HOUSE OF ASSEMBLY

Wednesday, February 16, 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: A report in this morning's *Advertiser* states:

The South Australian Cabinet decided yesterday to take no action in support of last week's move by the Australian Labor Party's Federal Executive to challenge in the High Court the principle of Federal aid for non-Government schools.

Has the Premier seen that statement and is the report correct?

The Hon. FRANK WALSH: Yes, it is correct.

Mr. CLARK: Because of the interest in this subject, I informed the Minister of Education yesterday that I would seek from him a report on assistance actually provided to non-Government schools in South Australia. Has the Minister prepared a comprehensive report on this matter and, if he has, will he give it to the House?

The Hon. R. R. LOVEDAY: Assistance to parents of students attending non-Government schools is of four main kinds: (*a*) State provided scholarships, exhibitions and bursaries are open equally to students attending non-Government schools and Government schools; (*b*) all book allowances, boarding allowances, and conveyance allowances are open equally to students attending non-Government schools and Government schools; (*c*) assistance in the transport of children to church schools in country centres and assistance to church school authorities in the training of their teachers; and (*d*) assistance in the provision of capital required for new residential buildings at church schools. This assistance is done through advances from the State Bank with the approval of the Treasurer.

Further details of the State provided exhibitions, bursaries and scholarships and of the allowances mentioned in (*a*) and (*b*) above are given on the attached statement marked Appendix A. Further details of assistance to church schools in the conveyance of children and in the training of their teachers, as well as in other ways, are also given on the attached statement marked Appendix B. At the end of Appendix B are notes on the way in which the State Bank may, with the approval of the Treasurer, make advances to church school authorities for the purchase of land, the construction or enlarging of buildings and for the purchase of furniture and equipment.

APPENDIX A.

(*a*) Scholarships, exhibitions and bursaries available equally to students attending Government and non-Government schools:

Name.	No.	Value.
Intermediate Exhibitions	200	1st year $50, 2nd year $60 at secondary schools.
Intermediate Technical Exhibitions .	60	$50 for 1 year at secondary schools.
Leaving Technical Exhibitions	6	$80 for 4 years at university or Institute of Technology.
Continuation Exhibitions	400	$50 for 1st year, $60 for 2nd year at secondary schools.
Leaving Bursaries	48	$80 and free tuition at university.
Leaving Honours Bursaries	12	$80 and free tuition at university.
Evening Studentships	4	$96 (or $108) at university or Institute of Technology.
Special Agricultural Scholarships ..	3	(Plus 6 by Agriculture Department.) Free tuition and board at Roseworthy Agricultural College.

(*b*) Allowances: i. Every student attending a secondary school may receive a book allowance at the following rates: first year, $16; second year, $16; third year, $16; fourth year, $18; and fifth year, $20. If students are repeating a year these allowances are halved.

ii. Travelling expenses: A travelling allowance may be paid to any student who travels on an approved railway or bus service other than a bus provided by the Minister. The allowance is equal to the total actual expenses involved with a maximum of $50 per annum. If the student travels by a private conveyance,

the allowance is on a daily basis on the following scale:

3 miles to 4 miles	6c a day.
4 miles to 5 miles	7c a day.
5 miles to 6 miles	8c a day.
6 miles to 7 miles	8c a day.
7 miles to 8 miles	9c a day.
8 miles to 9 miles	10c a day.
9 miles to 10 miles	11c a day.
10 miles or more	12c a day.

iii. Boarding allowances: All secondary students who have to board away from home in order to attend school may receive a boarding allowance of $150 per annum in each of the first four years of the secondary course and $200 for the fifth year. It is provided that the allowance will not be paid if the student could attend a local school on a daily basis unless the local school does not provide a suitable course desired by the student and approved by the Director.

APPENDIX B.

(*a*) Children attending non-Government schools in country centres, which are served by a school bus, are able to travel on the bus as long as there is room available for them.

(*b*) In the metropolitan area children travelling to non-Government schools are able to receive the same travel concessions as children attending Government schools.

(*c*) Students in training to be teachers in non-Government schools are accepted for training at our teachers colleges free of charge. They are eligible to win the unbonded Tertiary Teaching Scholarship valued at $200 per annum. In addition, a student of one of our teachers colleges who has entered into a contract to serve as a teacher in one of our schools, is released from his contract if he elects to transfer to a religious teaching order for service in a non-Government school or in a mission school.

(*d*) Teachers attending non-Government schools are able to attend in service training courses in the same way as teachers from our own schools.

(*e*) Teachers from non-Government schools are able to attend the special courses for teachers of backward and difficult children conducted by this department without charge.

(*f*) In the same way children, whose parents are in needy circumstances, at non-Government schools are entitled to receive, and do frequently receive, books at the public expense under the same conditions as children of such parents attending our own schools.

(*g*) Non-Government schools, both primary and secondary, may purchase school books through this department at the same rates as are charged to Government schools.

(*h*) Films of all kinds for teaching purposes are supplied to non-Government schools free of hire charge in the same way and on the same conditions as they are supplied to Government schools.

(*i*) The purchase of science equipment under the Commonwealth grants may be arranged through the Public Stores Department by church schools in the same way as by this department for our own schools.

(*j*) Primary non-Government schools are visited by our inspectors of schools and by our attendance officers and advice and guidance is given wherever requested. I know that many church school authorities greatly appreciate the advice and help they receive from our inspectors.

(*k*) Children in non-Government schools are able to participate in the free milk scheme in the same way as children in Government schools. Most of the expense of the free milk scheme is, of course, reimbursed from the Commonwealth Government.

Financial Assistance for Capital Works and for Furniture and Equipment: The State Bank may, with the approval of the Treasurer, make an advance for the purchase of land or for the construction of buildings or for enlarging buildings or for the purchase of furniture or equipment for use in boarding schools provided that reasonable preference in accommodation is given to students whose homes are in the country. The advance from the State Bank for the purchase of or construction of land or buildings is not to exceed nine-tenths of the reasonable cost and is repayable over a period not exceeding 40 years. For the purchase of furniture and equipment the advance is limited to half the reasonable cost and is repayable over a period not exceeding 12 years. In each case the interest charged is not greater and is sometimes less than the current rates charged by the State Bank for guaranteed overdrafts.

The Government's firm policy is to continue these forms of assistance, in every particular, to parents and students. The Government's policy in regard to the supply of free books to primary schools will be carried out in the way the Government has stated and in the way it has undertaken to carry it out.

Mr. MILLHOUSE: I was particularly interested in the Minister's answer regarding the forms of State aid to schools in this State, most of which, of course, were introduced by the previous Government.

The Hon. Sir Thomas Playford: I think all of them, in fact.

Mr. MILLHOUSE: Certainly the overwhelming majority were. I am glad to know that the policy is to be continued by this Government. Does the Minister, as the Minister of Education of this State, believe that further assistance should be given to schools, especially to independent schools? If he does, will he say what form it should take?

The Hon. R. R. LOVEDAY: Further assistance will be given by way of free school books in the primary schools, and when the question arises in the future the Government will make its own decisions on this matter. None has been made at the present moment, and when any decisions are made they will be announced in the usual way. I may add that all of the items I read out were not initiated by the previous Government.

The Hon. Sir THOMAS PLAYFORD: A report in this morning's *Advertiser* states:

The South Australian Attorney-General (Mr. Dunstan) said in Adelaide tonight no action would be taken in the High Court in his name to have State aid declared unconstitutional. . . . Asked whether he would support Mr. Whitlam, he said, "I will support the Party and I will support the Party's decision on State aid."

Will the Attorney-General say whether he has been reported correctly?

The Hon. D. A. DUNSTAN: I think I have been correctly reported, with the omission of one word: I said I would support the Party's conference decisions on State aid.

Mr. MILLHOUSE: The Premier has now announced in the House, in answer to a question by the Leader of the Opposition, that the Government has decided not to take any action with regard to challenging the arrangements made for aid to independent schools. Apparently this decision was made before we met yesterday, but the Premier did not see fit to announce it in answer to a question then. As chief law officer of the Crown, will the Attorney-General say whether his advice to the Government was that an attempt to have declared unconstitutional the present arrangements would fail, following the opinion expressed by his close friend (the Deputy Leader of the Commonwealth Opposition), or whether his opinion was that there were other reasons why it would be undesirable to make the challenge, but that legally the challenge would have a chance of success?

The Hon. D. A. DUNSTAN: I do not know whether, in fact, the honourable member is in order in asking me for a legal opinion, following your ruling, Sir, earlier in the session.

Mr. Millhouse: You are the chief legal officer of the Crown. Don't you give opinions on such matters?

The Hon. D. A. DUNSTAN: I am referring to a ruling given by you, Mr. Speaker.

Mr. Millhouse: Are you going to hide behind that?

The Hon. D. A. DUNSTAN: I did not tender advice to the Government on either of the scores to which the honourable member referred.

The SPEAKER: For the information of members, I should explain that the Chair is not unmindful of the questions being asked. When I accepted office as Speaker I undertook to preserve the rights and privileges of private members (as far as I could within my power) that had become established by practice in this place, as well as those granted to members by Standing Orders and by practice as observed in the House of Commons. Today I have allowed questions asked because I considered that they conformed to practice established in South Australia, although they did not conform to practices laid down by Erskine May. I ask members to co-operate with me in seeing that these rights are not abused. According to May, it is not permissible to ask whether statements in the press or of private individuals or unofficial bodies are accurate. According to May, it is not permissible to reflect on answers given to previous questions. It is also not permissible for questions to contain comment. It is not permissible to ask questions seeking an expression of opinion on a question of law. I mention this in passing, although I do not intend to take action on it. I have allowed the questions, but I ask members to co-operate with me. I realize that my attention might be drawn to the fact that the Chair has been lax, but it has not been lax: it has had knowledge of what has been happening.

Mr. MILLHOUSE: Yesterday, when I asked the Premier what the policy of the present Government was on the question of State aid for independent schools he indicated twice, I think, that he was awaiting information or something "from interstate" before he could answer. Has the Premier received the word that he was after and, if he has, can he now express the Government's policy? If he has not, when does he expect to receive word?

The Hon. FRANK WALSH: To the best of my knowledge, I never used the term "interstate" in any discussions yesterday concerning where I would obtain information.

In view of the information that has been given to the House this afternoon, I recommend that the honourable member study the reply that will be in *Hansard* tomorrow.

Mr. MILLHOUSE: I did not, unfortunately, quite follow the purport of that answer. Does the Premier mean to say that all the information the Government can give on this matter has already been given in the House this afternoon, or is there something else in *Hansard* to which he refers my attention?

The Hon. FRANK WALSH: It seems to me that I am a little astray somewhere in response to the continual requests of the honourable member. I respectfully suggest to him that he put his question on notice so that I can give him the information that he is after.

LOXTON HIGH SCHOOL.

The Hon. T. C. STOTT: Has the Minister of Works a reply to my recent question regarding repairs to the Loxton High School?

The Hon. C. D. HUTCHENS: The Director of the Public Buildings Department states that, following an inspection of the damage at the school, it was arranged that the Mines Department would sink test holes to enable designs to be prepared for the underpinning of the building. It was intended to let a contract for the work to be undertaken during the school summer vacation. However, because of the results received from the Mines Department of the test drilling and because of further deterioration of the cracking of the walls at the school it was necessary to design a new scheme to overcome the problem and it was not possible to let a contract for the work to be undertaken during the school vacation. Owing to the urgency of the work, it is intended to undertake the work departmentally with certain specialized sections of the work to be carried out by private contract. The private contract work involves the drilling of 31 pier holes and the supply and prefabrication of reinforcing for use in underpinning the school. The Director accordingly obtained suitable private offers for these specialized jobs, and I am pleased to inform the honourable member that I have now given approval for their acceptance in order that the whole work can proceed at the earliest possible date.

GRAND JUNCTION ROAD.

Mrs. BYRNE: On December 22 last year, while Parliament was in recess, I wrote to the Minister of Roads asking whether, with the widening of Grand Junction Road at Gilles Plains, one or two bridges would be erected over Dry Creek where its course crosses the road near the junction of Nelson Road and Grand Junction Road. At one time there was a suggestion that the creek at this spot should be straightened so that the whole of the creek would then be on the northern side of Grand Junction Road. That would mean that only one bridge would be required, that on Nelson Road. Has the Minister representing the Minister of Roads a report on this matter?

The Hon. J. D. CORCORAN: My colleague reports that an investigation was made into the possibility of diverting the creek so that only one bridge, that on Nelson Road, would be required. This investigation showed that it would be slightly cheaper to construct two bridges compared with the cost of one bridge and a major creek alignment. It has been decided that two bridges over Dry Creek on Grand Junction Road will be constructed to accommodate the full pavement width. The construction is expected to be carried out in 1966-67.

KEITH AREA SCHOOL.

Mr. NANKIVELL: Has the Minister of Works an answer to the question I asked last week about a new and adequate drainage scheme for the Keith Area School?

The Hon. C. D. HUTCHENS: The Director, Public Buildings Department, informs me that, following the approval of funds for improvements to the drainage, paving, etc., at the Keith Area School, it is intended to engage Messrs. Tonkin & Moss, consulting engineers, to prepare designs, plans, and specifications to enable tenders to be called. The matter will be treated as urgent, and the Director expects that a contract will be let before winter.

DOCTOR SHORTAGE.

Mr. CASEY: About two years ago, I made representations to the previous Government concerning the lack of doctors in Far Northern towns of this State. I outlined the difficulty experienced by the residents in these towns in obtaining medical treatment. However, nothing has been done, and the stage has been reached where the situation is critical not only for the State but for the residents of these towns. Will the Premier consult with the Chief Secretary to see whether an approach can be made to the Australian Medical Association, the authority governing the medical profession in this State, to see whether doctors,

not necessarily practising in South Australia today but competent to perform a general practitioner's duties, can be made available to practise in these Far Northern towns?

The Hon. FRANK WALSH: I shall consult with my colleague and obtain a report for the honourable member.

STOCKWELL MAIN.

The Hon. B. H. TEUSNER: Has the Minister of Works a reply to my recent questions about the advisability and feasibility of certain areas in the Murray Plains being connected to the proposed Swan Reach to Stockwell main?

The Hon. C. D. HUTCHENS: It is intended to ask the Public Works Committee to investigate and report upon a proposal for a main from the Murray River at Swan Reach to connect with the Warren system near Stockwell. When reported upon by the committee, the project will be considered by Cabinet. The proposed main would have sufficient capacity to supply areas such as Cambrai and Sedan, but the department has not included any branch mains in the proposal at this stage. The Director and Engineer-in-Chief states that, if approved, the main would be completed about September, 1969, and consideration will be given to laying branch mains from the main as the work progresses.

BUSH FIRES.

Mr. QUIRKE: Has the Minister of Lands a reply to my question of February 10 regarding existing or proposed measures to protect such places as the Cleland Reserve and the annexe to the Botanic Garden near that reserve against devastation by fire?

The Hon. J. D. CORCORAN: A report has now been received concerning damage that resulted from the fire on February 8, 9 and 10 in the area of the Cleland Wild Life Reserve and the Botanic Garden annexe near Mount Lofty. The fire broke out at about 11 a.m. on February 8 and, fanned by a north-west wind, it burned towards Crafers. By burning back towards the main fire from the summit road, all houses were saved. As a result of a wind change to the south-east one acre of the native fauna park and a stack of posts and firewood were burned. At 3 a.m. on February 10 the fire escaped and burned through the bottom of Duncan Gully and up to Long Ridge and Greenhill Road. The only area of Cleland Reserve left undamaged after the escape of the fire was the north-eastern corner. Destruction included the various fern gullies and associated vegetation, which was considerable. It is feared that alien plants, including South African daisy, will invade the fired area. It is considered that the very fine work carried out by Emergency Fire Fighting Services units and National Park staff was effective in limiting the damage to the extent now revealed. No damage occurred to the Mount Lofty annexe of the Botanic Garden, although the staff of the garden assisted operations with knapsack sprays. The fire has revealed most of the tracks through this heavily timbered country. Some of these had been cleared, but it is now proposed that all should be developed into fire access roads and fire tracks.

To ensure that these are most effectively developed, it is proposed to hold a conference between representatives of the Bushfire Research Committee, the local Emergency Fire Fighting Services representative and the commissioners. The commissioners are now considering clearing further breaks in the area. Such work represents heavy expenditure, of course, and it would be entered into subject to the availability of funds. In this the commissioners are mindful of the necessity to protect the property of neighbouring landholders. It is understood that the Botanic Garden annexe is infrequently menaced by fires, possibly because of its position, which gives some protection, as it faces the east and is in the lee of both northerly and southerly winds. Additional road construction proposed for the coming year will divide the annexe into sections, which will assist in meeting any possible fire threat.

The Hon. D. N. BROOKMAN: Being fairly familiar with the Cleland Reserve, I know that recent infestations of the South African daisy have occurred, particularly in one area that was burnt out some years ago. I notice that the author of the report is well aware that the weed will take hold in burnt areas. Indeed, once it has taken hold it is almost impossible to eradicate it from scrub country when regeneration has occurred. Will the Minister of Lands ensure that proper vigilance is exercised and, if necessary, proper work undertaken before next spring to prevent the weed from spreading? Further, in the gullies of the reserve there are many blackberry bushes which, although they do not spread extensively out of the gullies, nevertheless spoil the natural vegetation. Although the blackberry growth is burnt at present, will the Minister ascertain whether it can be sprayed before regeneration occurs following the next spring?

The Hon. J. D. CORCORAN: I appreciate the honourable member's interest in this matter, and I shall be happy to examine the suggestions he has made and, where possible, to give effect to them.

BOOK ALLOWANCES.

Mr. McANANEY: The cost of secondary school books is now considerably higher than the allowance paid by the Government. Parents must also pay for amenities, the cost of which varies between schools: at one school it is $7 a child. Will the Minister of Education say whether parents of limited means can obtain extra assistance towards paying for books in secondary schools?

The Hon. R. R. LOVEDAY: If parents in grave financial difficulties cannot afford to pay the difference between the allowance and the cost of books, they should approach the headmaster and put their case, and it will be considered on its merits.

Mr. COUMBE: Some years ago the previous Government introduced a scheme under which book allowances were paid to parents of children attending secondary schools. These allowances were $16 for third-year, $18 for fourth-year and $20 for fifth-year students. This is the first year in which the new matriculation requirements will apply. Whereas, previously, in some private schools two years was taken for the Leaving Honours certificate, one year will now be taken. When this scheme was first introduced it was thought that the new matriculation course would be half-way between the Leaving and Leaving Honours courses, but I understand that it is now to comprise about 80 per cent of the previous Leaving Honours course. In this case, it must be agreed that some students undertaking a matriculation course may have to repeat one year at a school, so they will be taking two years to complete that course. Will the Minister of Education ascertain whether the $20 will also apply in the second year, or whether a student who through no fault of his own has to repeat the first year will receive only half that sum.

