HOUSE OF ASSEMBLY

Tuesday, February 15, 1966.

The SPEAKER (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

QUESTIONS

STATE AID TO SCHOOLS.

The Hon. Sir THOMAS PLAYFORD: My question concerns a statement that appeared last week about the controversy which appears to be assuming large proportions in the Commonwealth sphere with respect to State aid to private schools. It was reported in the newspapers, both morning and evening, that Mr. E. G. Whitlam (Deputy Leader of the Commonwealth Opposition) had said that the South Australian Government would not, in his opinion, support the Federal executive of the Australian Labor Party in the move being made to challenge certain Commonwealth legislation. Can the Premier say whether Mr. Whitlam's statement had the authority of his Government?

The Hon. FRANK WALSH: I have read with some interest several statements that have appeared in the newspapers. I have tried to ascertain the facts from certain members who attended last week's executive meeting. Up to the present, however, I have not received confirmation of either Mr. Whitlam's statement or the announcement by Mr. A. A. Calwell (Leader of the Commonwealth Opposition). I would be guessing if I gave a deliberate answer, but I assure the House that I have tried, without success up to the present, to obtain positive information.

Mr. MILLHOUSE: As I understand the Premier, he is waiting on positive information with respect to the issue of State aid and the policy of the Australian Labor Party thereon. It seems from that answer that the present Government does not make its own policy on this matter but that its policy comes from somewhere in another State, which confirms something I have always suspected. However, the people of this State, I suggest, desire to know where the present Government stands on this matter, especially as the Deputy Leader of the Commonwealth Opposition has already referred to South Australia and has expressed certain opinions that this State would not obey the direction of the Federal executive. Will the Premier therefore say whether the present Government is in charge of its policy on this matter and, if it is, what that policy is?

The Hon. FRANK WALSH: The policy speech that I delivered in February last year has been dragged over the coals so often—

Mr. Millhouse: I didn't mention it this time.

The Hon. FRANK WALSH: —that if the honourable member cares to refer to it he will see where we stand.

The Hon. T. C. STOTT: I have noticed in the daily press that the Leader of the Commonwealth Opposition proposes to spend $52 a child a year to assist education in this State.

The SPEAKER: The honourable member must obtain leave to make a statement.

The Hon. T. C. STOTT: I ask leave of the House and your concurrence to make a brief statement before asking the question, Mr. Speaker. As this money would obviously come from the Commonwealth Treasury, if this proposal were given effect to would it be binding on the State Government or would this Government be able to ignore it?

The Hon. FRANK WALSH: In my previous reply I said that, as publicity had been given to this matter, I had tried to obtain the information but that I did not know any more details than those appearing in the press. I hope to get some information in response to my representations, and when I can say what is proposed I shall give that information, if I am able.

Mr. MILLHOUSE: In reply to my question the Premier referred me to the policy speech he delivered last February. On looking at the policy speech, I find that there was no mention of this matter except for the reference to free school books to all schoolchildren—and I do not know whether the present controversy in the Labor Party will affect the State Labor Party's policy in this matter. As the Premier has evaded an answer to my previous question, will he say straight out what is this Government's policy on State aid or does he have to wait, as he appears to have indicated in his other answers, for an outside body in another State to tell him what it is?

The Hon. FRANK WALSH: I thank the honourable member for taking the time to look at my policy speech. He has already answered his own question, so there is no need for me to repeat the answer.

Mr. Millhouse: What—that you haven't a policy?

The SPEAKER: Order! The honourable member must not debate the question.

The Hon. FRANK WALSH: I have already told the House that I cannot give more information than I have given. I expect the honourable member to extend to me the same courtesy

that I extend to him and to other honourable members when they ask questions. Apparently this matter is burning up the honourable member and, on something published in the press that I have said I cannot confirm or deny, he is conducting a vendetta for propaganda purposes. When I have obtained this information I shall give it, if it can be given publicly. Certain publicity has been given to what has happened in Canberra concerning matters associated with the Commonwealth Parliament, and when I receive this information I shall give it to the House.

APPRENTICES.

Mr. LANGLEY: Has the Minister of Works a reply to my recent question concerning the number of apprentices in South Australia?

The Hon. C. D. HUTCHENS: My colleague the Minister of Labour and Industry reports that, whilst it is true that in many trade categories there is a significant shortage of skilled workers, apprenticeship statistics over the past three years show an encouraging increase in the numbers of young people entering into indentures in South Australia. The figures were: 1962, 1,852; 1963, 2,443; and 1964, 2,544. It is not yet possible to give final figures for the year 1965 because the Apprentices Act at present does not require employers to lodge copies of indentures with the Chief Inspector of Factories until after they are signed, nor to notify him of the employment of an apprentice before that time. As a six months' probationary period is at present permitted before indentures must be signed, it is not possible to give any accurate figures of intake of apprentices until six months after the end of the year. However, already 2,435 indentures have been received of apprentices who commenced in 1965, and on past trends it appears that this figure could be increased by about 200.

FLINDERS HIGHWAY.

Mr. BOCKELBERG: Has the Minister representing the Minister of Roads a reply to the question I asked on January 27 regarding work on the Flinders Highway?

The Hon. J. D. CORCORAN: Yes, the Minister of Roads reports that the position with regard to the Flinders Highway is as follows:

(1) The Flinders Highway is sealed as far as Warrow; (2) Survey and plans have been completed for the Warrow to Mount Hope section. Although details have not been finalized, it is expected that work can be commenced on this section towards the end of winter this year. At this stage it is proposed to carry out earth works and sub-base by contract and base construction departmentally. The departmental gang at present situated at Lock is scheduled to shift to Mount Hope in about March, 1967, after the Lock-Kyancutta section of main road is completed.

(3) Mount Hope-Sheringa section: At present alternative routes are being considered on this section. It is expected that work on earth works, probably by contract, can be commenced late in the 1966-67 financial year; (4) Sheringa-Elliston section: At present the District Council of Elliston has commenced work on this section from the Elliston end, and $70,000 has been allocated for this financial year. It is proposed to increase allocation on this next financial year; and (5) Elliston-Talia and Talia-Streaky Bay: It is proposed to commence work on this section during 1967-68 and progressively step up progress as present commitments on the Eyre Highway decrease and labour and plant become available through the District Council of Streaky Bay, enabling work to be commenced at both the Streaky Bay and Elliston end of this section.

GRAPE PRICES.

Mr. CURREN: Following discussions that he had with members of the Wine and Brandy Producers Association last Thursday, will the Minister of Agriculture inform the House of the stage reached in negotiations on prices for wine grapes from the current vintage?

The Hon. G. A. BYWATERS: I met with representatives of the executive of the association last Thursday afternoon and had a long discussion with them. Also, I met representatives of the grapegrowers council on Friday morning. Both parties have agreed to discuss the matter tomorrow, for as long as they feel necessary, in an endeavour to come to some arrangement. I have again arranged through the Premier's office for the Prices Commissioner to attend this meeting. I hope that agreement can be reached as a result of these discussions.

UNEMPLOYMENT.

Mr. McANANEY: As a private member of the community I have noticed over the last 30 years that, in times of rising unemployment in South Australia, the Government of the day has used its reserves and employed extra men in Government departments. In view of the figures that appeared in today's newspaper, showing a rise in unemployment in South Australia greater than that in any other State, can the Premier say whether the practice of past Governments is to be followed by the present Government?

The Hon. FRANK WALSH: Many school leavers have not yet found employment, much

other labour has come on the market, and no demand exists at present for seasonal labour. However, General Motors-Holden's Proprietary Limited intends to increase its labour force by re-employing some employees whose services it dispensed with recently. Therefore, I believe we can expect that the number referred to in the newspaper will be reduced soon. Although there has not been a slackening off in public works, the vacancies resulting from people leaving certain departments have not been filled because of the position with regard to Loan moneys. I will examine the position as it applies to those vacancies, but at this stage I doubt whether any of the public works could absorb, say, 100 unemployed people. However, I am willing to further review the position concerning public works and their relationship to Loan moneys.

OUTER HARBOUR RESTAURANT.

Mr. HURST: Can the Minister of Works say when work will be completed on the new restaurant, snack bar and shop at Outer Harbour, who the caterer will be, and when the restaurant is expected to be open to the public?

The Hon. C. D. HUTCHENS: I am pleased to advise the honourable member that work on the new restaurant, snack bar and shop, being constructed for the Harbors Board at the Outer Harbour, will be completed about the end of February. Tenders had been received for the lease of the premises and the conduct of the business, and the lease has been awarded to H. W. and N. Trotter, who for some years have operated the business at the board's existing kiosk at Outer Harbour. It is expected that the restaurant, snack bar and shop will be open to the public about the middle of April. The opening of the premises, which will be known as the "Harbour Restaurant", will provide a much needed amenity at the Outer Harbour, particularly during the visits of oversea passenger liners and at weekends when large crowds frequent the area for recreational purposes.

POULTRY DISEASE.

Mr. FREEBAIRN: Today's *Advertiser* contains a reference to an outbreak in Queensland of the serious poultry disease called Newcastle disease. According to the same article, South Australian representatives of the Agriculture Department are at present attending a conference in Brisbane. Has the Minister of Agriculture further information on the outbreak of this disease in Queensland?

The Hon. G. A. BYWATERS: The Chief Inspector of Stock, who visited Queensland over the weekend, returned to South Australia last night. He is pleased to report that the outbreak is a minor virus infection. The newspaper this morning suggested that there was another outbreak, but the outbreak referred to is connected with the first one, the origin of which has been traced. This matter is receiving every consideration, but at this stage it is considered that there is no cause for alarm.

JERVOIS BRIDGE.

Mr. RYAN: Several times last week I raised the matter of the opening of the Jervois bridge and the congestion this causes to traffic, for because of its dilapidated state it is difficult to close. Travelling over the bridge at the weekend, I noticed that a fishing vessel had gone through the bridge and had berthed at the Copper Company wharf. This vessel has been placed there for repair and renovation and, naturally, when that work is completed the bridge will have to be opened for the vessel to go through once again. As tenders are expected to be called for the new bridge and the work commenced, and as no inconvenience will be caused to the Harbors Board if the bridge is closed for shipping before the new bridge is commenced, will the Minister of Marine take up with the board the question of the permanent closure of this bridge in order to eliminate the serious inconvenience caused to traffic by its jamming every time it is opened?

The Hon. C. D. HUTCHENS: Following the honourable member's previous question, as promised I have taken up this matter with the Minister of Roads, who reports that the necessity or otherwise for opening the Jervois bridge to allow ships to pass through is a matter for the Harbors Board. At present, it is still necessary to open it occasionally. Tenders for construction of the new bridge are expected to be called within two months and, when the construction commences, the bridge will have to be closed permanently. I understand that, although the Harbors Board is the authority for opening and closing the bridge, it does this at the request, and with the permission, of the Highways Department. In view of the honourable member's further question and his desire to see that the people of Port Adelaide and those travelling through are not inconvenienced, I shall certainly have a talk with the board, in the knowledge that, when work on the new bridge is started, it will not be possible to use the bridge, so for the remaining few months of the life of the old bridge

I hope to be able to tell the honourable member that the bridge will not be opened and the public thereby inconvenienced.

POLICE CADETS.

Mr. COUMBE: Has the Premier a reply to my question of February 1 about attracting and training police cadets?

The Hon. FRANK WALSH: The honourable member was no doubt referring to the amount voted on the line in the Estimates of Expenditure under "Salaries and Wages" for probationary constables in training, cadets, etc., when he stated that less funds were provided for the training of police cadets this year than were provided in the previous year. If we exclude the salaries and wages of all probationary constables, the funds provided for cadets for 1965-66 exceed those of the previous financial year. The spending of only $468,194 of the $533,006 voted for probationary constables in training, cadets, etc., during 1964-65 resulted from a change in the training system and earlier appointment of trainees to the probationary constable duty rate. The reduced spending of $64,812 on this particular line should be offset against the increase of $62,386 in payments to sergeants, technicians, constables and probationers on the line immediately above it on the Estimates. Considering these two lines together, the position is as follows:

1964-65.		1965-66.	
Voted.	Actual payments.	Proposed.	Increase over actual payments for previous year.
$	$	$	$
4,023,100	4,085,486	4,268,296	182,810
533,006	468,194	482,664	14,470
4,556,106	4,553,680	4,750,960	197,280

The honourable member can be assured that the necessary steps have been taken with the funds available to increase the cadet strength and provide every possible protection for members of the general public during the present financial year. The actual strength of cadets on June 30, 1965, was 343. Appointments as probationary constables (at the age of 20 years) and resignations reduced this number to 293 on November 30, 1965. However, as a result of recruiting in recent months this number had increased to 343 on January 31, and a further 38 are being accepted for employment next month.

HAWKER WATER SUPPLY.

Mr. CASEY: Has the Minister of Works a reply to my recent question about the Hawker water supply?

The Hon. C. D. HUTCHENS: Following the honourable member's question, an inspection of the Hawker water supply was made by departmental laboratory officers on January 28, and a full bacteriological examination of the water carried out. The Director and Engineer-in-Chief has now forwarded the following report which sets out the position and the proposed remedial measures:

The water was found to have an odour, although this had apparently been more intense about a week previously. The odour was found to be due to the growth of an algae in the water, and the position has been aggravated by the failure of the lifting mechanism for the outlet strainer which was resting on the silt. The outlet strainer is now being raised, and arrangements made for the reservoir to be treated with copper sulphate. This work should eliminate the algae and rectify the trouble. The reservoir is used as a balancing storage when the town is being fed from the bore. Now that a good reliable bore has been obtained at Hawker, there is not the necessity to retain such a large reserve supply at all times and it will be practicable to take the reservoir out of service for a period to remove the silt. Consideration is being given to the construction of a small tank adjacent to the reservoir which can be used in conjunction with the bore, and approval for this work and the removal of the silt will be sought.

ABORIGINAL RESERVES.

Mr. NANKIVELL: Has the Minister of Aboriginal Affairs an answer to my question about the number and names of unoccupied Aboriginal reserves?

The Hon. D. A. DUNSTAN: I have a list of the unoccupied and unmanned Aboriginal reserves, showing the name of each, as well as its location and acreage. It is a long list and I ask permission to have it incorporated in *Hansard* without my reading it.

Leave granted.

ABORIGINAL RESERVES.

Reserve.	Hundreds.	Acreage.	Remarks.
Baroota	Baroota	109	Occupied by Aborigines
Berri	Paringa	21	Unoccupied by Aborigines
Bonney	Bonney and Glyde	1,618	Occupied by Aborigines
Boundary Bluff	Baker	96	Unoccupied by Aborigines
Brinkley	Seymour	46	Occupied by Aborigines
Campbell Point	Baker	250	Unoccupied by Aborigines
Ceduna	Bonython	49	Unoccupied by Aborigines
Dodd Landing Point	Baker	90	Unoccupied by Aborigines
Goat Island	Glyde	16	Unoccupied by Aborigines
Mallee Park	Lincoln	20	Unoccupied by Aborigines
Mannum	Younghusband	¼	Unoccupied by Aborigines
Marree	(suburban to town)	7	Occupied by Aborigines
Moonta	Wallaroo	18	Unoccupied by Aborigines
Murat Bay (Duck Ponds)	Bonython	610	Occupied by Aborigines
Needles Island	Glyde	60	Unoccupied by Aborigines
Oodnadatta	(out of hundreds)	660	Occupied by Aborigines
Parachilna	Parachilna	20	Unoccupied by Aborigines
Point McLeay No. 2	Baker	3,338	Unoccupied by Aborigines
Poonindie	Louth	314	Unoccupied by Aborigines
Rabbit Island	Glyde	138	Unoccupied by Aborigines
Snake Island	Glyde	80	Unoccupied by Aborigines
Streaky Bay	Ripon	26	Unoccupied by Aborigines
Swan Reach	Fisher	155	Unoccupied by Aborigines
Wellington East	Seymour	48	Unoccupied by Aborigines
Wellington West	Brinkley	132	Occupied by Aborigines
Fowlers Bay	Caldwell	¼	Unoccupied by Aborigines

The above reserves are not manned by staff.

