

## HOUSE OF ASSEMBLY

Thursday, October 13, 1966.

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

### SUCCESSION DUTIES ACT AMENDMENT BILL.

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

### LOTTERY AND GAMING ACT AMENDMENT BILL (T.A.B.).

His Excellency the Governor, by message, intimated his assent to the Bill.

## QUESTIONS

### STATE'S FINANCES.

Mr. HALL: A report in today's *News* tends to give a rosy and optimistic view of the State's finances. Under the heading "State's Finances Lift—Brighter Month", the article refers to the temporary lag in revenues. In explanation of my comparison with last year's receipts on which I base this question, I draw the Treasurer's attention to the fact that if he takes the lag for this quarter compared with last year's first quarter's receipts in respect of water, sewerage and rail, and deducts this amount from the first quarter's deficit, the deficit is still greater than it was at this time last year. Subtracting the lag of \$3,255,000 from the deficit as it stands in the latest Treasury statement still leaves a deficit of \$2,130,000. As this lag is the prime factor on which the Treasurer has based his excuse for the size of the deficit, how can he say the State's finances are brighter?

The Hon. FRANK WALSH: I authorized a press release on the State's finances today, but in case it has not been read as fully as it might have been, I point out that the financial figures for September, 1966, show an improvement. The surplus in Revenue Account for the month was \$2,221,000, as compared with \$2,070,000 in the previous year. The month of September ordinarily shows a surplus because of the relatively low interest commitments, in contrast to August when high interest commitments and an additional pay-day for teachers result in a heavy deficit. The aggregate deficit for the quarter to the end of September was \$5,385,000, which is above the figure of

\$1,642,000 at the same time last year. The main reason for this difference is the alteration in timing of water and sewer accounts, which have produced \$2,034,000 less than was produced in the first quarter of last year, although in a full year an increase of over \$2,000,000 is expected. This lag in water and sewer revenue is purely temporary. Loan Account expenditure for the quarter was \$18,942,000, or 24½ per cent of the estimate for the full year. This compares with \$17,923,000 for the first quarter of the last financial year.

Mr. MILLHOUSE: Naturally, I listened with great attention to the Treasurer's answer. As I understand it, the reason he advances for the substantially greater deficit at the end of September than at the end of September, 1965, is the lag in the water and sewer rate collections amounting to over \$2,000,000 (if I heard him correctly). I believe this does not altogether account for the greater deficit. When does the Treasurer expect this lag in collection of water and sewer rates to be made up?

The Hon. FRANK WALSH: Although it is not a direct estimate of when it will be made up, I have already indicated that the lag is temporary and will be made up as the financial year proceeds.

Mr. HALL: As I do not believe that the Treasurer would refuse to answer a question about the finances under his control, I can only assume that he did not hear all of the question I asked about this year's figures, based on comparisons with last year's, until now. For the first quarter of this year, compared with that of last year, I pointed out that the lag in revenues because of the factors explained by the Treasurer as the causes for this year's large deficit—

The SPEAKER: Order! Is the Leader asking the same question as the one he asked earlier?

Mr. HALL: My question was not answered by the Treasurer, and I am attempting to put the basis of it to him.

The SPEAKER: I cannot help that. I cannot allow the same question to be asked twice.

Mr. HALL: I shall ask the question on the principle of the matter. Is the Treasurer refusing to answer my question, or is he unable to answer it?

Mr. McANANEY: As I notice in the Treasury figures for the three months concerned that stamp duty revenue is lagging at the rate of about \$3,000,000 a year, can the

Treasurer say whether that is because of a slowing down of business in South Australia, or does he expect to obtain more revenue from the various increases in taxation that he has indicated?

The Hon. FRANK WALSH: I shall obtain a complete report for the honourable member.

Mr. MILLHOUSE: My question arises from the Statement of Consolidated Revenue Account for the month of September which the Treasurer was kind enough to send to me (as he does every month), and I hope he can answer my question. I notice, under the payments column, that the total payments so far for debt services are only \$12,030,000 and the Budget estimate is \$60,246,000 for the year, so that the payments under this head for the first quarter of the year amount to only one-fifth of the Budget estimate. Especially as this is, of course, an advantage to the Budget figures up to the present, can the Treasurer say what is the reason for this significant lag in payments under this head?

The Hon. FRANK WALSH: I do not even have a copy of the statement I sent to the honourable member and to other honourable members. As any answer I gave now would be a guess, I will obtain a report.

#### BRIGHTON ROAD.

Mr. HUDSON: Earlier this session I asked the Minister representing the Minister of Roads a question about the rebuilding of Brighton Road between Stopford Road and Dunrobin Road, and was pleased to hear that the work would proceed later this year. My question today concerns the section of Brighton Road south of Stopford Road, and the section north of Dunrobin Road to Oaklands Road. Will the Minister of Lands obtain from the Minister of Roads a detailed report on the department's future plans on the rebuilding of these sections of Brighton Road?

The Hon. J. D. CORCORAN: Yes.

#### SEATON SCHOOL.

Mr. HURST: Has the Minister of Works a reply to my recent question about the playing area at the Seaton Boys Technical High School?

The Hon. C. D. HUTCHENS: The honourable member will recall that in January of this year I informed him that the development of the playing areas of the Seaton Boys Technical High School and the Seaton North Primary School was to be considered as a joint project. The position at the time was that only the high school committee had the necessary finance to

provide for the installation of a reticulation system at its oval, and that the project was therefore to be held in abeyance until the primary school committee obtained sufficient funds for a similar installation at the primary school oval. This position has since been achieved by the primary school committee. An estimate of cost was subsequently prepared and approval given so that the design for the levelling and top-soiling of both ovals could be undertaken jointly. Tenders have been received for this work, which is estimated to cost \$26,295, and which must be carried out prior to the grassing and reticulation of the oval. The Director of the Public Buildings Department has supplied the following report:

In addition to the proposed filling, levelling and top-soiling of the ovals, investigations have been carried out into the most economic method of providing a suitable water supply for the irrigation of these ovals. Investigations by the Mines Department reveal that a suitable water supply could be more economically obtained by the sinking of a bore. The estimated cost of sinking and equipping a bore is \$8,500. It is expected that by sinking a bore, annual savings on water costs would be \$1,250 to \$1,500 a year. The cost of the bore and pumping equipment would normally be met by the Government and approval has yet to be sought for this expenditure. The total estimated cost to the Government for the development of these school ovals, apart from the cost of subsidizing the grassing and reticulation of the ovals, is \$34,795. To proceed with the forming of the ovals by accepting the tender received and to instruct the Mines Department to provide the water supply involves the approval of, first, the additional expenditure of \$1,495 on ground formation, making a total of \$26,295; and, secondly, the expenditure of \$8,500 on sinking and equipping the bore by the Mines Department.

I understand that the Education Department has funds available for the installation of the reticulation system under subsidy arrangements. The Education Department and the Public Buildings Department are at present reviewing the priority of work of this type in relation to the need of funds for new school buildings. The overall project will now be considered by the Education Department.

#### PRESIDENT'S VISIT.

Mr. FREEBAIRN: My question, I should think, would come under the heading of "State pride". We know that the President of the United States of America is visiting Australia shortly. It has been reported that he will visit the more populous States and, according to this morning's press, he will also visit Queensland. Has the Premier invited the President to visit South Australia? If not, will he do so immediately?

The Hon. FRANK WALSH: By the time this Government was told that the visit was to take place there was no opportunity to extend the length of the President's visit so that he could come to South Australia. Although the President's visit has now been extended to part of Queensland, it is not possible to extend it to any part of South Australia.

#### JUSTICES OF THE PEACE.

Mr. McANANEY: I understand that some persons who have been justices of the peace for 50 years are to receive recognition in the form of a certificate from the Justices Association. I have been requested to ask the Attorney-General whether the Government intends to accord these justices some recognition for their long service.

The Hon. D. A. DUNSTAN: I have not been communicated with by the Justices Association on this score, but if the association would like the Government to co-operate with it in this matter I would certainly take the matter to Cabinet.

#### HIRE-PURCHASE.

Mr. BURDON: Early last session I referred to hire-purchase and the difficulties this type of business can and does cause widows and their families following the death of the breadwinner, as these families often find themselves in financial difficulties. The question previously asked of the Attorney-General dealt with the possibility of implementing legislation to cover hire-purchase transactions by compulsory insurance to protect the wife and family in these unfortunate circumstances, and I understand certain contracts contain this provision. Can the Attorney-General now say what, if any, progress has been made on uniform hire-purchase legislation, and whether this problem is being considered?