The Hon. R. R. LOVEDAY: I shall be pleased to have the matter examined and to bring down a report for the honourable member.

PENOLA SCHOOL.

Mr. RODDA: At the Penola Primary School three blocks of land have been taken over for the extension of the schoolground. On those blocks there are some old buildings and hedges that are causing some concern to the school committee. As I understand that approaches have been made to the Public Buildings Department about clearing those blocks, and as this matter is creating some difficulties for the Headmaster in relation to running the school, will the Minister of Works have an investigation made with a view to putting the work in hand as soon as possible?

The Hon. C. D. HUTCHENS: I point out that the Public Buildings Department will act only at the request of the Education Department, the only people whom the school committee can approach being the Minister of Education himself or officers of his department. However, should I receive a request or instructions from that department in regard to the matter, it will receive attention.

AUBURN-EUDUNDA ROAD.

Mr. FREEBAIRN: Frequent representations are made to me in regard to sealing short sections of road between Auburn and Eudunda, which is part of the highway that connects Eyre Peninsula with Sydney. As this road carries much interstate traffic, including heavy vehicles, and is a source of concern to some constituents of mine, will the Minister representing the Minister of Roads ascertain whether plans exist to seal the remainder of the Auburn-Eudunda road?

The Hon. J. D. CORCORAN: I shall be happy to do that and to bring down a report as soon as possible.

COLONEL LIGHT GARDENS TREES.

Mr. LANGLEY: I have recently noticed that trees in Colonel Light Gardens are being felled. As that suburb comprises part of the district of the Premier and part of that of the member for Mitcham, and as it is the area in which I reside, will the Premier ascertain whether other sections of the suburb containing excellent tree-lined streets are likely to lose those trees? Why should these trees be destroyed?

The Hon. FRANK WALSH: I shall take up the matter with the appropriate Minister and get a report as soon as possible.

TEA TREE GULLY LAND.

Mrs. BYRNE: Reference to the Town Planner's report prepared for the metropolitan area of Adelaide shows a section of land at Tea Tree Gully bounded by the Main North-East Road on the north, Perseverance Road on the west, Range Road (Houghton) on the east, and the Lower North-East Road (Anstey Hill) on the south, as a proposed reservation under "open spaces". The reference is taken from

the Metropolitan Area of Adelaide Development Plan (northern sheet), and lies in the bottom of the right-hand corner on a line between St. Agnes, Vista and Houghton. Some residents of the district who are interested in preserving this area for the purpose proposed in the plan have drawn my attention to the fact that on the south side of this area, adjacent to Anstey Hill, some tests are at present being carried out by a quarrying firm. As these residents are perturbed at the possibility of the further defacing of the area, will the Minister of Lands have the matter investigated with a view to preserving this area for the purpose intended?

The Hon. J. D. CORCORAN: I shall be happy to have the matter investigated and to bring down a report as soon as possible.

NURIOOTPA HIGH SCHOOL.

The Hon. B. H. TEUSNER: Has the Minister of Education a reply to my recent question concerning the calling of tenders for earth-grading work at the Nuriootpa High School?

The Hon. R. R. LOVEDAY: The Director of the Public Buildings Department advises that funds have been approved and a private consultant has been approached to prepare detailed tender documents for earth-grading works at the Nuriootpa High School. Subject to the consultant's fees being acceptable, he will be requested to carry out the design work as an urgent matter so that tenders may be called at the earliest possible moment.

RESTOCKING.

Mr. QUIRKE: Now that the bounty of Providence has fallen on the inland of South Australia in the form of generous rains, there is some evidence of returning stock population and the top cover that can follow these rains will, in all probability, be of an annual nature. As members well know, the permanent bush cover has been almost completely devastated and I believe it should be given an opportunity to regenerate. If the annual ground cover which lasts for a short while is allowed to be eaten down quickly and there are meagre following rains, great harm will result. Can the Minister of Lands say whether control will be exercised as to the restocking of these areas up to the permissible limit under the lease, or whether the permissible stocking will be limited to such numbers as will allow the country a measure of permanent recovery?

The Hon. J. D. CORCORAN: This matter has already been the subject of a discussion between the Chairman of the Pastoral Board (Mr. Johnson) and me. The matter was raised as a result of the dust storms following heavy rain in this area. In fact, it became apparent to me that, although heavy rains had fallen, the dust menace still existed, and this was an indication that things were not as rosy as they appeared to be. When I expressed my concern to the Chairman of the board, he said that, with the improved conditions in New South Wales and in the Northern areas of the State, the demand for stock would be heavy indeed, and that it was a question rather of the availability and price of stock. He said he thought at this stage that these factors might be sufficient to control the danger to which the honourable member has referred. However, as the honourable member has raised the question, I am prepared to discuss this matter again with the Chairman of the board to see whether, as a result of further study on the subject, effect should be given to any measure of control that might be deemed necessary.

SWIMMING POOL.

Mr. COUMBE: About three months ago I asked the Premier a question regarding financial assistance towards the establishment of a large swimming centre in the north park lands in my district. Has the Premier since then received further information regarding moves, either financial or any other type, to proceed with this project? Have any approaches been made to the Government by the councils concerned, or *vice versa*?

The Hon. FRANK WALSH: To the best of my knowledge, no representations have been received by the Government from any of the interested parties. Certainly the Government has not tried to ascertain whether or not they desire to proceed with the project. They have been told what the Government is prepared to do, and the Government has not altered its decision regarding the sum it will offer.

GILBERT RIVER BRIDGE.

Mr. FREEBAIRN: The Highways Department is at present constructing a new bridge over the Gilbert River at Hamley Bridge. The river is crossable because the military authorities have constructed a Bailey bridge, but this is inconveniencing local folk. Will the Minister of Lands ask the Minister of Roads when the new bridge will be completed?

The Hon. J. D. CORCORAN: Yes.

STURT RIVER.

Mr. MILLHOUSE: Some time ago I asked the Minister of Education, representing the

Minister of Local Government, a question about the south-western suburbs drainage scheme. I understand the Minister now has a reply to this question.

The Hon. R. R. LOVEDAY: The Minister of Roads reports that the present position regarding the construction of the drains provided for under the South-Western Suburbs Floodwaters Drainage Act is as follows:

(1) All drains on the western side of the Sturt River discharging into the sea have been completed.
(2) Four drains from the east discharging into the Sturt River have been completed.
(3) A proposal to realign, deepen and increase the capacity of the Sturt River is before the Parliamentary Standing Committee on Public Works.
(4) It is impracticable to construct further drains from the east discharging into the Sturt River until (3) above has been resolved.

ABORIGINES.

Mr. NANKIVELL: I was happy to receive the detailed reply yesterday from the Minister of Aboriginal Affairs regarding unmanned and uninhabited reserves. Will the Minister provide similar information on the manned reserves, setting out the names of the reserves, their locations, the areas, and the number of inhabitants of the reserves?

The Hon. D. A. DUNSTAN: Obviously, I do not have that information at my finger tips. I can tell the honourable member the names of the manned reserves and their whereabouts, but I cannot tell him the area or the number of inhabitants. I shall endeavour to get the information for him and let him have it as early as possible.

The Hon. D. N. BROOKMAN: I understand that about the middle of last year Mr. Miller (Director of Aboriginal Affairs) went to the United States of America to examine the arrangements relating to land trusts for the indigenous peoples there, and I assume that on his return he would have submitted a written report to the Minister of Aboriginal Affairs. Could members of this House see any report made by the Director on that subject?

The Hon. D. A. DUNSTAN: The Director made a number of reports arising out of the various situations on the reserves he investigated in America. He was not looking at land trust situations, because they have in America no such proposal as the one that exists here: they have treaty arrangements and certain other contractual and legislative arrangements that we wished to investigate to see that we did not make the mistakes they have made. I will obtain the files and make them available to members.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

The Hon. J. D. CORCORAN (Minister of Lands) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Weights and Measures Act, 1934-1965.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

It is complementary to the Weights and Measures (National Standards) Act, 1960-1964, of the Commonwealth, and is uniform in its terms with legislation already passed by most of the other States. In addition, it provides for the repeal of several obsolete provisions of the principal Act. Clauses 3, 5 and 7 replace the existing term "standards of weights and measures" with the new term "standards of measurement" prescribed by Commonwealth law. Clause 4 inserts several new definitions in section 4 of the principal Act, that are all modelled on definitions in the Commonwealth Act. In addition, the definition of "inspector" is extended and I will explain this later.

The Commonwealth Act requires that as from the beginning of this year all standards of measurement, which may be legally used throughout the Commonwealth, must be copies of the standards maintained by the National Standards Commission of the Commonwealth. The principal purpose of this Bill is to enable the Minister to arrange for the provision and maintenance of such working standards and subsidiary standards as may be necessary in view of the Commonwealth Act, which requires that all measurements must be made in terms of Commonwealth legal units of measurement (new section 6 (1) inserted by clause 6). The terms "working standard of measurement" and "subsidiary standard of measurement" have the same meanings as in the Commonwealth Act, the former being called primary State standards and the latter secondary State standards or tertiary State standards. The accuracies within which the true

value of secondary and tertiary State standards may be stated are set out in the second and third columns of Part I of the new Fourth Schedule, inserted in the principal Act by clause 22.

Subsection (5) of the new section provides for inspector's standards (previously called local standards). The errors which may be tolerated in the case of inspector's standards are set out in Part II of the new schedule. The effect of the amendment of the definition of "inspector", which I have already referred to, is that the powers and duties of an inspector in relation to an inspector's standard will extend in like manner to a Government inspector. From time to time the National Standards Commission may recommend variations in the scale of permitted tolerances, and so new section 6a (inserted in the principal Act by clause 6) provides that the provisions of the Fourth Schedule may be amended by proclamation. Existing section 6a of the principal Act relating to the use of Commonwealth standards as State standards is now redundant and is replaced by new section 6a.

Clause 8 repeals sections 8, 8a, 8b and 9 of the principal Act. Section 8 enables the Minister to provide new denominations of standards and is now obsolete in view of new section 6. Section 8a, which enables the Governor to declare that a standard shall cease to be a standard, is inconsistent with Commonwealth law. Section 8b dealing with coin weights is obsolete and is repealed. Section 9 provides for local standards of weight and measure and is now obsolete, "local standards" being replaced by "inspector's standards". Clauses 9, 10 and 11 make consequential amendments to the heading above section 18 of the principal Act and to sections 18 and 21. Clause 12 adds three new subsections to section 26 of the principal Act. New subsection (5) is complementary to the Commonwealth Act and will prohibit a pattern of an instrument being approved for use in trade unless it is approved by the commission or has been approved by the Warden of Standards before the commencement of the Commonwealth regulations.

New subsection (6) provides that, notwithstanding any prior approval given by the commission or the Warden of Standards, the Minister may restrict the use of weights, measures, weighing instruments and measuring instruments if he is of opinion that their use in certain circumstances will facilitate fraud. New subsection (7) provides for a penalty not exceeding $200 for a person acting in contravention of any direction given by the Minister. Clause 13 repeals section 28 of the principal Act dealing with coin weights and which is now obsolete. Clauses 14 and 15 (*a*) make consequential amendments to sections 34 and 36 of the principal Act. Clause 15 (*b*) places the custody of standards with the Warden of Standards, the officer who, under the Commonwealth Act, is given power to verify standards and issue certificates. Clause 15 (*c*) repeals section 36 (2) enabling the Minister to cause standards to be verified with British standards and which is now obsolete. New section 36a (inserted by clause 16) provides for inspector's standards to be stamped as prescribed by regulations.

Section 38 is repealed and re-enacted (clause 17), to provide that certain standards may not be used unless they are verified or reverified as required by Commonwealth law. New section 38a (inserted by clause 18) provides for a penalty not exceeding $200 for a person who damages or destroys any standard. Clause 19 (*a*) and (*b*) makes consequential amendments to section 40 of the principal Act, and clause 19 (*c*) contains a transitional provision in order that existing local standards, if duly verified, may be deemed to be inspector's standards. Section 41 of the principal Act dealing with periodical verification of local standards is now redundant in view of new section 38, and is repealed by clause 20. Clause 21 makes consequential amendments to various sections of the principal Act. Clause 22 repeals the Third Schedule now obsolete in view of the new scheme of State standards. Clause 22 also inserts the new Fourth Schedule, which I have previously referred to in the principal Act.

The Hon. Sir THOMAS PLAYFORD secured the adjournment of the debate.

PLANNING AND DEVELOPMENT BILL.

Adjourned debate on second reading.

(Continued from February 15. Page 4040.)

Mr. SHANNON (Onkaparinga): This is an important and complex measure that can be better dealt with in Committee. I do not condemn the principle of proper planning and development of the State, but I heartily endorse the Leader's suggestion that a Bill of such wide implication should be introduced one session and then wisely allowed to remain on the file until the next session, so that all parties interested could examine and consider the implications of the Bill and become familiar with its provisions. Members should have available to them as much information as

possible. Probably they will need some advice, as the average layman is unable to assess the implications of this legislation. As this takes time, the Government would be wise to adopt the Leader's suggestion.

When the authority declares land to be residential or otherwise, it will refer the matter to the council concerned. If the council approves there will be no trouble, but it may previously have permitted certain developments to take place and it may know from its experience that its planning is working smoothly. If these two bodies do not agree, the matter will be resolved at Ministerial level. I do not favour this, as it will mean that a council, which generally is able to administer its own affairs with common sense, may be over-ridden.

I think the representation on the authority covers too wide a field. From my experience of responsible bodies of various kinds, I know that the larger the committee the easier it is for a forceful man to control. Some who have not had experience in these matters may disagree, but I know that some members of a large body are often prepared to accept the opinion of somebody else. I think this authority should consist of three trustworthy and well-qualified men. I know this suggestion will not be popular with those whom it is proposed should be represented on the authority. Representation is often granted to a group as a sop, and the appointees regard their appointment as an honour but treat their functions lightly. Such people often do not attend even important meetings. I do not say this will happen in every instance with this authority, but I think it is too large to function effectively.

Mr. Casey: Didn't you say a large committee would function much more smoothly?

Mr. SHANNON: I said exactly the opposite. From experience I know that a large committee can be handled comfortably by a forceful man but that, if he has only one or two well informed colleagues, he finds it difficult to talk them into things. If a forceful man has a committee of nine or ten members it is not difficult for him to influence half. Arguments putting the opposite point of view are often not put by a member of a large committee, yet the chairman may not have a counter argument.

I compliment the member for Alexandra on the studious way he examined this Bill. He prepared his speech in about a week, which is not long in view of the ramifications of the measure. It must be borne in mind that this Bill has taken months to prepare. The honourable member did much work in preparing his speech, and I think he came out with colours flying. Some of his suggestions are excellent, but some I do not understand and some others I do not agree with. People concerned in this matter would like to know a little more about the way this legislation will be administered. It may be said that it is for the good of everyone and that it will develop the State in an orderly way, and that is correct, but it is the *modus operandi* that matters to the individual, whose rights will be affected. A person owning freehold land in the line of fire will not have many rights. I know that compensation will be awarded, but it can never adequately cover the inconvenience and loss that results, for instance, from a road going through land. What I have said applies particularly to subdivisions of broad acres. In certain areas where a subdivision abuts a reasonably important road (particularly in the metropolitan area) and the road has to be widened, often 50ft. at the front of each property is acquired. It must be borne in mind that these subdivisions have already been approved by the relevant authority. Taking 50ft. from a block of land which may be only 140ft. deep, and which may have been sold, is not satisfactory from the owner's point of view; nor is it satisfactory from the subdivider's point of view, if the block has not been sold. Naturally, if a subdivision has been sold piece-meal and various owners are scattered throughout its area, the problem of achieving any uniformity arises.

It seems a pity that, after all the necessary legal procedures have been followed, and after the person concerned has secured his rights to subdivide a certain area, he receives notice in due course that certain works will be undertaken in the area in the public interest, which upsets the whole subdivision. Such a person should be able to obtain a stay of proceedings, for the time being at least, so that no unnecessary hardship is created. The three local government bodies in my district possess well-qualified district clerks, one of whom only recently was recognized for his competence and appointed Senior Officer of the Local Government Officers' Association. In their wisdom, those district clerks make certain provisions relating to the orderly development of township areas.

This has been carried out extensively in the District Council of Stirling area and, although it may have created concern in some cases, has

generally been accepted. However, such planning can go by the board as a result of this legislation. Although a local government body can object, that objection may be over-ruled; no right of appeal to a body exists which could at least decide an appellant's case fairly, and which could decide in favour of whoever was doing the most good for the greatest number. Although not many country areas will escape the provisions of the Bill, that is perhaps desirable, particularly in the case of road access requirements. I am concerned about the words "do other work" as contained in clause 36 which relates to the power of the Director to do work for the public. That expression could include anything; it could relate to the physical work of clearing and levelling the land, although I hope it would not for, after all, if the property of an unfortunate owner is to receive certain work at the direction of another body, and if the owner is to be charged for the work done, whether he approves of it or not, that seems to be too wide a provision. Many other parts of the Bill will require attention, but they can be considered in Committee.

Mr. LANGLEY (Unley): I support the Bill, for I think it is the first step towards the further beautification and general improvement of South Australia. Adelaide, besides being one of the prettiest cities, is one of the best-planned cities in the world. The former Government, two or three years ago, spent $74,000 on a report undertaken pursuant to the Town Planning Act, but no further action was taken. This Government believes that the time has come when something should be done in the interests of this rapidly expanding city. In many parts of the world we find slums, as well as absolute lack of planning that is most noticeable in many European countries. However, we shall have the benefit of expert advice and plans to ensure that Adelaide maintains a high reputation not only on the part of local people but also on the part of visitors from overseas.

As a member of the Subordinate Legislation Committee, I have heard much evidence from witnesses in relation to town planning. The only organization opposed to the Bill is the land agents' organization which, as well as subdividing and selling land, also builds and sells houses. I think that in this case it would have been far better had it agreed with the rest of the people and done its best to make sure the Bill would go through. When this question was considered in the Upper House it was glad to know that the disallowance would not go through and that the Bill would be introduced. Only shortly before that, the committee had before it a regulation of the Hindmarsh council. Yesterday the Leader of the Opposition said that many industries would be adversely affected by this regulation. However, only 30 people complained about the regulation. Witnesses from all sections were given an opportunity to present evidence. I admit that the vote was three-all, but in past years the voting was four to two. On this occasion, it was not a Party decision because members of the committee did their best and listened to the evidence presented.

