribute to the purchase of land by the South Australian Housing Trust for residential development.

Motion carried.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Expenditure of revenue."

The Hon. G. G. PEARSON (Minister of Works): I move:

In paragraph (*b*) to strike out "striking out the word 'or'" and insert "inserting after the word 'Government'".

The purpose of this amendment and my other amendments is to clarify the position regarding the powers of councils to make contributions to bodies of interest to them. The amendments will make it possible for councils that desire to do so to make contributions to the Murray Valley Development League and at the same time provide that it shall not be lawful for councils to make contributions to an organization that has no jurisdiction or effect within South Australia. The amendments have little meaning when taken out of context. When they are made, section 287 (1) (*j*4) will read:

. . . subscribing for the purposes of any organization having as its principal object the furtherance of local government in the State or the development of any part of the State in which the area of the council is situated:

Legal advisers I have available to me and the Parliamentary Draftsman have agreed that this amendment will enable councils in the Murray Valley area to contribute to the Murray Valley Development League as that league's principal object is the furtherance of local government in the State.

Mr. Riches: That is not so.

The Hon. G. G. PEARSON: It cannot be argued that because the Portland Hinterland Development Council is in an area adjacent to Mount Gambier councils in the South-East come within the ambit of this clause, and that it will be lawful for South Australian councils to contribute to an organization that has no operation within the State. It has been argued that a council should run its affairs, but I believe that councils in the South-East are under heavy pressure concerning this matter and desire to be relieved of it. It has been argued that the council's revenue is its own money and that it should be able to decide what it does with it. I suggest that that is not entirely correct. Every council in the State relies heavily on the Highways Fund and on other State financial sources to assist and subsidize its work within its area. It seems illogical to the Government that because Government funds are being employed by councils some of them should be devoted to organizations that have no activity in the State. For these reasons this clause should be amended.

Possibly there is some argument (and the member for Stuart suggested this) that the clause, as read, does not achieve that object, but I shall be interested to hear his argument. It is the opinion of the Government's legal advisers that this amendment will overcome a difficult problem. The Government has no desire to preclude councils in the Murray River area from making a contribution that they have made for years to an organization that is widespread in its activities. This organization is active in developing the area, and all councils along the Murray River are participants in it. I believe that the right should be preserved, and this clause aims to do that. I commend it to the Committee.

Mr. FRANK WALSH: I received from the Minister a copy of the amendment and I indicated that I did not intend to support it. I said earlier that we on this side intended to oppose all amendments relating to this matter, and to support the retention of what is in the present Act. I have already mentioned the Murray Valley Development League, the Portland Hinterland Development Council and the council at Mount Gambier. I am not

responsible for what other honourable members may say or how they interpret what I have said. If I have said anything about which other honourable members wish to comment, I do not object. I said that local government was supreme in its own area. The vital point is that ratepayers have the right on the first Saturday of July each year to determine the composition of their council: they can either reject their council or endorse its actions. Having received from the Local Government Association of South Australia the letter from which I quoted during the second reading debate, and having been fortified by a legal opinion given us by the Honorary Secretary of that association, I am not prepared to reject the request made in the letter, for it was not made lightly. It is our firm decision to support that request. I think that we can become bound in our thinking by certain imaginary lines running over the State. If we adopted a broader attitude we might get a little further with this Bill. I am not prepared to accept the amendment.

Mr. LOVEDAY: The effect of the Minister's amendment is to restrict somewhat the powers of a local government body in subscribing to an organization interested in local government or in the development of any particular part of the State. This is to be done by the insertion of the word "principal", so that instead of a local govenment body being able to subscribe to an organization, having as an object the furtherance of local government, it will be able to subscribe, if the amendment is carried, only to an organization having as its principal object the furtherance of local government. In other words, powers of local government will be more restricted than they are at present. I think that this, in itself, is a bad thing. It is well known that local government in Australia excites far less interest than it does in, say, Great Britain, for the very reason that it has less power and less responsibility than local government overseas. Furthermore, it is conceivable that there could be an organization to which local government wished to subscribe, which did not have as its principal object the furtherance of local government, but nevertheless it might be particularly valuable for the local government body in question to have the power to subscribe to that organization. The fact that it had as its principal object some other matter would not necessarily take away the importance of local government's having the power to subscribe to that organization.