BREAD.

Mr. BURDON: In last Thursday's issue of the *Border Watch* at Mount Gambier, the Mount Gambier Bread Distributors Association inserted an advertisement publishing the latest prices to operate in Mount Gambier from C day (February 14). I read in the advertisement that a 2-lb. sliced starch-reduced loaf of bread was to cost 21c or 2s. 1d. Last Friday, I purchased a loaf of this bread in Mount Gambier for 2s. To be sure I was correct, I checked and found that the price was 2s. However, according to the advertisement, which I have checked and believe to be correct, the price of this loaf was 21c as from yesterday, which means an increase of 1.2d. in the price of this loaf. Will the Premier ask the Prices Commissioner to re-investigate this price as I, and many other people, should like to know the reason for the increase?

The Hon. FRANK WALSH: I will consult the Prices Commissioner and obtain a report for the honourable member.

MODBURY PRIMARY SCHOOL.

Mrs. BYRNE: Because of increased enrolments at the Modbury Primary School there are now nine infants classes. As there are only six classrooms to accommodate children at the school buildings situated at Montague Road, three infants classes have to be placed in the school building facing Golden Grove Road. This has necessitated four other classes being transferred by bus each day from the school to the Modbury South Primary School. As these arrangements are not desirable, can the Minister of Education say whether they are temporary, and whether the department has any immediate plans to remedy the situation? Also, can the Minister say what progress has been made in providing a major brick addition to be used as an infants school and to be built adjacent to the existing school facing Golden Grove Road?

The Hon. R. R. LOVEDAY: The arrangements referred to are only temporary. This is the only school concerning which we did not forecast accurately the increased number of children that would be attending. I shall obtain a report on the other aspect of the question.

SOLDIER SETTLERS.

The Hon. T. C. STOTT: Can the Minister of Repatriation say whether he has had further communication from the Commonwealth Government about the Royal Commission requested by the War Service Land Settlers Association at Loxton?

The Hon. J. D. CORCORAN: I have heard nothing further from the Commonwealth Government on this matter, but I shall try to ascertain what stage considerations have reached.

SALISBURY INTERSECTION.

Mr. CLARK: Has the Minister representing the Minister of Roads a reply to my recent question concerning improvements at what I (and others) consider to be the dangerous intersection of the Angle Vale and Waterloo Corner Roads?

The Hon. J. D. CORCORAN: My colleague the Minister of Roads reports that "give way" signs were erected at the intersection of Angle Vale Road and Waterloo Corner Road on November 8, 1965. The Road Traffic Board, in recommending the erection of "give way" signs carefully considered the following aspects of the problem:

(1) The sight distance on all corners of the intersection is virtually unlimited and the safe crossing speed is not of the order where "stop" signs are necessary.

(2) The erection of "stop" signs under these conditions appears irrational to motorists and leads to disregard of the signing. Police enforcement of the "stop" sign control would thus be difficult.

(3) "Stop" signs, while forcing approaching motorists to stop, do not alter the right of way at the intersection. On roads where motorists are travelling at higher than urban speeds, a driver first being forced to stop and then assuming right of way could be placed in a dangerous situation which otherwise may have been avoided.

(4) A motorist facing a "give way" sign at an intersection is obliged to yield right of way to all vehicles on the intersecting road. This tends to give safe and smooth flow on the major road and does not force complete stops on intersecting road traffic except when necessary in yielding right of way. This appears a rational method of control to motorists in regard to the prevailing site conditions.

The two roads are within the corporate area of Salisbury and thus a speed limit of 35 miles an hour applies. This speed limit is unrealistic in view of the nature of development in the area and is generally disregarded by motorists. Consideration is being given by board officers' adopting realistic and enforceable speed limits by speed-zoning both roads. Arrangements are being made to install safety bars on the road approaches to accentuate the intersection.

SEAVIEW DOWNS WATER SUPPLY.

Mr. HUDSON: Has the Minister of Works a reply to my recent question concerning the Seaview Downs water scheme?

The Hon. C. D. HUTCHENS: Last July, the Council of the City of Marion was informed that it was expected that the reticulation of the Harvey Adams subdivision in Seaview Downs would be completed by October, 1965. This scheme provided for certain works to be constructed at the department's cost, namely, the pumping station, storage tank and rising main, while reticulation mains were to be laid at the company's cost. The Regional Engineer has reported that this scheme has been completed and is in operation. The Engineer for Water Supply states that the completion of the Seaview Downs high-level tank made possible the reticulation of a large area to the south of the Harvey Adams subdivision, and in November, 1965, Cabinet approved laying mains to reticulate this area. Many of the homes in this area were supplied by indirect services with long lines of piping, and the approved scheme would provide an assured supply to the residents in keeping with the department's normal standard. Following Cabinet approval, it was proposed that this work would be put in hand towards the end of the current financial year, but it will now be possible to make a start on laying mains at an early date, somewhat sooner than was originally expected.

HOVERCRAFT.

Mr. BROOMHILL: A statement appeared in last weekend's *Sunday Mail* concerning a proposal to establish a hovercraft service between Glenelg and Kangaroo Island, in which the spokesman for the company concerned was reported as saying it was intended to erect a hangar and workshops on the foreshore at West Beach. As local residents and visitors to West Beach have complained that the erection of such buildings would not be in the best interests of the area, will the Premier obtain a detailed report on the company's intentions?

The Hon. FRANK WALSH: I shall take this matter up with the people concerned. Although all I know at present is that such a service may be established, I am sure that the Minister will ensure that the interests of those living in the area will be protected.

LAND TAX ASSESSMENTS.

Mr. RODDA: Has the Treasurer a reply to the question I asked last week concerning land tax assessments?

The Hon. FRANK WALSH: The aggregate of the new valuation for land tax purposes is about $1,300,000,000 (or £650,000,000), and this compares with an aggregate valuation on the 1960 basis of $810,000,000. This is an additional 60 per cent, but I would warn against any suggestion that this would mean the tax yield would be up by 60 per cent. Loose suggestions have been made publicly that because of the graduated rates of tax the yield would increase even more rapidly than the valuation. This would be so only if the increases were a consistent 60 per cent with both highly-rated and low-rated land. In fact,

the highly-rated land in the city of Adelaide has over the five years increased in value by only about 20 per cent on average, and in much rural land which is highly rated the increase has also been relatively small. The big increases have arisen from the increased number of metropolitan subdivisions and the value of those subdivisions. The latter is relatively low-rated land for tax purposes and, in fact, a proportion of it falls within the completely non-taxable group. It will not be possible accurately to determine the effect of these increases on possible tax revenues until a detailed analysis is practicable, and this will take some months.

HOUSING.

The Hon. Sir THOMAS PLAYFORD: Last week I asked the Premier for information concerning additional money being made available by the Commonwealth Government to certain banks for housing. Many people have stated recently that they have been unable to obtain finance for house building. Has the Premier been able to find out which banks have been handling the additional money and the method of applying for it?

The Hon. FRANK WALSH: When I gave a reply earlier I had seen only the headline, so I make no apology if I may have been misled a little. Last Wednesday the Leader referred to a statement by the Commonwealth Minister for Housing regarding additional finance for housing, and from his question to me he would appear to have understood the Minister to have indicated that the Commonwealth or some other authority was to make additional funds available to banks for that purpose. The Leader asked whether such funds have come to this State, what banks have them, and whether they are available upon application. The Commonwealth Minister made a statement on February 7, 1966, which was reported in the daily press of February 9, as follows:

> The decision of savings banks to increase their rate of lending during the first six months of 1966 in response to a request from the Reserve Bank would be welcomed warmly by home-seekers. I hope that a very high proportion of this additional lending will be for the construction or purchase of new houses.

That is the extent of the relevant part of the Minister's statement. There are no additional funds being supplied by the Commonwealth despite representations which I have made and which have been made by other Premiers. There are no additional funds being supplied from the resources of the Reserve Bank. I understand that what has happened is that the Reserve Bank has suggested to savings banks throughout Australia that they should, if possible, make some increase in house-lending from their own funds, and that if as a result this should mean some dropping back of their new provisions for Commonwealth loans and semi-governmental loans then the Reserve Bank would not regard this as contrary to public policy.

So far as this concerns the Savings Bank of South Australia, it did not reduce its lending for housing last year when many other institutions did. It kept up, and even somewhat increased, its lending despite the fact that its own increase in total funds had slowed down. Not having reduced like the others, it is consequently not in a position to make a comparable increase now, but within the limits of its deposits it has been able to ease its provisions a little further. The Savings Bank of South Australia has been particularly helpful in its co-operation with the Housing Trust in the provision of mortgage finance to purchasers of houses built by the trust. It has latterly agreed to a suggestion I made for some transfer of funds previously intended for semi-governmental investment, to provide for house mortgages instead, as I was able to find finance for the semi-governmental authority elsewhere from funds which would not have gone to housing. I assure the Leader I shall continue my representations for additional housing funds from the Commonwealth which, notwithstanding his optimism, have not so far been forthcoming.

MILK.

Mr. RYAN: For the changeover period from the old currency to decimal currency householders were told to pay for milk by leaving out more than the amount charged. The other evening my wife, wishing to get rid of small change that would not be much use in the future, left out the correct amount of 10½d. for a pint of milk. The next morning a note had been left by the milkman to the effect that she had short changed him by a halfpenny. As the same thing happened to several other women in the street, they naturally complained to me about it. Of course, there is no exact equivalent in decimal currency for 10½d., the nearest decimal currency equivalent being 9c. Will the Minister of Agriculture ascertain from the Milk Board whether it has

allowed an increase in the price of milk during the transition period from the old currency to decimal currency?

The Hon. G. A. BYWATERS: There is a slight increase in the price of milk, but it is certainly not a halfpenny a pint, as suggested by the honourable member. The position is that 10½d. in the old currency works out to 8.75c, therefore the nearest equivalent is 9c. The difference is only slight and most of the increase will go to the producers. I cannot answer for the milkman who said that he was short changed by a halfpenny, because, in fact, he was not. However, I will obtain a full report from the Chairman of the Milk Board as to just how these matters were worked out so that the honourable member can be fully acquainted with the position.

WOODS POINT.

Mr. McANANEY: Settlers at Woods Point have had considerable difficulty in gravitating water to their blocks. They have told me that the level has dropped by at least 2ft. from pool level in that area. They believe that the level may drop by at least another 9in., which will prevent their pumping unless a strong wind is blowing. As there is a little more water in the Darling River and the possibility of greater supplies for South Australia, will the Minister of Works say whether some water can be let out of Lake Victoria to boost the level of the river and its lower reaches?

The Hon. C. D. HUTCHENS: I assure the honourable member that the department watches the situation in this area closely. However, in view of his question I will have the matter investigated to see whether the relief he requests can be given.

SEMAPHORE PARK SEWERAGE.

Mr. HURST: Can the Minister of Works indicate the progress made on the Semaphore Park sewerage scheme, and say when the scheme is expected to be completed?

The Hon. C. D. HUTCHENS: The honourable member was good enough to indicate that he would ask this question, and I have obtained a report on this project from the Director and Engineer-in-Chief, who states that an amount of $235,000 has so far been spent on the work, for which the estimated cost is $515,400. Unfortunately, due to the limitation of Loan funds, it has been necessary to give priority to more vital works and, as a consequence, very little has been done on the Semaphore Park scheme this financial year, nor will it be possible, in fact, to expend any more funds on the work during this year. If funds are available next financial year (1966-67) it is intended that this scheme will be re-commenced late in 1966 and it will then be continued—subject to there also being sufficient funds in 1967-68—to completion during that financial year.

HILLS ROADS.

Mr. SHANNON: Recently I asked the Minister of Lands, representing the Minister of Roads, a question concerning the provision of more by-pass areas, in addition to the one already constructed, on the road between Crafers and Aldgate. Has the Minister a report on this matter?

The Hon. J. D. CORCORAN: My colleague the Minister of Roads reports that about half a mile of the main south-eastern road between Stirling and Aldgate has been widened to 32ft. This allows for passing slow-moving vehicles, as visibility there is adequate. This pavement is edge-lined but the shoulder has also been paved and marked with diagonal white lines, the purpose being to advise motorists that it is not for general use. This has been achieved and is used only in cases of emergency. As the construction of the South-East freeway has been started, it is not proposed to widen any sections between Crafers and Stirling, nor is it practicable because of lack of visibility to widen additional lengths between Stirling and Aldgate.

Mr. SHANNON: Will the Minister ask his colleague what is the programme for the completion of the new freeway leading approximately from Pomona Road, Stirling, where it will be possible, I hope, for Adelaide-bound traffic to join the new freeway, thus solving the problem of a winding narrow section of road between Stirling and Crafers? Further, can he say what the time factor will be?

The Hon. J. D. CORCORAN: I shall be pleased to obtain the information for the honourable member.

QUORN WATER SUPPLY.

Mr. CASEY: The Minister of Works is aware of the depletion over the years of the reservoir system at Quorn, and I understand that he has information regarding another bore to be sunk in the Quorn area. Can he give that information?

The Hon. C. D. HUTCHENS: Following requests from the honourable member, one as late as last week, I took the matter up with the department and found that investigations were fairly advanced. In fact, approval has been given for the expenditure of $4,270 for

the sinking of an additional bore at Quorn to augment the present water supply, and I hope that the Mines Department can undertake this work soon.

TORRENS RIVER.

Mr. COUMBE: Has the Premier a reply to the question I asked last week concerning the Torrens River development, and in particular the information that I sought regarding the establishment of an oval on land between the Walkerville and St. Peters council areas?

The Hon. FRANK WALSH: In December, 1964, the previous Government offered to the Corporate Town of St. Peters a grant of $74,000 towards the development of a recreation ground of about 18½ acres adjacent to the River Torrens at Gilberton. In accordance with established practice in dealing with proposals under the Public Parks Act, the grant was determined as being half the Land Board's assessment of the probable value of the land after development. It was also about half the expected cost of land acquisition and associated works including diversion of the River Torrens. Last month Cabinet considered a request from the council for additional assistance to enable it to acquire more land than was originally proposed. After reviewing all relevant factors Cabinet authorized an offer of a grant of $80,000 to the council in lieu of the earlier offer of $74,000. This offer has been communicated to council, but it has not yet advised its decision on the matter.

PLYMPTON PRIMARY SCHOOL.

Mr. BROOMHILL: Recently the Minister of Education was good enough to provide me with information regarding repairs to the Plympton Primary School. Can he say whether these repairs include the toilet blocks, and when the work will commence?