Although the Leader was the founder of the committee, he sometimes belittles it, but its members do the best they can. The Hindmarsh regulation was designed to provide for the best conditions in the future. Of course, many houses in Hindmarsh are over 100 years old and people live in poor conditions. I admit that land values may be involved. People in industry in the Hindmarsh area were allowed to expand their industries by another 50 per cent and they could not be pushed out—they were there to stay as long as they liked. If the area were made residential and these people left, they could recoup their losses and, by moving to an industrial site farther out, would probably be able to buy land more cheaply than they could buy land in a residential area. The Bill provides for prosperity and offers openings to many people. The people of the Unley District will look forward to action being taken under the Bill. I hope that something will be done soon and that we will see results for some of the money already spent.

Mr. MILLHOUSE (Mitcham): I had not intended to speak in the debate until a few minutes ago when I received a copy of a letter written by the Secretary of the Law Society of South Australia to the Attorney-General and commenting on the Bill. I regret that the Attorney-General has again flitted out of the Chamber.

Mr. Jennings: He is here as often as you are.

Mr. MILLHOUSE: He is in charge of the Bill and it is usual for the Minister in charge of a Bill to be in the Chamber.

Mr. Jennings: If you had put down your name to speak he would have been here.

Mr. MILLHOUSE: I have already explained I would not have spoken at all had I not received this letter, and I received it only a

few minutes ago. In any case, the Minister was out of the Chamber when the member for Unley was speaking and his name was down to speak. However, I know that members opposite come to the assistance of members of their own Party. I support the second reading. I very much regret that the previous Government did not do more to put into effect the recommendations contained in the report of the Town Planning Committee when it was submitted in 1962. Therefore, I am glad that the present Government has tackled this problem. That does not mean I support everything in the Bill. Indeed, I have not yet had an opportunity to study it as it must be studied in order to understand even some of its implications and ramifications. I am glad to hear (as I have heard) that we are only to reach the Committee stage and that then the Bill will be adjourned to be revived next session. That is the proper course to take with a Bill of this nature. Now that the Attorney-General has returned to the Chamber I will refer to the points made in the letter. It bears today's date and I do not know whether the Attorney has seen it, although it is addressed to him by the Secretary of the Law Society.

The Hon. D. A. Dunstan: I have not seen it.

Mr. MILLHOUSE: On a quick look, the points in it seem to be relevant and I shall read the letter. I see that the Attorney-General intends to reply, and perhaps he might be prepared to deal with the points raised then. The letter states:

(1) Section 19 (1): It is submitted that the chairman of the board should be a legal practitioner as defined in the Legal Practitioners Act of not less than 10 years standing thus having the same qualifications as a Supreme Court Judge and which practitioner is not a public servant. The committee suggests that (i) and (ii) of paragraph (*a*) subsection (1) should be deleted. It is considered that public confidence in the independence of the board is best achieved in this manner. It is suggested that a provision should be included in section 19 after sub-section (11) to the effect that the board shall have power at any stage of the proceedings to refer to the Supreme Court any question of law arising before the board. A similar provision occurs in section 52, subsection (7) of the Land Tax Act, 1936-1965.

(2) Section 26 (3): It is suggested that subsection (3) should be altered by adding the words "except upon a question of law in respect of which there shall be an appeal to the Supreme Court".

I believe that the member for Alexandra has in mind an amendment along those lines. The letter continues:

It is considered desirable that all parties including the planning authority should have the right to seek the decision of the Supreme Court on a question of law.

(3) Section 30: It is suggested that provision be made in this section for the authority to supply copies of the development plan to members of the public upon request and upon payment of a proper fee therefor. It is submitted that this is necessary because very often it is difficult to study such a plan in a public office and legal practitioners and others would desire to have a copy for detailed examination and consideration before advising clients. It is also suggested that in subsection (3) of the section the time limit of one month there provided is too short and should be extended to not less than three months.

I think that was touched on by the member for Burnside when she spoke, and, as she prompts me now, there is an amendment on the file. I hope this will assist the Government to accept such an amendment and perhaps incorporate it in the Bill. The letter continues:

Similar remarks apply in respect of section 33 (5) and similar alterations should be made as to the availability of copies for the public in section 34.

The fourth suggestion, Mr. Speaker, deals with section 36 (4) (*d*) (iii). These divisions are terrifying; they show the detail of the Bill. I suppose we cannot help getting down to fourth divisions, but there we are. The letter continues:

(4) The subject matter of placitum (iii) should not be left to the regulation-making power, because the regulations may not be made. There should be a section of the Act which in such circumstances provides that the reservation of the land lapses if the acquiring authority fails to acquire the land within a time specified in the section.

(5) Section 41 (3): Attention is drawn to the fact that by successive declarations under this subsection an owner's land could be frozen for many years without any compensation.

That is obviously a most important matter, and something that we must see does not happen. It continues:

(6) It is suggested that a right of appeal should be provided in the Act itself and not merely in the power to make regulations contained in section 34 (4) (*r*), giving any person aggrieved by any decision of the authority, the Director or a council a right of appeal to the board. There is no right of appeal at present in the Bill as drawn, and section 54 is not wide enough for this purpose.

(7) Section 44: It is submitted that a provision should be made in this section that transactions which are entered into expressly subject to the approval in writing of the Director being obtained thereto should not be regarded as an offence against the section. As the section is drawn, it is not lawful for a person to enter into a conditional transaction,

and this will cause difficulties in parties reaching agreement. Under the section as drafted, such transactions not only constitute offences but the contract is void for illegality. It is well known that at present parties enter into such conditional contracts, even though they have been held to be void in the High Court in *George v. Greater Adelaide Development Company.*

The Hon. D. A. Dunstan: Have you read the amendments on the file?

Mr. MILLHOUSE: No, nor has the Attorney-General read this letter. I am reading that letter now to give him the opportunity to comment when he replies in a few moments. The letter continues:

The parties so act because it has been found to be the only practical way of bringing the ultimate vendor and purchaser together. If the contract is conditional, then neither party remains bound if the Director's consent is refused and nobody is harmed.

I take it from the interjection of the Attorney-General that an amendment on the file covers this point.

The Hon. D. A. Dunstan: Yes.

Mr. MILLHOUSE: I am glad of that. Continuing:

(8) Section 77: It is suggested that the power of inspection should only be exercised subject to reasonable notice to the owner, and that a suitable amendment should be made to the section to achieve this.

Is there an amendment on that one?

The Hon. D. A. Dunstan: No.

Mr. MILLHOUSE: Well, I hope there will be. The letter continues:

(9) In conclusion, the committee desires to make it clear that it has endeavoured to confine its remarks to matters which it considers to have a legal import.

I make it clear, Mr. Speaker, that in speaking this afternoon I am confining myself to the matters raised in this letter. I say nothing of other matters, which I think can be more properly dealt with in Committee. The letter concludes:

The committee has deliberately refrained from commenting on aspects of the Bill involving social or political questions.

As I explained, I have read that letter deliberately, so that the Attorney will know of it. It could hardly be expected that a letter dated today and addressed to him would have reached him ere this. It is important, I think, that the Attorney should be in a position to reply to these recommendations and suggestions made by the Legislation Committee of the Law Society after considering the Bill. As I say, I understand that the Bill has only just to get into Committee and then to be abandoned until the next session, and I hope that upon consideration the Attorney will find himself able to accept the recommendations and suggestions that are contained in this letter, as well as those that are on the file in the name of members on this side of the House. Would the Attorney like to have this letter when he replies?

The Hon. D. A. Dunstan: No, I will have a copy of it in due course.

Mr. MILLHOUSE: I thought the Attorney was going to reply now.

The Hon. D. A. Dunstan: I am going to.

Mr. MILLHOUSE: Well, the Attorney does not need it; his memory must be good and I admire him for it. With those remarks I support the second reading.

Mrs. BYRNE (Barossa): I support the Bill, as it is long overdue. Because it has to cover so many issues, I think there was some reluctance on the part of the previous Government to introduce a Bill of this nature. In some respects, it is a reform Bill and designed to deal with a big current problem and to meet the many changes which are inevitable in the future. It is impossible to anticipate every problem because of the rapid change, so we have to base the provisions not so much on nebulous forecasts as on firm current trends and at the same time try to allow sufficient latitude for change to be effected without disruption of the overall planning.

In perusing the Bill, I found several things that did not satisfy me, but in such legislation as this I realize that personal views must play a big part, and the only way to make it effective is to do as the Government is trying to do now—make the laws conform with the recommendations made to this Parliament and then depend on practical experience to show us the changes needed. In this Parliament practically every Statute is amended not because of any neglect or failing on the part of the legislators but because we are living in an ever-changing world and laws must be changed in conformity. Even if amendments give a positive solution this year, no-one can guarantee that they will give a solution next year and not cause more complications.

On the question of change, we are in the midst of a scene where changes are strikingly illustrated. When all of us went to school (and I know that this covers a wide range of years) we were told that Adelaide's wide streets were a wonderful asset. That belief still exists today with some people, but we only have to see our wonderful wide streets to

know that no longer is that the position, and that the problems that now exist are the sort of problems for which this Bill will provide the means of solution. I stress to honourable members that this Bill provides not the solution but the means of solution.

Representing an area which includes the outer suburbs of Tea Tree Gully, Modbury and Highbury, I shall make a few remarks concerning zoning. Rezoning in the past has largely been a matter of haphazard evolution and not planning. In this Bill it is intended that so far as possible zoning of areas will be done on a long-range basis and reduce the incidence of the hardship which has occurred in the past. I know from very recent experience that unplanned zoning can cause trouble, and that without a provision such as the one contained in the Bill trouble will continue in every council area, especially in the fringe areas. It is best that it be accepted without adding complications that will bring it into the category of bad laws through impracticability.

I have listened attentively to the comments from the other side of the House and I am pleased that all of the criticisms arise from a general desire to improve the Bill. I hesitate to approve of any suggestion that would be likely to add complications. The aim of the Bill is to resolve complications that have been allowed to grow in the past with only token gestures of control. The action which resulted in the town planning report is one that we readily commend, because that report is one of the most valuable documents to be tabled in this House. We welcome the opportunity to give effect to the proposals and recommendations of that report. At this stage, although some changes may be advocated, there are no basic faults apparent nor have any speakers been able to pinpoint any. The Bill has aroused much discussion among those interested in civic affairs, and the tenor of the views of those with whom I have discussed it has been satisfaction tinged with some caution. There has been a decided reluctance to advocate any changes until experience of its operation has been gained.

Further, there is a belief that when the Local Government Act is re-written what may now appear to be flaws or shortcomings may be the means of dovetailing the two Acts and may help to make both a means of building a better metropolis than can be envisaged under current Statutes. The views of these people must be considered. They are people with different political beliefs, but they all have one reaction. The Bill is practicable, is a major advance in local government, and the provisions are good enough to leave it to practical experience to show up flaws that may exist. The second reading explanation adequately covered the intention of the Bill, and a coherent reply to the points raised is possible only when they are all taken together. I support the Bill.

Later:

The Hon. D. A. DUNSTAN (Attorney-General): In rising to reply to the debate I am grateful for the attention members have given this Bill, and I am grateful for the submissions made on it. It is heartening to find that such wide support exists for what are the basic proposals of this most important measure. In replying to the speeches of members I intend at this stage to confine myself to the main points of argument that have been developed during the debate. There will be matters with which I shall not deal now but which will ultimately arise in the Committee stages, and which I believe should be dealt with in particular clauses. They are not matters of principle but matters of detail which I think can be more appropriately dealt with in Committee.

I assure members that I have given considerable attention to what they have had to say, and also to the submissions that have been made to me from organizations interested in this measure. I have received deputations since the second reading explanation was given, and a number of submissions have been taken into account. Amendments have already been placed on the file in my name, as well as those in the name of the member for Alexandra.

This afternoon the member for Mitcham saw fit to comment on my conduct as the Minister in charge of the Bill in this House. I very much regret them. As a Minister in this House I am from time to time called from the Chamber on urgent matters to deal with Government business. This afternoon, while I was in charge of the Bill, I had an urgent telephone call to which I had to give immediate attention. I asked another member to listen to what was going on here; I went to my room, turned up the speaker so that I could hear what the member for Mitcham was saying, and gave my other ear to the telephone call.

Mr. Millhouse: I am flattered.

The Hon. D. A. DUNSTAN: I do not think most members of the House would have been flattered by the member's conduct in this matter.

Mr. Millhouse: You're thin skinned!

The Hon. D. A. DUNSTAN: The honourable member knows very well that comments in this Chamber on the conduct of members in having to leave the Chamber for matters in relation to duty demean the members who make those comments and demean the House. I hope that sort of thing will not continue. Nobody in this House (including the honourable member) can say that I have not sought to treat every member of the House, on the Bills with which I have had to deal, with courtesy and with much consideration.

Mr. Millhouse: You're making far too much of it.

The Hon. D. A. DUNSTAN: If it was good enough to say it, it is good enough to reply to it. If the honourable member desires to make offensive remarks in this Chamber he will take the replies he gets.

Mr. Millhouse: I will take any reply you give.

The Hon. D. A. DUNSTAN: Well then, why did the honourable member say what he did?

Mr. Millhouse: Because I was cross. You are always running in and out of the Chamber; you do it in question time and during the debate on a Bill.

The Hon. D. A. DUNSTAN: Apparently, the honourable member can dash in and out of the Chamber about his business.

Mr. Millhouse: I wasn't in charge of a Bill.

The Hon. D. A. DUNSTAN: I think there has been only one occasion since I have been a Minister in this House on which I have not been in the Chamber when asked a question. I certainly came back very quickly—

Mr. Jennings: As you did today!

The Hon. D. A. DUNSTAN: —and I have given due consideration to everything that has been said by members in debates on Bills on which I have been the Minister in charge. In fact, I do not think that all members on the honourable member's side of the House are very pleased with the kind of remarks he made this afternoon.

Mr. Millhouse: Don't be so silly.

The Hon. D. A. DUNSTAN: Turning to the matters that engage our attention in this debate, I think there are a few main points of difference with which I should deal. Much opposition has been raised, both in the House and outside it, to the provisions of the Bill, on the ground that the measure does not provide for compensation for restriction on land use, particularly in relation to zoning. There is no way in a planning measure of this kind that I can see by which we can make provisions for such compensation. They do not exist in any comparable legislation in this country or in Britain. If honourable members opposite believe, or if the Chamber of Manufactures believes, that there should be some provision for compensation, then it is up to them to devise means by which the money may be provided for the payment of that compensation. I cannot conceive of their making any such provision without seeing to it that the impost falls on the very people who are now protesting.

If there is going to be some measure of compensation of that kind, then very considerable sums will have to be raised, and the only way to do it is by land or by betterment rating. Obviously, the Government has no moneys available to it within its present budgetary structure for providing any such form of compensation unknown to other planning measures, and unknown to the previous Government. Particularly is that so when colleagues of members opposite have stripped this Government of well over $2,000,000 in revenues that were forcast in the Budget last year.

The Hon. D. N. Brookman: On matters not in the policy speech!

The Hon. D. A. DUNSTAN: On matters our policy speech specifically provided for! If members opposite want to provide compensation of that kind, let them show on what basis it is to be provided. I do not know of such a basis, but I do know that nobody else will provide it. Planning legislation in other Australian States usually includes a general provision that any person affected by a town planning scheme or ordinance is eligible to claim compensation, but the legislation then lists all the cases not eligible, and these include such provisions as prescribing the space about buildings, the bulk, floor space or external appearance of buildings, provision for parking or unloading of vehicles, and invariably a provision regulating the use of land, that is, zoning. In South Australia the principle of no compensation being paid for zoning is already established in the existing zoning by-laws prepared under the Building Act, although for years now councils have been restricting the use of land by the building regulations. Because they have restricted the kind of building to be altered or extended or erected on land within zones set forth in these regulations, there has been no provision for compensation under the Building Act.

Members of the Opposition when in Government made no suggestion that compensation of this kind should be paid. I cannot see how we can depart from that already established principle without providing a heavy impost against the very people who are protesting. They will be adversely affected. I give a summary to the House of the practices on this score in other States. Section 342a (*c*) of the New South Wales Local Government Act prescribes that any person can claim compensation under a prescribed scheme if he is injuriously affected, but compensation shall not be payable if the land is affected by any provision prohibiting or restricting the use of that land. If the owner can prove that the land could have been put to some specified use, which is not permitted under the scheme and that there was a demand for such use at the time the scheme came into effect, then compensation may be payable. Claims are lodged with the Land and Valuation Court and are payable by the council or authority concerned, which in the Sydney area may be the State Planning Authority. The courts established that no compensation was payable for zoning under the Cumberland County Council Scheme.

In Victoria, under the Town and Country Planning Act, 1961 (sections 41 to 43), compensation is payable to an owner who suffers loss due to the operation of an interim development order or scheme. However, no compensation is payable where the order or scheme regulates the use of land, unless the land is reserved for public purposes. Claims are payable by the council or authority concerned, which may be the Melbourne and Metropolitan Board of Works in Melbourne. The procedure for making and dealing with claims is contained in the Local Government Act. In Western Australia, under the Town Planning and Development Act, 1928-1956 (sections 11 and 12), any person whose land or property is injuriously affected by a scheme is entitled to claim compensation. The Act then provides that no compensation is payable by reason of zoning unless the land is required for a public purpose. The Act specifically states that compensation is not payable if a non-conforming use is prohibited from expanding on to land which it did not previously use. However, if the non-conforming use is to be discontinued then compensation is payable.

In Queensland, under the Local Government Act, 1936-1954 (section 33 (9)), any person whose property is injuriously affected by the making of a town planning scheme is entitled to obtain compensation, but no compensation is payable for the effect of provisions which prescribe the use of land, that is zoning provisions. In Tasmania, under the Local Government Act, 1962 (section 735), compensation is payable where land is injuriously affected by a town planning scheme or interim order, but no compensation is payable in relation to any provision regulating the use of land. In New Zealand, under the Town and Country Planning Act, 1953 (section 44), persons injuriously affected by a town planning scheme may claim compensation. If a person is refused permission to change the use of his land, in order to obtain compensation he has to prove that his proposal would not detract from the amenities of the neighbourhood, would not cause a demand for an extension of public services which would be uneconomic, or would not create ribbon development. In practice, this amounts to no compensation being payable for zoning provisions. In the United States of America zoning has been practised since 1916 when the City of New York adopted its first zoning ordinance. No compensation is payable under United States zoning ordinances, which are considered to be protective measures designed to maintain values of private property.

Mr. Lawn: Members opposite did not do their homework on this Bill.

The Hon. D. A. DUNSTAN: No, they listened to the Chamber of Manufactures.