The Hon. D. A. DUNSTAN: The Standing Committee of Attorneys-General arranged that a research project on the whole field of credit-purchase transactions should be undertaken by the University of Adelaide in conjunction with the Attorney-General's office in this State. Mr. Kenneison of my office is co-operating with a team set up by Professor Rogerson to obtain the necessary material for the project. It will be some time before the research team can make recommendations to the Standing Committee. Considerable information has already been obtained, but the committee is examining some quite radical alternatives to the present Australian legislation, and in conse-

quence it cannot be expected that any measures will be coming forward from the committee this session, and there will not be any recommendations of the Standing Committee, I should think, until some time well into next year, if then. I hope that we may have some preliminary suggestions from the research project by that time. In the meantime, some emergency legislation has been introduced in some other States. So far, however, that has not covered the matter raised by the honourable member. The research project will deal with this aspect as well as with all other aspects of credit purchase transactions. I do not expect that before Christmas we will consider emergency alterations to the Hire-Purchase Agreements Act such as those that have been introduced in Tasmania. However, there will be introduced this session an unfair trade practices code dealing with several unsatisfactory features of hire-purchase and other sales transactions, and, although that code will not include the matter raised by the honourable member, it will give relief from some of the worst kinds of transactions that are causing difficulty at present. I do not think I can take the matter further at this stage.

#### CHILDREN'S INSURANCE.

The Hon. B. H. TEUSNER: Has the Minister of Education the information I recently sought concerning the insurance of children attending State schools against accidents at school?

The Hon. R. R. LOVEDAY: Inquiries have been made and it has been ascertained that about 45 per cent of all children in departmental schools belong to the special schools' insurance scheme operated by one of the insurance companies.

#### PARA VISTA SCHOOLS.

Mrs. BYRNE: As tenders closed on September 20 for the erection of an infants and a primary school at Para Vista, can the Minister of Works say whether tenders have been let?

The Hon. C. D. HUTCHENS: I do not think that tenders have been let, but I will obtain the information for the honourable member.

#### DRIVING LICENCES.

The Hon. T. C. STOTT: An article in this morning's *Advertiser* concerning the provision of driving licences for young people states:

The Royal Automobile Association had asked the State Government to introduce a system of probationary driving licences in South Australia as soon as possible, an association spokesman said yesterday. The request followed

an examination by the association of reports on the New South Wales probationary system, which was introduced early this year. The system allows the cancellation or suspension of licences of new drivers on their conviction for prescribed driving offences. The spokesman said that police and traffic authorities in New South Wales were very pleased with the results of the licence system during the short time it had been in operation.

Can the Premier say whether Cabinet has further considered this matter and, if it has, with what result?

The Hon. FRANK WALSH: I said earlier that Cabinet favoured the introduction of a provisional driving licence for new drivers of motor vehicles and as it favours the introduction of a scheme similar to that operating in New South Wales, this will be implemented as soon as possible.

#### NAIRNE PYRITES.

The Hon. G. G. PEARSON: The Leader of the Opposition asked the Premier a question about Nairne Pyrites Proprietary Limited, to which a full reply was given on October 4. In this morning's newspaper the chairman of directors of a phosphate company in Adelaide, when reporting to the annual meeting of shareholders, said that the limit on the supply of sulphuric acid was a "serious problem", but that the new sulphuric acid plant at Port Lincoln, which was now expected to begin production in November, was a step to overcome the shortage. He also said that manufacturers were spending much money on additions to plant in an endeavour to cope. The consumption of superphosphate in this State is increasing rapidly, and the steps outlined by the chairman of this company for the sulphuric acid plant to be installed would depend largely on the availability of imported sulphur. The supply of sulphur under varied world conditions is rather uncertain and this was the reason some years ago for the establishment of the Nairne pyrites company. Can the Premier say whether at any time during his financial discussions with this company it suggested that it might be able to increase its output of sulphuric acid if it had sufficient finance to develop the industry? At present sulphur is imported, but the expansion of local industry is a better way of solving the problem, especially as the consumption of acid is increasing and will continue to increase over the next 10 years.

The Hon. FRANK WALSH: I will obtain a report, but I am sure that there was no question of financial difficulties in respect of Nairne Pyrites Proprietary Limited.

#### CITY TRAFFIC.

Mr. COURCE: Has the Minister of Lands a reply to my recent question about traffic congestion in the city and North Adelaide, particularly at the Albert bridge, Frome Road?

The Hon. J. D. CORCORAN: The Minister of Roads reports that the locality referred to is under the jurisdiction of the Adelaide City Council, but it is known that the traffic requirements in this vicinity are being examined as part of the Metropolitan Adelaide Transportation Study. The results of this analysis should be available in the first half of 1967.

#### PARILLA ELECTRICITY.

Mr. NANKIVELL: Has the Minister of Works a reply to the question I asked on October 5 about the construction of the Parilla single wire earth return extension?

The Hon. C. D. HUTCHENS: The Electricity Trust intends to commence work on the Parilla single wire earth return extension later this financial year. Because of the amount of work required on this extension, it will not be possible to complete it during this financial year.

#### WATER RATES.

Mr. BURDON: I have received a letter from a constituent, who is a widow supporting a child attending school, and whose only source of income is the widow's pension. As this person now finds herself in the difficulty of being unable to pay her water and sewer rates, can the Minister of Works explain to the House the Engineering and Water Supply Department's policy on situations such as this? Naturally, greater difficulty will be experienced if a water supply to this person's property is disconnected.

The Hon. C. D. HUTCHENS: First, water is not cut off when people are unable to pay an account: the supply is restricted when people who can afford to pay make no attempt to pay. Sufficient water is always let through the meter to enable toilet facilities to function and to allow a householder to obtain water for health reasons. Concerning such cases as the case outlined by the honourable member, relating to people in sad circumstances who are unable to pay water and sewer rates, such people are able to arrange with the department to pay, if possible, by instalments. If they are unable to pay by instalments they may arrange for the rate to be charged against the estate which then becomes a first charge on the estate when the person concerned dies.

#### AGINCOURT BORE SCHOOL.

The Hon. T. C. STOTT: I have received representations from the Agincourt Bore school committee concerning wire screens on the doors and windows of that school. I understand that, following an approach to the contractors concerned, the committee was informed that no provision was made for wire doors or screens to be fitted to the school. No doubt the Minister of Education, having previously visited similar localities, is aware that the school is in a fly-infested area. As I understand that the smaller schools to be closed because of the new consolidated school have been fitted with wire screen doors and windows, will the Minister ascertain whether wire screens can be fitted to the doors and windows of the school in order to protect the health of the children and the staff?

The Hon. R. R. LOVEDAY: I shall be pleased to have the matter examined.

#### KAPUNDA HIGH SCHOOL.

Mr. FREEBAIRN: Has the Premier any information on work to be undertaken on the Kapunda High School oval?

The Hon. FRANK WALSH: This matter concerns the development of the land for the oval at the Kapunda High School. I am informed that the Public Buildings Department has been asked to carry out this project when funds are available. In view of the large number of works which have been referred to that department and the limited availability of funds, it is not possible to undertake all the works required. A careful review is being made of all current requests and future commitments and the allocation of priorities is being determined at the present time by officers of the Public Buildings Department and the Education Department. It is not possible at present to say when the development of land for an oval at the Kapunda High School will be undertaken.

#### EYRE PENINSULA WATER SUPPLY.

The Hon. G. G. PEARSON: Has the Minister of Works a reply to my question about exploration in the Polda Basin and other matters concerning water supply on Eyre Peninsula?

The Hon. C. D. HUTCHENS: In answer to the honourable member's question, the Director and Engineer-in-Chief has supplied the following information:

Investigations of the Polda Basin by the Mines Department are continuing in the hundred of Kappawanta for the purpose of selecting

suitable sites for pumping tests. Other water bearing areas being examined are the Robinson Basin and the southern Uley Basin. A site on the lower Tod River was surveyed with a view to establishing a gauging weir. However, 50 water samples collected and analysed over a period of three years have shown such high salinities that this proposal does not merit further investigation. During the three-year period, only four samples had a salinity of 1,570 parts per million (110 grains per gallon) or less. These were during July and August, 1964, a wet period. The maximum salinity recorded was 6,900 parts per million (about 490 grains per gallon) and many samples were above 4,000 parts per million.

The Hon. G. G. PEARSON: In the case of the Polda Basin the reply states that investigations are continuing. I have had some experience in framing answers to questions and this answer suggests to me that not much is being done at the moment. Will the Minister obtain greater detail on the matter and provide me with an outline of this year's programme and investigations, as a supplement to the answer he gave? Regarding the site for a proposed new reservoir on the lower Tod River, I have noted the information given but, if the Minister could obtain it, I should like further detail on what time of the year the various samples to which the reply refers were collected. From my local knowledge I think I would be able to interpret these more accurately if I had that information. Also, is the Minister aware that the salinity in the Tod River reservoir is rarely below 100 grains, and at this time it is about 170 grains? It frequently rises as high as 240 grains, or even above that, so that the 280 grains, to which the report referred (in other words, 4,000 parts per million) would still be, in my opinion, useful water for stock purposes, particularly if it could be "shandied" with water from the Uley Basin and elsewhere. Will the Minister bring down greater details about these two matters?