The Hon. R. R. LOVEDAY: The Director of the Public Buildings Department states that funds have been approved for general repairs and painting, which includes repairs and renovations to the toilet blocks at the Plympton Primary School. This work is expected to commence early in May.

UNIVERSITY ENROLMENTS.

Mr. MILLHOUSE: My question concerns enrolments at the Adelaide university and at the new Flinders university. Last week I was approached by the father of a young woman who wants to start a university course during 1966 and to major in English and Politics. She lives at Hawthorndene, in my district, and because she was closer to the Flinders university at Bedford Park than she was to Adelaide she was drafted to Flinders; but when she went to enrol there she found that she could not major in English and Politics at Flinders because those two courses of study are in different schools and apparently one must stay in one school and cannot be in both. Therefore, she is anxious to enrol at the University of Adelaide at North Terrace where she can major, I understand, in both English and Politics. I have been informed this morning by her father that her application to enrol at the University of Adelaide has not been accepted, the implication being that she must go to Flinders and that she cannot major in English and Politics. I understood that the policy was that people would not be drafted to one university or the other if it meant that they could not take the subjects of their choice but, if the facts as they have been presented to me are accurate, this does not appear to be so. As this matter is urgent because enrolments close, I think, at the end of this week, will the Minister of Education take this matter up? I shall be happy to supply him with the name and address of the girl involved.

The Hon. R. R. LOVEDAY: I shall be pleased to take up the matter immediately for the honourable member if he will supply me with the details, and see what can be done.

NEWSPAPER PRICE.

Mr. HUDSON: I understand the Premier has an answer to a question I asked last week concerning the price of newspapers.

The Hon. FRANK WALSH: I have had discussions with representatives of the newspapers. Further discussions will take place within the next few days and, although newspapers are not under price control, most probably the Prices Commissioner will be invited to attend.

EGGS.

Mr. FREEBAIRN: The South Australian Egg Board sent out, last week, a circular to egg producers in the State, and I should like to read the following part of the circular to explain my question:

The board has decided that, as from February 14, 1966 (which was yesterday) the wholesale selling price of eggs will be 1c per dozen higher than that paid to producers. The price advertisement inserted by the board in the *Sunday Mail* and the Monday issue of the *Advertiser* each week will include the additional 1c, and will be the wholesale selling price. This is the price grading agents, storekeeper agents and exempted producers will charge

purchasers of eggs. The extra 1c received on all sales is to be repaid to the board.

The circular also states:

Producers are required to repay to the board 1c for every one dozen eggs sold after February 14, 1966. This is to be included with the normal levy payment made to the board each month.

"Levy" in this context refers to the per bird levy. Continuing:

It should be clearly understood that the 1c a dozen is not a cost to the producer but is being paid by the purchaser, as it has been included in the board's advertised wholesale selling price.

I think every poultry farmer would say that he was paying the 1c levy, but it would seem that either the producer or the consumer is being mulcted of 1c. Will the Minister of Agriculture take up this matter with the Secretary of the Egg Board and find out why this charge of 1c a dozen is being made over and above the per bird levy?

The Hon. G. A. BYWATERS: Yes.

CLOVERCREST SCHOOL.

Mrs. BYRNE: In June last year an article appeared in the *Advertiser* stating that a 9-acre site had been bought for a primary school at the corner of Nelson and Montague Roads, Para Vista, and that negotiations were proceeding for the purchase of another site at Clovercrest. As one reason why the Modbury Primary School is overcrowded is that children from the Clovercrest area are attending it, can the Minister of Education say whether a site has been purchased for a new primary school at Clovercrest and, if it has, what is the exact location and whether the Education Department has immediate plans for erecting a new school on this site?

The Hon. R. R. LOVEDAY: I shall be pleased to get a full report for the honourable member.

SOUTH-EAST ELECTRICITY.

Mr. RODDA: I understand that contracts have been let for the construction of a transmission line from Keith to Naracoorte. Can the Minister of Works say what progress has been made on this project?

The Hon. C. D. HUTCHENS: I shall be pleased to obtain a report and inform the honourable member when it is available.

RENTAL HOUSES.

Mr. CURREN: I receive numerous requests from residents in my district for help to obtain rental houses. Inquiries of the Housing Trust reveal that applications will be considered when vacancies occur. Will the Minister of Housing inquire of the Housing Trust how many current applications there are for Housing Trust rental houses and what is the waiting time in the towns of Renmark, Barmera, Berri, Loxton and Waikerie?

The Hon. FRANK WALSH: I shall make representations to the General Manager to ascertain the position and inform the honourable member as soon as possible.

LANGHORNE CREEK WATER SUPPLY.

Mr. McANANEY: Has the Minister of Agriculture a reply from the Minister of Mines to my recent question about the underground water supply in the Langhorne Creek area?

The Hon. G. A. BYWATERS: The Minister of Mines reports that investigations on the groundwater conditions in the North Adelaide plains and Virginia area have continued over the last 10 years. Lately the study has been more intensive, and boreholes and observation boreholes are being completed. Before the end of this financial year it is expected to complete pump tests on these bores which would give good indications on the aquifer characteristics. In addition it may well be possible to calculate safe yields of the area. A report on the condition of the aquifers in the district is expected to be completed late in 1966.

In 1963 a preliminary survey of the underground waters in the Milang district was carried out. Sufficient data was not obtained, nor probably available at that time to clearly outline the underground water characteristics of the area. It would entail a detailed survey, measurements of bores over several years, and possibly drilling of some additional bores in critical areas to furnish this information with any degree of reliability. The preliminary work has clearly shown that there are at least construction problems, as salt water overlies the fresh water beneath. It is recommended that no major increased usage of underground waters here for such purposes as market gardens should be undertaken until a full scale investigation has been completed. Until these field investigations have been completed, it would be premature to appoint a committee to advise on the further development of the underground resources of this area.

STUDENTSHIPS.

Mr. MILLHOUSE: On January 25, I asked the Premier about studentships for members of the Public Service and pointed out the hardship caused through a change made in the arrangements for them. As I understand that Cabinet discussed this matter

yesterday, can the Premier now answer my question, and can he say whether policy on this matter has been changed?

The Hon. FRANK WALSH: Those students who are not already within the Public Service will be paid a certain salary from January 1, and those in the Public Service will, in some cases, be reduced in salary as at the date the course commences. Some students who are already in the Public Service will receive a lower salary as a result, but such officers will continue to receive their present salary until the course commences.

ROLLING STOCK.

Mr. McANANEY: I notice that the South Australian Railways is calling for tenders for 86 sheep bogies to close on April 12, and that these bogies are to be of 4ft. 8½in. design. Will the Premier ask the Minister of Transport on which lines these bogies will be used, and the number of stock carried on these lines during the past 12 months?

The Hon. FRANK WALSH: I will obtain a report from my colleague.

DECIMAL CURRENCY BILL.

The SPEAKER: I draw the attention of the House to a proclamation in the *Government Gazette* dated February 4, 1966, notifying Her Majesty's assent to the Decimal Currency Bill, 1965, which proclamation I now ask the Clerk to read.

The Clerk read the proclamation.

INHERITANCE (FAMILY PROVISION) BILL.

The Hon. FRANK WALSH (Premier and Treasurer): I move:

That Standing Orders be so far suspended as to enable the sitting of the House to be continued during the conference with the Legislative Council on the Inheritance (Family Provision) Bill.

I understand that, when we arranged for the conference to take place at 3.30 p.m., we agreed to continue with second reading debates, but that there would be no vote taken in the House during the conference.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): The Opposition does not oppose the motion but I should like to make one reservation. The Premier said that no votes would be taken, but I suggest that a Minister should not reply to the debate during this period, as this could prevent a member present at the conference from speaking in the debate.

The SPEAKER: Order! Standing Orders do not permit a debate on the motion. I have counted the House, and there being present an absolute majority of the whole number I put the motion.

The Hon. Sir THOMAS PLAYFORD: Would I not be in order asking a question in connection with this matter?

The SPEAKER: No, I am obliged to follow Standing Orders.

Motion carried.

At 3.28 p.m. the managers left for the conference. They returned at 5.45 p.m.

Later:

The Hon. D. A. DUNSTAN (Attorney-General): I have to report that the managers of the House of Assembly have been at the conference, which was managed on the part of the Legislative Council by the Chief Secretary (Hon. A. J. Shard), the Minister of Local Government (Hon. S. C. Bevan), the Hons. G. J. Gilfillan, Sir Lyell McEwin, and F. J. Potter, and there they delivered the Bill, together with the resolution adopted by this House, and thereupon the managers for the two Houses conferred together and no agreement was reached.

PLANNING AND DEVELOPMENT BILL.

Adjourned debate on second reading.

(Continued from February 10. Page 3983.)

Mr. COUMBE (Torrens): I referred earlier to the lack of provision for compensation in respect of zoning for either development or redevelopment purposes, particularly in the inner suburbs. In the case of the Hindmarsh zoning regulations made under the Town Planning Act, which are subject to disallowance (I having moved the motion some weeks ago), honourable members will see a typical example of what may soon happen under this Bill. Although I have no objection to a development plan's being prepared for redevelopment and rezoning of many of our areas (indeed, I believe it is necessary and long overdue), I am concerned that the rights of the individual in this regard be protected. A development plan has been devised under the auspices of the Hindmarsh council, through the Town Planner's office, the necessary procedures having been carried out, and evidence having been given before the Subordinate Legislation Committee. During the hearing of the evidence numerous objections were raised by people carrying on businesses in the Hindmarsh area. I point to this example, as it could apply to many districts, including those of the

Attorney-General, the Minister of Works, the members for Adelaide, Unley, West Torrens, and my own, as well as in many country towns and larger cities, such as Port Pirie, Whyalla, Port Augusta, Mount Gambier, and even Peterborough.

In the Hindmarsh area industries established for many years will suddenly be completely curtailed with the introduction of this by-law, so that they will be able to expand only to the extent of 50 per cent of the property they now occupy. Many of the organizations concerned are well established and well conducted; some belong to families and, obviously, many will desire to continue to function as a family concern and as a prosperous undertaking for many years to come. I do not argue that that curtailment may well be necessary in the view of town planners, but a person desiring to expand his undertaking may well have to move to another district where he will be permitted to do so, receiving no compensation whatsoever for a restriction on the enjoyment of his property in that area.

Furthermore, if he is forced to sell, he will be forced to do so on a restricted market, and will certainly find that the value of his property will be depreciated.

Mr. Casey: You are referring now to a factory area that becomes a housing area?

Mr. COUMBE: The area could be used for some other purpose.

Mr. Casey: Such as?

Mr. COUMBE: For commercial purposes, or for some purpose other than the purpose for which it is at present being used. Negotiations may be taking place for the sale of a business, but the prospective buyer has only to check the ordinances at the local council office to find that the use of the land is restricted, and he will not be able to get out of the deal quickly enough.

Mr. Casey: If he is a competent businessman he will have checked all those facts before he starts.

Mr. COUMBE: I agree perfectly with the honourable member, as I have two examples where that was done. One company went into Hindmarsh, and before it went there it canvassed the whole area. It obtained written assurance from the council that there would be no restriction on its activities and that it could proceed. The company bought the land and erected expensive premises. Within 18 months it is now faced with the introduction of this Bill, which will completely restrict its activities. I can give the member for Frome several other examples, and I am glad that he is on my side in this matter. Why should not the company to which I have referred be offered compensation? It entered into this deal in all good faith and, through no fault of its own, it is likely to be forced out of business. Although I admit that decisions can change between different councils, my point is that the Bill is binding. These people should be entitled to the same sort of compensation as that provided in the Bill for people whose land is taken from them for the purpose of development or redevelopment.

Numerous references are made in the Bill to zoning, and zoning will have to come. I know that councils in the inner suburban areas have been asked by the Minister in charge of town planning to prepare, by about April of this year, a scheme of redevelopment for the inner areas. The member for Unley and I are greatly concerned in this matter and we have taken an interest in it. I know that when redevelopment comes about (and it will be most expensive and may not come about for some years, although in the meantime we might have the freezing provisions of the Bill in force) some zoning will definitely take place, and I am afraid that many people will suffer. I point out that not only will factories be affected but small shopkeepers may also be affected where they are in an area from which they obtain a reasonable custom, as the area may be zoned into an industrial area requiring the demolition of houses. On the other hand, an industrial area might be acquired for housing. It could be that the other case will apply and that some people will have to try to sell their houses because of light factories coming into certain areas. These people will have a difficult task in selling their houses and obtaining for them what they originally paid.

Many zones, such as industry, light industry, commercial and so on, are provided. I do not argue about zoning because I think it is necessary, but it is also necessary for compensation to be paid in many cases. In many instances a person buys a property and I suggest that the future enjoyment of the asset he has created from years of work could be in complete jeopardy under certain provisions of the Bill. Not only could the value be depreciated, but the whole of his future activities could be affected. I have referred to the position in Hindmarsh. Another rather curious aspect of the Bill has regard to compensation, and I refer to clause 36, which deals with regulations under the plan. Regarding land abutting a road, subclause (4) (*h*) provides:

A planning regulation may regulate, restrict or prohibit the development of any land abutting, adjoining or adjacent to a road and, for that purpose, may—

(i) regulate or prohibit the construction forming or laying out any means of access to or from the road—

that may have some merit for road safety—

(ii) regulate or prohibit the erection or making on the land of any building or excavation which is within a prescribed distance from the road.

Who is going to pay compensation to a person who owns the land and finds, under the Bill, that he is forced to build a certain distance back from the road? However desirable it may be to build back from the road or to regulate the access to and from a road, somebody has to pay the person who owns the land and might want to build a certain building on it, because this provision might prevent him from so developing his property. I do not think this comes within that part of the Bill that provides that the authority may take land and pay compensation for it. Subparagraph (iii) provides:

Regulate or prohibit the erection on the land of any building or structure for any use or purpose that is likely to cause increased and excessive vehicular traffic along the road or traffic congestion on the road.

Who is going to judge whether there is excessive traffic on the road? Although I see the point behind this provision, it could mean that an existing factory might be prohibited from having access to a road. This could also affect a person with land on which he wanted to build a factory. Also, it could apply to factories other than industrial. This is a serious matter. No doubt it can be worked out but it appears that no compensation provision is made for such cases. I believe attention should be given to the matter. I regret that the Attorney-General has had to attend a conference on another Bill and cannot be here. I hope that when we come to the Committee stage he will consider the provisions dealing with compensation for persons adversely affected by the zoning provisions in the Bill so that they may be treated the same as are those affected by the taking of land.

I am concerned about the inner suburbs redevelopment scheme, because this greatly affects my district. I have been able to study many reports on the subject. Some years ago in Melbourne a comprehensive report was prepared (and some work taken under that report) dealing with slum demolition and rehousing. Further, under the Act under which the Housing Trust operates there is a section dealing with slum clearance and betterment. This provision has never been put into operation, although the power is there. I have also read the Attorney-General's report on the pilot scheme of community work being carried out in his district, where many university students and others carried out a social survey last year. This leads to the question of redevelopment in that area. I believe that sooner or later redevelopment must occur in some selected areas around the park lands. We have some very select and choice suburbs in that area and some that are not quite so good; in fact, some are definitely substandard. As I understand the desire of the Government, the planners, and others (and it is my desire), some improvements should come about in certain selected areas. We must realize that the inner councils have some pretty big problems (indeed, some major ones) ahead of them. Whilst things can go along very well in theory, the fact still remains that there is no money available to carry out this work. I think we all agree that the ratable income of a council cannot carry even the beginning of such a scheme.