The Hon. Frank Walsh: Is that where they take orders from?

The Hon. D. A. DUNSTAN: I do not know. In the United Kingdom compensation is payable in certain circumstances under British legislation if permission to develop land is refused. However, compensation is specifically excluded in the case of a refusal to develop land if it is considered to be premature or where alternative development of an urban character would be permitted. This amounts to no compensation being payable for zoning provisions. Non-conforming users (that is, a small industry in a residential area) were only permitted to extend by 10 per cent after the date the legislation came into effect. I ask members to note that that is 10 per cent and not 50 per cent.

The member for Ridley (Hon. T. C. Stott) suggested that by making provisions of this kind we were interfering with the nature of the Torrens title system. That is not true. At no time has it ever been considered in British law that the holding of a title in fee simple entitled the holder of that title to the unrestricted user

of his land and restrictions upon user have been a feature of legislation everywhere in the British Commonwealth. Indeed, this has been essential for the maintenance of private property values. As I say, it is not within the Government's scheme to provide compensation in these circumstances. We are simply following general practice in this form.

Mr. Ryan: Why would the Bill drive industry out of this State to another State?

The Hon. D. A. DUNSTAN: I cannot imagine why and I do not believe for one moment that it would. The point is that generous provisions are made for the maintenance of non-conforming uses and the expansion of non-conforming uses within zoned areas. It may be that in some cases hardship does arise from the making of zoning regulations.

Mr. Jennings: That is not new.

The Hon. D. A. DUNSTAN: No. The Government has sought to provide two means by which hardship may be taken into account, and the provision is publicly scrutinized to see that the hardship is minimized. First, the authority is to have on it a representative chosen from a panel nominated by the Chamber of Manutures and the Chamber of Commerce. The specific reason for this was not that these were employers' organizations but because they contained industrialists who would be adversely affected by the zoning regulations to be made under the Bill and, therefore, they should have a voice in the making of regulations on the authority. Those whose holdings could be adversely affected should have a voice in the original making of the regulations. What is more, the regulations will be scrutinized in this House because they will be subject to the Acts Interpretation Act in the normal way that regulations are. In consequence there is every reason to suppose that they will be carefully scrutinized to see that there is not any interference to people whose non-conforming uses will be restricted by the zoning regulations to be made.

The next basic disagreement that arose was over the nature of the proposed planning authority and the appeal board; that is, over the membership and the size of the bodies. From the submissions that have been made by honourable members opposite, there does not seem to be any agreement among them as to what should be the size and the composition of the authority. The member for Alexandra had one proposal, the member for Onkaparinga, had a completely different one, and the member for Burnside had another. Let me outline why it was that the Government put forward the proposition about the nature of the authority that it did. It has been clear to the Government since it took office that what happened under previous administration was that many fairly watertight departments had been set up and it was not always the case that the left hand knew what the right hand was doing: decisions might be made by statutory heads of departments or statutory authorities without regard to decisions made by other statutory heads or statutory authorities.

Mr. Jennings: Sometimes conveniently.

The Hon. D. A. DUNSTAN: Yes. What we were determined to do was to see that where an overall planning provision was to be made, all the people who were concerned and whose statutory decisions would be affected by the plan would be members of the planning authority so that we could have a place on which effective co-ordination between the various Government agencies could take place. That was the whole purpose of constructing an authority of this kind so that there would be no question that the Commissioner of Highways would be taking a decision which did not take into account the proposals in future of other departments, so that the Engineer-in-Chief would not do so, and so that the Housing Trust would not make decisions which ran counter to overall planning proposals.

Mr. Casey: You could not get anything more complete and fair than that.

The Hon. D. A. DUNSTAN: Here every major authority is represented and each one of the parties proposed to be on the town planning authority is essential to the making of planning decisions. Each one of them can, under statutory powers given to them, make decisions which, if they are not co-ordinated, can mean that we have no effective planning. For instance, it has been suggested that it will be possible to have one officer on in place of the Engineer-in-Chief and the Commissioner of Highways. Well now, anybody who suggests this can have no knowledge of the way in which those two departments work, for such an arrangement is simply not mechanically possible between the two departments. They must have a meeting place at which overall decisions, tied in with other authorities' decisions, will take place, and that is why the Government was insistent that it was not merely an officer, for instance, of the Highways Department but the Commissioner himself who must be a member of the authority.

It has been suggested that the Housing Trust should not have an officer on this authority, because the trust will be the greatest

developer; but, Sir, the major decisions of the Housing Trust vitally affect town planning in South Australia, not only in the metropolitan area but in every country city and town. It is able to take decisions which, if not co-ordinated, may not fit into the overall planning scheme. It would be disastrous for planning in South Australia if we had a planning authority and also a Housing Trust that was taking separate decisions only in terms of its own budgetary prospects. We need to have the housing authority co-ordinating its work with the overall plan of development and taking into account not only its own budget but the costs in highways development, in engineering and water supply development, and the like. The social costs in the community must be taken into account by a planning authority. The suggestion was made that there should not be somebody nominated by the Minister of Housing. It was suggested that it was pointless having somebody from the Housing Trust. In fact, that suggestion was made at the time when it was said that we should have a smaller authority. We believe also that in addition to the authorities who have to be on this as Government agents (and they are there not as voices of the Government but because their decisions must be co-ordinated by the authority) we should also see that there is adequate representation by local government bodies. There are three nominees from local government. Since the city of Adelaide under this proposal will come far more effectively into overall planning proposals than had previously been the case, and as the developments proposed by the authority must vitally affect development in the city of Adelaide, we believe that it is essential that the City Council have a member on this authority.

Mr. Coumbe: Would he be an officer or a member?

The Hon. D. A. DUNSTAN: He can be somebody nominated by the City Council. That is up to the council. We believe that it is essential that the Municipal Association be represented. Obviously enough, it is vitally concerned with the decisions of the authority and must co-ordinate its work with the authority. We believe it is essential that the Local Government Association have a nominee on the authority, because again a number of local government authorities not members of the Municipal Association are vitally affected by this measure, not only within the metropolitan area but also in the country. The other member of the authority whom I have mentioned was put there for the specific reason that I outlined earlier—to have somebody there who would give a voice to those whose heavy investments may be adversely affected by the proposals of the authority. It has been suggested that there should be other persons on this authority than those suggested by the Government in the Bill. It has been suggested, for instance, that there should be a nominee of the Real Estate Institute, and, somewhat surprisingly, it is suggested that this would be the means of representing landowners. With very great respect to the Real Estate Institute, I do not think it represents landowners, and I do not think it is in a position to represent landowners, who are more adequately represented and are as adequately represented as can be suggested that they should be by the local government representatives, since the latter are elected by ratepayers.

There have been other suggestions for persons on this authority. It has been suggested, for instance, that there be valuers and people of this kind. I do not think we can devise a more effective authority than the one that has been put forward. All the people whose decisions must be co-ordinated are on the authority. I agree that the authority is large, and I should like it to be smaller, but I cannot see how we can have effective representation on the authority, if we have everybody whose decisions need to be represented on that authority, without having an authority of this size. We have kept it as small as we possibly could to see that all the co-ordinating decisions that need to be made can be made by the authority. The member for Onkaparinga has suggested we could have an authority of three. I agree that administratively this would be easier.

Mr. Shannon: Everybody interested would have an approach.

The Hon. D. A. DUNSTAN: That may be so, but, as the honourable member knows, unless they are actually represented, how do they know what the planning authority proposes, and how can an authority of three co-ordinate the daily work of the Commissioner of Highways, the Engineer-in-Chief, the Surveyor-General, and the like? And that is what basically has to be done. They need to be constantly in touch.

Mr. Shannon: Would they be on it full-time?

The Hon. D. A. DUNSTAN: No, I do not imagine that the authority is going to meet every day. However, I think the authority will have to meet with reasonable frequency,

and that it will be able, because of its constitution, to do the necessary co-ordinating work which so far cannot be done by the machinery that we have.

Mr. Shannon: The more frequently you meet the more difficulty you will have in getting the personnel you desire. They cannot give up too much time.

The Hon. D. A. DUNSTAN: I know that they cannot give up too much time, but it is possible for them to meet with reasonable frequency, since obviously enough the Government personnel involved in this will be involved in the authority in making decisions vitally affecting their departments.

Mr. Casey: And they are not doing it voluntarily; they are paid for it.

The Hon. D. A. DUNSTAN: Of course. It has also been suggested that there should be some different structure for the appeal board. The member for Alexandra suggested that we should cut out the provision that the chairman of the appeal board should be a legal practitioner of five years' standing, and that this should be confined to a local court judge or special magistrate. I point out that I would find it very difficult at present to provide that the chairman of this appeal board be a local court judge or special magistrate, because we simply do not have enough people on the bench of the local court or of the magistrates courts in South Australia to provide officers for additional purposes. At the moment we are only carrying on with a number of retired magistrates, and we are about five short now. I believe that it is possible for us to find practitioners who would be willing to undertake this particular work and carry on their practices just as, for instance, the city coroner (who does very valuable work for us) carries on his work as city coroner and carries on his practice. On the other hand, the Law Society proposes, in the letter which the honourable member for Mitcham read out this afternoon, to cut out the provision of the local court judge and magistrates and to confine this to practitioners of 10 years' standing. I think that it is preferable to leave this a little flexible, and the appointments which have been made by the Government of officers in South Australia to judicial and administrative positions have met with widespread support, so that there is no necessity to confine the qualifications of the chairman in either of the ways proposed. There has been a submission by some honourable members, backed by the Real Estate Institute, that instead of having someone from the Institute of Planners on the appeal board we should have someone from the Real Estate Institute or the Institute of Valuers.

The Government cannot agree with that point of view. In providing that the member of the appeal board should be a member of the Institute of Planners, we have followed the course which was followed in the national capital, and we believe that it is essential that on the board there be a practical and qualified planner: that it is essential that the board have as a member someone involved professionally in planning, and it is not enough to have someone who is a qualified valuer. Evidence of valuations can be given to the board without difficulty, but the board needs to consider more than valuations in making its decisions on appeals. Also, it is essential we have a representative of local government on the board and that the board be not constituted of someone who basically represents, as the Real Estate Institute tends to do, those interested in speculative development which may be opposed to the principles of planning to be established by this measure.

The board can be shown to be a properly constituted and effective independent authority following the course of independent appeal boards established elsewhere. Much consideration was given to the composition of the board before the proposal was introduced. There have been suggestions that there be an appeal from the board to a court. I notice that the Law Society confines its proposal to appeals in points of law. In most cases the decision of the board will not be on a point of law. We need to have a practitioner as chairman to ensure that points of law are covered, and that the procedures are according to what the courts would consider to be natural justice, and therefore he is the appropriate chairman. But apart from the matters of procedure it is hard to see on what question of law there is going to be an appeal to the Supreme Court. There exists, if proper procedures are not followed by such a tribunal, the right of a *certiorari* to remove proceedings from the appeal board into the Supreme Court for surveillance.

But on general planning decisions a Supreme Court judge is not qualified to make a decision. This is something that calls for expert attention and knowledge. Obviously the chairman will be able to build up considerable knowledge of planning appeals and work. He will have the assistance of a qualified planner and of a local government representative, who will also build up considerable knowledge in the work of planning authorities. They are better qualified to

judge the things likely to come to an appeal board than is a Supreme Court judge who has no training in planning. The Government sees no purpose in providing an additional appeal to the Supreme Court nor in providing one to a Joint Town Planning Committee of both Houses. Such a committee is provided for in the existing legislation, but there have been two appeals to it and so far the provision has been found to be ineffective. I believe the Planning Appeal Board, as provided for in the Bill, adequately meets the objections raised to the existing provisions for planning appeals which were raised before the Joint Committee on Subordinate Legislation.

The submissions were that there be an effective independent appeal board and that is what has been provided. I do not think it is of much use to the community, or to people who will be affected by decisions, that there should be innumerable avenues for further appeal. There is an old saying that it is in the interests of the State that there should be an end to litigation and people should get a decision, and that is provided for adequately in these provisions. Honourable members when reading the report of the Skye case will possibly remember what the judge of the Supreme Court had to say about the undesirability of having such an appeal body as the one constituted under the existing legislation. These are basically matters of disagreement which were raised. Minor matters were raised by members which can be dealt with effectively in Committee.

It has been suggested that by making a provision for taking into account by an authority of the amount and kind of existing land subdivisioin and to see whether further subdivision was warranted, this would drive up land values so that it would be difficult for the authority to obtain the necessary evidence on which to make judgments of this kind, and that this would dry up land development. I do not believe any of these things will happen. It is essential for a planning authority to make decisions on this score and it needs to have this power. That was one of the first submissions made to me by the Town Planner, as being essential. All planners, who made submissions to the Government, pointed out that the kind of urban scrawl to which we are committed in Adelaide with enormous social costs has come from undesirable speculative development at a time when there is adequate development to cater for the needs of the populace.

Mr. Casey: This is happening in Los Angeles today.

The Hon. D. A. DUNSTAN: Exactly. It is essential the authority retain this power. It has been suggested by the surveyors that it is undesirable in relation to roadmaking that it be essential that the plans be signed by a qualified engineer. This provision was written into the Bill at the urgent request of the Commissioner of Highways, who said:

Pavement design is an extremely complex subject on which investigations are currently being carried out in all parts of the world. In the present state of knowledge of the subject no exact formula to cover all conditions has been evolved and correct, economic pavement design depends significantly on engineering knowledge and experience. The writing of a specification for the successful and economic construction of a road requires knowledge and experience of materials, plant, and methods of construction. The success of a pavement depends on the materials used, on drainage, on the compaction of soil, sub-base and base, on the type and quantity of primer used when necessary, on the affinity of the binder for the aggregates, on the use of adhesion additives under certain conditions, and on other factors, a knowledge of which comes only from engineering practice and experience. The preparation of plans and specifications for bridges and larger culverts requires complete knowledge of structural design. The training and experience of a surveyor do not cover these requirements, and an engineer's knowledge and experience are essential.

Local government officers are also opposed to the suggestion that it is enough for a surveyor to prepare these plans. While, of course, the basic plan is likely to be prepared by a surveyor, there is not the slightest reason why the surveyor concerned cannot engage an engineer for the recommendations about his roadworks, and for the engineer to design his plan. I should think that was a desirable procedure and certainly all of the departments involved (and local government itself) have said that this should be the case. I am grateful to honourable members for the way in which this measure has been received. However, in view of the time table before the House it is clearly not possible that this measure can be completed and through the Committee stages before we adjourn tomorrow. In consequence, it cannot reach the Legislative Council in time for that Chamber to complete the Bill before this session is prorogued.

Therefore, the Government intends to take the Bill past the second reading vote and to revive it immediately the House resumes for the next session, as we are entitled to do under Standing Orders, at the stage at which we left

off. In the meantime, of course, this will give all authorities interested in the measure an opportunity to see it; it will give the Government an opportunity to consider all the proposals that are put forward about amendments, and will give honourable members an opportunity to be fully apprised of the measure before they need to debate any contentious clauses in Committee. I should hope that we would be able speedily to deal with the Bill on resumption because, as honourable members know, this is an urgent matter; it is vital that it be placed on the Statute Book as soon as possible, because of the difficulties with which we are faced under existing legislation and regulations. Honourable members of the Opposition in another place specifically requested, when they withdrew their opposition to regulations under the existing Act, that this measure be introduced at the earliest possible moment. In consequence, I commend the Bill to the House.

Bill read a second time.

The Hon. D. N. BROOKMAN moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to the keeping of books of account by the authority and the auditing of the accounts of the authority by the Auditor-General.

Motion carried.

In Committee.

Clauses 1 to 7 passed.

Progress reported; Committee to sit again.

EXCESSIVE RENTS ACT AMENDMENT 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 Excessive Rents Act Amendment Bill.

An honourable understanding exists between both sides of the House that no votes shall be taken during the conference and that no Minister will reply in a debate. I believe that nothing will be done to interfere with the smooth working of the House, as we will not go into Committee at any time.

Motion carried.

At 3.57 p.m. the managers proceeded to the conference. They returned at 8.9 p.m.

Later:

The Hon. D. A. DUNSTAN (Attorney-General): The managers have been at the conference on the Bill, which was managed on the part of the Legislative Council by the Chief Secretary (Hon. A. J. Shard) and the Hons. D. H. Banfield, R. C. DeGaris, C. M. Hill and F. J. Potter, and they there delivered the Bill, together with the resolution adopted by this House, and thereupon the managers for the two Houses conferred together and it was agreed that they should recommend to their respective Houses that:

As to Amendment No. 1: That the Legislative Council do not further insist on its amendment.

As to Amendment No. 2: That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 4—Page 2, line 14—Leave out "three" and insert "two" in lieu thereof,

and that the House of Assembly agree thereto.

As to Amendments Nos. 3 *and* 4: That the Legislative Council do not further insist on its amendments but make the following amendments in lieu thereof:

Clause 7, page 3, line 16—Leave out "the owner" and insert in lieu thereof "entitled to be registered as a proprietor in fee simple".

Clause 7, page 3, line 18—After "may" insert "before the expiration of two years after the making of the agreement",

and that the House of Assembly agree thereto.

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee.

The Hon. D. A. DUNSTAN: I move:

That the recommendations of the conference be agreed to.

Briefly, the compromise reached with the Legislative Council is of this nature: the Legislative Council will not insist on restricting the letting agreements to be examined by the court to agreements that are for a period of less than one year, but has agreed to extend that provision to agreements of less than two years. While this is not as much as the Assembly wanted, it goes somewhere along the way.

The Legislative Council has also agreed not to persist in its proposal which would have allowed existing agreements that were to evade the provisions of the Housing Improvement Act or which were harsh or unconscionable and were sale or purchase agreements made in relation to substandard premises. The Legislative Council did not insist on its amendment, which would have allowed the continuance of these agreements without examination by the court, and it has agreed instead that the agreements, including all existing agreements, may be examined by the court within two years of their being made. The other amendments are minor

ones as to improvement in wording on the questions that were at issue. I think that it was a reasonable compromise with the Legislative Council.

Motion carried.

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA BILL.

The Legislative Council intimated that it had agreed to the House of Assembly's amendment to the Legislative Council's amendment No. 13.

STATUTES AMENDMENT (FRIENDLY SOCIETIES AND BUILDING SOCIETIES) BILL.

Received from the Legislative Council and read a first time.

KAPINNIE AND MOUNT HOPE RAILWAY DISCONTINUANCE BILL.

Second reading.

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

That this Bill be now read a second time.