The Hon. C. D. HUTCHENS: I shall be happy to obtain more details for the honourable member. Although I appreciate the long experience he has had in framing answers, I point out that I did not frame the answer to the question. I know that the honourable member is also experienced in extracting the most minute details, as he is entitled to do, and as is usual, I will try to get them. I am aware of the high salinity in the Tod River scheme. Of course, I know that the honourable member, like others, is anxious to have water for stock and for agricultural purposes so that the land

may be developed fully, and anything the department and I can do to assist in this direction we shall be happy to do.

### THIRD PARTY INSURANCE.

Mr. McKEE: Some time ago a constituent of mine, whilst travelling between Lochiel and Snowtown, was involved in a collision. I understand that at the time of the accident a heavy smoke hazard existed because of the burning-off of stubble. His wife was killed instantly in the accident. Can the Attorney-General say whether the husband, who was driving the car at the time of the accident, would be entitled to compensation under third party insurance provisions in respect of the death of his wife?

The SPEAKER: Whether or not he answers I leave to the Attorney-General. However, the honourable member has asked for a legal opinion and that hardly comes within the scope of the Standing Orders.

The Hon. D. A. DUNSTAN: The payment of third party insurance is only applicable where the plaintiff in any action seeking the payment can maintain an action in negligence; that is, third party claims are to indemnify the insured against a claim for negligence. If the husband cannot claim negligence against anyone else, he has no basis for a claim against a third party insurer.

### SERVICE PAY.

Mr. HALL: In August I referred to the Premier a complaint I had received from a branch of the Australasian Transport Officers Federation concerning the payment of service pay to railway employees in South Australia. I have received a further letter about the matter from the Tailem Bend Branch, which states:

Once more, the members of the Tailem Bend Branch of the Australasian Transport Officers Federation wish to draw your attention to the unjust treatment of officers in the South Australian Railways, by denying them payments of service grants to which they are rightfully entitled.

The letter then lists the following three instances:

(1) An officer pays higher rental for a departmental house in the metropolitan area than an employee would for the same house.

(2) There is no time limit for an employee to qualify for payment of second-year rates whilst relieving in a higher capacity. An officer must relieve for 12 months within two years before he can claim to be paid the second-year rate.

(3) Travelling time on a Sunday is being paid as actual to the daily-paid employee. The

time payable to an officer is limited to 6 hours 40 minutes.

Although it is appreciated that the majority of these instances can only be adjusted by arbitration it must be obvious that the present position of officers leaves much to be desired. Also the present working conditions will not inspire any young man to join our ranks.

Has the Premier further information about the investigation which he said, in his previous reply, would be initiated? If he does not have that information now, will he bring down the results of the investigation as soon as possible?

The Hon. FRANK WALSH: I do not accept all the statements contained in the letter. The Government was elected on a policy to provide service pay to weekly-paid employees. The Australasian Transport Officers Federation, which has been referred to so often, has been informed that its position will be considered as soon as it puts its case. I believe in conciliation and arbitration, consequently I can only take up the matter with the Minister of Transport, who is also the Minister of Labour and Industry, and, if it is possible to obtain further information, I will obtain it from him.

Mr. HALL: The Premier said that he could not become involved in the complaints of the Australasian Transport Officers Federation because this was a matter that should be settled by arbitration and conciliation, as the present Government adheres to the principle that disputes and claims should be settled in this manner. Can he say whether the award of service pay itself was a result of claims and settlements made under an independent system of arbitration and conciliation?

The Hon. FRANK WALSH: By conciliation, yes.

Mr. HALL: Who were the parties in the conciliation that took place on service pay, and which independent tribunal, court, or commission adjudicated at these conciliation proceedings?

The Hon. FRANK WALSH: I said it was conciliation, and these conciliation matters are entirely the responsibility of this Government.

### SHIPS' GARBAGE.

Mr. MILLHOUSE: I understand that for a long time there has been difficulty at the ports in Australia (and this, of course, includes our own South Australian ports) concerning the disposal of garbage from ships. I also understand that this can be overcome by the installation of incinerators at ports so that this garbage can be destroyed. I ask the Minister of Marine whether this matter has been considered and whether it is intended to install

incinerators for this purpose at Port Adelaide and at other South Australian ports.

The Hon. C. D. HUTCHENS: As I think my predecessor will agree, there have been long-standing negotiations between the Commonwealth authorities and the State Government on this matter. I am pleased to report that progress has been made and that incinerators are to be installed at various places. I shall obtain particulars for the honourable member as soon as possible.

#### HIGHWAYS DEPARTMENT.

Mr. MILLHOUSE: A week or so ago, arising out of the report of the Highways Department, I asked the Minister of Lands, representing the Minister of Roads, a question on the shortage of staff in that department, about which the report complained. I understand that the Minister now has a reply.

The Hon. J. D. CORCORAN: The Minister of Roads reports that there is an acute shortage of trained highways engineers throughout Australia and the position in South Australia is particularly severe. In the Highways Department it has been further emphasized by the retirement of four senior officers, including the Commissioner of Highways and the Chief Engineer, in the past 12 months. In addition, there have been 12 engineer resignations during 1966. The administration of the department has recently been re-organized and, as a result, eight new engineer positions have been created. Advertisements for all positions appeared in the local and interstate press early this year, but there were insufficient applicants of adequate standard.

The obtaining of the services of engineers has been made more competitive by the advent of many more consulting engineer firms in South Australia. The creation of engineer positions and the fixing of salaries, conditions, etc., are the function of the Public Service Commissioner and the Public Service Board, and are not the prerogative of the Commissioner of Highways.

#### FREE BOOKS.

Mr. MILLHOUSE: Yesterday I asked the Minister of Education, for the second time, a question on the matter of contracts for free school books, and I referred to the report of the Chairman of Directors of Rigby Limited. The Minister said he would bring down a report either today or next Tuesday, and I hope he has it today. If he has, will he give it to the House?

The Hon. R. R. LOVEDAY: I have not got it today and I did not promise it specifically for today; I said it would be either today or on Tuesday.

Mr. Millhouse: That is just what I said.

The Hon. R. R. LOVEDAY: I will have the report on Tuesday.

#### STRATHALBYN ROAD.

Mr. McANANEY: Has the Minister of Lands, representing the Minister of Roads, a reply to a question I asked recently regarding an alternative route from Strathalbyn to connect with the proposed freeway at Verdun?

The Hon. J. D. CORCORAN: The Minister of Roads states that the report on the five-year road construction programme indicates that the Aldgate-Strathalbyn section of the Aldgate to Langhorne Creek main road No. 13 will not be totally reconstructed within the given period. However, it is possible that some work may be commenced late in the five-year term. Planning for this project will certainly consider all such alternatives as the connection or outlet at Verdun rather than at Aldgate. My colleague also reports that funds provided in the 1966-67 works programme to the District Councils of Strathalbyn and Mobilong will not be sufficient to complete the sealing of the Mount Barker to Wellington main road No. 15 between Langhorne Creek and the Wellington ferry. It is expected that about 2½ miles will remain, but this should be completed next financial year.

#### PARLIAMENTARY BUSINESS.

The Hon. FRANK WALSH (Premier and Treasurer) moved:

That for the remainder of the session Government business take precedence of all other business except questions.

Mr. MILLHOUSE (Mitcham): I want to say something on this matter, and I may say something in protest about the motion coming at this time. Members will know, if they consult the Notice Paper, that I have down for next Wednesday a motion regarding the appointment of a Select Committee to inquire into the desirability of establishing in this State the office of ombudsman. On September 28, that motion was adjourned until October 5, which turned out to be the day before the day on which the Premier gave notice that he would move this motion today. On October 5, the ombudsman motion was called on just before the dinner adjournment at 6 o'clock and, before moving for the adjournment, not to October 12 but to October 19, I looked across

this Chamber toward the Premier and asked him whether private members' business would still take precedence on October 19, and the Premier indicated both by word and look, in the affirmative. Therefore, I put my motion down for October 19 and not for October 12, as I would otherwise have done. The next day, after giving me that intimation, the honourable gentleman gave notice of this motion. In view of the intimation he gave me on October 5, I regard this as a very poor show indeed.

The Hon. FRANK WALSH: To the best of my knowledge, and with the best intentions, I tried to indicate to the honourable member to use the next day of the session.

Mr. Ryan: You did, and he ignored you, too.