The Attorney-General replied to me on this matter on Wednesday last. He gave me to understand that later this year he would be meeting with the local councils and that the question of finance would then come up. Those councils are at this moment working frantically to meet the deadline that has been set by the Attorney on these plans. The Attorney told me that he hoped that, when the next Commonwealth Housing Agreement was being worked out later this year, extra funds would be made available for such work as slum demolition and inner suburban redevelopment. I believe that he is looking on the rather hopeful side if he expects to get this extra amount out of the Commonwealth Government at a time when it is so heavily committed for defence purposes; and, if I understand the position in Canberra following the recent visit of the United Kingdom Minister for Defence, the defence planning for next year will be even greater. I suggest the Attorney is being extremely optimistic in hoping that special funds will be available for this purpose. I only hope that we can get the money. However, I point out that in no circumstances must this money be made available at the expense of the normal housing moneys advanced by the Commonwealth Government under the Commonwealth-State Housing Agreement.

I admit that the proposal, although it is in a nebulous state at this moment, has many

attractive features in that its aim is to clear away the slums or substandard housing. We see many very narrow streets and many rear lanes in our community today. The aim is to provide higher quality and higher density living where we will have less commuting and therefore less expensive travelling to work. Those are very desirable features. Possibly we will find that many people in such circumstances could use an improved public transport system rather than taking their individual motor cars into the city and cluttering up the city and creating traffic bottlenecks and problems which have to be solved by the Adelaide City Council. It would also assist the public utilities.

Some major problems are involved. I suggest to the House and to the Minister that we do not rush this idea. We should let this matter proceed slowly and let it simmer for a while. In fact, this whole Bill, in my opinion, is so important to the future of the State that it should remain on members' files for another three or four months, certainly until we come back next session. I know it is the desire of the Government to get some of the provisions into force so that the interim proposals can be carried out. I believe also that this is a measure which will affect planning in this State for the next 100 years or more, and that it should remain in the House before it is finally debated and finally passed or amended. Therefore, I suggest that this idea of inner suburban revelopment be not rushed at this moment; it should lie quietly and allow all the best thinking and planning to come together on it. Certainly we cannot go very far until we get the money. I think we should have a very hard look at this scheme, because it could well be that local councils may be committed for many years to come, and the ratepayers (who, after all, provide the cash) will be committed themselves for many years to come. I believe that the individual rights of many people may be harshly affected. Whilst we are planning for the future, I suggest that we go about it a little cautiously.

One thing about this Bill that strikes me rather forcibly is the connection between the Bill and local government. As I said earlier, the Bill has many merits, although there are a few provisions with which I do not agree. It contains a provision for the authority to consult with local government at various stages of the development scheme and its implementation. In reading this Bill, I wonder whether the rights and privileges of local government are not being whittled away. I have said in this House before (and I believe members opposite have agreed with me) that local government is the ultimate in decentralization and that it is the closest form of government to the people. I do not believe that we should fritter away the rights of local government and the ratepayers, however mundane and "parish pump" matters may be. It seems to me that in some small way the rights of local government are being taken away. I realize that councils already have some rights to carry out minor works under this Bill which may not be sufficient to enable them to carry out the overall planning. I suggest that in some respects the Local Government Act and the Bill before us today conflict and over-ride each other in a number of provisions. I also understand that in some forms of legislation the Act that speaks last often prevails. I point out that the Local Government Act is one of the bases and one of the bulwarks of our democratic system today, and I for one would protest strenuously if certain rights in that Act were being taken away by this Bill.

In conclusion, I reiterate that the proposal before us has many attractive features and deserves the support of this House (and it is being introduced not before time, I might say), and I believe the Opposition supports it generally. However, we do reserve the right to criticize in Committee and try to improve the Bill by amending certain clauses to make it workable and really acceptable to the people, so that when this Act comes into force it will be one that will work fairly and authoritatively on behalf of not only the State and the councils concerned but of individual owners. I particularly make the plea to the Government to think seriously about the provision of compensation for zoning. I support the Bill.

Mr. McANANEY (Stirling): I support the general principle of this Bill. I think that in a modern society we have to accept some form of control and planning. However, I consider that there is a limit to where this should go. We on this side of the House believe that we must protect the rights of the individual as much as possible in any planning and coordination that takes place. The Government has indicated throughout the session that it does not have much respect for the rights of the individual or of individual ownership. The member for Glenelg apparently thought that the rest of the community had the right to claim a large proportion of every person's property because the community had assisted in his obtaining it. I protest strongly against that

attitude. This Bill provides that certain activities shall be planned and co-ordinated with resulting better living conditions for the community as a whole, but the Bill must be examined closely to ensure that it goes as far as it can without disturbing the right of individual ownership.

Perhaps the Bill goes too far, and I understand that amendments are foreshadowed on some aspects. There appears to be too many Government representatives on the planning authority. Civil servants with responsible jobs, they do not have the time to devote to this authority. Perhaps their departments will supply much information required, but that does not mean that every departmental head should be a member of the planning authority. I object to the provision in this Bill that gives too much authority to the Minister. The member for Torrens has said that the Bill whittles down councils' authority if the Minister is in charge and can alter the plan after receiving certain representations. If the decisions were to be referred to Parliament I would agree with this control, but I do not know how Parliament controls a Minister after he is given full authority. I am pleased to see that no appeal can be made to the authority making the decision. On the appeal board is a representative of local government and one from the Planning Institute. These people, to an extent, favour these regulations and it has been suggested that a member of the Valuers Institute or some other authority should be a member of the board. Someone with a general outlook on life should be a member of this board instead of one who considers that there should be full control and co-ordination in these matters.

The zoning regulations encourage the building of factories in one area, leaving other areas residential. Now that we have air-conditioning in Australia, a modern factory can be insulated against noise and can be set in shrubs and gardens so that it does not upset the general living habits of the surrounding people, and transport problems can be overcome. The Town Planning Act provides for a minimum of 10 acres in certain areas, and that is an intrusion on civil liberty. I started 30 years ago with a large block of land around the house, and have reduced the area four times because it is too large. I now have a smaller area, but I would not be able to get a separate title for it. These conditions apply to the hills areas close to Adelaide, and it is ridiculous to stipulate the minimum size of a block a person can have in those areas.

Planning is breaking down, to some extent, in many country areas controlled by a corporation and a district council, as many difficulties occur between the two bodies. Although both are doing excellent jobs, they cannot co-ordinate their town planning schemes. An inquiry is necessary in these areas so that one controlling authority can be appointed. Certain amendments are required, so that the Bill will have a more commonsense approach, and so that it can be administered more effectively. The Bill goes too far in some respects, for it takes away the rights of the individual in certain areas. I strongly protest against that and against the Minister's having the final say and the right to amend various plans.

Mr. Freebairn: Do you think there is scope here for a Parliamentary committee?

Mr. McANANEY: Perhaps we could have a provision similar to the old one, with the right of appeal to Parliament or, better still, to the Supreme Court. The Senior Lecturer in Town Planning at the Institute of Technology is reported in the *Advertiser* as saying:

> We are a property-owning democracy, and the fundamental purpose of zoning by-laws is to protect and maintain the value and quiet enjoyment of property. Zoning by-laws are, in fact, absolutely essential in any community determined to protect ratepayers' rights. But, for planning to be successful, it must be fair, because it determines the value, as well as the use of a citizen's land. All possible information about impending zoning decisions should, therefore, be deliberately brought to the notice of all people likely to be affected.
>
> Merely to publish regulations in the *Government Gazette* isn't enough. So few people see the *Gazette*. The Government should take active steps to bring its plans to the personal notice of all property holders before any final decisions are made. It should also advise them how appeals can be made and it should provide some public and open forum where ratepayers or their representatives can argue the facts with the planner or his representatives.

This relates to the point made by the member for Torrens, namely, that it would be an excellent idea for the Bill to lie on the table of the House for, say, three or four months, so that members of the public could understand its implications and express their views on it. The article continues:

> It ought to be worth the Government's while to give up any thoughts of mere political expediency and make sure that proper safeguards of this kind are written into its new Act. Only in this way shall we avoid

throwing the carefully planned baby of our perfect city out with the bath water we are using to clean it up.

I am sure that that is what we may be doing if every provision in the Bill is implemented.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): The Bill provides that no compensation shall be payable in respect of the rezoning of areas, but this provision could do irreparable harm. If an industry that has been perfectly legally set up in an area zoned for industrial purposes finds itself in an area rezoned for residential purposes, it will experience grave difficulties and may have to cease operations. It has been said that the Hindmarsh council's regulations now before the House are a perfect example of this possibility. Nobody can deny that in certain parts of the metropolitan area (and I do not refer only to the Hindmarsh area) a cleaning-up is desirable and in the public interest, but I cannot agree with the suggestion that that cleaning up should take place at the expense of certain people. Surely, it is necessary to ensure that those who may at present be affected by this provision do not suffer a financial hardship or disability.

From my long association with the Premier I know that he has often opposed zoning regulations affecting his own district because they sought to place industrial premises in residential areas. If that is not good enough for the Premier's district it is certainly not good enough for the rest of the metropolitan area. No provision is made in the Hindmarsh council's regulations for the payment of compensation. Although I think only a limited number of premises were involved in the regulations affecting the Premier's district, I believe 90 or 100 are involved here. I believe that the Premier has been entirely right in his attitude; indeed, I have supported that attitude because I believe that, if premises are legally established and the law subsequently altered, compensation should be paid.

Mr. Shannon: With the approval of the council concerned.

The Hon. Sir THOMAS PLAYFORD: Exactly! The Hindmarsh council's regulation is apposite to the Bill. In one fell swoop 100 industries could be told to get out, and that could well result in their moving to another State, for that has already been seen in the case of one industry. We were told, "If this is going to be the attitude of South Australia, it does not appreciate industry in this State, and it is time we got out of it." None of us desires that to happen, for industry is the life-blood of the State. We cannot have residential areas unless we also have factory areas to provide employment for those in the residential areas. Such problems may arise merely because a Bill contains a provision of this kind which will do the State irreparable harm at a time when the employment position must be considered seriously. The last few monthly returns have shown that unemployment in South Australia is increasing. Nobody wants to see this happen but the position could be worsened by provisions in the Bill. The strongest representations were made to the Subordinate Legislation Committee against the Hindmarsh regulation and yet, on Party lines, no motion for disallowance was moved. The Subordinate Legislation Committee was established to examine the position of people affected by the previous Act. However, on this occasion the committee forgot all about the rights of people and about the assurances given to them when they established industries. There were three votes for the disallowance and three against. Therefore, there was no resolution for disallowance by the committee, because neither House has any authority over the other House.

The Opposition had no say whatever in the deliberations of the committee. Its constitution shows that the committee was set up to protect rights established by law. Nevertheless, without the slightest hesitation, the committee did not respect the rights of these people and did not move to disallow the regulation. How long will people be confident enough to establish industries in South Australia if this position obtains? What happened at Hindmarsh can happen at any time. The policy set out in the Bill is completely different from the policy referred to by the Premier in this place so often. His own district is exempt from the provisions because he moved repeatedly in the House to disallow regulations affecting his district that were designed to do what will be done under the Bill. It is one of the duties of the Opposition to see that the rights of the minorities are protected, but the Bill gives no expression at all to the rights of the minorities. The Opposition favours the principle of orderly planning and believes that it is beneficial. Although the Bill has many grave defects we believe that by and large it is good. Having said that, I point out that the Bill has two or three provisions that must be examined carefully before it is passed. I hope that in Committee the Government will proceed no further with the Bill. A responsible body

has stated this view. The legislation is not a new idea that has been thought up by the Government only recently. The Government originally said that it would introduce this legislation almost immediately, yet it has taken almost a year for it to be introduced.

The aspects of the Bill to which I have referred require much more earnest consideration than can be given in the limited time still available this session. The Bill completely over-rides the rights of people that have been previously established by law. We have seen this happen with regard to the zoning regulations in the Hindmarsh district where the rights of people were completely over-ridden notwithstanding the fact that the Subordinate Legislation Committee was set up with the express purpose of maintaining rights previously established by law. In Hindmarsh many large industries have been affected and their representations swept aside on Party lines. The immediate reaction of one industry was to purchase premises in another State. I support the Premier in what he has done over many years in protecting secondary industries in his district against the zoning regulations of the council. If an industry is zoned out of an area it should be given either compensation or complete appreciation of its rights. The new authority has on it the sparsest representation of industry: it has one member from the Chambers of Commerce and Manufactures combined. When we look at the composition of the board we see that the manufacturer who will be zoned out of his area will have only half a member, and that is provided he can agree with the Chamber of Commerce. I believe this Bill should be held over after the second reading speeches have been concluded.

The Bill contains provisions that I do not like. For instance, I do not like the appeal board, which I think is badly constituted. We should be able to have some confidence in such a board. I do not consider that the suggested board would be a wise or a good one, and therefore I believe that the Bill is defective in that regard. I believe that my colleague, the honourable member for Alexandra, has given the House a thoughtful and balanced view of the Bill, and he proposes a number of amendments which I consider are extremely good. I deprecate the attitude of honourable members opposite who think that they can push industry around. One of the best industries that we have here was previously functioning in New South Wales.

Mr. Coumbe: And got pushed around there.

The Hon. Sir THOMAS PLAYFORD: Yes. Those people said, "If it is good enough for the Government to push us around and to tell us where we are going to establish, we will go to South Australia." They picked up their equipment and personnel, and there was a mass migration from New South Wales to South Australia. I believe that that industry today is employing some 3,000 people in South Australia. It came here because it was objecting to the very type of thing that the Hindmarsh corporation under zoning regulations is at present proposing for some 80 to 100 of our industries in this State. If we allow that sort of thing we will very seriously affect the economics of this State; manufacturers will not have the confidence to establish here, and therefore there will be repercussions in the employment situation. This provision which enables a rezoning of a factory without compensation has my strongest opposition, for it is a bad provision, and if it remains in the Bill I will vote against the whole Bill. This provision will work hardship and damage our development programme, which I know honourable members opposite are just as anxious to encourage as are members of my Party. We all realize that if we do not have factories we do not have employees, and if we do not have employment we do not have a standard of living. Indeed, we will not want our residential areas if we do not have the factories to employ the people.

I voice a strong protest against the particular occurrence in which a certain regulation was examined and the attitude that has been recommended upon it, because it falls right within the scope of this legislation. If this legislation is passed, that same action can be taken with any industry anywhere at any time. I say that the whole thing is entirely wrong and that it will have very grave repercussions in this State. I support the Bill, but in doing so I suggest to the Government that when the Bill has passed the second reading it be left over until next session. I assure the House that this is not intended as delaying tactics by the Opposition: it is a desire to get legislation that is acceptable to both sides of the House and beneficial to the community. I believe that planning legislation is necessary. As I said, the Bill has many good features. However, I do not believe that we can take away arbitrarily a right of any class of person without giving compensation for it. If we take away a man's land we provide some compensation under this Bill.

The Hon. D. N. Brookman: As long as he is not subdividing.