On June 28, 1965, the Transport Control Board made an order closing the railway between Kapinnie and Mount Hope as from July 12. Mount Hope is the terminus of the railway from Yeelanna which was constructed pursuant to the Mount Hope Railway Act of 1912. As members know, the Railways Commissioner cannot construct or remove any railway or portion of a railway without statutory authority. This Bill, which follows the usual form in such cases, merely provides that the Commissioner may take up and remove or otherwise dispose of the section of railway between Kapinnie and Mount Hope, and dispose of the materials so taken up as he deems fit. The plan showing the portion of the railway to be taken up has been deposited in the office of the Surveyor-General, and a copy of it is available to members for their information.

Mr. BOCKELBERG (Eyre): I do not object to this railway line being removed. The closing of this line was recommended by the Public Works Committee last May and at that time some of the residents objected. However, now that a silo has been built at Kapinnie, midway between Mount Hope and Yeelanna, these differences have been settled. Each settler can reach the silo by travelling not more than 15 miles. Unfortunately, the eight miles of line being closed was the best part of it, but no doubt that portion can be used to put the other eight miles in good order. The Opposition does not oppose the Bill.

Later:

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

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from January 27. Page 3615.)

Mr. MILLHOUSE (Mitcham): This Bill is just another attempt to tinker at the Road Traffic Act, something which seems to go on in this place annually. Members may recall that in 1961 the Act was completely redrawn by Sir Edgar Bean, the former Parliamentary Draftsman, and passed through this House, but still this same process of tinkering has continued, even though we hoped that by Sir Edgar Bean's efforts and the attention of members of both Houses it would not be necessary to keep on doing this. The tragedy is that it does not do much good. I presume that the aim of the Act is to make the roads a safer place on which to drive and on which to be, if one is a pedestrian; yet, with all the fiddling about that goes on with the Act, we do not achieve (or get any closer to achieving) that aim, because if one looks at the statistics one will see that the same trend goes on, whatever we do (or whatever we have done) with regard to the Act. I strongly suggest that we need to be far more drastic in our approach to road traffic, and to the toll on the roads, than we have been in this State or, indeed, than we have been in most other parts of this country.

Every three months I am sent, by courtesy of the Commissioner of Police, the statistics for this State of road traffic accidents. I have these statistics for the year 1964-65, and for the two quarters completed since then. I have in the *Quarterly Abstract of South Australian Statistics* for December, 1965, the same figures going back to 1958-59. From these figures one finds that, with small exceptions, an upward trend in the number of accidents, injuries and deaths continues. This shows that we are not tackling adequately the question of road safety, and the few changes made to the Act will not be sufficient to reverse that trend. The figures under the heading "Persons killed on the roads in South Australia" are as follows: 1958-59, 185; 1959-60, 203; 1960-61, 203; 1961-62, 179; 1962-63, 201; and 1963-64, 236. Then turning to the statistics for the year 1964-65, we find that the figure is 232. In addition, 72 people were killed on the roads in the quarter ended September, 1965, and 65

people were killed on the roads in the quarter ended December, 1965.

This is a most shocking state of affairs, for which I do not blame the Government; nor do I blame members of Parliament. Unfortunately, our casual attitude to this matter is merely the reflection of the attitude of the community as a whole. Because accidents and deaths from accidents have become so commonplace, and because of the belief we all have that "it cannot happen to us", we are simply prepared to accept what is going on. The *Commonwealth Newsletter* of the Australian Automobile Association which I received only last week contains an extract from the preface of the *World Health Organization* booklet entitled "Road traffic accidents, epidemiology, control, and prevention," and states:

Accidents today are among the leading causes of death—in some cases the number one cause—in many parts of the world, particularly the more highly industrialized nations. The number of minor as well as serious injuries and the human suffering and economic loss due to disabilities caused by accidents is inestimable. Thus, while medical science has conquered the ravages of many diseases, accidents have become a new "epidemic" of public health importance calling for equal effort for control and prevention. Among all types of accidents—in the home, in places of work (*e.g.*, mines and industries), at play (*e.g.*, sports) and elsewhere—those caused by motor vehicles claim the largest toll of life and tend to be the most serious.

I think that shows the magnitude of the problem world-wide, and the magnitude of the problem in this State. As I say, we are not doing enough; we are doing nothing effective, in fact, to combat what is going on. As has been often said, no one answer exists to the toll of the road, but there are a number of things which can be done and which, in my view, should have been done long before this, which would have been far more effective than merely tinkering at the Act yet again would have been. May I remind members that in 1960 a Select Committee of the Senate presented a report on road safety which, so far as I can see, has been almost a dead letter. Whether the States, out of pettiness, resented the fact that a Commonwealth House of Parliament had appointed a Select Committee to inquire into this matter and therefore decided to ignore the recommendations made and that is the reason, or whether the States believed that the recommendations were not good enough and not worth while, I do not know but, in fact, few of the recommendations in that report have been put into practice at any level, either State or Commonwealth.

The recommendations of the committee appear at pages 8 to 11, and the following includes the subjects of those recommendations: road safety research; road safety education; traffic management, laws and enforcement; accident reporting and statistics; driver training; driver licensing; speed limits; alcohol and driving; pedestrian control; vehicle inspection. There is a separate set of recommendations relating to the younger age group of drivers (from 17 to 23 years), because this is the only State where one can be licensed at the age of 16. Further subjects are as follows: vehicle design and safety; roads; road safety in country areas; and the Australian Road Safety Council. However, very little, if anything, has been done to improve the situation and the same trend has continued—a trend upwards in deaths, accidents and injuries until road traffic accidents are amongst the greatest causes of death in this country.

Mr. Casey: I think that applies to most countries in the world.

Mr. MILLHOUSE: It does, but I hope that the member for Frome is not suggesting that we can be complacent about this just because it is the same elsewhere. Why can we not take the lead in this matter? The honourable member is keen on taking the lead in regard to the totalizator agency board and things like that: will he give support in this particular matter? Such support will be welcomed from the honourable member and from other honourable members. This is one of the most important topics that we can possibly discuss, and yet I will wager that there is hardly any debate on it and that honourable members will treat it casually. We are tinkering at the Bill as we have done in the past with Bills of this nature. I am not suggesting that the Government is any more at fault than was the previous Government or than is any other Government in Australia. I hope that the Minister will be prepared to consider some of the matters to which I propose to refer. Clause 3, for the first time, imports into the Act the following definition of "footpath":

"footpath" includes every footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles.

It is going to be exceedingly difficult to interpret this definition because so many footpaths are neither made nor constructed: they just occur, as it were, and are there. Let us consider the number of paths that are used in

many suburbs or country towns that are not made at all. Are they to be included in this definition of "footpath"? This will be exceedingly difficult to interpret, as, alas, are many other things in the Bill. There has been a multiplication of words without any clarification of meaning. Clause 9, for the first time imports a definite duty on a person involved in an accident to render assistance if a person has been injured. I doubt whether this provision will do any good at all. If a person is so contemptible and vile as to not render assistance now without the compulsion of law, and does not react to the moral compulsion (which I should have thought everybody felt), then I cannot see that this provision will do any good.

The Hon. B. H. Teusner: It is trying to make people good Samaritans.

Mr. MILLHOUSE: Yes. There is a drafting error in clause 9 (*b*), which states:

(*b*) by striking out the passage "paragraph (*c*)" in subsection (4) thereof and inserting in lieu thereof the passage "paragraph (*d*)".

Paragraph (*c*) is in section 43 (5) of the principal Act. However, perhaps this will be picked up when the Bill is in Committee. Clause 10 inserts new section 45a. On the face of it, this seems good commonsense. It provides:

Notwithstanding any other provisions of this Act, a driver shall not enter upon or attempt to cross any intersection or junction if the intersection, or junction, or the carriageway which he desires to enter, is blocked by other vehicles.

This is the first time, to my knowledge, that the world "blocked" has been used in this Act or in any other Act. I do not know how this will be taken. Does it mean that the roadway is blocked when it is impossible to get a pedestrian through or a motor car through or the particular motor car being driven by the defendant through? This is a gift to the legal profession in interpretation, because this word is being used for the first time and has no precise legal meaning at all. It would have been better if the draftsman had searched around for some other word to use.

Clause 11 provides that the certificate of the Government Analyst as to the alcoholic blood content shall be *prima facie* evidence. This will be included in section 47 of the Act, which deals with drunken driving. I do not oppose the insertion of this provision; it is merely a matter of convenience and there is a safeguard in that if the defendant requires the Government Analyst to be present then he must be present. However, at present in section 47 there is no specific blood alcohol percentage laid down. The section provides:

A person shall not—
(*a*) drive a vehicle; or
(*b*) attempt to put a vehicle in motion, while he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle.

Of course, that must be a matter of opinion, expert opinion perhaps. In fact, it invariably is expert opinion from the police doctor or another doctor and from police officers who claim to be experts because of their long experience with drunks. No definite level is laid down in the Act as to the percentage of alcohol present in the blood. Victoria has, along with 10 o'clock closing, enacted that if a person has .05 per cent of alcohol in his blood then he is deemed (and I think this is the effect of the legislation in Victoria) to be incapable of exercising the effective control of the vehicle required. This State does not have that provision at present.

I believe that a few years ago the generally accepted percentage of alcohol in the blood was .15 per cent: it was accepted that if the alcohol content was above .15 per cent then a person was undoubtedly incapable of exercising effective control, but now the percentage has dropped dramatically from .15 per cent to .05 per cent. This is the standard that is normally accepted where a blood test has been taken. Under our legislation a blood test is not compulsory: it is offered or suggested to a person who has been arrested, but it is up to him to say whether or not he is prepared to give a blood sample. The percentage has dropped, I think mainly as a result of the publication in 1965 by the British Medical Association of *The Drinking Driver*, the report of a special committee of that association. I desire to read out a passage from this publication, because I believe that this is a matter of very great importance and that it is something which it is desirable to insert in our Act. After referring to the British provision regarding tests, and so on, the committee stated:

Subsequent scientific evidence has confirmed the existence of impairment of ability to drive at relatively low concentrations of alcohol in the blood. This evidence is reviewed in the *Proceedings of the Third International Conference on Alcohol and Road Traffic* which was held in London in September, 1962. The following year a panel of international experts discussed the problem during the First International Symposium on Accidents and Traffic Medicine which was held in Rome in April, 1963, when it was unanimously resolved that in no circumstances could a blood alcohol concentration in excess of

50mg./100ml. be permitted in drivers of motor vehicles on the public highway.

Those who are more familiar with the metric system of weights and measures will check me on this, but I think I am right in saying that that is .05 per cent. The committee's report continues:

We have also been impressed by the "Grand Rapids" Survey which was published early in 1964. This survey surpasses all the previous surveys in the sizes of its accident and control samples and in acceptability of design. It confirms the conclusion reached in our previous report *Relation of Alcohol to Road Accidents* that "a concentration of 50mg./100ml. is the highest that can be accepted as entirely consistent with the safety of other road users."

That, I suggest, should be the test. The report continues:

It shows that as the blood alcohol concentration approaches and passes this figure, both the overall accident involvement and responsibility for causing accidents increases rapidly. It shows that at 60mg./100ml. drivers are twice as likely to be responsible for causing an accident; at 100mg./100ml., six to seven times as likely; and at 150mg./100ml., 25 times as likely, when compared with drivers having less than 10mg./100ml. in their blood.

Incidentally, 150mg./100ml. is equivalent to the old accepted figure of .15 per cent. Therefore, the figure of involvement rises very steeply, as is shown in that particular extract. That is all I want to say on that point. As I say, I believe that we should insert this figure in our Act. Certainly, if we are going to have 10 o'clock closing we should follow the Victorian lead and have a similar enactment regarding blood alcohol content and tests therefor in our Road Traffic Act. I think the two should go together. I brought that in, as it were, by the short hairs because this does refer to the question of the certificate of the analyst.

There are one or two other things that I want to mention. Clause 14 creates yet another new offence, as follows:

A driver shall not permit a signalling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put in operation.

It imposes a stunning penalty of $50 for this. I have very grave doubts as to whether this should be an offence at all. I know that people do sometimes leave their blinking lights on; I suppose I have done it myself. However, it is always done by sheer inadvertence and never with any intent at all. Now a lawyer may say to me that there does not need to be intent to commit most of the offences under the Road Traffic Act, but it is never deliberate in the layman's sense of that word. It seems to me to be pretty tough if any of us or our wives or whoever it may be by some mistake leaves a blinking light on—it jams or something—we will be subject to a penalty of $50 for doing that.

Incidentally, it does not say for how long and for what distance the blinking light has to be on; it could be only for a couple of yards or it might be for half a mile. The draftsman has not covered that particular point. It simply says "after the completion of the turn or divergence in respect of which the device was put in operation". I very much doubt whether this should be an offence at all, and I also have grave doubts as to the draftsmanship of this clause, because it does not specify a minimum distance. Most of us when we make a turn would be literally guilty of this offence for an instant or two. Also, I do not believe that there should be as harsh a maximum penalty as $50 for it.

The Hon. B. H. Teusner: *De minimis non curat lex.*

Mr. MILLHOUSE: Yes; as my learned friend from Angas reminds me, the law does not regard trifles. This is one thing on which I hope the Government will be prepared to compromise, anyway, when we get into Committee, because I think this is just over the odds. Clause 19 for the first time (and this may surprise members) makes it an offence under the Road Traffic Act to walk on the roadway if there is a footpath. At present, the only obligation on a pedestrian is to walk on the side opposite to the flow of traffic, that is, walking into the traffic. Now, having put in that rather unsatisfactory definition of "footpath", we then import yet another new offence by saying:

(1) A person—
(*a*) Shall not walk along a carriageway of a road—

That is, where motor cars are—

if there is a footpath on that road:

I wonder whether it is necessary to make this an offence, whether it will help the Road Traffic accident statistics by making it an offence.

Mr. Coumbe: Will it be any benefit?

Mr. MILLHOUSE: That is the point. When will we be able to be sure that there is a footpath if we adopt the definition that is at present in this Bill? I am thinking of my own street and of what I do every morning. I come to town by train every day, for a variety of reasons. I am nearly always late leaving home, and I have to run from my house to the station. Luckily, it is downhill, and I have never missed a train

yet. I always run down the centre of the bitumen because the footpaths in my street are not made; they have never been made at all. It would be impossible to run, with the fleetness of foot that I exhibit, down the footpath. I use this as an illustration.

Mr. Clark: We would appreciate it if you missed it occasionally.

Mr. MILLHOUSE: Another train arrives before the House sits, and I would not miss it for worlds, particularly as the topic of State aid for schools is currently being discussed. That footpath has never been made. Will I commit an offence by running down the road? I am not now, but will I when the Bill passes? Is a footpath one that is curbed, has a water table, one with paving slabs, or one that has become a footpath by constant usage? I do not know, and this Bill does not tell us. This matter should be considered if we want to make this an offence. Clause 25 had a rocky passage in another place, was amended, and now provides for a front axle limit of 6½ tons. I am gratified to know that, because of private representations by the Leader to the Premier, there will be no amendments to this clause. This has not been known outside the House and members, particularly on this side, have been deluged with telegrams about this clause.

Mr. Clark: Both sides.

Mr. MILLHOUSE: Good. I am surprised at the number of telegrams I have received and the places whence they have been sent. I have received them from Whyalla, from the West Coast, and some from Ferryden Park, as well as from the carriers in my district.

Mr. Jennings: Did you notice the way they were worded? Almost identical!

Mr. MILLHOUSE: At last the public is waking up to the fact that they have to keep an eye on what is taking place here. There is far more interest now in what goes on here than there used to be.

Mr. Jennings: They have an active Parliament.

Mr. MILLHOUSE: I thought you said an active Opposition, because the last Opposition slept peacefully for years. It is gratifying to notice the interest that is being taken in these matters. I refer to clause 28, which amends section 162 (*a*), referring to seat belts. I am pleased that the Government has corrected what was obviously (now that I consider it) an error in drafting when I introduced the Bill in the House two or three years ago.

Mr. Clark: Surely not!

Mr. MILLHOUSE: I am always ready to acknowledge my mistakes when I make them: I do not make many but I always acknowledge them. The section was drafted by Sir Edgar Bean at my request, so I had pretty good backing. However, it is obvious that more than one anchorage point is needed for seat belts. I hope this will be the forerunner to the making of the proclamation bringing seat belts into effect. I have received a letter dated January 20 containing information about seat belts and their usage in America. When I introduced the amending Bill (in 1962, I think), I relied heavily on the help and advice I received from Senator Edward Speno of the State Legislature of New York. I have had a letter from him enclosing a news release of the Auto Industries Highway Safety Committee, dated November 2, 1965, on the question of seat belts, which states:

> The surge in seat belt installation is chiefly due to the fact they were factory-installed in front seats of all American-made new cars after January 1, 1964. Rear seat belts are standard equipment in the 1966 models.

America has been and has remained a few jumps ahead of us. It is interesting that the surge in seat belts has come from the voluntary act of American car manufacturers in the installation of belts in all models after the beginning of 1964, and now they are to be in rear seats as well. The news release further states:

> Another factor encouraging seat belt installation is that more than 30 States and the District of Columbia have passed laws requiring seat belts in new cars. More than half a dozen such laws were passed during the 1965 legislative sessions.

That means that substantially more than half of the 50 States in America now have a provision for compulsory installation of seat belts. One specific matter I refer to on road safety, and I hope action will be taken about it. I have referred to this before but no-one took notice of me, neither the press, the Government of the day nor anyone else. It is an important matter to me because, as honourable members know, my family and I spend much time at Moana, a magnificent beach on which the District Council of Noarlunga allows motor cars to be driven. On a hot day at the week-end as many as 1,600 cars are on that beach. The District Council of Noarlunga displays notices, which I think are backed up by by-laws, stating that a 10 miles an hour speed limit operates on the beach. That speed limit, however, is just not observed. It is not so bad on a really busy day when the beach is

packed with cars, because it is then physically impossible to do much more than that speed, although Heaven knows I have seen vehicles doing 30 or 40 miles an hour. It is dangerous on days when the beach is not so packed, and when family groups, with young children running down to the water's edge, are there. Most of these fast drivers are in their teens, many of them owning those beetle cars, Volkswagens, and driving up and down the beach at 40 and 50 miles an hour. We do not allow people to lie or to play on a roadway when traffic is going at this speed but, in fact, that is exactly what is happening at Moana and other places.

The Hon. R. R. Loveday: Do you think cars should be allowed on the beach?