The Hon. FRANK WALSH: The honourable member did not appear to be concerned with what I was trying to suggest, that is, that he use the next day of sitting. In 1963-64, 10 afternoons were used for private members' business; in 1964 (August), five; in 1965-66, 15; and up to the present this session, 12 afternoons have been used for this purpose. I point out to the honourable member that the Government has been more than generous in allotting time for private members' business.

The Hon. J. D. Corcoran: You could never satisfy him.

The Hon. FRANK WALSH: It is not for me to curtail the speeches of members but, if honourable members use their privileges to protract debates, I am not responsible. When it suits the member for Mitcham to obtain a certain vote, he is short in his reply. This happened yesterday when all Government members gave him the opportunity to obtain a vote on another of his motions. The Government has been most generous in this matter.

Motion carried.

#### STATUTES AMENDMENT (HOUSING IMPROVEMENT AND EXCESSIVE RENTS) BILL.

The Hon. FRANK WALSH (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Housing Improvement Act, 1940-1965, and the Excessive Rents Act, 1962-1966. Read a first time.

The Hon. FRANK WALSH: I move.

*That this Bill be now read a second time.*

Its purpose, to amend the Housing Improvement Act, 1940-1965, and the Excessive Rents Act, 1962-1966, is fourfold, namely:

(a) to extend the definition of "rent" and "rental" under the Housing Improvement Act to include the supply of

domestic services and the supply of electricity, gas, water, fuel or other domestic commodity in connection with substandard houses;

(b) to make it clear that the owner of a substandard house or of a house which is going to be declared to be substandard may not require the tenant, as well as the occupier, to do certain works to ensure that the house will comply with standards prescribed by regulations made under section 85 of the Housing Improvement Act;

(c) to extend the period of limitation for bringing proceedings under the Housing Improvement Act to two years or with the consent of the Minister to a further period; and

(d) to provide that where a person (called "the owner") has, pursuant to an agreement, become registered or entitled to become registered as a proprietor in fee simple of any land, or has become registered or entitled to become registered as the proprietor in fee simple of an undivided share in any land upon which there is situated a house declared to be substandard pursuant to Part VII of the Housing Improvement Act, 1940-1965, but the person from whom he acquired such land (called "the former owner") has reserved the right to determine the occupation of that owner whether pursuant to a mortgage, agreement to lease, or other agreement, the owner, or the South Australian Housing Trust on his behalf, may apply to the local court for an order under this provision. The local court, if it is satisfied that the mortgage, agreement to lease, or other agreement is harsh and unconscionable, may set aside such mortgage, agreement to lease, or other agreement on such terms and conditions as it thinks fit. Once a court makes an order the owner and former owner may be regarded as if they were a purchaser and owner under section 15a of this Act, that is to say, as landlord and tenant.

Clause 3 amends section 50 of the Housing Improvement Act to extend the definition of "rent" and "rental" in the manner indicated in paragraph (a) above. It has been found that owners of substandard houses where there are a number of tenants, such as old age pensioners, are imposing excessive charges on these



tenants for the supply of simple domestic services, for example, the cleaning of passages common to tenants and also imposing excessive charges for electricity allegedly consumed by the tenants. Clause 4 is really nothing more than a drafting amendment to section 70a of the principal Act. The provisions of this section are intended to apply to persons who may be tenants or occupiers but this is not clearly stated throughout the whole of the section. It is necessary to put the matter beyond doubt, particularly in view of the amendment proposed in clause 8.

Clause 5 has the effect of bringing the penalty provision in section 87 (g) of the Act in line with section 73 of the Act as amended in Act No. 30 of 1965. With regard to the amendment proposed in clause 6, the position, as the law now stands, is that proceedings for an offence under the Housing Improvement Act must be brought within six months from the time that the offence was committed. This is laid down by section 52 of the Justices Act, which states:

Where no time is specially limited for making the complaint by any Statute or law relating to the particular case, the complaint shall be made within six months from the time when the matter of the complaint arose.

Since no period of limitation has been specifically prescribed in the Housing Improvement Act, the provisions of section 52 of the Justices Act must apply thereto. This period of limitation of six months is insufficient for the purpose of the Housing Improvement Act and it is considered that a more appropriate period, having regard to the particular problems under these Acts of investigating offences and bringing offenders to court should be two years or such later time as the Minister approves. Clause 6 provides accordingly and inserts a new section 89a in the Act. Clause 8 contains the principal amendment in the Bill. It is designed, like the existing section 15a of the Excessive Rents Act, to deter or prevent the exploitation of poorer members of the community by unscrupulous speculators in substandard houses. Honourable members may recall my remarks when introducing the Excessive Rents Act Amendment Bill in 1965. Those remarks are as appropriate to the amendment proposed by this clause as they were to the amendments that have been made to the Excessive Rents Act in the last session. Both the Housing Improvement Act and the Excessive Rents Act are designed to provide for a scheme of rent control and we have seen how unscrupulous owners of substandard houses

have been evading both these Acts by the device of sale and purchase agreements.

I use the word "device" advisedly because the owner knows full well that the sale and purchase agreement that he has persuaded the purchaser to enter into is not a genuine sale and purchase agreement at all but a colourable fiction to extract higher periodic payments from the purchaser than he would be entitled to receive in rent if he had entered into a letting agreement to which the Acts applied. Since the passing of the Excessive Rents Amendment Act, 1965-1966, many more of these "sale and purchase transactions" of substandard houses have come to our notice, and many more cases of real hardships have arisen because of the failure of the so-called purchasers to meet the onerous contractual obligations which they have often, in ignorance, entered into. Some persons have as a result lost all their savings and others are saddled with debts that they are finding impossible to meet. Illiterate migrants with large families anxious to get any kind of accommodation, particularly in the inner metropolitan area even at inflated "rentals", provide easy prey for these speculators.

In introducing section 15a of the Excessive Rents Act the Government hoped that adequate protection and relief would be given to would-be purchasers of substandard houses but experience has shown that the people who trade in these substandard houses are still evading the Acts by resorting to even more ingenious and complicated devices than were contemplated at the time this section was drafted. Section 15a has, however, gone some way to remedy the mischief but it is clear that it has not gone far enough. The present clause is designed to prevent further evasion of these Acts and I make no apology for the fact that the clause has been drafted in wide terms. This is necessary because, if the clause was drafted to deal with one particular method of evasion, the ingenuity of certain speculators in substandard houses would soon find another method of evasion. I shall, for the benefit of honourable members, describe one of the methods of evasion (and there are no doubt others) which this proposed amendment is designed to cover.

The speculator purchases a plot of land on which there are, for example, four substandard cottages. The speculator, probably pursuant to a sale and purchase agreement (though this has not been definitely established since the purchasers have not understood what agreements they have signed, and in any event a

copy of the agreement is never left with them) persuades four persons to agree to purchase the land on which these substandard houses are situated. Then the whole plot of land is transferred to the four persons who become the registered proprietors in fee simple of a one-quarter undivided share in the land and houses thereon. The purchasers imagine that they have agreed to buy the substandard house they occupy but legally, according to the agreements, they have agreed to buy a one-quarter undivided share in the whole of the land on which the four houses are situated. The four purchasers, or joint proprietors in fee simple as they have now become, thereupon enter into lease arrangements whereby all of them join in leasing to each of them the part of the land (and house) which they occupy for a term of 99 years at a peppercorn rent and each lease contains onerous provisions that have the effect of obliging the lessee to maintain these substandard houses in a sanitary and habitable state.

Then each of the proprietors in fee simple of the undivided share enter into a mortgage arrangement whereby they mortgage their leasehold interest and, maybe, also their fee simple interest in the land to the speculator in consideration of a loan to each of them of a substantial sum of money (in the instances under investigation the amounts were in excess of \$2,000). As far as can be ascertained no actual moneys have been lent but the sums mentioned in the mortgages probably represent the balance owing by the fee simple proprietors and lessees from the agreed purchase prices. The periodic payments mentioned in the mortgages are made towards payment of the principal and interest thereon (of between 7 per cent and 9 per cent) and are in actual effect and intent (though this does not appear on the agreements) mere rental payments that are far in excess of the rentals fixed by law for these houses.

This clause is intended to give a remedy to owners of substandard houses acquired in the circumstances I have mentioned by enabling them to apply to the Local Court for the agreements, whether they are mortgages, agreements to lease or any other agreements, to be set aside on the grounds that the terms and conditions thereof are harsh and unconscionable. Once a court makes an order, as applied for, the owners may be treated by the court as "tenants" (which in fact is what they are) in the same way as a "purchaser" under section 15a may be treated as a tenant. *Bona fide* sellers of substandard houses will, I can

assure honourable members, have nothing to fear from this provision so long as the agreements for sale and purchase and any mortgage affecting these houses are genuine and not illusory transactions.