The Hon. Sir THOMAS PLAYFORD: If he is subdividing, that is a different matter. If the Government takes away the value of his land by zoning him out of existence, it says that it does not have to worry about compensation.

Mr. Shannon: It does not even pay him a penny for his building.

The Hon. Sir THOMAS PLAYFORD: It could ruin a firm overnight. No honourable member opposite can justify that. A firm that has been established in accordance with the law of the land should not be affected by what is, after all, retrospective legislation in the sense that it is taking away from him a right that was given to him many years ago. I strongly suggest to the Government that the Bill be left over in order to see what amendments are justified in the light of the second reading debate and in the light of an examination by all the interests concerned. I support the second reading with the reservations that I have mentioned.

Mr. HALL (Gouger): I, too, support the Bill with reservations as outlined by my Leader. I believe that from now on it is essentially a Committee Bill. I support planning, because I have seen in my own district the results of planning as well as the results of failure to plan, and such results will still be seen in their various aspects for years to come. I agree that this legislation should be left over so that it can be studied by the councils, the general public and everyone who is interested in it. Regulations that have been promulgated give the town planning authorities a great deal more power than they had a few months ago, and therefore I believe those regulations are sufficient to hold the situation until all local government bodies who may be affected have had a chance to study the Bill.

One of the provisions that is rather amusing concerns the definition of the metropolitan area. This is one Bill where it is apparently necessary to have a realistic definition of that area, and it is noticeable that the definition in this Bill is much different from the definition included in the Constitution Act Amendment Bill.

Under clause 26, the board has the right to demand all facts relating to an appeal before it, and can publish any of these facts and figures. Many of them would be confidential and should be kept that way. The board should not have the right to publish any confidential information that it can demand. Clause 36 (12) refers to a value to be placed on the land. It is yet to be demonstrated who will value the land, and this has always been a drawback in framing legislation that requires official valuations. The exemption in clause 43 (1) (*c*) excludes all freehold properties. Why are these distinguished from leasehold properties? I should like to be reassured that this is not a back-door method of getting at freehold titles. According to clause 52, we are apparently to continue with a 10 per cent provision for recreation areas.

Mr. Quirke: Not necessarily recreation areas either.

Mr. HALL: The word used is "reserves". I am not satisfied with this clause. Because the Attorney-General spoke against the provisions of a private member's Bill to amend the Town Planning Act, I inferred that this would be altered, but no alteration has been made. By refusing a subdivision because of the number of unsold blocks in the vicinity, we would be granting a monopoly of blocks to the one or several subdividers who possessed blocks. When in Opposition, members opposite lamented the price of housing blocks, as their attitude was to control prices. When they have the opportunity to do something by this Bill, which could have a vital impact on the price of blocks, nothing has been done. The only tendency will be to inflate the price because this Bill reduces the supply. That provision and the failure to increase the stipulated reserve requirement both interest me. I shall be pleased to discuss them in Committee, and I hope the Attorney-General will accept an amendment to the provision for the 10 per cent allocation for reserves. I support the Bill generally. I believe the main work will be done in Committee, and await that time.

Mr. JENNINGS secured the adjournment of the debate.

INDUSTRIAL CODE AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from February 9. Page 3907.)

Mr. NANKIVELL (Albert): First, I thank the Minister for his courtesy in extending me time to enable me to consider properly what is a comprehensive amendment involving some 169 clauses to an Act of 388 sections. Most of the amendments are purely machinery, but in order to understand fully their significance, much work must be done, especially in considering the effect of the various amendments on the context of the original Act. However, I do not object seriously to the Bill in principle.

If one accepts uniformity, the amendments, as a yardstick, are improvements on Acts in other States. This Bill has been modelled largely on the New South Wales Act, but has the added improvement that existing boards will become conciliation committees, whereas in New South Wales the committee is set up when a dispute occurs. My criticism is on matters to which I have been referred and on which I hope the Minister will comment. My first criticism is that, although this Government has insisted on certain skills (one Bill insisted that work be taken from unskilled persons and given to skilled persons), this Bill provides, as in other States, for lay commissioners.

Mr. Broomhill: Skilled lay commissioners.

Mr. NANKIVELL: That may be, but, according to some Government members, they do not have much confidence in certain members of the legal profession. I understand that if skilled but lay personnel are appointed, that meets the criticism, but I have heard the view expressed that that is not necessarily desirable. After all, the Bill specifies that the commissioners shall be partisan, and I take it that those appointed as commissioners will have been actively engaged in expressing a certain point of view before a board. Many of us are told that we can see only one point of view, but if we are trained to see only that viewpoint, a tendency may arise to come down on the side of the other viewpoint in certain circumstances. However, members of the legal profession are trained in that respect, and some consideration should therefore be given to whether appointing lay commissioners, skilled or otherwise, is necessarily the best improvement to the existing Act.

Be that as it may, I accept the fact that the commission will be established on lines similar to those in New South Wales, and I think it will function as efficiently here as it does there. At present, about 60 boards function which are presided over by four chairmen who are stipendiary magistrates, and who are therefore legal men. They need not be legal men, of course, and many instances have arisen where that has not been the case. It has been said that the President of the Industrial Court is at present over-worked, although I point out that, as Deputy President, Judge Williams was also Public Service Arbitrator (which he still is) and is also the Chairman of the Teachers' Salaries Board. The appointment of a Deputy President (provision for which already exists in the Act) may well overcome the problem that exists at present. Figures reveal that boards in this State have functioned efficiently in their present form. Indeed, the Minister conceded that in his second reading explanation. However, a change is to be effected, but, surely, we must ensure that it will be a change for the better. About 45 per cent of the people employed in the State are affected by State awards and determinations (involving about 150,000 people), and about 90 State awards and 60 determinations exist. The Commonwealth Statistician's figures for the nine months ended September, 1965, revealed the following man-days lost through strikes: New South Wales, 1.45; Victoria, 1.47; Queensland, 3.71; South Australia, .86; Western Australia, .84; Tasmania, .77; and the Australian average is 1.66. I point out that the Queensland figure is affected by the Mount Isa strike, but the pertinent factor is that South Australia's figure is only about half the Australian average. The figures taken over the period since 1960 are somewhat similar; New South Wales is 1.51; Victoria, 1.61; Queensland, 1.70; South Australia, 1.24; Western Australia, 1.02; Tasmania, .79; and the Australian average is 1.43. South Australia's figure, once again, is better than the Australian average, and this has been achieved through the administration of the present boards.

Mr. Broomhill: Wouldn't you say that our responsible union leadership had something to do with those figures?

Mr. NANKIVELL: Yes, as well as the willingness to conciliate and to consent to agreements with the board's concerned. That, too, has been assisted by the speed with which boards can be assembled and by the manner in which conciliations can be effected. Indeed, I doubt the wisdom of a substantial change in a practice that has worked efficiently for the past 30 or 40 years. Conciliation may not be effected as simply under a commissioner as it has been under an independent chairman, and there may be more likelihood for appeals to arise than there has been in the past. The machinery to be provided in respect of appeals is to be a little more complex; whereas a consent determination in the past has largely been the result of the meeting of a committee to determine a dispute, that may not be so in future. Whereas the court would previously have determined a matter, we find now that a commissioner has the power to constitute a commission and to call witnesses which, under the present Act, is a power given to a board, but which is removed from that board by the Bill.

A commissioner has power to investigate a matter, and to make a finding that will be binding on those involved in a dispute, except that if an employer or employee disapproves of that finding he can appeal to the full commission, constituted of the commissioner (other than the one who presided over the committee) together with the President and the Registrar. I believe that this machinery will be cumbersome. I have no doubt that ways exist to streamline these matters when they operate, but this machinery looks a little more cumbersome than the previous provision. Perhaps this could have been done more simply by appointing an independent chairman to a conciliation committee where, if a consent agreement was not reached by general consent, the chairman could be given the right to make a determination on behalf of the committee. Failing that, the matter could be referred to the court where it could be heard and discussed in all its legal aspects. These matters have been raised with me and I should like the Minister's comments upon them.

Although I have no serious objections to the legislation, certain clauses could well be examined. New section 144 broadens the jurisdiction of the conciliation committees. This is done purely and simply by a recommendation of the commission to the Minister, who then makes an announcement in the *Government Gazette* to the effect that certain other areas than those covered in the existing Act have become subject to the award. This gives no right to employers (particularly those who are now under an award outside of the determination) to appeal against being included in the determination. The commission's award covers both award and determination, and there is one common rule covering the whole State. There are cases of public servants and local government or railway employees where a determination is a common rule award for them. Exceptions are made for certain areas, and people can be affected. Under the Bill they can be affected without prior knowledge, unless they are advised by organizations or unless they are avid readers of the *Government Gazette*, because no notice of the change is given other than by notice in the *Government Gazette*. In his second reading explanation, the Minister pointed out that although there was nothing in the existing Act to state when meetings should be held, the usual meeting of a board was after work at about 4.45 p.m. These meetings generally last until about 6 p.m. The regulation prescribes that there will be a fee of $2.50 a sitting. Under the Bill, although there is nothing to say definitely when the conciliation committees will meet—

The Hon. C. D. Hutchens: We are assuming they will meet in the day.

Mr. NANKIVELL: Yes; the Minister stated in his speech that the committees would meet in the day. New section 180b provides that reimbursement of fares and out-of-pocket expenses approved by the Minister shall be made to members of the committee. If these committees met during working hours what provision would be made to reimburse employers for the absence of their employees at committee meetings, or is it expected that the meetings would take place during the employers' time? At present no time is lost as the meetings are held outside working hours. Once meetings are held within working hours it is likely that they will take longer and that much of the day will be taken up with them. At whose expense will the meetings be held?

The Hon. C. D. Hutchens: Loss of wages would be out-of-pocket expenses.

Mr. NANKIVELL: I thank the Minister for clearing up that point because it was not covered in the second reading explanation. There is general agreement about clause 80, which is designed to enable specific employees or employee organizations to apply to a commissioner in a case of under payment or mispayment of wages. The commissioner, at no cost, can bring in a finding, which then becomes a matter of local court jurisdiction. In other words, a commissioner brings down a magisterial finding, which is binding on a local court. This is done at no cost to the employee, and there is no objection to this. However, why has no provision been made to cover an employer in the same circumstances? I think it can be agreed that an employee is obliged to give one week's notice or forfeit one week's pay in lieu of notice. If pay day were on a Friday and he did not come to work on the following Monday he would still be under the obligation to forfeit one week's pay in lieu of notice. However, no means is provided for an employer to recover this money other than through a court of summary jurisdiction. In those circumstances the cost of recovery is such that no action is taken. I have no objection to the clause, except that it applies to only one party.

Mr. Hurst: You cannot have one court making an award and interpreting that award.

Mr. NANKIVELL: This is not a question of interpreting or of making a law. I am asking only that what is provided should be

provided to both parties. This is a case of a commissioner's undertaking an inquiry to determine underpayment or improper payment of wages. I can see no question of interpretation in that. If a man defaulted and did not forgo his one week's wages in lieu of notice he would have committed a breach which could be corrected only by the employer's taking action in a court of summary jurisdiction. However, if there is an objection on the part of the employee he can get a finding, at no cost, by a commissioner. If the provision is there for one party it should be there for both parties. I ask the Minister to consider this matter.

I do not intend to delay the House unnecessarily on this matter. I have looked very carefully at all the amendments that have been made and, as I pointed out earlier, I have been fortunate in that there has been sufficient time for me to do so. The amendments are considerable in that they change the whole function of the administration of industrial conciliation. I must admit that I cannot see any substantial advantage being achieved by making these changes, and I should be very interested to hear what the gentlemen in the Government who have had experience in these matters say about them. I point out that the records of the boards is such that we cannot find any criticism of them. They have apparently functioned smoothly, efficiently, and conveniently, and probably at less cost than will be involved in the present proposal wherein two commissioners will be appointed and staff will be required. Also, a permanent meeting room possibly will have to be provided for committees to meet in, whereas at present they meet (as I understand it) quite informally in a number of places, and there is no official place where they must meet. These things will all change, and this will mean extra cost in the administration. It may well be that this is one of the reasons for the commissioners being appointed chairmen of these committees: it is something to keep them occupied, because up until now, as I have stated, the President has been able to cope with any appeals that have come forward from the boards, and in addition to being President of the Industrial Court he has other important functions to carry out. Therefore, although the President may be fully employed in these duties, it cannot be said that he is so over-worked that he cannot deal with these matters that now come before the Industrial Court.

With those remarks, I support the Bill as being part of the Government's policy of amending the Industrial Code. I await developments to see whether in fact it does achieve anything more than the present boards are achieving, whether it is any more efficient in operation, and whether indeed we have any better industrial record as a result of the proposed change that is included in this amending Bill. I support the second reading.

Mr. BROOMHILL (West Torrens): I, too, support the Bill. I point out to members that the provisions we are seeking to amend in the present Industrial Code have applied for the past 45 years, and there is no need for me to dwell on the considerable changes that have taken place in our industrial field in South Australia in that time.

Mr. Nankivell: Things have still functioned fairly efficiently.

Mr. BROOMHILL: I would be the first to admit that they have functioned fairly efficiently in this State. The amendments that are being sought by the Government are an attempt to streamline the function of the Industrial Court and to introduce attitudes that have been accepted in all other States and, in fact, in the Commonwealth Arbitration Court. It has been said that the amendments are numerous, but in point of fact there are only some three alterations occurring in the Industrial Code as a result of the amendments. Before making some comments in relation to those three points, I wish to briefly refer to the President of the Industrial Court (Judge Williams). I think it is true to say that the amendments proposed by the Government to this Bill in no way alter the authority of Judge Williams. I am very pleased that this is the position, because the President is very capable and is held in very high regard by everybody who appears before him in our State Industrial Court. I think the fact that none of the alterations affects the President is most important.

Mr. Nankivell: Of course, whereas he is now paramount, he will be able to be over-ruled by commissioners.

Mr. BROOMHILL: That is not the true position at all, and I think if the honourable member examines the Bill closely he will realize that. To answer some of the difficulties that are apparently evident in the minds of some members opposite (and these were expressed by the honourable member for Albert), I think it would help if I gave a brief outline of the existing situation in our State court arrangements so that members can understand where these alterations are occurring. At present we have a dual system of providing wages and

working conditions for employees in this State. First, and most important, are those State awards that are established by the State court. A State award has scope over the whole of South Australia, and there is no limit to the matters that the President or the Deputy President (while we have one) can handle. At this point of time we have in our State court only the President, Judge Williams: there is no Deputy President. The existing provision in the Code would enable us to have a President, together with two Deputy Presidents, but in the past the general pattern that has been applied has been for a President and a Deputy President to operate in the Industrial Court.

On the other hand, we have our wages boards system. There is a slight limitation on the powers of a wages board, of which there are more than 60 operating in South Australia. A wages board can set down rates of pay and conditions for employees within the metropolitan area and no further. As I said, there are some limitations on the powers of a wages board. As a result, if a union has members scattered throughout the whole of South Australia it is not possible for it under the present arrangement to seek to establish a wages board determination in South Australia. Of course, this has been a little difficult for any union not wishing to approach the State court and having members outside the metropolitan area. The fact that so many unions and employer groups have sought a wages board determination in the past makes it fairly clear that there has been a preference for this form or method of prescribing wages and conditions.