Mr. MILLHOUSE: The solution that I have put to the District Council of Noarlunga (which has not been accepted) is that two ramps should be placed at Moana, one at either end of the beach near where the cliffs come down to the water. Vehicles using the southern ramp should turn to the left, and vehicles using the northern ramp should turn to the right, so that an area in between could be free of motor cars, and so that people who wished to be on the beach in safety could be there. The present position is absolutely unsatisfactory. I know the council receives 1s. a car from the present set-up, and is therefore not very interested in doing anything about it. However, the problem is there, and it will not be long before a child is killed because of this. I have known from my own legal practice of accidents that have occurred on that beach already, for the reasons I have already stated. My complaint is that a speed limit exists but is not observed; it is not policed, and it cannot be policed. A police motor cyclist cannot be there every day of the week, particularly when only a few hundred people may be on the beach, and yet that is the time of greatest danger.

How can one allow his children to be on the beach to run as they wish, to and from the water, when one cannot be certain that in a second some young fool in a motor car will come along at 50 miles an hour and that the child will not run out from a line of cars, unseen by the driver? We allow this danger to exist. I have young children, and it changes one's attitude to these things when one has that responsibility. I become almost emotional about this, especially at this time of the year, because we have just returned from the beach. This dangerous practice of allowing cars to speed at Moana will spoil the beach, and will lead to tragedy unless some action is taken to ensure that the beach is made safe.

Either this has to be properly policed and people have to keep to an upper speed limit of 10 miles an hour, or there must be an area on that beach free of motor cars. Moana is not the only beach at which this problem has arisen. It is mad to allow people to lie and to play, and for children to romp, on what is equivalent to a dangerous and busy roadway. Probably, that is a private gripe, but it affects many thousands of people in this State. I hope my comments will have more effect than they had the last time. I support the second reading, but regret that we are side-stepping what is one of the biggest problems in the community. As I have foreshadowed, I shall raise a number of matters again when we get into Committee.

Mr. QUIRKE (Burra): I support the measure and, like the member for Mitcham, I wish that the amendments made year in and year out to the Road Traffic Act would bear some fruit. I often wonder whether roadways would not be conceivably worse if no regulations governing traffic existed. Every day we hear stories of children and old people being killed, and not always is the driver the cause of the death. Often, particularly with young children, it is misadventure on the part of the child itself, or of elderly people who persist in walking across suburban streets dressed in black on a dark night. Recently, friends of mine engaged a taxi in an eastern suburb to take them into town. The taxi driver was proceeding along a suburban street which was not well lit. It was a dark night and without any warning off the footpath stepped a dear old soul dressed in black. It was only by the grace of God and by much skilful driving that she was not killed. Naturally the driver's remarks were pungent and to the point.

I do not know how we shall ever overcome motoring; I do not think we can overcome it by legislation. We have an abundance of legislation affecting motorists, none of which has the slightest affect on some motorists who break the law in all those things that are part and parcel of our traffic code. If war casualties were as high as the road toll in Australia in any week, the nation would hold up its hands in horror at the sacrifice its young manhood had been called on to make. However, we have grown to accept the toll of the roads and to shrug it off as something about which nothing can be done. Something can be done.

We have meddled with penalties for road hogs and drunken drivers long enough. A person can be fined £100 for driving under the influence of liquor. As honourable members know, I do not object to having a drink; I have a drink practically every day, but I would still penalize gross over-drinking by drivers, not necessarily by fining them but by taking the licence away. When a case of driving under the influence is proved against a first offender, he should lose that licence for six months as a minimum. As happens in other countries of the world, if it is a repeated offence, the driver should, according to the nature of the offence, be prohibited from holding a licence, and forbidden to drive. At the end of, say, five years, he could have a right of appeal and, if he possessed an unblemished record, perhaps he should be given the right to drive. However, the penalty for any further offence should be total prohibition from driving. A person might be an alcoholic and not necessarily a drunkard. Such a man has the urge to drink and he will drink notwithstanding the law; he will break the law repeatedly because of his urge. He is to be pitied because of this urge to drink, and although attempts can be made to cure him this is not an easy matter. However, because of his disability he should not be allowed on the road where he might kill or maim other people.

We must take this matter seriously in hand and I do not care for considering what happens in other States. We have long, open roads that are conducive to high speeds and many people represent a danger when they drive at high speed. Penalties for speeding should be severe because these people are controlling lethal weapons, just as lethal as arms placed in the hands of a soldier for his legitimate use. I will support any penalties for these offences. I do not view clause 11 with equanimity. The member for Mitcham referred to the clause, which provides that the certificate of the Government Analyst shall be *prima facie* evidence of the matters so certified. This provision simply renders it unnecessary (unless it is demanded) for the Government Analyst to appear in court and, of course, much of his time is now taken up in court. The clause is satisfactory for this purpose. However, what is the degree of alcohol in the blood stream that will condemn a defendant in the eyes of the court? The member for Mitcham ably explained that in Victoria .05 per cent is regarded as the pertinent percentage. That is five one-hundredths of 1 per cent. Two ordinary glasses of whisky will produce that alcoholic content. If this State ultimately has 10 o'clock closing and this percentage is regarded as proof of a man's incapability of driving, then it will be best to leave one's car at home, because two convivial drinks can produce this content. The compulsory breath-alyser test provided for in Victoria would show that a man who had drunk two glasses of whisky was incapable of driving a motor car.

I believe the percentage .05 per cent is on the light side, although there must be a starting point and alcohol starts its effect when a person starts drinking. However, alcohol has a different effect on different people. In South Australia a person has to volunteer to have a blood sample taken because no compulsion exists. He often gives permission for the sample to be taken because he is convinced that he is not affected. However, under the Victorian provision he would be adjudged guilty of driving under the influence of alcohol. This reminds me of a doctor abroad who, when asked what was wrong with the skipper of his craft, said there was a little bit of blood in his alcohol stream. The position in Victoria is the reverse of that. As our magistrates are discerning men, they are able to adjudicate on a doctor's evidence. Although a doctor may say that a man is incapable of driving, no standard is laid down. I am inclined to believe that it would be far better to have a standard that could be taken and to use that instead of the hit and miss system we have today.

It is a fact that the liver will eliminate an ounce of alcohol from the blood stream in each hour. Therefore, if a person drinks two glasses of whisky inside an hour the process of elimination has already started, but if he takes the whiskies just before he drives he suffers the full impact of them. All these matters must be considered. It is time references were made to the House so that members could discuss what they believe to be the danger point in blood alcohol content. I know of the case of a man who was so perfectly convinced that the two drinks he had taken would not show in his blood stream to an extent that would prove him guilty of driving under the influence that he volunteered to have a blood test. He had .05 per cent alcohol in his blood stream and he was convicted. That was not quite fair. I query the hit and miss system in our courts today because in many ways it works against the law. It prevents the law from catching up with those in the wrong and can work against those who are innocent to

a degree because they are not guilty of having taken so much liquor as to render them incapable of exercising effective control over a motor vehicle.

A large proportion of the deaths and accients on our roads are the direct result of the intake of alcohol. Nobody can deny that. Every member here will know of people who have driven safely but have taken so much alcohol that possibly their reactions could be dulled and in an emergency they would fail. We have to educate the people or get the people to educate themselves, because they lose their licences if they are caught. I do not believe in massive fines building up the Government revenue for this sort of thing, because, even though the man who is fined heavily is the guilty one, in many instances the money he has to pay out for a fine hurts the whole of his family. I would far rather see heavier penalties of de-licensing.

The member for Mitcham referred to the trafficator offence for which a penalty of $50 is prescribed. I understand that before the Bill was amended in another place the fine prescribed was $100. Who among us is prepared to throw the first rocket at anybody on that? I do not suppose any honourable member in this House, in the present pressure of traffic, has not found himself guilty of this fault. One is supposed to indicate a turn from one lane to the other, and it is the easiest thing in the world not to see that the little winking light is on. Whilst I am not a transgressor of the code to any major degree, there have been occasions on which I could have been picked up because I had gone some little distance with my winking light on. How far one can so travel, nobody knows, for this Bill does not indicate it. At Stanley Flat on the Main North Road turn-off to Spalding there is a long curved road where a person's indicator will work for a good quarter of a mile before it automatically turns off. Incidentally, I think the minimum fine for this should be about 25c, in other words, enough to cover costs. A man and his family should not be punished heavily for something like this. The member for Mitcham has other amendments, and if he does not move an amendment in respect of this matter I shall do so myself. I suggest that a maximum fine of $5 is sufficient for that offence, and if I had my way it would be 50c. However, I know that that would not meet costs. Many people who commit this offence are often innocent of the fact that they are doing so. In fact, I have often tried to signal people to draw their attention to the fact that their winking light was still on, and it was obvious that they were not leaving it on deliberately.

Another point concerns the transport of equipment that is forbidden to be on the roads after half an hour after sunset. The provision does not apply after that time, because the implements should not then be there and a person is liable if they are there. It is prescribed that it shall have two red flags. one on either side, indicating the width. Now the red flag is accepted everywhere as a danger signal, but it has been proved conclusively that it is by no means the best signal from the point of view of visibility. Over the last two years or so the Highways Department has painted all its vehicles and equipment that nasty looking yellow. It has done that because that is the easiest colour to see. The darker the colour, the greater the absorption of light rays, and the lighter the colour the greater radiation of light rays, hence greater visibility. Many years ago when in England I saw a test made on a clear, sunny, frosty day with various coloured pieces of cloth each about 24in. by 9in. The colours, ranging from black to white, were laid out on the snow side by side. The lighter colours such as the very light yellow and the white remained on the surface of the snow because of the non-absorption of heat (in that case), and the darker colours sank into the snow. The reason for the non-absorption of heat by the white cloth was that it reflects the light. It is far easier to drive on a black bitumen road than it is on a very white country road, for white radiates the heat.

I think it is time we had a look at this conflict in colours. On a dull day in the winter time some of these flags that are supposed to be red but are no longer red are not easily distinguished, even in the day time. It might be a big change to transfer from what has been accepted as a danger signal to something entirely different. It is clear that a white or yellow signal at night time is a far better danger signal than is red. In fact, a person would not see red on a dark night. The only genuine red danger signal is the red-backed spider. The old magpie loves spiders, but he will not touch a red-backed one.

I think we should have in our courts a standard regarding alcohol content, for this would help to reduce the toll on the roads. I would not be averse to taking a compulsory blood test, if necessary. I think that is only fair. However, I should like to have something

a bit different from the .05 per cent, which I think is very low. Although I do not like to boast, I do not think I would know I had had that amount of alcohol, so there may be a danger in setting the standard so low. The fine for a breach of the law with a traffic indicator is foolishly high, completely out of line with the offence. It should be reduced to an absolute minimum of $5 instead of $50, as that would be a sufficient reminder for the offender to take care in future.

It is time we looked at the colours. We shall pass this Bill but, unless we do somethink drastic in this State and in other States, the awful toll on the roads will continue. There is nothing here that will go any way to averting the present holocaust on the roads. The only way to stop it is to hit the driver where it hurts him most, if he persists doing these things, and take away his driving licence. Let him keep the money to maintain his family, to buy more boot leather so that he can walk to work, or to pay bus fares. That is the only way to stop him. Unless we take this drastic action, all these paltry amendments to avert the holocaust on the roads will be negatived. I support the Bill.

Later:

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. MILLHOUSE: This afternoon I referred to the definition of "footpath", which is being inserted in the principal Act. This is the first time there has been any definition of, or any attempt to define "footpath" in the Act, and I do not think this is a satisfactory definition. It will be extremely difficult to decide in any particular case whether a footway, lane or other place has been made or constructed for the use of pedestrians. Many footpaths in suburban streets have never been made at all; they are simply the outer edges of roads, because a road is from fence to fence according to the Act. Has the Minister considered the case of a suburban footpath or any other footpath on which no work has been done?

The Hon. R. R. LOVEDAY (Minister of Education): I cannot give a definition covering all the points raised by the honourable member. The Government is prepared, next session, to examine the matter if the honourable member so desires. I ask that the Bill be permitted to go through with the definition as it is now, on condition that the definition will be examined as soon as possible. I realize that the definition is open to doubt and ambiguity.

Clause passed.

Clauses 4 to 8 passed.

Clause 9—"Duty to stop and report in case of accident."

Mr. MILLHOUSE: I point out that in clause 9 (*b*) there is a literal error. In section 43 of the Act, paragraph (c) (which is to be struck out) occurs not in subsection (4) but in subsection (5).

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

In paragraph (*b*) to strike out "(4)" and insert "(5)".

This corrects a drafting error.

Amendment carried; clause as amended passed.

Clause 10—"Entering blocked intersection prohibited."

Mr. MILLHOUSE: This definition is unsatisfactory because "blocked" has no precise meaning. It has never been defined and I doubt whether it has ever been used in an Act before. Does it mean partly blocked, wholly blocked or something else? I ask the Minister to give a similar undertaking to that which he gave on a previous clause, that the Government will examine this matter in the next few months, because I think it could lead to difficulties in interpretation.

The Hon. R. R. LOVEDAY: I think the draftsman thought this was the best way of meeting the situation. However, I am willing to undertake that we examine this again to see whether a more suitable word or phrase can be used. There is no doubt that the two words are different in definition. However, the honourable member has not made a suggestion to replace this with anything.

The Hon. Sir Thomas Playford: "Obstructing" is the word that has been previously used in this Act.

The Hon. R. R. LOVEDAY: I think the Leader will realize on reflection that "obstructing" does not always mean "blocking". We will have another look at this word to see whether something better can be put in its place.

Clause passed.

Clause 11—"Driving under influence—Certificate of Government Analyst as to alcoholic blood content to be *prima facie* evidence."

Mr. QUIRKE: I know the reason for this is that it obviates the necessity for the Government Analyst to attend the court. However, the purpose of this can be somewhat obscure. First, a blood test is not compulsory.

Secondly, who decides whether the Government Analyst's figures constitute evidence that the amount of alcohol in the blood would render the driver unfit to carry on? There is nothing laid down as there is in Victoria, where .05 per cent is the maximum permitted content. I am concerned about the ultimate result of giving that certificate, and I think it would be far better to have a figure specified than to have an indefinite situation like this. We should have a good look at this point.

The Hon. R. R. LOVEDAY: I think the honourable member recognizes that this clause is there for the express purpose of avoiding the presence of the analyst. It does not set out to suggest how the analyst's certificate shall be interpreted, which is the point the honourable member is making. I think this is a matter that requires most careful consideration. I have heard the view expressed that the proportion of alcohol or drug in a specimen of blood does not necessarily mean that it will have the same effect upon different persons; consequently, the matter requires close examination. I think for that very reason alone no figure should be put in here until this matter has been satisfactorily decided after the closest examination.

Clause passed.

Clause 12 passed.

Clause 13—"Right of way at intersections and junctions."

Mr. MILLHOUSE: I did not mention this earlier, but for some reason this clause prescribes a new definition of the "give way" rule, and it seems to me to be twice as long. The present rule, which is defined in section 63 (1), is short; it has been in the Act for many years, and so far as I know it has always been entirely satisfactory. Now we get a long, involved thing that is going to lead to tremendous interpretative difficulty. It seems to be no further forward than it was before. Why has there been this substitution of a short, well understood and satisfactory definition of the "give way" rule by this new one?

The Hon. R. R. LOVEDAY: Even though this may be longer than the other one, there is no doubt whatever as to its meaning.

Mr. Millhouse: You wait and see.

The Hon. R. R. LOVEDAY: I have not had the advantage of listening in on the discussion of those authorities who framed this clause. They are, after all, road traffic authorities, and I am not going to dispute at this junction whether they are perfectly correct. However, I would think they had good reasons for making this alteration.

Mr. Millhouse: I should like to know what they are.

Mr. QUIRKE: I will give the reason for it. We see the situation at an intersection where two cars are facing each other and they both want to turn to the right. Which driver proceeds first? What usually happens is that they both start off together and one chickens out before the other one. The position is overcome in the metropolitan area by a "stop" sign being erected. I do not have a real solution to the problem, but this clause will not solve it.

Mr. SHANNON: I am sure that all problems at intersections can be resolved by the use of common sense by all drivers. Should there be a collision the court takes into account which party has considered the aspect of the danger of a collision.

The Hon. R. R. LOVEDAY: It is recognized that where there is danger of a collision a good driver will not enforce his right of way.

Clause passed.

Clause 14—"Signalling device to be switched off after turn completed."

Mr. MILLHOUSE: I move:

In new section 74a after "operation" first occurring to insert "for more than 200 yards"; and to strike out "Twenty-five" and insert "Five".

A difficulty of definiton exists in this clause. I am sure that a trafficator or a blinking light is not left on deliberately, so the penalty for this offence is out of proportion. A distance should be stated in which the motorist can travel with the light operating before an offence is committed.

The Hon. R. R. LOVEDAY: I am sympathetic to this point, and am prepared to accept these amendments.

Mr. HEASLIP: The Minister has more or less compromised, but I do not think the provision is fair. I challenge anybody in the Chamber to say that he has not at one time broken the law (albeit unwittingly) in this respect. A car may make a turn of less than 45 degrees, in which case the mechanical device will not stop, and has to be stopped manually. Why fine people $10 when they do not even know the device has not cut out?

Mr. McKee: It is to remind you not to forget.

Mr. Ryan: If you were driving down the Anzac Highway—

Mr. HEASLIP: Do I have the floor, Mr. Chairman?

Mr. Ryan: All you want is the room, not the floor.

The CHAIRMAN: Order! I ask the honourable member to confine his remarks to the clause.

Mr. HEASLIP: Can you, Mr. Chairman, tell me the law?

The CHAIRMAN: Yes. The law is that the honourable member must speak to the clause. I shall have no alternative but to ask the honourable member to resume his seat if he does not speak to the clause.

Mr. HEASLIP: Can I do that without being interrupted?

The CHAIRMAN: Order! Will the honourable member resume his seat.

Mr. SHANNON: I think the Minister has accepted sensible amendments. This will apply mainly to those vehicles whose mechanical devices are faulty, and I think the distance of 200yds. is reasonable.

Mr. QUIRKE: I applaud the Minister's ready acceptance of the amendments.

The Hon. R. R. LOVEDAY: I travel along Anzac Highway nearly twice a day and nearly every day of the week, and I find that drivers who change from lane to lane seldom leave the indicator on once they have moved to the other lane. The member for Mitcham referred earlier to the shocking toll on the roads. The police point out that one of the worst features that can contribute to accidents is the lack of drivers' concentration. Flicking the indicator on and off is part of the problem of concentration on driving; the good driver will always give his signals correctly. Therefore, this is an incentive for motorists to concentrate, and a provision that we should support to obtain that concentration. I believe that what I have agreed to is reasonable. If we find that this does not work well we can look at it again next session.

Amendments carried; clause as amended passed.

Clauses 15 to 18 passed.

Clause 19—"Walking on right of road."

Mr. MILLHOUSE: This clause creates for the first time in this State an offence of walking on the road. A good argument could be advanced for making walking on the road an offence when there is a footpath but, because of the unsatisfactory definition of "footpath" in the Bill this provision will be exceedingly difficult to interpret. I hope that the Minister will give an assurance on this clause similar to the assurance he gave on two previous clauses.