Clause 8 therefore inserts a new section 15c in the Excessive Rents Act. It is in short, as honourable members will appreciate, in essence an extension of the provisions of section 15a of the Excessive Rents Act. This section has been made retrospective to March 17, 1966, which is the date on which the Excessive Rents Act Amendment Act, 1965-1966, was assented to. The Government considers that this retrospective provision is necessary to provide relief to persons who have already entered into the onerous contractual arrangements I have described. I commend the Bill for the consideration of honourable members.

Mr. COURCE secured the adjournment of the debate.

#### NATIONAL PARKS 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 enable national parks to be established, developed and maintained for public recreation and to provide for the management, control and conservation therein of animals, plants and land in its natural state; to repeal the National Park and Wild Life Reserves Act, 1891-1960, to make other provisions in lieu thereof and for other purposes.

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.*

By this Bill it is intended to provide for the establishment, development and maintenance of national parks for public recreation, and to provide for the conservation and protection of animals, plants and land in their natural state. The National Park Act was first enacted in 1891 to provide for the establishment of the State's first National Park at Belair and for many years this was the only area so set aside. However, several areas were over the years dedicated as flora and fauna reserves under the Crown Lands Act and these areas were administered by the Flora and Fauna Advisory Committee which had no statutory powers.

In 1959, the National Park Act, 1891, as it was then, was amended to incorporate within the jurisdiction of the Commissioners of the National Park the flora and fauna reserves, the new title of the Act being changed to the National Park and Wild Life Reserves Act, 1891-1959, and the title of the Commissioners of the National Park being altered to include wild life reserves. Since the transfer of these reserves to the control of the commissioners, many new areas have been added either by setting aside of suitable Crown lands or by purchase, and at this stage areas set aside as national parks and reserves comprise about 550,000 acres.

In the past six years a number of new areas has been added comprising about 120,000 acres, which includes 67,000 acres of Crown lands and 53,000 acres of land which has been repurchased. Successive Governments have provided \$723,000 for the purchase of suitable lands during this period. The stage has now been reached in the expansion and development of these areas (some of which have become known as national parks and others as wild life reserves) when I believe that consideration must be given to replanning the legislation, which has been in existence for 75 years and which basically relates to the requirements of the State's first National Park at Belair, to enable more adequate and appropriate provision for the expansion, development and management of national parks and reserves.

By this Bill it is proposed to repeal the present National Park and Wild Life Reserves Act, 1891-1960, and to establish a commission to be known as the National Parks Commission to be responsible for the care, control and management of national parks. The commission, which will consist of 15 members appointed by the Governor, will replace the body presently known as the Commissioners of the National Park and Wild Life Reserves of 13 members. The present governing body includes five members appointed by the Governor and eight members who hold office by virtue of these offices or the bodies they represent. It is considered that the expansion of activity which has already taken place and that which will inevitably follow in the years ahead make necessary a review of the constitution of the commissioners and the manner of appointment, which, in cases of *ex-officio* appointees, does not permit of desirable continuity of appointment.

The Government is deeply appreciative of the work of the present commissioners who have been consulted in the drafting of this Bill, and

hopes that most, if not all, will continue to serve on the expanded National Parks Commission. Powers of the commission have been expanded under the Bill, and it is intended that plans will be prepared for the management of each national park which will enable suitable portions to be set aside as wilderness areas to be retained in their natural state to preserve all the natural landscape, flora and fauna, both for scientific purposes and for the benefit of the community.

Other suitable areas will be developed for public recreation and for tourism, and provision is made in the Bill to enable the commission either itself or by arrangement with other interests, to provide, under lease or other rights of facilitating, temporary accommodation and other amenities which will facilitate public enjoyment of national parks. An important feature of the Bill is the protection which is given to tenure. As presently constituted, the lands can be resumed by proclamation, and it is intended that any land declared as a national park can only be resumed pursuant to a resolution of each House of Parliament. It is further provided that the Mining Act, 1930-1962, and the Mining (Petroleum) Act shall not apply to any land comprised in a national park.

Provision is also made for the establishment of national parks to be declared a public purpose for the purposes of the Lands for Public Purposes Acquisition Act, 1914-1935. This action is taken to clarify the position in relation to the establishment of national parks. In detail the Bill provides: Clauses 1 to 5 are the usual clauses dealing with the short title, date of operation, arrangement of Parts, and definitions. Clauses 6 to 9 provide for the establishment of "The National Parks Commission" and appointment of members. The proposed name is considered a more appropriate and acceptable one than the present "The Commissioners of National Parks and Wild Life Reserves". Members will be appointed because of their qualifications and/or interest in these matters instead of by virtue of the offices they hold.

Clause 10 abolishes the present body and the offices of commissioners. Clause 11 is consequential upon that abolition. The land referred to in subclause (3) and which is included in the schedules mentioned in clause 19 is the only land for which certificates of title are held by the present commissioners—all other lands under their control have been dedicated for that purpose. To obtain the protection provided by clause 24 it is desirable that all

national parks should be Crown lands declared as national parks under this Bill. Clauses 12 and 13 deal with the meetings and business of the commission. Clause 14 allows payment of allowances and expenses to members of the commission.

Clause 15 outlines the powers of the commission. Paragraph (b) of subclause (1) covers all of the provisions of section 5 of the existing Act. Paragraph (c) allows the commission (subject to the approval of the Minister) to grant occupation of land for the purpose of erecting kiosks and buildings for the accommodation of the public. This is necessary to facilitate development of national parks and is similar to legislation proposed in New South Wales. Development on these lines will only be permitted in those areas which are suitable for the purpose and have a tourist potential. Paragraph (d) is the same as section 15a of the present Act. Paragraph (e) enables public servants to be seconded for duty with the commission or to act in an advisory capacity if and when necessary. Paragraph (f) is a normal power of delegation. Obviously, the commission cannot do everything itself and it must delegate some administrative functions to certain members or its executive officers. Paragraphs (g) and (h) empower the commission to deal with land which is not suitable for declaration as a national park. Subclauses (2) and (3) amplify the powers of delegation.

Clause 16 is similar to section 13a of the present Act and enables the commission to accept grants of land and gifts of personal property. Clause 17 enables the commission to make by-laws and is substantially the same as section 7 of the present Act. Clause 18 gives definitions needed in this Part. Clause 19 (1) declares all the land at present under the control of the commissioners to be national parks, and subclause (2) provides for the naming of those parks. The lands are described in the Second and Third Schedules. Subclause (3) revokes all existing dedications and declarations. In the past, it has been necessary to dedicate land under the Crown Lands Act and also declare the land a wild life reserve under the National Parks and Wild Life Reserves Act. In future under this Bill only one declaration will be necessary.

Clause 20 provides for the declaration of land required in future for national parks. Clause 21 vests the management of national parks in the commission. Clauses 22 to 25 are very important parts of this Bill. Except for continuing the present procedures for dealing with land for roads, land which has been

declared a national park under this Bill cannot cease to be such without the consent of both Houses of Parliament. The land cannot be resumed or disposed of under the Crown Lands Act or any other Act, neither can mining operations be conducted thereon. Under existing legislation, land in national parks and wild life reserves can be resumed by proclamation and used for other purposes. This Bill therefore tightens control over the land.

Clause 26 continues the provisions of sections 13a and 14 of the present Act, exempting the commission from taxes. Clause 27 is a normal provision for audit or accounts by the Auditor-General and the submission of an annual report to Parliament. Clause 28 is substantially the same as the present Act (section 8). It requires the commission to exhibit copies of its by-laws or summaries to be exhibited in national parks. Clause 29 gives effect to clause 20. Clause 30 deals with offences against the by-laws. Clause 31 repeats the provisions of section 7a of the present Act (which were inserted by amendment in 1960). Clause 32 is a financial provision. The commission's source of funds is Government grants and revenue derived from hire of park facilities, etc. Clause 33 makes the establishment of national parks a public purpose for the purposes of the Lands for Public Purposes Acquisition Act. I have already referred to this matter.

The Hon. D. N. BROOKMAN secured the adjournment of the debate.

#### APPRENTICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 29. Page 1968.)

Mr. CUMBE (Torrens): This is a simple Bill and no opposition is expressed to it. This legislation was discussed at considerable length, both in this House and in the other place, only a little more than six months ago, yet we have it here today to be amended, although the fine details of the Act were finally arrived at after a conference of managers of the two Houses.

The two simple amendments in the Bill are obviously to correct defects caused by mistakes or oversights in the original drafting. The first amendment corrects an ambiguity. As the legislation now stands, an apprentice could be required to go to school in the third, fourth or fifth year of his apprenticeship. Obviously, this was not intended, and the present Bill provides that the apprentice shall attend school

during working hours in the third year of his apprenticeship and not in the fourth or fifth years. That relates to the compulsory attendance at school.