I think the real reason for this (and it is one of the things that will be overcome by these new amendments) is that our Industrial Court, unfortunately (and certainly it is through no fault of the officials of the State court), does not possess a particularly formal atmosphere. It has been pointed out to me by advocates from other States that the procedures of the South Australian Industrial Court are the most formal in Australia. Members may not be aware of the fact that the President and Deputy President of the Industrial Court wear a wig and gown, and the general procedures are very tight. As a result, the union officials and, in fact, many of the employer advocates who were not trained as legal men, find that this is somewhat restrictive when they go before the Industrial Court. They find that this atmosphere has not been particularly helpful. It is obvious from the figures that have been quoted that there has been a preference for the wages board system. This is because of the less formal atmosphere that exists. With our present wages board system we normally have three employee representatives and three employer representatives making up the board, and on each side we have two of these persons required to be working in the industry and on the other side two are required to be employers in the industry. This leaves room for the third member on each side to be a union or an employer advocate. Once the board has been formed the members meet and select a chairman. There is a list of about a dozen persons who have indicated to the court that they are prepared to accept the position of chairman if it is desired by the members of any board, but in some cases the members have selected one of two persons who have been occupying the position of chairman for many years.

This has resulted in the two persons acting as chairmen of about 80 per cent of the wages boards in this State, indicating that both employers and employees desire to have a person who has had some knowledge of industry, and who will not have to learn the ramifications of the industry under review. In these amendments, the two commissioners appointed will act as the chairman of the board, which will be renamed conciliation committee. Little change will occur from the existing position. However, somewhat of a crisis would have occurred if these proposed alterations were not made, because the two chairmen I referred to, whilst competent and popular with both sections of industry, have exceeded the normal retiring age and new chairmen would have to be appointed soon.

Improvements will be made, as there are restrictions at present on employers and employees who may wish to adopt the more informal methods of the wages board system, and under the new conciliation committees they will be able to apply to be the parties to a conciliation committee's decision, rather than to the Industrial Court, where they have employees outside the metropolitan area. It is provided that if these circumstances are recommended by a commissioner to increase the scope of the determination to areas outside the metropolitan area it can be done. There will be more activity directed towards the conciliation committees, and this will be a good thing because of their informal methods. It will be much better for parties to consider the difficulties of the industry concerned, and the spirit of conciliation is much easier within this atmosphere. In addition, the present wages boards sit outside ordinary business hours, and

this is a disadvantage, because lengthy meetings are not always possible.

With committees sitting during the day in future, the business of the tribunal will be shortened and a decision in settlement of any matter will be more promptly assured. A new section empowers the court to consider claims for underpayment of wages. At present, these claims are dealt with by a court of summary jurisdiction, and this has created some difficulties between the employers and the unions. Once an award has been obtained, an employer interprets it in one way and sometimes the union interprets it in another, and there is a dispute over the rate of pay. The only way it can be settled at present, if the employer stands firm after a claim has been made by the union, is for the union to take court action for the matter to be resolved. In some instances, it should not have been necessary for the action to be taken if a proper decision had been obtained determining which one of the parties was correct.

Once a court action commences the costs are considerable for both sides, and in many cases the court has not had the necessary experience of interpreting the award. This could well mean that an improper decision could be given which would have a vital effect on the future operations of that award. The present Industrial Code provides machinery for an aggrieved party to appeal to the Industrial Court from a decision of a court of summary jurisdiction, once that decision has been made. Many times it is necessary for a union or an employer to take action to have an interpretation placed on an award by a court of summary jurisdiction. Once this has been given, in many cases it is followed by an appeal to the Industrial Court against that decision. The proposed amendment enables an application to be made to the court, or one of the commissioners, to determine whether or not an underpayment of wages has occurred, although the way is left open for summary court action if it is so desired. When that happens, the commissioner, President or Registrar (whoever may be required to determine this issue) is able to interpret the award properly and to indicate to an employer whether or not he underpaid an employee. No penalty is thereby imposed, and any unrest that may exist between an employer and employee is removed.

The Bill also seeks to abolish the present Board of Industry and to place the duties at present handled by that board in the hands of the President and two commissioners. That is not a major change; the present board consists of the President, two commissioners nominated from employer organizations, and two commissioners nominated from the trade union movement, so that the general personnel of the proposed commission will not differ greatly from the existing board. The Board of Industry was initially established to ascertain the basic wage when quarterly cost of living adjustments were made in this State some years ago, in addition to dealing with matters affecting the setting up of new wages boards, etc. As a result of the practice of making quarterly adjustments being removed from the board's province some years ago, the board has since met only infrequently. The commission will be well able to handle many matters previously handled by the board.

The member for Albert said that the current practice had worked smoothly and that he therefore saw little reason for a change. However, encouraging the very form of conciliation that led to the popularity of the previous wages boards will minimize any difficulties that are otherwise likely to arise. It has been said, too, that by increasing the number of personnel at the Industrial Court, insufficient room will be available for the commission to function properly, but from my observations sufficient room will exist for it conveniently to perform the duties expected of it. I believe that the objects of the Bill will substantially improve the industrial position in South Australia by making available to both industry and labour prompt and efficient means of settling wage claims in an atmosphere encouraging conciliation.

Mr. QUIRKE (Burra): For a long time the Industrial Code has needed streamlining. I agree with most of the remarks made by the member for West Torrens, and concur largely in what he had to say in the latter part of his speech, for the Bill should indeed be responsible for maintaining industrial peace in this State with a minimum of effort on the part of the court. Despite the short time available for me to relate the Bill to the present Act (a mammoth task at any time), I am not in disagreement with the Bill's provisions, for I think they will lead to better industrial relations within the State and to a more peaceful atmosphere. I therefore support the second reading.

The Hon. C. D. HUTCHENS (Minister of Works): The member for West Torrens (Mr. Broomhill) has ably replied to the views expressed by the member for Albert (Mr. Nankivell). However, I desire to thank the

latter member for the study he has undertaken which has led to his finding little fault with the Bill. The honourable member said that boards had worked efficiently in the past, and I do not deny that. However, the industrial development in this State demands the machinery to facilitate an employee and his employer settling as quickly as possible any difficulties that may occur. Indeed, that is the chief purpose of the Bill. In relation to extending the provisions of the Bill to certain areas, I point out that that can be effected only on the recommendation of the two commissioners and the President, and that all due consideration will be given to a matter before that takes place. I thank honourable members for their contributions to the debate, and commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 to 79 passed.

Clause 80—"Recovery of amounts due under awards and orders."

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I have grave doubts about this clause because I have seen some impropriety in connection with similar legislation. Some years ago, when I was a Minister, it came under my notice that an officer of a trade union was going around the State (and this was after an award had been made by a tribunal that applied generally and not only to unionists) investigating all sorts of people. Acting on his own behalf, he was telling people concerned that they were not receiving the amount they should receive and that, if they agreed to join the union and agreed to pay half of what they received in back pay, he would take up the matter for them. Surely no member would agree with that procedure. As a result of my investigation I found that this officer was, in fact, doing what it was alleged that he was doing and that he had been working extensively in the district of the Minister of Agriculture. He was also making demands upon employers by telling them that if they did not pay up he would lodge a complaint and they would be prosecuted for not having complied with the terms and provisions of the award. I investigated it as a Minister at the time, and I found that it applied not once but in a number of cases. One employer brought me correspondence about it. The amount demanded for back pay was found on investigation by the department to be excessive. The demand was made on the basis of "If you don't pay we are going to report you for a breach of the award and you will be prosecuted, and you will still have to make it up."

I suggest there should be an amendment to provide that where an application is made for these amounts to be paid there shall be no financial benefit to anyone except the wage-earner who is being held out of the wages. I believe it is entirely wrong for a trade union official to collect money on account of a default under an arbitration award and then to stick to some of it himself. In fact, in the case to which I referred it was a condition of collecting that he would get a certain percentage of it.

The Hon. G. A. Bywaters: How long ago was this?

The Hon. Sir THOMAS PLAYFORD: It was when I was Minister of Industry. I do not know whether that position applies today, but it certainly could apply under this provision. I would think the case I have in mind occurred about 10 years ago. I repeat that it could be done under this clause. At that time an officer of the Factories Department told me that it had been done frequently by that same trade union official. The district of the Minister of Agriculture saw something of this activity.

The Hon. G. A. Bywaters: I think it must have been more than 10 years ago.

The Hon. Sir THOMAS PLAYFORD: I could tell the Minister the name of the trade union official and also the award concerned. I object most strenuously to this clause unless it is amended to provide that all moneys collected shall be paid over to the person who has been short paid in his award wages, for it is quite dishonest for an official to claim upon an employer on the basis of a shortage of payment of wages and then to retain some of it. In that particular case the employee got only 50 per cent of what was collected in respect of back pay.

Mr. Hurst: I know of a case where a solicitor made a claim for back pay against an employer, and after the costs had been paid the employee never got a penny back.

The Hon. Sir THOMAS PLAYFORD: The circumstances outlined in this clause are precisely the circumstances that I have mentioned. I presume that the money was retained by the union official for union purposes, although I am not sure of that. Any money received should be solely for the benefit of the employee. Is the Minister prepared to have this matter rectified by including this safeguard in the Bill?

Mr. BROOMHILL: I was somewhat surprised to find that something that occurred obviously many years ago has so stuck in the Leader's mind as to have him suggest a form of amendment that is completely unnecessary. I think the weakness in the Leader's argument is that this provision can only be used where necessary. It does not prevent any action in a court of summary jurisdiction for the underpayment of wages. Therefore, one finds it difficult to understand the need for any amendment. The Leader has referred to something that happened probably many years ago, but the present Bill refers to "the person concerned" on all occasions in relation to payments, and therefore there is no real merit in the Leader's proposition.

Mr. HURST: I consider that the Leader has not closely analysed the clause. I have never heard of such a happening as he mentioned, and I have had some years' experience in these matters. I am confident that had such a thing happened in more recent times it would have been done not by a trade union official but by somebody posing as such. Such action would not be tolerated by the trade union movement. Proposed new section 132c (1) clearly covers the situation referred to by the Leader. As the honourable member for West Torrens said, there is nothing to prevent action being taken in another court for the recovery of the money. A person is entitled to a just reward for doing a job. No-one can subscribe to the principle as stated by the Leader, but in any case the situation is covered.

The Hon. Sir THOMAS PLAYFORD: The situation is not covered by this clause. In the case of a common rule, where an award is extended beyond the ordinary bounds of an award, many persons not members of the union become subject to the award. I can tell the honourable member the name of a particular official of the trade union movement who went to an employee and told him that he should join the union. He told the employee that he was receiving benefits from the union and that there was an amount of back pay due to him under the award. He told him that if he agreed to give the official a percentage of what was collected of the back pay he, the official, would take action to get it for him. Eventually it was paid to the person concerned after he had agreed to pay some of it to the union official for the job. I can tell the honourable member privately the facts of this case: I investigated it thoroughly, because it almost warranted action being taken, as I believed it was against the law. I could not find any enthusiasm in the Crown Law Department, as the officers considered that if the employee was foolish enough to agree the department could take no action. This clause should provide that the money paid goes to the person who has not been paid proper wages. That is not unreasonable. It should be unlawful for anyone, other than the person to whom it should be properly paid, to receive this money.

Mr. Hudson: What would you do about a solicitor?

The Hon. C. D. HUTCHENS (Minister of Works): I cannot follow the Leader's reasoning. The clause states that the money shall be paid to the person concerned but, according to the Leader, if that person hires a solicitor he cannot pay him.

The Hon. Sir Thomas Playford: Does the Minister say that it is not happening today?

The Hon. C. D. HUTCHENS: No trade union would tolerate that practice today. I see no need for the amendment, and ask the Committee to reject it.

The Hon. Sir THOMAS PLAYFORD: The Minister says it would be competent to employ a legal representative.

[*Sitting suspended from* 6 *to* 7.30 *p.m.*]

The Hon. Sir THOMAS PLAYFORD: I move:

At the end of new section 132c (3) to add "No cost shall be recoverable by such solicitor or agent in excess of the amount approved by the Commission or Industrial Registrar."

This would ensure that certain people would not take up, on behalf of an industrial worker, claims which provide him with only 50 per cent of the sum recovered. The amendment seeks to protect an employee in relation to the sum that may be due to him.

The Hon. C. D. HUTCHENS: As I have not had time to study the amendment I ask the Committee to pass the clause, on the undertaking that it be recommitted for further consideration of the amendment.

The CHAIRMAN: If the Leader is prepared to accept the Minister's undertaking, he must withdraw the amendment at this stage.

The Hon. Sir THOMAS PLAYFORD: Very well, Mr. Chairman, I ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clauses 81 to 95 passed.

Clause 96—"Alteration of area of jurisdiction."

Mr. NANKIVELL: I move:

In new section 153b (1) (*a*) after "*Gazette*" to insert "and in a newspaper circulating in the city of Adelaide and another

newspaper circulating in the area of the State affected by the report of the Commission''; in subsection (2) to strike out ''a notice in the *Gazette*'' and insert ''notices''.

These amendments seek to ensure that due notice is given to certain people covered by an award that the Act is to be extended to their area.

The Hon. C. D. HUTCHENS: The Government accept the amendments.

Amendments carried; clause as amended passed.

Clauses 97 to 143 passed.

Clause 144—''Repeal of section 211a of principal Act.''

Mr. NANKIVELL: Section 211a provides that a copy of every determination made by the board and all correspondence connected therewith shall be open for inspection to any person interested or affected by it. Of course, under the Bill the determination will become an award. Can the Minister give any reason why the information previously made public should not now be made public?

Clause passed.

Remaining clauses (145 to 169) and title passed.

Bill reported with amendments.

Bill recommitted.

Clause 80—''Recovery of amounts due under awards and orders''—reconsidered.

The Hon. Sir THOMAS PLAYFORD: I move:

At the end of new section 132c (3) to add ''No cost shall be recoverable by such solicitor or agent in excess of the amount approved by the Commission or Industrial Registrar.''

The purpose of the amendment is to ensure that the proper amount paid under the clause shall be passed on to the employee concerned and shall not be taken by the agent who might represent the employee at the hearing.

The Hon. C. D. HUTCHENS: The Government has considered this matter at some length. The intention of the Act was that the money should be paid to the person for whom it was claimed, and we were of the opinion that adequate protection was given in the matter. I do not question the Leader's emphatic statement that there came under his notice a case where a certain union official was demanding a percentage of the money recovered. While the Government is prepared to accept the Leader's amendment, I point out that the case to which the Leader referred occurred many years ago: the Crown Law Department, on being invited by the then Minister to take action, declined to do so, and the Minister never saw fit to move an amendment. Therefore, I doubt whether much importance was attached to the matter. However, as the Leader's amendment is designed purely to make it clear that protection is given to the person concerned, the Government is willing to accept it.

Amendment carried; clause as amended passed.

Bill read a third time and passed.

ACTS REPUBLICATION BILL.

Returned from the Legislative Council without amendment.

EXCESSIVE RENTS ACT AMENDMENT BILL.

A message was received from the Legislative Council agreeing to the conference to be held in the Legislative Council conference room at 4 p.m. on Wednesday, February 16.

APPRENTICES ACT AMENDMENT BILL.

In Committee.

(Continued from February 9. Page 3926.)

Clause 4 passed.

Clause 5—''Repeal and re-enactment of Part II of the principal Act.''