Clause passed.

Remaining clauses (20 to 31) and title passed.

Bill read a third time and passed.

IMPOUNDING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2741.)

Mr. HEASLIP (Rocky River): I support this sensible Bill, which merely brings up to date the Act. The original Bill was introduced in 1920. From 1920 until 1962 very few amendments were made. It was not until 1962 that the Act was amended to the extent of bringing up to date the provisions relating to the transporting of cattle for the purpose of impounding them. When the original legislation was introduced, there was no motor transport by road. The only method of getting the animals to the pound was by way of the road and by horseback. I do not know how many members present have endeavoured to drove cattle by road and by horseback, or even on foot, but it is not easy; in fact, it is most difficult.

The Hon. R. R. Loveday: Cattle have a habit of going through the fences.

Mr. HEASLIP: Exactly. It is not so bad where there is a gate through which they go but, when they jump over the fences, it is hard to get them together again. Often, in those days one could not get one's horse into a paddock, and one had to go on foot. The original Act served its purpose for some years before the advent of motor transport. In 1962 the Act was amended by inserting new section 15a, which provided that cattle could be conveyed to the nearest pound in a suitable vehicle. To that extent, it brought the legislation up to date. It did not, however, compensate whoever had to impound the animals. If animals strayed on to a property, the landholder, rather than try to take them to the pound along the road, used his loading ramp, put them on to his vehicle, and took them to the pound by motor transport. Often rangers used such vehicles and bore the expense of the transport rather than having to drive the animals by road to the pound.

This Bill adds to section 15a a new subsection, providing for the recovery of the cost of road transport. It is a sensible amendment, enabling the person who has to do this impounding to use modern methods. I do not think any member will oppose this Bill.

Mr. BURDON (Mount Gambier): In 1962 an amendment to the Impounding Act provided that straying stock on roads could be conveyed to the nearest pound in a vehicle. As has been pointed out by the member for Rocky River, this did not enable the person doing the conveying (the pound keeper or whoever it

was) to collect any fees. This amendment corrects that position. After this amendment was agreed to, it was found that the ranger of a council or a pound keeper could not make a charge or collect any fee when any straying stock was impounded by motor vehicle.

This matter was first raised by the District Council of Mount Gambier and I believe a submission was forwarded to the Minister of Local Government from the South-East Local Government Association in 1964, and that the Minister in turn referred the matter to the Local Government Advisory Committee. The report of that committee is as follows:

Where any such cattle are conveyed by any vehicle to a pound or place to be impounded the ranger or person so conveying them or causing them so to be conveyed may claim the cost of such conveyance and such cost may be recovered in the same manner as a pound keeper's fees and charges.

As most stock today is transported by motor vehicle, I believe this amendment is fair and proper and brings the Act up to date. It is only reasonable to assume that a number of councils and corporations (and there are a few country corporations) would use motor transport to pick up straying stock around towns or other populated centres or, for that matter, any area into which stock might stray. With those few remarks I have much pleasure in supporting the Bill.

Mr. HURST (Semaphore): I, too, support this Bill, which is sound and needs the support of both sides of the House. Indications are that members opposite will vote for it. All of us, irrespective of where we come from, realize the problem of straying stock.

Mr. Jennings: What about the goats at Outer Harbour?

Mr. HURST: At times I have seen goats in that area, in the Semaphore district. If pound facilities are available, I see no reason why the ranger or any other person should not impound any stock and be entitled to reasonable fees.

Mr. Quirke: Do you think you could have got the goats into a truck?

Mr. HURST: No doubt many problems would arise. Persons have to protect their property from straying animals, and it is right and proper that they should be recompensed for any cost incurred because if the animals were not impounded they could do considerable damage.

Mr. RODDA (Victoria): I support the Bill and agree with what has been said. With present developments, we will see more livestock in country areas and this Bill provides that straying stock can be conveyed to a pound in a motor vehicle. Some expense is involved in this and the erring owner should pay this cost. Many difficulties are associated with getting stock to a pound, and the Minister referred to bulls particularly. Bulls have their uses, and I heard one woman in my district refer to them as a necessary evil. This legislation is an important step forward, because there are difficulties in getting animals to a pound. I agree with the section that allows the recovery of the costs involved from the person concerned.

Mr. CLARK (Gawler): I am not a primary producer although I was brought up on a farm and have known the habits of cattle referred to by the member for Rocky River. Some months ago when this Bill was introduced I had a conversation with the Chairman of the Munno Para council about this legislation and subsequently I received a letter from the District Clerk informing me that the council considered this a serious matter because of the number of people of European origin with small blocks between Gawler and Smithfield, whose ideas of keeping stock in paddocks were different from ours. The letter states:

At a meeting of council held on September 6, 1965, the matter of the Impounding Act was discussed, bearing in mind that it is now before Parliament for amendment. My council feels that the fees provided in Schedules 4, 5, and 6 of the Act are so outdated as to border on the ridiculous. It is considered that this would be an opportune time to bring fees payable under this Act into line with present-day costs. The council believes that the outdated scale of fees is the greatest single reason why many councils have closed pounds in their area, and we find that when straying stock does cause a nuisance in this area, there are no pounds for many miles. There does appear to be an increase in the number of cases of stock straying or at large in public places in recent years, particularly in this district. This may be due to the cosmopolitan population, who have not previously been accustomed to keeping their stock on their own property. However, my council could not consider reopening a pound because the costs involved would be far in excess of any charges which could be made under the Act. The council would appreciate your consideration of this matter and, if possible, the inclusion of suitable amendments during the course of the amending Bill.

I understand that other councils have the same experience: they believe that they cannot afford to keep a pound open, although it is necessary to do so in many areas. I hope the

Minister will consider this matter before the Bill is passed. I support the Bill.

Later:

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL).

Adjourned debate on second reading.

(Continued from November 10. Page 2745).

Mr. McANANEY (Stirling): This is an annual amendment, but it is pleasing to see that a committee has been appointed to bring this Act up to date. Many amendments have been made in recent years and it is time the Bill was consolidated. I do not know who are the members of this committee. Often retired people are appointed as members of committees of inquiry, and they do not realize what is needed to meet modern requirements. I hope the committee will consist of young men with business experience, who will bring the Act up to date. Although I have nothing against the individual, I do not agree that a Government officer should be chairman of the board, for that has not worked in the past. A man with outside experience would be better fitted for the task. One of the first amendments effected by the Bill will achieve uniformity in relation to exemptions to councils' assessing annual values. Although this is a good move, the Bill is a little vague; the exemption is to apply to properties "used solely for public worship", but with the tendency for certain clergy to hold rock-and-roll dances, that would perhaps take a property out of that exemption.

Another amendment relates to a councillor's spouse not being allowed to work for the council, which is a good principle. Although this has been limited only to a spouse, perhaps it should include a mother-in-law as well. Further, a councillor is not now to be disqualified from holding office if he supplies his own goods or services to a council at a reduced rate. I am glad that that matter has been clarified, for I remember that, after the 1957 floods in many country areas, councillors, including myself, undertook voluntary work using our own men, plant and equipment to repair such things as local bridges in danger of being washed away. At the time I did not know that I was breaking the law and that I could have been removed from the council. No reason exists why goods and services should not be supplied to the council at a reduced rate.

I believe that consolidations of determinations should be effected occasionally, and there is no reason why individual local government officers should have a right to appeal to the Local Government Officers Classification Board even though wages and conditions have not been altered each time a consolidation takes place. We are told that, with better means of transport, it is not necessary to exhibit the copy of an assessment in the various wards, but that would not be convenient at, say, Tailem Bend, whose residents might have to go to Meningie to examine the assessment book. Further, councils will now be able to insure councillors against death or injury. Although greater risk may generally exist in respect of people working in factories, there is more risk of, say, a heart attack occurring in office work, and this is a necessary provision. The recovery by way of footpath moieties has been increased from 15c to 30c in accordance with increased costs, which is a reasonable provision. If councils cannot levy moieties, less money will be available for this work.

Mr. Lawn: Why can't they lift the rate?

Mr. McANANEY: Your Government has introduced the Bill.

Mr. Rodda: Hear, hear!

Mr. McANANEY: If a member sticks his neck out I cannot look a gift horse in the mouth without chopping it off.

Mr. Lawn: You couldn't chop anybody's head off.

Mr. Rodda: Have you been decapitated?

Mr. McANANEY: There is a limit to the extent that a rate can be increased, and the honourable member's suggestion is most extraordinary. Another necessary amendment provides that councils can jointly borrow money on overdraft for work undertaken in the community interest. Many corporations that are extending out to district council areas have common interests in the provision of hospitals, fire fighting services, and other community services such as libraries, and it will be necessary that money be available to provide such amenities. I agree with the provision relating to sewer extensions, although I take exception to the provision relating to Ministerial control, for I think that reduces the status of a local government body. Local government is the closest authority to democracy because the voter is closest to his elected member. I think that councils are capable, with the boards of health and the Central Board of Health, of conducting their own effluent schemes, as is done in other parts of the world. It is pleasing to see that a right of appeal is provided in these instances.

I think that bringing surf boards under some form of control is a good move. I also think that the amendment that provides for regulating, controlling or prohibiting the escape of water used for irrigation purposes into, upon, or under public streets or roads is good, particularly because spray from the equipment now being used often blows across the roads, marring the vision of persons driving past. This is particularly dangerous if the car windscreen is dirty at the time. Landowners will experience difficulty in locating their pipes, because of changes of wind direction, but I think the power given by the amendment is necessary.

It goes further and provides for the regulation and control of the escape of water under roads, and I think a provision such as this should be inserted in Part 35 of the Act, which deals with rivers, creeks and water courses. In some areas, landowners put gates across creeks, and this causes artificial flooding. There is often argument about whether the person doing that has the right to force water down a natural water course and, at time, across a road. I think that the committee of inquiry should look into this matter of the right of people so to force water along natural water courses and across roads. Further, any provision in this regulation should be inserted in a different part of the Act from that in which it is now proposed to insert it.

Another amendment alters the present position where a court has not the power to order the repayment of an amount in excess of the legal fare charged for taxi-cab hire. Clause 19 adds to the list of authorized witnesses to postal voting in places overseas, and I consider that this is a desirable feature of the Bill in view of the many people who now travel to other countries. Generally speaking, all these amendments will improve the Local Government Act and can be supported. I raise only one or two points in relation to interpretation.

Mr. MILLHOUSE (Mitcham): I support the second reading, and am speaking only because of two matters in the Bill. Clause 14 (and there may be other clauses) refers to shillings and pence. I think the Government ought to "get with it" and realize that we are now in the decimal age and that this Bill should express sums of money in dollars and cents. It will be rather interesting in Committee, when I hope to amend the 1s. 6d. to 15c and the 3s. to 30c, if my arithmetic is correct. I hope that the Government will accept those amendments. There may be other references to pounds, shillings and pence and the Government ought to bring itself up to date and realize that they have gone out.

The other reason why I rise to speak is because clause 17 adds to the matters that will be controlled by local councils. A short time ago, in the debate on the Road Traffic Bill, I refered to Moana Beach (and I do not retract what I said then) and the unwillingness of the District Council of Noarlunga to take certain action. However, this is not the case in regard to surf boards. At Moana Beach, there is now a real danger from the indiscriminate use of surf boards, and a few weeks ago I wrote to the District Council of Noarlunga asking that something be done about that.

Mr. Jennings: They are a danger to dogs, too.

Mr. MILLHOUSE: Susie does not swim: she does not like going into the water; she just barks and asks us to come out. I wrote to the district council because what happens down there at present is that the council puts up notices at the weekends, and the local surf lifesavers keep surf boards 400yds. north of the ramp so that there is a free area. However, this has no legal backing, and the council does not consider itself able to do this on other days of the week.

During the week, when we were on the beach, a young woman in her late or middle teens, most inexpert on a board, almost ran straight into Ann and was most abusive when she was asked to move away from the children because of the danger she was causing. I must say, in fairness to her, that she came back with her boyfriend half an hour later and apologized for her bad manners. For that, I give her top marks.

After I had written to the council, it said that it was aware of the danger and was only waiting until this amendment went through to make a regulation regarding surf boards at Moana. I hope that the same action will be taken in respect of other beaches in that council's area so that there will be free areas. I understand that in Sydney deaths have been caused when people have been struck by surf boards, and I can well appreciate that that is so. I am pleased that this provision is included in the Bill. I hope it will be passed and that the District Council of Noarlunga, among others, will act on it.

Later:

Mr. FREEBAIRN (Light): I should like to make one or two very brief comments on

this Bill. One of the things one misses out on at a conference is the debate that goes on while the conference is taking place. I understand that my colleague, the member for Stirling, made a very fine speech on moieties, and I regret very much that I was not in the House to hear his remarks. I shall not speak at any length in this debate. I merely indicate at this stage that the District Council of Kapunda has a particular interest in one of the clauses of this Bill and, rather than wait until the Committee stage, I would like to read now a communication I have received from the district council to explain its attitude to this clause. The letter states:

I refer to a Bill for an Act, before the House, to amend the Local Government Act, particular reference to No. 17, 530c, Sewerage Effluent Disposal Schemes. This council and Local Board of Health have been concerned for many years and more particularly recent times because of the increased use of water for household purposes, with the problem of poor soakage in the majority of the area of the township of Kapunda. Attempts in many ways were made to overcome this, but with very little success. The Department of Public Health has advised, following a request from this council several years ago, that preliminary work would begin within a few weeks on an effluent disposal scheme for the township of Kapunda. Such a scheme would overcome the above problem, which causes many insanitary conditions. Concerning the proposed new legislation referred to above, it is noted that the recovery of the capital cost and maintenance of operation of an effluent disposal scheme may be recovered by a separate rate from ratepayers in the portion of area benefited by the scheme.

This council and Local Board of Health consider, in their case, that because of the unimproved land value method of rating and the sparse settlement of the town population, that the separate rate method of recovery of costs would be unfair to many ratepayers and unwarranted at present. The application of a separate rate, I assume, would apply to vacant lots in the area where the scheme is situated. The application of a separate rate for a council on rental values and or close settlement may be satisfactory. It is therefore the opinion of this council that any new legislation should be flexible so that a council for its own particular area can use its discretion to implement a suitable method to recover costs. The suitable method to recover costs in connection with an effluent disposal scheme in Kapunda would be by an annual fee system, payable by ratepayers on improved properties, such as houses, hotels, schools, public places, industrial and business premises and not vacant allotments. Provision to recover such costs may already be provided for in the Local Government Act under section 670 (11a) by-laws, in which case amendment or addition to the proposed new legislation is not necessary.

I shall not debate this clause now, as I shall have an opportunity to do so in Committee.

Bill read a second time.

The Hon. T. C. STOTT moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to requests for poll for severance of area.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

The Hon. R. R. LOVEDAY (Minister of Education) moved:

To strike out "Subparagraph (*d*) of paragraph (1) of the definition of 'ratable property' in"; after "amended" to insert "(*a*)"; before "therein" to insert "in subparagraph (*d*) of paragraph (1) of the definition of 'ratable property'"; and to insert the following paragraph:

(*b*) by striking out the passage "and used for the purposes of the University of Adelaide" in subparagraph (i) of the said paragraph (1) and in subparagraph (*g*) of paragraph (2) of the said definition and inserting in lieu thereof in each case the words "dedicated to, or in any manner placed under the care control and management of, and used for the purposes of, the University of Adelaide or any other University in the State or the South Australian Institute of Technology".

Amendments carried; clause as amended passed.

Clauses 4 to 13 passed.

Clause 14—"Power to pave footways."

The Hon. R. R. LOVEDAY: I ask members to vote against this clause.

Clause negatived.

Clause 15 passed.

Clause 16—"Sewerage effluent disposal schemes."

Mr. FREEBAIRN: On reading this clause, I think the reservations made by the District Council of Kapunda are catered for.

Clause passed.

Remaining clauses (17 to 20) passed.

New clause 3a—"Request for poll for severance of area."

The Hon. T. C. STOTT: I move to insert the following new clause:

3a. The following section is inserted in the principal Act after section 27a thereof:—

27b. Notwithstanding anything in this Part contained, not less than one-tenth of the ratepayers of any ward may, by notice under their hands, delivered to the Minister, request that the question whether or not that ward should be severed from the area of which it forms a part and annexed to another area should be submitted to a

poll of the ratepayers in the ward and the Minister may request the council to hold such a poll. Upon receipt of such request from the Minister the council shall hold such poll. The provisions of Part XLIII shall with the necessary modifications apply to such a poll and if the proposition is carried the Governor may make a proclamation giving effect to the proposition.

Some time ago ratepayers in the Taylorville ward across the river from Waikerie, wanted to sever from the District Council of Waikerie and be attached to the District Council of Morgan. A magistrate held an inquiry and reported his findings to the Government. However, as the findings did not meet with the approval of everyone, the controversy continued. The Minister at the time said that a petition should be prepared, but a counter petition was also prepared and some people signed both petitions. I suggested to the Minister that the correct procedure would be to have a poll of ratepayers so that a proper verdict could be arrived at. However, the whole incident pointed to the need for this provision in the Act, as it does not interfere with the right of the Minister to have a magistrate's inquiry should that be desired. If the Minister considers that a poll is necessary the voting procedure is provided for under the Act. This provision would overcome any difficulties, and prevent the presentation of two different petitions. Once the poll had been conducted, the Minister could do what had been requested by most of the ratepayers.

The Hon. R. R. LOVEDAY: I ask the Committee not to accept the amendment, as the Minister of Local Government said this matter could be resolved satisfactorily under the Act. He told me that he had had a case involving a petition for severance, that a secret poll had been held on the matter, and that it had been resolved to the satisfaction of the people in the area. I was informed that this was quite an unnecessary amendment.

The Hon. T. C. STOTT: I am at a loss to understand the reason for the Minister's statement. When the matter in relation to the Waikerie council originally arose, the local government solicitor (Mr. Norman) said it could not be done this way.

The Hon. R. R. Loveday: The Minister said it could be done.

The Hon. T. C. STOTT: Who is right? What the Minister has said is absolutely contrary to what we were originally told. I ask the Minister to reconsider his decision, for the amendment can do no harm.

The Hon. R. R. LOVEDAY: I have been specifically asked by the Minister of Local Government not to accept the amendment and, as I am handling the Bill on his behalf, I am not able to accept it.

Mr. QUIRKE: I can appreciate the Minister's handling the matter on instructions he has received from another place, but I should like to add my support to the member for Ridley, because I understand that the matter was finally resolved only by the former Minister's taking it on himself at the time to seek the consent of the people concerned for taking a final poll.