Regarding the second amendment, which deals with the cancellation of indentures, as the Act now stands a penalty is provided for only the employer: no provision is made for a penalty for an apprentice who wilfully disobeys the Chairman of the Apprenticeship Commission. The Government has expressed the view that both the parent and the apprentice in such circumstances should also come within the ambit of the penalty provisions, and the Opposition accepts this. Therefore, anybody wilfully contravening the wishes of the commission is to be subject to a penalty.

I believe it is the desire of the House that the commission now being set up gets off to a good start, and I consider that these simple amendments will help in this regard. The Minister of Works was good enough the other day to provide me with figures on costs in this connection. Non-Government members on the commission have been paid two guineas a meeting but Government members have been paid no fee. The sum of \$20,253 is provided for the fees of the chairman, members, secretary, clerks and typistes and, as this is a tremendous increase, we hope we will get our money's worth.

Mr. QUIRKE (Burra): I, too, support this Bill, because if we are going to train apprentices in all trades they must be adequately trained, particularly country people, and it is essential that they should attend technical or trade schools in order to achieve the best from their apprenticeship. The opportunities given to country boys to become qualified tradesmen through apprenticeship are meagre compared with those given to people living in the city, where all facilities are available. Country people are unwilling to send their children alone to the city in order to undertake this training. Although a boy may be capable, parents are loath to let him loose in the city where he will be so many miles from home. Selected centres in the country should provide valuable apprenticeship training and, although this is expensive, the money would be well spent. Training should be decentralized so that these young people could receive the necessary technical education. The trades of motor mechanic and electrician are common in the country, but young people are not given the same opportunity as Adelaide youngsters are given.

Mr. Casey: First, you have to get the motor-body industry to employ the boys in the country.

Mr. Heaslip: They will do that.

Mr. QUIRKE: Apart from that, many country places are not equipped in personnel or teaching capacity to give these young people the necessary technical training that they get by attending a city trade school. The responsibility of the employers (or masters) is great, but some are unwilling to undertake this responsibility when they know they cannot give the boy the best opportunity. Perhaps a mobile school, not fully equipped but with a capable and knowledgeable instructor to give the training that otherwise the masters cannot give, would be a good idea. We lose many opportunities for younger people in the country to enter an apprenticeship because of lack of facilities. I support the measure, and hope it will work to the satisfaction of everyone: it will do so in the city, but there will be some difficulty about the attendance at school by a boy from a remote country area.

Mr. HEASLIP (Rocky River): I, too, support the Bill because what is in it is important. I do not think that every "i" was dotted or every "t" crossed in the original legislation, otherwise this measure would not be presented now.

Mr. Ryan: A progressive Government alters things when it finds anomalies.

Mr. HEASLIP: Apparently, it has found it necessary to introduce these amendments only six months after the original legislation was introduced, and this occurs with many Bills introduced by the present Government. The original Bill intended that apprentices should attend school in their third year, but they were expected to attend in the fourth, fifth, or other years, and this amendment rectifies that position. Previously, an employer could be prosecuted for the cancellation of indentures irrespective of how hard he tried to make the apprentice carry on, although sometimes the apprentice or his parents would not fulfil the obligations involved. Whereas previously only an employer could be blamed for cancelling an indenture, the Bill effects an improvement and involves the apprentice and parents in this respect. As the member for Frome (Mr. Casey) objected to the fact that employers were not prepared to employ certain apprentices, I point out that until recently trade unions would not allow an employer to employ an apprentice unless three qualified men were already employed.

Mr. Coumbe: Three journeymen!

Mr. HEASLIP: Yes, and only one apprentice. I may have transgressed in the past, because I believed it was important to have skilled men, and I may have employed apprentices when I should not have. When the member for Frome blames the employer for something of which he has never been guilty, I am obliged—

The SPEAKER: Order! I think members will appreciate that this is a small Bill dealing only with two matters. I have allowed a fair latitude this afternoon, but the whole Act is not open to debate. I do not mind members referring to the Act in order to make a point, but I ask that they keep to the clauses in the Bill.

Mr. HEASLIP: I thought I was speaking to the Bill concerning amendments to the Apprentices Act.

The SPEAKER: No; this Bill has only two clauses. The parent Act is not before the House. In order that members may make their points clear on the clauses in the Bill, I hold that passing references are necessary, but I think I have already allowed the debate to get too far away from the Bill. The honourable member for Rocky River!

Mr. HEASLIP: If we are to be confined to the two amendments—

Mr. McKee: You're confined to the Bill, aren't you?

The SPEAKER: Order! The honourable member for Rocky River!

Mr. HEASLIP: Thank you Mr. Speaker. I understood this was a Bill for an Act to amend the Apprentices Act.

The SPEAKER: Order! I have already pointed out that the Bill before the House is open to discussion, and not the whole of the parent Act.

Mr. HEASLIP: I shall abide by your ruling Sir. We are speaking only to the two amendments to the Apprentices Act; we cannot speak about anything else in the Apprentices Act, evidently.

Mr. McKee: How do you go now?

The SPEAKER: Order!

Mr. HEASLIP: I shall abide by the Speaker's ruling, although interjections have been allowed. The two amendments improve—I am sorry, Sir, I have to refer to the Act.

The SPEAKER: I have tried to help the member. I do not wish to curb the debate. The member is in order in referring to the parent Act, in so far as the clauses in the Bill affect it, but a general debate on the parent Act is not permissible in discussing this limited Bill.

Mr. McKee: I think you'd better leave it alone.

The SPEAKER: Order! The honourable member for Rocky River!

Mr. HEASLIP: I would not be out of order, then, in saying that these two clauses will improve the Act. I support the Bill because these amendments remove what I consider to be anomalies in the Act. The cancellation of indentures has been confined only to the employer, instead of to the apprentice and his parents (who sign the indentures also). The apprentice and the parents are just as responsible in this matter as is the employer, and all parties should be included. I support the Bill, for I am sure that it will lead to a better Act.

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

#### UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 29. Page 1967.)

Mr. McANANEY (Stirling): This Bill has many ramifications. It seeks to amend an Act which was never proclaimed and the effect of which the general public has not experienced. I crave your indulgence, Mr. Speaker, to refer to provisions in the Act rather than confine my remarks only to the amendments. All members know that South Australia is a dry State. To a certain extent we know the amount of water available in our rivers and the long-range view is not bright. Unless desalination of water is possible within 20 years there will probably be great difficulties. Fortunately we have resources of underground water. I do not think anyone can even guess the extent of these waters. However, in two areas where there has been extensive pumping the water table has fallen considerably.

About 40 years ago on the Main North Road, just past the Overway bridge, there was an artesian bore, about 6in. in diameter, from which water flowed all the time; great quantities streamed away from it. In areas like this we have to look to the future. Efforts have been made to replenish underground bores by means of surplus surface water. I believe this was successfully carried out in the Lockleys area where, when reservoirs were overflowing, they could put water back into the underground system. I noticed that the Director and Engineer-in-Chief of the Engineering and Water Supply Department said that this

was not a practical way of doing things. In certain areas people sink bores to get rid of surplus water, which is of a salty nature and which is put into the subartesian basin. Nobody knows what will be the effect of this practice. I know of certain towns where there are no sewerage systems and where the sewage water is put into the underground strata. Whether that will be harmful to health in future we do not know.

This Bill is being introduced to control matters affecting underground water when we really know little about it. In the Langhorne Creek area last year the water table dropped about 25ft. to 30ft., and different types of pump had to be used. The season since has not been particularly wet and yet the water table has returned to its normal level. It is not known whether it will replenish itself each year.

Mr. Clark: There are places where the water table has dropped 100ft.

Mr. McANANEY: Yes, at Virginia. I am making my remarks parochial, and undoubtedly the Leader of the Opposition will deal with that area in his speech. In reply to a question, the Minister of Mines recently said that voluntary restraint was necessary during the coming season. Apparently the actual position is not known, and it is desired that care be taken because it will be some time before the position can be assessed. The Poldawanilla basin on the West Coast has tremendous use made of it and it would be disastrous to people there if, for some reason or other, the supply of underground water were limited, and they could not continue to use or increase the supply. Towns such as Millicent in the South-East have artesian basins and in Mount Gambier use is made of the Blue Lake.

I do not know why the underground water supply at Langhorne Creek should have replenished itself. Various explanations are given. One is that the lake dropped 1ft. and that water went into the underground water supply. However, the Bremer River is nearby and it is claimed that in time of flood the basin could be replenished. We know little about the refilling of underground basins, and how this happens is purely a matter of conjecture. However, we must face up to the fact that the level in these basins is dropping. Although I am opposed to Government interference, I think that possibly in a case such as this, where the livelihood of so many people is affected, some restriction must be introduced. Whether the restriction should be extensive I imagine only time will tell. The

powers that will be given to the Minister and the advisory committee will be extensive. The Bill will be complicated to administer in areas where the water table drops.