The Minister, in speaking to this matter, made it quite plain that he had in mind only one local government body, namely, the Mount Gambier council. I see no reason why a special amendment to this clause should be made to meet some specific case in regard to one council. We are often told that special cases make bad laws. After all, surely local government is strong enough to do the right thing. It has been pointed out this evening that, if a particular council does not do the right thing, ratepayers have their redress within a short time. Furthermore, if a council does the wrong thing in this particular instance, it will excite much local interest, which will bring about the necessary redress if it concerns such an important matter. Under the relevant section in the Act, as it now stands, the total amount that may be subscribed to organizations of this character shall not exceed £250 in any financial year. We have heard statements this evening suggesting that large amounts of the ratepayers' money might be dealt with in a way that was unsatisfactory. However, the position is well guarded from the point of view of the amount of money concerned. There is no justification for decreasing the responsibility of local government, which action can only lessen the interest already existing in local government. It is not necessary to carry this amendment just to suit one or two special cases. As one who has had a good many years in local government, I object strongly to the responsibility of local government being lessened in this manner.

Mr. DUNSTAN: The Minister has told the Committee that his legal advisers have told him that this amendment will give power to the councils in the Murray area to contribute to the Murray Valley Development League but will prohibit South-East councils from contributing to the Portland Hinterland Development Council. With very great respect to the gentlemen who advised him, I think that they have not looked carefully at the Minister's draft, which will now provide for two things. The first is that a council may contribute to an organization which has as its principal object the development of local government in South Australia. Well, the Murray Valley Development League certainly does not have that as its principal object. Secondly, it makes provision for an organization which has as its principal object the development of an area of the State which falls within the local government area concerned. That is not the Murray Valley Development League's principal object, either. The league's principal object is the

development of the whole area covered by the Murray Valley. I do not quite see how councils are going to have authority to put money into that body.

The Local Government Association was distinctly unhappy with the proposal which put into this section the word "principal", and the Minister's amendment will leave it there. The second thing which makes me object to this proposal is that I cannot see why it is that South-East councils wish to be relieved of some embarrassment which is totally undefined to the House. Who can put any pressure upon South-East councils other than their ratepayers or this Parliament? What authority in another State can twist the arms of local councillors to force them into the embarrassing position that they are afraid to say "No" to the Portland Hinterland Development Council?

Mr. Clark: Have we been given any real facts about this?

Mr. DUNSTAN: I certainly have not heard any, and I cannot conceive what it is that is placing councillors in the South-East in any embarrassing situation. What is more, I do not think that it is something this Parliament should do to say to councils, "You must have the most careful regard for the artificial boundaries of this State." If we are to have a satisfactory regional development in Australia, then we cannot have regard all the time to boundaries which were drawn at a time when there was no such development in Australia as now exists and boundaries were completely illogical on any basis of regional development whatever. Those boundaries were just drawn on a map without any regard for the community of interest of developing regions. Why should councils be forced to stick within those artificial State boundaries? If they find that it is reasonable to contribute to some organization across the border which has relation to a developing region, then this is for the benefit of the people whom they represent in their councils. Like the Leader and the member for Whyalla, I believe that the right should be left to them to judge, as they are able to do under the present Act, what is to the benefit of their ratepayers. The amount which they can contribute is not great in any circumstance and I cannot conceive how they could be embarrassed by the powers they now have.

Mr. RICHES: I support the stand taken by the honourable member for Whyalla and the honourable member for Norwood. The principal object of the Murray Valley Development League is certainly not the furtherance of local government in South Australia. I say that, although I admit that my knowledge of the authority is limited to what was disclosed to a committee of which I was a member when the aims and objects were placed before it. Despite what the Minister says, the wording of this clause would undoubtedly preclude councils from subscribing to the organization. The provision cuts across a principle accepted by Parliament for some years and I see no reason why that principle should be departed from. There is no evidence that councils have abused the rights that Parliament has given them in this regard, nor is there any evidence that any council is likely to abuse its rights in this regard.