The Hon. R. R. LOVEDAY (Minister of Education): I move:

In new section 8 after ''subsection (3) of'' to strike out ''this''; and after ''section'' to insert ''6 of this Part''.

This is purely a drafting amendment.

Amendment carried.

Mr. COUMBE: I move:

In new section 13 (2) (*f*) to strike out ''either of its own motion or''.

Paragraph (*f*) deals with the rights of the commission to investigate matters that concern it or are referred to it regarding the indenture of an apprentice. Basically an indenture of an apprenticeship is an agreement between three parties, namely, the parent or guardian, the apprentice, and the employer, and any matter affecting the indenture itself is a matter of concern to all parties. This provision deals with the right of the commission to investigate a matter of indenture. I agree that the commission should administer the Act, but this deals with the position should a dispute arise. It should be the right of the parent or guardian, the apprentice or the employer, to approach the commission with a complaint. It should not be the right of the commission, of its own volition, to investigate this type of complaint. My amendment would not restrict the administrative ability or powers of the commission in dealing with matters set out in the Bill.

The Hon. R. R. LOVEDAY: For good reasons, I ask members not to accept this amendment. All members know of situations where there could be a tripartite agreement or an agreement between two people where, although the legislation has been transgressed, there is a reluctance to bring the matter before the appropriate body, although everyone knows that the Act is not being complied with. In these circumstances the commission should have power to investigate such matters, and we should not prevent the commission from acting on its own volition.

Mr. HEASLIP: I support the amendment. In the past the employer and parents have worked closely together before the apprenticeship is entered into, and it has been open to all parents to approach the employer so that any difficulties can be ironed out. This investigation should not be done by an outside body, as these people are more interested than is the commission. The relationship of the commission is not as close or intimate as that between the employer and the parents, and following their discussions, a solution is often arrived at, so that there is no need for this outside body to interfere.

Mr. QUIRKE: The commission is there in the interests of all parties, and its duty is to protect either one or the other. It may be that parents and the employer are not sufficiently aware or interested in the situation, but it is the commission's job to ensure that conditions are fair and above board for all parties. The commission should intercede if necessary, and I see no difficulties in what the Bill provides.

Amendment negatived.

Mr. COUMBE: I move:

In new section 13 (2) (*f*) to strike out "or the appropriate trade union".

The Bill relates to a private agreement signed by an apprentice, his parent or guardian, and the employer; it does not concern the trade union; nor does it affect any employer organization. Only the three interested persons to whom I have referred have the right to complain to the authority, and the authority itself can initiate an investigation into any indenture.

The Hon. R. R. LOVEDAY: I ask honourable members not to accept the amendment. As the honourable member has said, this is a tripartite agreement, but the relevant words should remain in the clause because, if we accept the fact that the Bill seeks to improve the position of apprentices, then we should also have some thought about the capabilities of the people concerned to see that that is achieved. Employers, generally, receive the benefit of advice from experts, but that does not apply to an apprentice and his parent. By including a body comparable with the relevant employer's organization, we are ensuring that an apprentice is placed in a similar position to that of the employer, for if the appropriate trade union believes that the apprentice or his parent is not sufficiently aware of a situation, as the employer may be because of his expert advice, the union can apply to the commission to have the matter investigated on behalf of the apprentice or his parent.

Mr. HEASLIP: I support the amendment, and see no reason why the Government should include in this provision an organization foreign to the agreement. An apprentice or his parent can go to the appropriate trade union at any time if he wishes to have advice on a certain matter. If trade unions are to be admitted why should not the Chamber of Manufactures be admitted?

Mr. HURST: I do not think the honourable member appreciates the position regarding trade unions. The clause provides for "or employer". It is either the South Australian Employers Federation or the chamber which makes the initial approach to the commission, and the trade union should have the same right as the employer. Under many awards there is an obligation on the trade union to see that these things are done. They must have the legal right to make these representations to the tribunal. The Commonwealth Court has operated for many years and the trade unions have the right to make an application there, which they do. This has operated satisfactorily.

The Hon. Sir THOMAS PLAYFORD: The honourable member has said that this practice has operated satisfactorily for many years in the Commonwealth sphere, but that is a contradiction because he knows that this practice has not been operating satisfactorily for many years and that is why the legislation has been introduced. I believe the Bill is advantageous because the position has not been satisfactory for many years. I do not accept the Minister's explanation about why this provision is necessary because it is contary to all the earlier provisions in the clause which lay down that it shall be the commission's duty to look at the training, licensing, and so on of apprentices. However, at the end of the clause we find that the trade union movement will determine what is a fair thing. The member for Semaphore said that the trade union movement had to look at awards, but they are the subject of another Act. The Government is trying to

bring the question of awards into the Apprentices Act.

It is well known that there is still considerable reluctance to accept apprentices and train them. Provision is made to encourage minors to enter into an indenture and to encourage employers to employ apprentices, and that is an important feature of the Bill. If we are to have a successful apprenticeship system it will be on the basis that everyone who can be trained will be trained. The clause refers to "the appropriate trade union", which is a loose description. There is no definition of "the appropriate trade union". Some of the industries are under Commonwealth awards. What is the appropriate trade union for apprentices in South Australia under the Metal Trades Award? We see demarcation disputes frequently. Who is "the appropriate trade union official", and is he going to raise other than questions of training? We must have a system that has the confidence of both sides of this Parliament and both sides of the industry. If there is any slant in the legislation (and there is in this provision) it will break down the effect of the Act and the advantages of the Act. I support the amendment.

The Hon. R. R. LOVEDAY: The Leader said there would be disagreement because of a demarcation dispute, but such a dispute relates to some fine point, some aspect of a trade which is in dispute between two unions; it has nothing whatever to do with the question of a particular trade to which an apprentice is apprenticed. The Leader claims that the earlier part of this clause refers to all the powers of the commission, and that the Government now wants to give the trade union movement similar powers, but nothing is further from the truth. New section 13 (2) makes the position clear. A trade union may ask the commission to do something, but it has no power to investigate: it merely makes an application, in the same way as the employer, the parent or guardian, or the apprentice himself makes an application. I ask members to look at the clause as it is and not as the Leader tries to make out it is. I ask members not to support the amendment.

The Hon. Sir THOMAS PLAYFORD: The Minister has changed his ground somewhat. First he said it was necessary for the trade union to be able to go to the commission and point out that an apprentice was not getting proper training. However, now we hear that the trade union has no power to investigate in order to ascertain whether there is anything wrong, that it just blithely applies to the commission to investigate something. The Minister knows very well that this is designed to be an investigation by the union. It makes a preliminary investigation, and if it is not satisfied it applies to the commission, which has real powers, to formally make the investigation. If, as the Minister says, the appropriate trade union has no power to investigate the matter, what would be the purpose of giving it power to make an application? If the union has power to interfere in the apprenticeship, I say it is wrong, because it will prevent more boys being apprenticed. If it does not have the power to make investigations, then there is no purpose in giving it this authority. Whichever way the Minister has it, it is still no good.

Mr. HEASLIP: The explanation I have received does not clear my mind at all. Most of the unhappiness in the past has been caused not by the apprentice but by the unions. I know that many apprentices have been quite happy until an official has come along and prompted them. If the Government is going to give the trade unions the right to go to the commission and complain, it should also give the other side that right. I understood the object of this Bill was to get more skilled men. By stopping boys from becoming apprentices the trade unions are defeating their own ends.

The CHAIRMAN: In my opinion, the honourable member is not speaking to the clause. The number of apprentices in a trade is not referred to in the clause, and I ask the honourable member to confine his remarks to the clause and to the amendment.

Mr. HEASLIP: The clause deals with the rights of people to interfere with the training of apprentices.

The CHAIRMAN: Yes, but not with the number of apprentices to tradesmen, which is the subject of awards and not of this Bill.

Mr. HEASLIP: I know. The object of the Bill is to obtain more apprentices but this will not happen if interference is allowed. I oppose this clause.

Mr. COUMBE: I tried to limit this clause to the parties bound by the agreement: three parties who are signatories to the document binding on them and on no-one else. They are all responsible to the commission. I am disappointed that the Minister will not accept this amendment.

Mr. SHANNON: The commission will lay down the conditions on which apprentices are indentured, and it will be the over-riding authority on this matter. If trade unions are introduced, why not a representative of the

South Australian Employers Federation? I would oppose that, however, because it would be unnecessary. If everyone can tell the commission that it should or should not investigate a matter, industry will not run as smoothly as it has done in the past.

The Hon. R. R. LOVEDAY: Although the member for Torrens has said that only three people are parties to the agreement, I point out that the matter does not end there for, even though they may be equal legally, they are not equal in respect of their knowledge and of what pertains to this matter. Surely we should allow an apprentice and his parent to be in a relative position to that of the employer who is generally more knowledgeable in these matters and who has the expert advice from his employer organization, and so forth. No likelihood exists of the appropriate trade union's behaving irresponsibly, so why should not the words remain in the clause?

The Hon. Sir THOMAS PLAYFORD: True, trade union officials behave responsibly, but they have no status in this matter. Is the Minister implying that employers behave irresponsibly? Employers are just as responsible as are trade union officials and just as anxious to fulfil their part of the obligation in training apprentices. In fact, many of them exceed that obligation, in order to provide the best possible training for their apprentices.

Mr. HEASLIP: The Minister implied that employers regarded trade unions with suspicion all the time. That is not true. The inclusion of trade unions is the only alteration to the provision in the Act. If the provision in the Act applied unions could still advise the apprentices and fulfil their function. Under this provision employers might not take on apprentices. I hope the Government will accept the amendment.

Mr. QUIRKE: I think that the amendment is rather meaningless in spite of what my colleagues say. This is a tripartite agreement between the employer, the parents and the apprentice. The parents and the apprentice have nobody to represent them, and the parents are not cognizant of what is going on. The trade union would provide information in the interest of the apprentice and other employees. The union is directly connected with the industry and is aware of conditions. Therefore, it could make a reasonable application to the commission. It would not make a facetious application because it would then lose the confidence of those it represented. Why take away the right of the union to make representations before the commission, just as unions make representations before other tribunals? The union adheres to and represents the rights of individual employees.

Mr. HEASLIP: This provision provides that the commission will make the investigation when the parents, guardians, or employers apply for it. For years trade unions have done their job and told the parents of an apprentice that the employer was not doing the right thing and suggested that the parents make an inquiry. This could still be done without including trade unions in this provision in the Bill. We are not taking anything away from the commission or the parents by excluding the trade unions.

The Committee divided on the amendment:

Ayes (15).—Messrs. Bockelberg, Brookman, Coumbe (teller), Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Nankivell, Sir Thomas Playford, Messrs. Rodda and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (20).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday (teller), McKee, Quirke, Ryan, Stott, and Walsh.

Pair.—Aye—Mr. Pearson. No—Mr. Hughes.

Majority of 5 for the Noes.

Amendment thus negatived.

The Hon. R. R. LOVEDAY: I move:

In new section 13 (2) (*i*) to strike out "group" and insert "groups".

This corrects a grammatical error.

Amendment carried; clause as amended passed.

Clause 6 passed.

Clause 7—"Times and occasions for attendance at technical schools."

Mr. COUMBE: I move:

To strike out paragraph (*b*).

This clause alters the present provisions regarding school attendance. Under the present legislation an apprentice is obliged to attend school for four hours a week in his employer's time, for which he is paid, plus two hours a week at night in his own time. The present practice, which is acceptable, is for the apprentice to attend school for eight hours during the day in each alternate week. It is now intended to cut out all night schooling and introduce in lieu thereof day-time training completely for eight hours each week. In his second reading explanation, the Minister said that the Labor Party had considered for many years that there was no valid reason

why apprentices should be required to attend trade schools during their leisure time. I thought that was a rather silly statement to make. If the Labor Party wants to cut out all the night study and to provide that all study shall be done during the day, why did it not say so straight out? The reason mentioned was the only explanation I can find of why this provision has been introduced. There has been no suggestion that perhaps it may be to the benefit of the apprentice, or that he may have better facilities for schooling. Perhaps the Minister is saying that there is no reason why an apprentice should study at night. Night study supplements the practical work the student does at school, and all students, whether apprentices or not, must do some homework or study at night. Facilities are provided at the university and at the Institute of Technology for part-time study; business colleges are filled every night by students studying to improve themselves; the Education Department has greatly expanded the adult education system; and it is the generally accepted principle today that people are prepared to study at night to improve themselves. When the apprentice attends school during the day he is paid: he has to attend night school in his own time, although the schooling is free, whereas all other students have to pay fees. At present, the employer is prepared to pay for the apprentice to attend school, but the apprentice should play his part by doing night studies.

If this Bill is carried it will double the time the apprentice is away from his employer's workshop and, economically, it is doubling the employer's costs. At present, there is a record increase in the number of apprentices entering the trade, and no worthwhile apprentice objects to going to school under existing conditions. This flow is the direct result of appeals by the Department of Labor and Industry, by the Education Department, and by comments a few years ago by the Minister for Labour and Industry in the Commonwealth Government (Mr. McMahon) when employers were urged to increase their apprentice intake. We should do nothing to impede this flow. It will be interesting to see how many apprentices will spend so much time at school. Technical education should be only complementary and, indeed, supplementary to the practical training received in the workshop. I object to the clause because I believe in self-help. I think the hours and conditions of work and study should be prescribed by regulation in the hope that we shall attract more and more apprentices into various branches of industry, as well as in the hope that we shall have a completely workable Bill.

Mrs. STEELE: I support the amendment. Boys and girls at present apprenticed to the hairdressing trade must spend three of the five years' apprenticeship in attending the trade school six hours a week, and for the remaining two years they are wholly engaged in the employer's salon. I have been told by a leading member of the hairdressing trade that the useful life of a girl in the trade is 5½ years, which means that, on average, she gives only six months to her trade outside her apprenticeship. In addition, I am told that a girl can learn her trade to all intents and purposes in two years, and not in three as under the present system. Then, if she leaves the trade and returns later she can attend a school conducted by certain suppliers of hairdressing equipment free of charge to acquaint herself with advances made in the trade during her absence.

A further point was that the cost of education for a longer period than two years was expensive. It is felt that it will be better for hairdressers to have an apprenticeship of two years at eight hours a week. This would be easier for the employer and the apprentices. In addition to the time she spends at the trade school during the day, an apprentice hairdresser must do two hours in her own time at night. Hairdressers' conventions are considering the question of whether apprenticeship for hairdressers should be reduced from five to four years. I believe similar consideration is being given in other trades, and this is a matter the commissioner might consider.

It is interesting to make a comparison between the training of nurses and that of apprentices. In a preliminary school, probationer nurses work a 40-hour week. For the first seven weeks after they are admitted to the school they attend lectures in the hospital's time. After that period, when they actually go into the hospital wards, they are expected to work 48 hours a week—six days of eight hours a day. They are paid for eight hours' overtime. In the course of each week they spend two or three hours in class and this is done in their own time. In addition to this, all examinations are held in their own time and they have no time off for study before an examination. If a nurse comes from the country she trains for four years, and if she is from the city she trains for three years. The lot of nurses is far different from that of apprentices who have preferential treatment, training in their

employers' time, having their training paid for by the employers, and being paid by employers whilst they are training.