The Minister, with the assistance of the advisory committee, will have to determine how many bores in an area he considers the basin will be able to stand. When that has been determined and the water level drops below the prescribed limit and everybody cries out for water, somebody will apply to deepen his bore and there will have to be a quick decision whether that person may deepen his bore. Other bores in the area will probably have to be deepened too, so that this would be difficult to administer. In market gardening areas and places such as the Langhorne Creek area, the shutting off of water for even three days might involve considerable expense to people. The powers provided are probably very necessary but there will be no room for any delay in operating the administrative machinery, or there will be severe losses. Regarding the artesian basin, where there is an overflow of water and it runs away, it will be necessary to tap bores and restrict the quantity of water going to waste. Undoubtedly, there are some areas where the water coming out of the ground is too hot for stock to drink. The old method of just letting the water run along a channel will have to be altered and tanks installed so that the water can be cooled off to enable the stock to drink it. We in this State are so short of water that we should not run any risks of letting water go to waste.

One of the members of the advisory committee to the Minister is to be an officer of the Health Department, and I think that is most important. The original Act, not proclaimed, deals more with the deterioration in the quality of the water rather than with any endeavour to control the quantity of water used. I have already referred to places where bores are used to take sewage overflow, and this could be dangerous to people living in a town. The committee also includes an officer of the Engineering and Water Supply Department, an officer of the Mines Department, and a private well-drilling contractor. The latter will be able to supply the necessary practical knowledge regarding the drilling of wells, and will be most valuable. The committee will also include representatives from the council or councils in the various areas. I think that is a necessary provision, because councillors usually know local conditions. It also includes such other persons, one of whom is to be a landowner, as the Minister considers necessary.

The necessity for this advisory committee has been the subject of argument. However, I am sure that the variety of experience of the appointees will prove of great assistance to the departmental officers advising the Minister. The Act also sets up an appeal board. One person to be appointed to that board is to be a barrister or solicitor, another is to be a qualified engineer (not being a person employed in the Public Service of the State), and another is to be a legally qualified medical practitioner experienced in bacteriology. This Bill increases the membership of that board to five, the extra members being a landowner and a member of the Licensed Well Drillers Association. I suppose it is assumed that there will be such an association, because hitherto we have had no licensed well drillers. However, generally I think this amendment is a very good one.

The Bill inserts a new provision in the Act concerning a system for the licensing of well drillers. I think that if the data and statistics are to be kept up to date it is essential that these people be licensed, although generally I dislike licensing except where it is impossible to avoid it. A terrific amount of research must be carried out to determine the extent of the various basins and their degree of replenishment. It is essential to the future welfare of South Australia that we investigate ways and means of artificially replenishing these basins.

I think we must accept the principle that something has to be done about regulating the quantity of water taken out of the basins until we ascertain their extent. Some argument has taken place on the question of tabling regulations in this House. At certain times very quick action must be taken to solve a problem in a particular area, and therefore I think the various regulations, if they are to be effective, must be kept flexible. Undoubtedly, discussion will be necessary in Committee. I think only experience will show what extra amendments are required to make the legislation effective. Although some of the clauses could perhaps be too over-riding, generally I support the Bill.

Mr. FREEBAIRN (Light): I speak in general support of the Bill, which gives the Minister power to control the use of underground waters and to add to the effectiveness of the legislation that was passed in this place in 1959 regarding quality control. I need not remind members of the importance of water to South Australia, for it is well known that South Australia is the driest State in the driest

continent. Therefore, water conservation is of very real concern to us. In addition, we have very little surface storage of water.

I think most people will concede that we are doing a good job with the limited resources we possess. We have a major dam in the process of construction on the Murray River at Chowilla. When this dam is full it will occupy an area slightly greater, I think, than Port Phillip Bay. Later, another dam will be built lower down the Murray, perhaps at Teal Flat.

Most of my observations on the use of underground water have concerned the Lower Adelaide Plains between Gepps Cross and Two Wells. I have witnessed the great work being done by market gardeners using the underground water table in that area, which produces about 750,000 half-cases a year from 7,000 glass houses, this produce being worth about \$2,000,000. I understand that this area produces more than 70 per cent of the total fruit and vegetables produced in this State. The gardeners in that area are entirely dependent on the quantity and quality of this underground water.

The Hon. G. A. Bywaters: Do they produce fruit as well as vegetables?

Mr. FREEBAIRN: My figures are second-hand, and perhaps they could be a little amiss.

Mr. Clark: Anyhow, they produce a lot.

Mr. FREEBAIRN: They certainly do, and I am indebted to the member for Gawler for his comment. The water table extends as far as the honourable member's district. The gardeners on the underground basin depend on the basin for their livelihood, as they have no other provision for irrigation. This Bill is important to them, but the basin is small compared with the large underground basin in the South-East in the area from Mount Gambier to Padthaway, that will be a future production bowl of the State. No doubt this legislation will help to control the water resources of the State to the benefit of the public.

Mr. CLARK (Gawler): When the original legislation was introduced in 1959, I was not convinced of the need for it. The member for Gouger (now the Leader of the Opposition) was enthusiastic about it, but I disagreed with him. The situation was then (and it is now) much more serious than I considered it to be. Then, I was not convinced of the urgency of this legislation, but I am now. Many of my constituents in the area are concerned not only about the quantity but about the quality of water they obtain. I understand that both are deteriorating, and something must be done.



During the last 10 years almost all the bores in the lower Adelaide Plains have had to be deepened: with each deepening pumping charges are increased and the area is getting closer to the danger zone, so that complete supervision is necessary.

I commend the Mines Department for its activities in this field. For at least 10 years it has keenly watched the position and has been perturbed by the increased development in the area. Increasing use has been made of underground water in this area and, because of its concern, the Mines Department has established a series of inspection and observation bores. During the pumping season the level of many bores falls well below sea level; there is a partial recovery in the winter, but generally there is a steady fall in the water level, so that from north of Virginia south to Salisbury the water level is below sea level during the irrigation season. In 1962 it was estimated that the sub-sea level area was about 35 square miles, but in 1966 it was estimated that it had increased to 76 square miles.

These figures cause anxiety when it is realized that the area is surrounded by saline zones. Once the main area of bores reaches saline water this area is in danger. An attempt has been made in America to restore or rejuvenate salt-contaminated areas, but this is chancy, and it takes many years to restore the area. South Australia is not over-supplied with surface water, so underground water supplies are important for the State's development. This applies particularly in my district and the District of Gouger, where much land is used for gardening, where so much underground water is used, and where so many fancy prices have been paid for land. If a high price is paid for land for gardening purposes a water supply must be assured.

In this area, as in other parts of the State, an underground water supply is important because it is impossible, in many cases, to supply reticulated water. Obviously, something must be done and a close watch kept on the situation. I believe that this Bill is important, not only to the Adelaide Plains but to the whole of the State, and for that reason I support it.

Mr. HALL (Leader of the Opposition): As a member greatly interested in the effect of this Bill on his district, I am concerned to ensure that it results in the proper use of underground water in this State. However, I am concerned to see that the Bill does not restrict the freedom of individuals interested in industry and of those drilling for water.

Water taken from areas will be regulated, and wells and those who drill for them will be strictly controlled. Clause 7 relates to the refusal of a permit not only if contamination or deterioration of any underground water is likely to arise but also if an inequitable distribution, undue loss or wastage, or a depletion of supplies of underground water are likely to arise.

This provision will undoubtedly strengthen the Act. In moving a motion in the House last year, I referred to the danger of depleting the water supplies obtained from the basin in my district and to the fact that an industry responsible for millions of dollars of produce each year might suffer hardship (and even extinction) because of the depletion of that underground water supply. This important horticultural industry, responsible for much tomato-growing in the State, provides all types of vegetable not only for this State but for export, resulting in several million dollars' worth of income each year.

The extinction of this industry because of a significant depletion of underground water supplies would indeed be a loss to the State, hence the frequent investigations that have been carried out by the Mines Department over the years and the introduction of this legislation. The parent Act introduced in 1959 has been somewhat limited in its application because it did not refer to quantity as a reason for controlling underground water, but the Bill remedies that position. Section 5 of the Act contains the following important provision:

The Governor may, by regulation—

- (a) prescribe any part of the State defined or indicated as a defined area for the purposes of this Act;
- (b) alter any such defined area;
- (c) abolish any such defined area;
- (d) exempt from the provisions of this Act or any part thereof any well of less than a prescribed depth for the particular area in which the well is situated.