Councils in South Australia have formed themselves into a Municipal Association and a Local Government Association to which they pay subscriptions. Those associations, in turn, are members of the Australian Council of Local Government Associations, and that association would not have, as its principal object, the furtherance of local government in South Australia. The present Act covers the situation adequately and this amendment, if strictly interpreted, could embarrass councils by imposing restrictions on them. I am prepared to trust the Mount Gambier ratepayers and council. My experience is that if the councillors do something that is not in the interests of the district they will not be councillors very long. No member has said why the provision in the original Act should be departed from. The Minister admits that it is highly desirable that the councils should be permitted to subscribe to the Murray Valley Development League, yet I believe that in the amendment he prevents them from doing that. I appeal to the Committee not to accept the amendment.

Mr. BYWATERS: I do not believe the wording of the amendment meets the situation regarding the Murray Valley Development League. The objects of the league, as set out in the *Australian Encyclopaedia*, Volume 6, page 21, are:

In 1944 residents of the Murray Valley area formed the Murray Valley Development League, supported by more than 60 local government bodies in the three "Murray" States. The league, ignoring State boundaries, constituted six large regions astride the river, and asked the Commonwealth and the three States to create a co-ordinating body to develop the river areas. This was not done, but the four Governments did set up the Murray Valley Resources Survey Committee, which in 1947 reported on the assets of the valley, declaring that there was scope for unified development.

The aims of the league have been to increase the population of the valley area to 1,000,000, to increase production, to irrigate the river lands to the limit, to found new industries, and to establish a port at the mouth of the Murray. The league publishes a monthly journal, the *Riverlander*.

I believe that the aims and objects of the league could be challenged if the amendment were carried.

The Hon. G. G. Pearson: You have convinced me more than ever that the amendment is right.

Mr. BYWATERS: I am not convinced and it is my vote that will count as far as my conscience is concerned. A challenge is possible if this amendment is carried. All members of this Committee are, I think, anxious to see that the league is not hindered. The Minister wants to do the right thing, but I do not think his amendment is sufficient to meet the situation. I think it is preferable to have the existing provision that enables councils to refuse to subscribe, which some councils now do. Out of 22 councils in regions 5 and 6 only about 18 subscribe to the league, although they are all encouraged to join. Surely councils should have the courage of their convictions and know whether they wish to contribute to any organization, whether it be the Murray Valley Development League or the Portland Hinterland Development Council. I believe the league has done much for the River area. It spends much of the money it obtains from councils on research, and a certain amount on administration. I ask the Committee not to accept the amendment.

Mr. CURREN: I oppose this amendment because of the use of the word "principal". There seems to be some misconception about the activities of the Murray Valley Development League. Its principal activities relate to organization, publicity and research; it does not take part in any development requiring large sums. As member councils pay only 4d. per head of population, no great sum is involved. In introducing this Bill in another place, the Minister said:

> The reason for these amendments is that some councils have recently been invited to join and contribute to an interstate organization. The Government considers that ratepayers' money and in the last resort taxpayers' money ought not to be expended on such an object. The object of the amendment is to deter such expenditure by councils on organizations having little or no connection with this State.

The league has a definite connection with the development of the State in that member councils in regions 5 and 6 are wholly in South Australia. I strongly oppose the amendment.

The Committee divided on the amendment:

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, and Millhouse, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (18).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Frank Walsh (teller), and Fred Walsh.

Pair.—Aye—Mr. Nankivell. No—Mr. Hughes.

The CHAIRMAN: There are 18 Ayes and 18 Noes. There being an equality of votes I record my vote in favour of the Ayes. Therefore, the question passes in the affirmative.

Amendment thus carried.

The Hon. G. G. PEARSON: I move:

In paragraph (*b*) to strike out "and inserting in lieu thereof" and "and" second occurring.