The Hon. Sir Thomas Playford: That was done rather against the advice of the Crown Solicitor.

Mr. QUIRKE: Yes, I understand the Crown Solicitor was rather dubious about the Minister's authority for doing that. However, it had to be done and, although it was not strictly in accordance with the Act, it worked, both sides consenting to the taking of a poll. The matter was resolved to the satisfaction at least of one side, but a majority of the ratepayers was responsible for the outcome. The measure proposed by the member for Ridley should be inserted in the Bill so that this can be done without question. I ask the Minister not to brush the matter aside so lightly, for his colleague in another place may not be correctly informed as to the desirability of his decision.

The Hon. Sir THOMAS PLAYFORD: I think the amendment is useful. If the Minister examines it he will see that when a request comes to him he still has the power to accept it or not to accept it. It is not compulsory but only permissive for him to grant the necessary power. I assure the Minister that the statement made by the member for Ridley is completely correct. An area that had been out of a council area for many years was brought into one district area, whereupon a petition was immediately signed requesting that it be transferred to another council area. I think that three petitions were signed and two inquiries made by a special magistrate. No agreement being reached, the Government, without any real authority, finally took a consultative poll in connection with it. This was immediately accepted by everyone as a fair and reasonable way to deal with the problem. The ratepayers having given their decision at the poll, the problem, which had extended over two or three years, was solved. Even where a poll has been

taken the amendment provides that the Governor may make a proclamation so that the power rests with the Government at all times. The Minister will have the right to decide whether or not a poll shall be held.

Mr. FREEBAIRN: I support the amendment. One of the first problems I had as a member, in 1962, concerned the District Council of Morgan. The history of the difference went back to the Murray River flood. I am informed that the Morgan council was more helpful to the people of Taylorville than was the Waikerie council. For a time the Taylorville ward was annexed to the Morgan council. The scales swung between Morgan and Waikerie two or three times over several years. I understand that the poll that was finally taken satisfied people in the Morgan and Waikerie areas.

Mr. McANANEY: I support the amendment. In my district many ratepayers unanimously decided to petition. Even though the petition was rejected on technical grounds, the same people were so keen that they signed another petition and the Government finally decided to inquire. By this time a third council had put in a claim and the three councils employed highly paid solicitors to find out which would have the 28 ratepayers concerned. However, when the costs became apparent they did not proceed. I believe that the Bill should provide for a poll to be held so that expensive litigation can be avoided.

The Hon. T. C. STOTT: Should no provision for a poll be made in the Act and a situation similar to the one to which I referred arise, if the Minister took a poll outside the provisions of the Act some litigous individual with plenty of money and a desire to fight the Government might take action and cause an upset. I ask the Minister to accept my new clause.

The Hon. R. R. LOVEDAY: I have consulted with my colleagues on this question. Personally, I can see nothing wrong with the amendment, and I am prepared to accept it.

New clause inserted.

Title passed.

Bill read a third time and passed.

NURSES REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2746.)

Mrs. STEELE (Burnside): I support this Bill, which has been on the Notice Paper for a long time. Fortunately, I was prepared for it when it suddenly was swung upon me with the postponement of the two items higher on the Notice Paper. This Bill, of course, has come down to us from the Legislative Council and, as I have indicated, I support it in the form in which it has been introduced in this House. It has two main purposes: first, to enlarge the Nurses Registration Board; and secondly, to permit mental nurses who were previously on one roll to be registered on both the mental deficiency and the psychiatric nurses register. I wish to deal first with the reasons that led to the recommendation that the Nurses Registration Board should be enlarged. As all members know, in recent years recognition has been afforded to several new disciplines within the nursing profession. For instance, in 1954 the Act was amended to make provision for the registration and employment of mothercraft nurses. In 1959 the Act was further amended to provide for nurses aides, and in 1964 the Act was further amended to provide for dental nurses to be recognized under it.

I believe that the importance of these new branches of nursing has been realized because of the service that they have given to the public. In their particular spheres these girls undergo a certain amount of training to fit them for the role that they play in relation to the profession or branch of the profession that they serve. Because of the amendments to the Act in the years to which I have referred they have, of course, been given status for their profession, and they are now recognized as playing an important part in it. In achieving this they have in return been given the obligation to place their names on a register so that they can be properly looked after with regard to their profession and so that we will know exactly how many of these people are employed in carrying out the work they do. Likewise, special nursing training is required in treating mentally deficient and psychiatric patients. This was rightly recognized by amending legislation which became effective in April, 1964.

To meet the requirements of new developments that have occurred over the period of years from 1954 onwards, it is now intended that the Nurses Registration Board should be enlarged and that, as from the time that the Bill comes into force, the board should consist of two persons nominated by the Minister of Health, one of whom shall be the Director of Mental Health or a person nominated by him. There are to be five members nominated by the Royal Australian Nursing Federation (South Australian Branch), one of whom shall be either a registered psychiatric nurse or a

mental deficiency nurse to represent such nurses, and one of whom shall be either a registered mothercraft nurse, a nursing aide or a dental nurse and shall represent the nurses who make up this branch of the profession. One member is to be nominated by the South Australian Branch of the Australian Medical Association and two are to be nominated by the South Australian Hospitals Association. This makes 10 members in all. As a matter of history, the Royal British Nurses Association, which at one time was represented on the Nurses Registration Board, is no longer represented because the organization has practically ceased to exist.

Mr. Millhouse: Why is that?

Mrs. STEELE: I think that it was a branch of the British Nursing Federation and now, of course, we have the Australian Nursing Federation (South Australian Branch), so it has been superseded by nominees from this organization.

Mr. Millhouse: That is rather sad, isn't it?

Mrs. STEELE: I think that it is similar to the Australian Medical Association taking the place of the British Medical Association.

Mr. Millhouse: That was just foolish, as doctors now realize that their subscriptions have gone up instead of down.

Mrs. STEELE: I do not know whether belonging to the Australian Nurses Federation instead of to the Royal British Nurses Association has had the effect of making the subscriptions of the nurses go up. I consider that the division of the profession with five nursing representatives on the board is fair. It is made up of three representatives representing about 7,250 members of the nursing profession, one representative representing about 800 psychiatric and mental deficiency nurses, and one representative representing mothercraft nurses, dental nurses and nursing aides. I am not sure of the number represented in the last category because I had difficulty in trying to obtain those figures. It is proper that there should be separate representatives for each of these particular groups.

We all know that this board has a professional function, and one has only to look through the nominees and at the people who represent the various groups of people to realize that this is a professional board. The body is responsible, first, for courses of training and, secondly, for standards of examination. Therefore, the board is important to the nursing profession. I believe it is proper that there should be particular representation on the board as the new nursing disciplines have necessitated a different approach to the interests and needs of their members and to problems that sometimes occur in the course of their occupations. These problems and the interests and the needs of these people require the consideration of those who are familiar with the particular discipline and the requirements of that particular calling. For instance, mental nurses are trained differently to undertake the care of mentally defective and psychiatric patients, and they may not need to cover the same standard pattern of general nursing training. On the other hand, they need training in different directions altogether. They have to know how to approach the problem of handling and nursing a person who is mentally or psychiatrically disturbed, and therefore their training is along rather different lines. Similarly mothercraft nurses, nursing aides and dental nurses undertake shorter courses and their training is not quite so comprehensive, but they, too, are given particularized training and instruction in fields specifically related to the branch of nursing in which they are engaged.

Another function of the board is to initiate and investigate means of, first, attracting more girls to the profession and, secondly, of devising means of retaining the services of fully trained nurses in country hospitals in particular (it is often difficult to keep them because of the shortages of domestic staff and nursing aides) by encouraging girls, who do not wish to make nursing a full-time career, to relieve the fully trained nurses of certain duties. We are very much aware of this acute problem, which particularly affects country hospitals. I know the problem has been exercising the minds of leaders of the profession, who have considered what can be done to encourage girls to come into the profession. I shall have a word or two to say about that later.

Mr. Casey: Did the honourable member see a newspaper report about a week ago of something that occurred in relation to nursing in the North?

Mrs. STEELE: I have the article here, and it is most interesting. It is one of the best things that has happened in relation to nursing for a long time. The second purpose of the Bill is to permit nurses who were registered as mental nurses before the operation of the 1964 legislation (which provided for one register for psychiatric nurses and another for mental deficiency nurses) to be placed on both registers. This amendment has been recommended by the Nurses Registration Board,

which has recognized the more advanced training that mental deficiency and psychiatric nurses now undertake in a field in which so much development has taken place in recent years. Over the past 10 years the status of nurses who graduate in these particular branches of nursing and medicine has been immeasurably raised, and I think this has been due largely to the fact that we brought to South Australia that very enlightened and advanced expert in mental health, Dr. William Cramond, who is now Professor Cramond and who holds the Chair of Mental Health at the Adelaide university. He came here as Director of Mental Health, and in the years he has been here he has done a tremendous amount to change the attitude of the public and the profession towards mental illnesses and patients. I do not suppose there is one member of this House who does not know of the work he has done, the lead he gave and the way in which he inspired the newly formed South Australian Association of Mental Health, the Chairman of which is Dr. W. A. Dibden, another person who has given great service in promoting public knowledge in the field of mental health. Many of the recent advantages and much of the change in attitudes of the public and the professions alike towards mental health are very largely due to these two men.

Another thing that has created much interest has been the Barton Pope lectures, which have been made possible through the generosity, interest and understanding of Sir Barton Pope, a leading industrialist in South Australia whose name is given to these lectures, which are held annually. Leaders in the field of mental health come to South Australia, and deliver public addresses which are held at the Bonython Hall. The South Australian Association of Mental Health was the driving force behind the establishment in South Australia of the Chair of Mental Health now occupied by Professor Cramond. A vigorous committee and auxiliary were responsible for raising much of the money needed to establish this chair. This is all by the way, but gives the background to the changed attitude generally to mental health.

The new subsections inserted in section 19 of the principal Act by the Bill provide for former mental nurses to be entered on both registers (except former mental nurses who were not qualified and who must pay the appropriate fee) without the payment of fees.

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

Mrs. STEELE: Some time ago there was a move for disallowance in another place of a regulation which would have had the effect of raising the status of nurses in South Australia and whose principal aim, of course, was to raise the minimum standard of entry into the profession. As I said, that was disallowed, so it did not come into this Chamber for us to have a look at. I understand and I sympathize and I commend the very real and earnest desire of members of the nursing profession to raise the standard of entry into nursing, mainly so that nurses would be better qualified to meet the needs of nursing under the highly developed techniques of medicine and surgery today. We all realize only too well the great advances that have been made even since the Second World War. This has occurred in all branches of medicine and surgery, and to meet these advances new techniques of nursing have had to be developed. Therefore, the desire of the nurses was (quite understandably, I consider) that there should be a higher minimum standard of entry. However, I think a little reflection would show that many of the leaders of this very humanitarian profession entered training hospitals meeting the same qualification standards as girls are doing today.

We know that some hospitals have different standards of entry from others and that generally speaking it is the Intermediate standard and no higher. I think this is the requisite of the Children's Hospital, whereas I believe that girls entering the Royal Adelaide Hospital, for instance, do not necessarily have to possess an Intermediate certificate; recommendations of the headmistresses of the schools which they attend that indicate ability and aptitude for entering the nursing profession can result in girls being accepted for training, and I think it quite possible that many very fine nurses today were girls who entered in their teens not having attained the Intermediate standard of education. Today, of course, this is the minimum standard that is prescribed for entry to many professions, and I think quite understandably the leaders of the nursing profession consider that they, too, should raise the status of their profession by insisting that this should be the minimum standard. This does not say, of course, that the girls who enter the profession should not strive to have higher qualifications, and in fact many of them do; many go on and do their Leaving certificate. and even perhaps Leaving Honours, and still want to make nursing their career in life.

I think that perhaps they are quite justified in feeling frustrated that for such a highly

skilled calling the minimum standard was not raised. If we are unfortunate enough to have to go into hospital for medical or surgical reasons, we want to feel that the girls who are looking after us are very highly trained and have the qualifications and skills to make us feel that we are being well looked after. However, in its wisdom, Parliament, represented by one of the Houses in this State, considered that the minimum standards were sufficient for the present. It is rather interesting, of course, that one of the reasons that led to the disallowance of the regulation was that it was very hard to attract girls to the nursing profession, and that many hospitals in the country were finding it increasingly difficult to find sufficient people to man the hospitals. Who of us has not read of hospitals which have had to close down or send out an S.O.S. for married nurses and others to come back and help because of their shortage of matrons or dually or triply qualified nurses? So it was of particular interest when an article appeared in the *Sunday Mail* not very long ago telling of a very interesting experiment that had been undertaken with the idea of attracting girls to country hospitals. It is headed "Nurses to Spare: It's a Miracle". In fact, I am certain that is what we all felt when we read it, because it is something that has not happened for many years. The article stated:

> Seven South Australian country hospitals, desperate for trainee nursing staff for years, have suddenly felt they have seen a miracle performed . . . they have all the trainee nurses they want with hundreds to spare.

The secretary of this Group III of the Upper North hospitals, according to the article, said:

> It completely amazed us. We are still getting over the shock . . . Finding adequate nursing staff has been the big bugbear of all country hospitals. For years we have tried, or thought we had tried, every possible way. Trainee nurses and nursing sisters remained as scarce as diamonds in spite of publicity and appeals.

He went on to say that, despite all the publicity and all the appeals made through the press and by all other forms of media, it had still been impossible to get staff for the hospitals. Although I had this article here to quote from, the member for Frome (Mr. Casey) has prompted me on this matter because it is the district he represents in Parliament which contains some of this group of seven hospitals that took part in that interesting experiment. Those hospitals concerned were Quorn, Hawker, Jamestown, Peterborough, Booleroo Centre, Crystal Brook, and Orroroo. Those hospitals put a full-page advertisement in the *Sunday Mail* for 19 trainee nurses, thinking that they might perhaps get 10 to 15, and by the Thursday night following that weekend they had received 300 applications. A later article I think indicated that these particular hospitals were all willing to make their advertising or publicity techniques available to other hospitals, and in fact they were perfectly willing to pass over to nearby hospitals the surplus of nurses who replied to this advertisement. If this campaign can be successful in one part of the State, and if it can be mounted in strength somewhere else and the intermediate needs of the hospitals in South Australia met, then I will be in the vanguard of those who press for higher entry standards, because the hospitals will have found the staff they need and will be in a position to be more selective.

This Bill has been on the file for a considerable time, and I know that all members have received correspondence from the nursing federation pointing out the difficulties under which the profession is labouring and the desire of the nursing profession to raise the standard of nurses and the standard of entry into the profession. I think the Bill has been the medium of showing us how far the nursing profession has advanced and how diverse nursing has become, with so many branches looking after so many different kinds and types of illness and disease. I think we in South Australia will in time attain the stage reached by some countries overseas (so I have read in journals and papers) where the system is being evolved where specially trained staff run the wards and carry out general duties leaving highly qualified nurses who are particularly proficient to specialize in the nursing of specific conditions and diseases of the body. In some countries the authorities are introducing degrees in nursing into universities but I consider that day will come in Australia only when sufficient nurses are attracted to the profession to meet not only the current needs but the foreseeable needs of nursing in the future. In South Australia, as in other States of the Commonwealth, the Government has, over a period, promoted and encouraged post-graduate nursing by making a grant to the Australian College of Nursing. Although it is not a large one and other means have to be found of raising funds to make post-graduate scholarships available, several nurses from this State go to the Australian College of Nursing Training Centre in Victoria each year and return here to take their places as leaders of

the profession in the various fields of nursing in which they have been trained. I have been particularly interested and closely associated with this college, and know the excellent work it has done and the fine women who are associated with the profession.

Any future move to raise the minimum standard of entry to the profession will have my support when it has been clearly demonstrated that we have sufficient nurses in training to make the entry of nurses to the profession more selective. I support the Bill in its present form. In another place it was suggested there should be some outside representation on the Nurses Registration Board, but I believe this to be a professional board concerned with the education, the training, and the raising of the standards of the nursing profession generally in this State, and for that reason I support the Bill.

Later:

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

[*Sitting suspended from* 7.45 *to* 8.9 *p.m.*]

EMPLOYEES REGISTRY OFFICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2755.)

The Hon. C. D. HUTCHENS (Minister of Works): When I sought leave to continue my remarks I was making a very brief reply in this non-controversial debate. The honourable member for Stirling was the only Opposition member who spoke, and he offered no strong objection to the Bill. In fact, apart from raising one or two queries, he supported it. The Bill improves the conditions under which employees' registry offices may gain licences. This Act has not been amended since 1953 and, since then, great changes have taken place, particularly in the number that are registered now compared with the number registered in that year. In fact, whereas there were only three registered offices in 1953 there are now 21.

The existing law does not provide for the registration of a partnership or a company, and the Government considers that with the development of the State such a provision is necessary. The only other provision in the Bill I should like to refer to is the one that extends the relevant area. The Bill extends the metropolitan area in the manner described in the Industrial Code, whereas previously the legislation provided for that area to consist of a number of House of Assembly districts. Therefore, a much greater coverage will now be provided. I am confident that there will be no objection to the Bill, and I commend it to the House.

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

PUBLIC SERVICE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2747.)

Mr. SHANNON (Onkaparinga): This is a good Bill, ensuring that certain employees in various Government institutions will not suffer any disability because of changed conditions, but will enjoy the same privileges.

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

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2746.)

Mr. MILLHOUSE (Mitcham): Speaking from the table of the House, as I believe I am entitled to do, I am prepared to say that I support the Bill.

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

PHYSIOTHERAPISTS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2753.)

The Hon. FRANK WALSH (Premier and Treasurer): This debate was previously adjourned because of a conference between the Houses.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Annual subscriptions."

Mr. HALL: I move:

In paragraph (*a*) to strike out "six guineas" and insert "twelve dollars".

I do not know whether the Decimal Currency Act provides that references to money in this clause should be in the new currency. However, I do not believe the loss would be great to those concerned if the fee were made $12 instead of six guineas.

Mr. Millhouse: There is no justification for the increase at all.

Mr. HALL: That may be so, but if the fee is being doubled surely it should be $12 and not six guineas.

The Hon. FRANK WALSH (Premier and Treasurer): I understand that the Decimal Currency Act will provide for the necessary changeover of currency referred to in this Bill as well as that referred to in other Bills.

The Hon. Sir Thomas Playford: I think it will apply only to figures in legislation passed before that Act was passed.

The Hon. FRANK WALSH: In view of the questions raised, I ask that progress be reported to enable me to obtain the necessary information.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 11.6 p.m. the House adjourned until Thursday, February 17, at 2 p.m.