The Hon. R. R. LOVEDAY: I appreciate the difference between the position of nurses and that of apprentices, as outlined by the member for Burnside. However, I believe the honourable member will admit that the cases are different. The position of nurses is due to many facts, one of which is that they are women and their position has not been looked after in the same way as the position of men in industry. I am not prepared to accept this comparison as reasonable. The Government cannot accept the amendment for many reasons. For many years the Labor Party has considered this to be a desirable change in apprenticeship conditions. In my second reading explanation I said that there was no valid reason why apprentices should be required to attend trade schools during their leisure time. This did not mean that apprentices should not do study in their leisure time. The operative words were "to attend trade schools". We believe there is every reason why apprentices should carry on with their studies at home but we do not believe they should attend a trade school at night. The member for Torrens has referred to the fact that homework is done by primary and secondary school students. Naturally, homework is carried on at home and not at school, and that is my point.

Mr. Coumbe: And it is compulsory.

The Hon. R. R. LOVEDAY: Yes. Of course, many people have grave doubts about the value of much of this homework. I believe it is a fact that students attending trade schools during the day will do better work and study than if they attend at night after a day's work. Many apprentices leave home early in the morning because of the distance they must travel to their place of work, they spend eight hours at work, and there is an interval between when they leave work and the time when they are able to commence trade school classes. Therefore, it is not practicable for them to go home during that interval and they wait until their classes start. They then attend the classes and in many cases they do not get home until 9.30 p.m. or 10 p.m., which means that they have been away from home for 15 or 16 hours during the day. I think it is reasonable to suggest that the work should be done during the day at the trade school with further study at night at home.

In New South Wales all the training of apprentices is done in working hours. In Victoria most of the training is in working hours although in some trades, after the second year, some evening tuition is given. In Queensland, the Act provides for all training to be given in the employer's time, but it appears that at present some evening tuition is also given. I believe the reason for that is that the facilities are not available for all the work to be carried out during the day. New subsection (5) provides:

Subsection (4) of this section shall apply in respect of any trade from a date to be proclaimed in respect of that trade.

In my second reading explanation I said it was realized that this change could not be implemented immediately, because additional accommodation and facilities would be needed in the trade and technical schools. Therefore, there is no question of this being applied suddenly, and I would think, with things as they are, that it could be a considerable time before this could be applied in all directions.

Turning to the position in Western Australia, we find that all training is in working hours. In Tasmania, the training is given partly in the employer's time and partly in the evening, while in the Australian Capital Territory all training is given in working hours. Surely, this is evidence that these arrangements are workable. They are being worked elsewhere, and I have not seen any statement to the effect that this is detrimental to industry because of its application; I have not seen any propaganda about the matter; and I have not read anything that suggests that this is an undesirable feature of apprentice training. I suggest that this is a move in the right direction. Certainly, it must be attractive to apprentices. I repeat that we are not suggesting that this day training should be the end of study. The apprentice who wants to get on will study at home and give attention to his theoretical training in this way.

Mr. Coumbe: Will he?

The Hon. R. R. LOVEDAY: The apprentices I have known who have done best have always done additional study of a theoretical character in their own time. This is becoming more and more important in an age when the apprentice must have a better understanding of mathematics particularly. Unless he does this extra study he is certainly not helping himself to get far along the road in industry. There are plenty of opportunities now for apprentices to go on to technician level and beyond. I assure members that the idea that this is the end of study is wrong. Because an apprentice has to attend a trade school during the day instead of part of it at night is no indication at all of

the total amount of study he will do. For these reasons, I ask members not to accept the amendment. We believe this is a move in the right direction, and in view of experience elsewhere there are plenty of reasons for making the move. It will certainly not be applied immediately, because of the lack of sufficient facilities, and I would imagine from my own knowledge of the situation that the application would be reasonably gradual.

The Hon. Sir THOMAS PLAYFORD: There is a strange contradiction in the Minister's remarks. He said it was practicable to include this provision and he quoted the position in the various States. However, he went on to say that there would not be the facilities here to do it.

The Hon. R. R. Loveday: For some time.

The Hon. Sir THOMAS PLAYFORD: Exactly. I have not looked at the position lately, but I know that in the Minister's own district for many years it has been completely impracticable for this provision to be introduced with the facilities made available by the department for this training. The amendment does not specifically stop the training being done in the day-time. The Minister said that we could not implement this provision immediately, so what is the position if we pass this law?

The Hon. R. R. Loveday: It will be done when practicable.

The Hon. Sir THOMAS PLAYFORD: Who decides that? It seems a peculiar arrangement to bring into operation a law that we know cannot be given effect to merely because it has been the policy of the Labor Party for many years. The amendment enables a regulation to be made in a suitable case, and I would have thought this was a fitting way of dealing with this matter. I cannot understand why the Minister does not accept it on that basis.

Mr. HEASLIP: I am disappointed that the Minister is not prepared to accept the amendment. I do not think the Bill will achieve its objects if it sets out to do these things. The Minister said that the boys who want to get on will still study at night voluntarily.

The Hon. R. R. Loveday: I did not put it that way at all.

Mr. HEASLIP: I think that is what the Minister implied. It is not the bright boys about whom we should be so much concerned but the ordinary people who are unskilled today and whom we want to see become skilled so that they will earn better money and be of more use because of their skill. I agree with the legislation in principle, but I oppose this clause, as it will not benefit anyone. Why special treatment for these people? This provision means increased costs to industry and that means that people buying goods will pay more: increased costs without benefit to anyone.

Mr. FREEBAIRN: I oppose the amendment. We want youths to take up training, but in his first couple of years an apprentice is poorly paid, and makes many sacrifices. I commend the Minister for sticking to his guns.

Mr. MILLHOUSE: I cannot support this amendment. I acknowledge the force of the arguments in favour of it, but, in view of the experience in other States and because of the principle of not making young people go to school at night, I support the Bill as it stands. If they are not to go to school, I hope apprentices will work at home at nights.

The Committee divided on the amendment:

Ayes (15).—Messrs. Bockelberg, Brookman, Coumbe (teller), Ferguson, Hall, Heaslip, McAnaney, and Nankivell, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, Messrs. Stott and Teusner.

Noes (20).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Freebairn, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday (teller), McKee, Millhouse, Ryan, and Walsh.

Pair.—Aye—Mr. Pearson. No—Mr. Hughes.

Majority of 5 for the Noes.

Amendment thus negatived; clause passed.

Clauses 8 to 17 passed.

Clause 18—"Requirements as to indentures."

Mr. COUMBE: I move:

In paragraph (*b*) to strike out "subsections" and insert "subsection"; and to strike out paragraph (1*b*).

Here again, we are dealing with an indenture affecting three parties, namely, the employer, the apprentice, and the parent, which has nothing to do with the Trades and Labor Council, the Chamber of Manufactures, or the Employers' Federation. The clause at present provides that, the moment an indenture is signed, those three organizations should be notified by the chairman of the authority of the name of the apprentice concerned, the trade to which he is indentured, and the name of his

employer. That is a quaint and silly provision, and I ask the Committee to accept the amendments.

The Hon. R. R. LOVEDAY: I agree with the honourable member that a tripartite agreement is involved, but I think it is of considerable interest not only to the three organizations referred to in the clause but to the State generally to know the progressive situation in regard to the number of apprentices being obtained in particular trades. That information will include the names of the apprentices, the trades to which they are apprenticed, and the employers to whom they are indentured. The only work is for the chairman to have this information prepared in quadruplicate. The information will be of considerable statistical value.

Mr. SHANNON: The commission will have properly tabulated all the information concerning apprentices wherever they are indentured. This provision simply means much redundant paper work, and these records may never be examined. We should be careful not to involve people in unnecessary work. The parties in this matter need only apply to the commission and they will be supplied with the information.

Amendments negatived; clause passed.

Remaining clauses (19 to 28) and title passed.

Bill read a third time and passed.

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2—After clause 3, insert new clause 3a as follows:

"3a. The functions of the university shall, within the limits of its resources, include—

(*a*) the provision of educational facilities at university standards for persons who being eligible to enrol seek the benefits of such facilities;

(*b*) the establishment of such facilities as the university deems desirable for the provision of courses of study, whether within the university or elsewhere, for evening students, giving instruction to and the examination of external students, providing courses of study or instruction at such levels of attainment as the council deems appropriate to meet the special requirements of industry, commerce or any other section of the community;

(*c*) the dissemination of knowledge and the promotion of scholarship otherwise than as hereinbefore provided."

No. 2. Page 3, line 3 (clause 4)—Leave out "twenty-five" and insert "twenty-seven".

No. 3. Page 3, line 8 (clause 4)—Leave out "three" and insert "five".

No. 4. Page 3, line 38 (clause 5)—Leave out "three" and insert "five".

No. 5. Page 3, line 39 (clause 5)—Leave out "one" and insert "two".

No. 6. Page 3, line 40 (clause 5)—Leave out "two" and insert "three".

No. 7. Page 4, line 2 (clause 6)—Leave out "three" and insert "five".

No. 8. Page 5 (clause 10)—Leave out the clause and insert new clause 10 as follows—

"10. (1) Until such time as convocation is constituted in accordance with sections 12 and 16 of this Act, the members of the council elected by the Senate of the University of Adelaide shall consist of four persons who are members of the academic staff of the university and four persons who are not employed by the university elected in accordance with the rules set out in section 11 of this Act.

(2) From the first day of July, 1971 convocation shall elect eight members to the council without any restriction or limitation whatsoever."

No. 9. Page 5, line 23 (clause 11)—Leave out "the member" and insert "two members".

No. 10. Page 5, lines 24 and 25 (clause 11)—Leave out "is a member of the academic staff of the university and who has" and insert "have".

No. 11. Page 5, lines 30 to 35—Leave out subclause (2).

No. 12. Page 5, lines 39 and 40 (clause 11)—Leave out "at meetings duly convened for the purpose" and insert "by postal ballot of all the members".

No. 13. Page 8 (clause 19)—After line 32, insert the following new subclause—

"(1a) No new statute or regulation or alteration or repeal of any statute or regulation continued by virtue of section 33 of this Act shall be of any force until approved by the convocation of Flinders university when constituted."

Amendments Nos. 1 to 12.

The Hon. R. R. LOVEDAY (Minister of Education): A number of amendments have been moved in another place to which the Government agrees. One amendment deals with the question of the functions of the university. It provides that the functions of the university shall, within the limits of its resources, include the provision of educational facilities at university standards for persons who, being eligible to enrol, seek the benefits of such facilities; (*b*) the establishment of such facilities as the university deems desirable for the provision of courses of study, whether within the university or elsewhere, for evening students, giving instruction to and the examination of external students, providing courses of study or instruction at such levels of attainment as the council deems appropriate to meet

the special requirements of industry, commerce or any other section of the community; (c) the dissemination of knowledge and the promotion of scholarship otherwise than as hereinbefore provided.

Actually, the powers to conduct courses of this character were already embodied in the Bill but not precisely stated in these terms. The Government has no objection to these functions being stated more specifically. However, I draw members' attention to the fact that there is a safeguard here for the university in order to prevent people putting pressure upon the university to have these courses conducted at levels which are not desirable or to the extent that is not desirable. Whilst the Government believes that there should be facilities for courses such as I have enumerated, it is true that the university should not be put in the position where too much pressure can be put upon it to provide courses of this character. Therefore the university is protected by the words "within the limits of its resources". I feel that it is not only safeguarded there but also it is safeguarded by the words in new clause 3a (b), that the courses shall be "at such levels of attainment as the council deems appropriate to meet the special requirements of industry, commerce or any other section of the community." Therefore, in effect this specifies functions more deliberately, but at the same time protects the university from undue pressure in this direction.

There is an amendment that increases the number of the council from 25 to 27, and this is necessary because the members in another place moved an amendment for the number of members of Parliament to be represented on the council to be five instead of three. As I explained in the second reading explanation, the only reason the Government moved for three members was that it was thought that this was a more sensible number having regard to the number of members of Parliament available for this work. However, if the members of the Legislative Council feel that this is a very strong point, the Government has no reason for objection and is happy to have five members of Parliament included. I point out that I think this may cause some difficulty for some members to give regular attendance. However, the Government has no objection to the number being raised from three to five.

There are several consequential amendments, where the word "three" has to be left out and the word "five" inserted, and where the word "one" has to be left out and the word "two" inserted, and so on. The amendments Nos. 2 to 7 inclusive are all related to that particular amendment. Amendment No. 8 deals with the question of the members of the council elected by the Senate of the University of Adelaide, and inserts new clause 10 as follows:

10. (1) Until such time as convocation is constituted in accordance with sections 12 and 16 of this Act, the members of the council elected by the Senate of the University of Adelaide shall consist of four persons who are members of the academic staff of the university and four persons who are not employed by the university elected in accordance with the rules set out in section 11 of this Act.

(2) From the first day of July, 1971, convocation shall elect eight members to the council without any restriction or limitation whatsoever.

That means that until such time as the convocation of the Flinders university is constituted, this Act will apply in the same manner as outlined in the Bill when it went through this House. This will ensure that four members of the academic staff at the Flinders university will be members of the council, but that when the Flinders university achieves its own convocation then, as outlined in the second part of this new clause, from July 1, 1971, convocation shall elect eight members of the council without any restriction or limitation whatever.

Now this safeguards the Flinders university from being under what I may term a measure of undue control or undesirable control from the University of Adelaide during this intervening period, but when the Flinders university does establish its own convocation then the eight members defined in this clause—members of the council—will be elected without restriction from the convocation itself. There are other consequential amendments related to that. One amendment makes it clear that when the convocation is established at Flinders university there will be a postal ballot of all the members of the convocation. Now this is different from what pertains at the University of Adelaide, where there is no postal ballot.

Mr. Coumbe: Do you think there should be?

The Hon. R. R. LOVEDAY: Yes, and this amendment provides for that. The Government does not object to these amendments as it believes that they will improve the Bill. I believe that the amendments will be acceptable to members of this House.

The Hon. Sir THOMAS PLAYFORD: Several of these amendments were previously moved in this House when the Minister said that they would be fatal to the Bill. Apparently

some new thoughts have been exercised in this matter, and the Opposition welcomes them.

Amendments 1 to 12 agreed to.

Amendment No. 13.

The Hon. R. R. LOVEDAY: This amendment relates to the statutes or regulations or alterations or repeal of any statute or regulation being under the control of convocation. The Government has no objection to convocation having powers here in relation to decisions of council provided it is the convocation of Flinders university and not the convocation of the University of Adelaide. Under this amendment, clause 19 (1*a*) provides:

No new statute or regulation or alteration or repeal of any statute or regulation continued by virtue of section 33 of this Act shall be of any force until approved by the convocation of Flinders university when constituted.

This ensures that the control over the actions of council will be exercised when the Flinders university achieves its own convocation. The draftsman states that, for consistency of drafting, the words "of Flinders university" should be omitted. I suggest that this be agreed to.

Amendment as amended agreed to.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

COMPULSORY ACQUISITION OF LAND ACT AMENDMENT BILL.

The Legislative Council intimated that it did not insist on its amendments Nos. 1 and 7 to which the House of Assembly had disagreed.

KAPINNIE AND MOUNT HOPE RAILWAY DISCONTINUANCE BILL.

Received from the Legislative Council and read a first time.

ADJOURNMENT.

At 10.48 p.m. the House adjourned until Wednesday, February 16, at 2 p.m.