These are the remaining amendments to this clause.

Amendments carried.

The Committee divided on the clause as amended:

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (18).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Frank Walsh (teller), and Fred Walsh.

Pair.—Aye—Mr. Nankivell. No—Mr. Hughes.

The CHAIRMAN: There are 18 Ayes and 18 Noes. There being an equality of votes, I give my vote in favour of the Ayes. The question therefore passes in the affirmative.

Clause as amended thus passed.

Clauses 8, 9 and 11 to 30 passed.

Progress reported; Committee to sit again.

FLUORIDATION.

Mr. MILLHOUSE (Mitcham) brought up the report of the Select Committee, together with minutes of proceedings and evidence, and with appendices.

Report received. Ordered that report and minutes of proceedings and evidence be printed.

POTATO MARKETING REGULATIONS.

Order of the Day No. 2: Mr. Millhouse to move:

That the regulations under the Potato Marketing Act relating to the licensing of Potato Merchants, Washers, etc., made on August 13, 1964, and laid on the table of this House on August 18, 1964, be disallowed.

Mr. MILLHOUSE (Mitcham) moved:

That this Order of the Day be now read and discharged.

Mr. SHANNON (Onkaparinga): This is the only opportunity I shall have to say something about the administration of the Potato Marketing Board. I have had a number of complaints from people in my district who are interested in the potato-growing industry. The Chairman of the Subordinate Legislation Committee has intimated that he will not proceed with the motion for the disallowance of this regulation. I have no fault to find with the committee in this matter. Although I do not think the regulation will have any detrimental effect on the growers, the present policy being pursued by the board has one grave disability from the growers' point of view. These growers have to depend upon a system of marketing which is largely controlled by merchants.

The SPEAKER: Order! I point out to the honourable member that the member for Mitcham has only moved that this Order of the Day be read and discharged, and I do not think I can allow any debate on other matters. All that the honourable member can refer to is the question of whether or not the Order of the Day should be read and discharged.

Mr. SHANNON: I only wanted to take this opportunity of airing some of the grievances of growers, and this is the only chance I will get this session to do so. I have had strong support from growers on the policy now being adopted.

The SPEAKER: The honourable member will not be allowed to pursue that argument.

Mr. SHANNON: Am I allowed to say a word or two about the regulation?

The SPEAKER: Only on the question of whether the Order of the Day should be read and discharged.

Mr. SHANNON: I have said that I will not oppose its discharge. I think I made that clear, but I shall have a word or two to say about the impact of the regulation on certain aspects of the activities of the potato growers. A section of the growers formed themselves into a co-operative—

The SPEAKER: Order! The honourable member will not be in order in pursuing that argument. The only point he can argue is whether this Order of the Day should be read and discharged. He cannot refer to administration in any way.

Mr. SHANNON: I should like to point out to you that perhaps you do not know as much about this industry as I happen to know. I will put my point and, if I am still out of order, I shall bow to your ruling, Mr. Speaker. A certain section of the potato growers have formed themselves into a co-operative. At the moment, they are seeking the right to market their produce—

The SPEAKER: The honourable member is not in order in referring to what the board may or may not do. He can only refer to the question whether this Order of the Day should be read and discharged.

Mr. SHANNON: I do not want to press the matter unduly. The regulation provides for the licensing of washers.

The SPEAKER: You cannot pursue that argument, either.

Mr. SHANNON: Am I not in order in speaking on a matter with which the regulation deals?

The SPEAKER: No. All you can do is refer to whether the Order of the Day should be read and discharged. It is a very, very limited debate.

Mr. SHANNON: I may have to choose another occasion on which to speak on this matter and explain the difficulties that the industry is facing.

Order of the Day read and discharged.

ADJOURNMENT.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the House do now adjourn.

Mr. SHANNON: I want to speak to the motion.

The SPEAKER: You cannot speak to the adjournment motion. That is out of order.

Motion carried.

At 10.20 p.m. the House adjourned until Thursday, October 22, at 2 p.m.