That provides a significant safeguard, as an area will be defined only by a regulation to be scrutinized by both Houses of Parliament. I would not have agreed to this measure otherwise. Certain areas in the South-East contain water at a shallow depth, and the provisions of the Act may be required to cover such supplies. The Poldo Basin, which has been harnessed by the Engineering and Water Supply Department and which serves the general public, also contains water at depths of less than 6ft., and it is important that we retain the provision

that an area be defined by regulation. Realizing that this is very much a Committee Bill, I support the second reading and trust that the measure will receive the consideration it deserves.

Mr. RODDA (Victoria): I represent an area much of which is served by what appears to be an inexhaustible supply of underground water. When one considers the great demands made on underground waters by agricultural practices, and when one sees what is happening in such areas as the Virginia Basin, one realizes that there is a strong reason for legislation to ensure that what is probably our most valuable asset is preserved. As the Leader has said, this Bill could be a harsh piece of legislation unless administered with common sense. I believe that we cannot have too much research into our underground water supplies and their sources. I am pleased to see that the advisory committee will be retained, and I hope the authorities will pay heed to its recommendations. Whilst experts, including geologists and the back-room boys responsible for many of the answers are necessary, a practical application has much to recommend it.

I have no quarrel with the provisions of clause 7 relating to the possible contamination or deterioration of underground waters, their possible inequitable distribution, undue loss or wastage, and depletion. If these things were likely to happen, good reason would exist for refusing a permit to anybody who wished to sink a bore. Plenty of evidence exists why these powers should be vested in the Minister, especially when we consider what has happened in the Virginia Basin, where the water table, I understand, has dropped below sea level.

Clause 11 deals with the capping of artesian bores. This provision is worthwhile because, in my district and in the district of the Minister of Lands, artesian bores flow 24 hours a day. I remember 20 years ago in the Reedy Creek area seeing an artesian bore throwing water out 2ft. above the ground 24 hours a day; it has done that for 20 years. This is not a good thing, as there is a great need for water in a country like Australia. The capping of that bore could do nothing but good and I endorse the provisions in this clause.

Another clause refers to drillers' licences and provides for two classes of licence. Although I acknowledge the need for the authorities to be satisfied that persons sinking wells or bores are efficient, I wonder whether these provisions could be so stringent that they could limit the personnel we have performing a real duty in this way to the agri-

cultural community. I hope that the provisions relating to licences will be administered with common sense.

As other members have said, this is a Committee Bill. Australia has so much country that has no water; the Bill is designed to preserve the areas that have water and to ensure that the water is not contaminated. I support the measure, as I believe it safeguards those areas blessed with underground water and sets out to preserve one of our most important heritages.

The Hon. G. G. PEARSON (Flinders): This is an interesting Bill on an important topic and, in introducing it, I believe the Minister is making an honest attempt to solve the problems that are extant in the State, and to forestall those that may arise. Perhaps the Bill provides a slight solution of problems already existing. It used to be the case in this State that nobody worried much about the use of underground water. The days of irrigated agriculture had not arrived and water supplies were exploited for purposes of local, small-town and homestead requirements, and so on. It is interesting to recall that much real pioneering was done by the people attached to the Lands Department who travelled far and wide through out-flung parts of South Australia, particularly on the upper Eyre Peninsula, establishing small sources of supply and equipping them so that they would be available to owners of adjacent land.

We have far out-grown that generation, and today we begin to realize that there are limits to our underground water supplies, as indeed we have long realized there are limits to our surface supply. It is a rather fortunate circumstance that over much of the State we have underground water where we have very little facility for preserving surface water. This has been of great importance to the State and highlights the importance of the Bill, in that if we continue to exploit (and I use the term advisedly) our underground resources without paying heed to the fact that they are limited, the time may come when many areas of the State which it is impossible to water by any other means will have no source of supply at all, and their development must cease at a certain point. Also, we are affecting the underground aquifer in many parts of the State by virtue of development works that have taken place on the surface. I instance the Virginia Basin where I think all the authorities are satisfied that the construction of reservoirs on the Para River has tended to reduce the volume of water going

into the Virginia aquifer. Therefore, if any further surface reservoirs were built on the Para River system (as was contemplated at one stage) this might have a further effect.

It was with the idea of perhaps reversing this trend that, when the Bolivar Sewage Treatment Works was planned, I suggested to the Engineer-in-Chief and to the Government that a committee be set up to examine the possible use of the effluent. One of the possibilities on which I was rather keen was to see whether we could use the effluent to recharge the Virginia aquifer. Recharging aquifer is not unknown. It was tried in the Western Suburban Basin, west of the city of Adelaide, and it was rather interesting to discover, when water was forced into that aquifer, that some of the pumping bores around the Kilkenny area became artesian. This is a circumstance of a porous aquifer where water moves quickly through the substrata and shows up at another point. Under the provisions of the Bill seeking to control wastage of water, it would be important to ensure that artesian wells in the North were capped and the supply controlled, because they are aquifers up to 5,000ft. deep, with no possibility of waste water re-entering the aquifer: it must evaporate and disappear. In areas where water-bearing strata is at a shallow depth in shallow cavernous aquifers, there is not the same problem, because water travels a short distance before it returns to aquifers. These things will have to be considered in the administration of these provisions so that the policy is tailored to a particular locality.

This Bill attempts to solve the problems. These problems, obvious to an observer, are causing much concern to people whose livelihood has been established on the basis of irrigation and who find that much similar activity is taking place near them, so that the aquifer is being over-pumped.

The Hon. G. A. Bywaters: They are still advertising the sale of land for irrigation purposes.

The Hon. G. G. PEARSON: Yes. I remind prospective buyers that they should satisfy themselves of the limitations of the area.

The Hon. G. A. Bywaters: That's a good point.

The Hon. G. G. PEARSON: That aspect should be taken up by the press. It is important that people should be aware of the limitations of the underground supply before they buy land for market gardening, especially if they expect all the water they would like to have is available, because often this is

not so. One has only to observe areas in the State where this has happened to know how difficult it can be. If it were not for the fact that in some areas the Engineering and Water Supply Department has been able to supplement the water supply, many of them would be out of production today. The important question of how long the Engineer-in-Chief can continue to meet the (what I term) extraordinary demands on his supply should be considered. It is well known that piped water is costly: the reticulation system of this State was never designed as an irrigation system but was designed for domestic and stock purposes. However, in some areas it is largely used for irrigation.

This Bill will require careful administration. One cannot establish powers by Statute without requiring them to be wisely administered. In this case it will require more than usual care, and administration will need to be carried out by people who know the subject and who are conversant not only with general principles but with local circumstances. That is why the Bill has been designed to operate in particular areas under proclamation, and I presume that each locality will be administered in a way that will treat each case on its merits. No rule of thumb exists about the occurrence of underground water, and we really know little about it in this State. We do not know whence many aquifers are fed or which way the water is moving from the aquifer or its rate of flow; we do not know where it goes and whether the aquifer is full. These questions are argued by geologists and people who drill wells but, apparently, without much real information on which to base theories.

Perhaps the wider use of a radioactive substance could be instituted to trace the movement of water through aquifers, particularly some of the larger ones such as the Poldas Basin on Eyre Peninsula, which is assumed to be a large aquifer. Knowing the area well, I have heard arguments about whence the water comes and where it goes, and each person has his own theory. In addition to the wide powers in the principal Act, the Bill goes further in one or two directions. There will be difficulties in determining what is the equitable distribution of water within an aquifer and what is the loss, wastage or depletion in supply.

Supposing five landholders had land over a water-bearing strata, and four of them had already tapped the aquifer and were using the water for irrigation. The fifth, occupying

a central position in the area, had not used this supply, but decided to put down a bore. Perhaps the authority would have to tell him that as four bores were tapping the supply there was not sufficient water to enable him to sink a well and take water from the area. On a river frontage there are legal provisions concerning riparian rights, and these provisions give the people concerned an entitlement to the water on their frontage. We have no such equivalent, so far as I know, in regard to underground water. I take it the Minister intends that the relevant clause will enable an authority to exercise jurisdiction in this matter but, if that is so, he has the job in front of him. I do not envy his making an arbitrary determination as to who should have

the rights and as to quantities of water within a given area. This provision is probably necessary in the interests of everybody concerned.

The main problem in this legislation, as I see it, is one of administration. There will be heart-burning and appeals, but provisions are available in respect of the latter. I believe the Bill is a step in the right direction: it can be tried and, if amendments are necessary on the score of equity or for any other reason, later Parliaments can consider them. I support the second reading.

Mr. QUIRKE secured the adjournment of the debate.

#### ADJOURNMENT.

At 5.2 p.m. the House adjourned until Tuesday, October 18, at 2 p.m.