HOUSE OF ASSEMBLY

Thursday, March 25, 1971

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Civil Aviation (Carriers' Liability) Act Amendment,

Fruit Fly (Compensation),

Local and District Criminal Courts Act Amendment,

River Murray Waters (Dartmouth Reservoir).

MINISTERIAL STATEMENT: TRANSPORTATION STUDY

The Hon. G. T. VIRGO (Minister of Roads and Transport): I ask leave to make a statement.

Leave granted.

The Hon. G. T. VIRGO: With reference to the table of figures supplied on Tuesday, March 23, in reply to a Question on Notice asked by the member for Fisher, an incorrect figure has been discovered in the table supplied by the Highways Department. The correct information is, "Hills Freeway, seven acquisitions at a total cost of $98,300," not $983,000 as stated on Tuesday. This, of course, alters the total to $1,788,873 instead of $2,673,573 as stated on Tuesday. This error is regretted. My attention has been drawn to it and, as a result, my office has drawn the attention of *Hansard* to it and I understand that *Hansard* has accepted it as a genuine error, merely in the positioning of the comma, and has corrected the *Hansard* volume accordingly.

PERSONAL EXPLANATION: DIVISION LIST

The Hon. D. N. BROOKMAN (Alexandra): I ask leave to make a personal explanation.

Leave granted.

The Hon. D. N. BROOKMAN: The *Hansard* proof containing the report of the division when the vote was taken yesterday on the motion regarding the appointment of an ombudsman has very uncharacteristically shown me as voting both ways. It is well known that no-one has been more belligerent than I have in opposing the appointment of an ombudsman, and I voted with the Noes. I would have left this matter for *Hansard* to correct, but the 30 votes recorded for the Ayes in this proof include my name, and I should like it recorded that I opposed the motion for the appointment of an ombudsman.

Later:

The SPEAKER: I refer to the division lists on the motion yesterday regarding the appointment of an ombudsman. I notice that the Hon. D. N. Brookman's name appears on both lists and, in accordance with the honourable member's personal explanation, I direct that he be shown as voting for the Noes. I ask the honourable member for Bragg whether he was in the Chamber when that division was taken and, if he was, on which side he voted.

Dr. TONKIN (Bragg): Thank you for this opportunity, Mr. Speaker. I was, indeed, in the House at that time and recorded my vote for the Ayes. I very much regret that the teller should have mistaken me for the member for Alexandra.

The SPEAKER: I direct that the division lists be corrected accordingly.

QUESTIONS

TRADING HOURS REFERENDUM

Mr. HALL: Can the Attorney-General say whether any person has been fined for not voting at the referendum on shopping hours that was conducted some months ago?

The Hon. L. J. KING: In my absence last week, the Leader asked the Premier a question about this matter. The answer to the question he asks today is that no person has yet been fined. He asked the Premier whether I had directed that prosecutions in relation to persons who had failed to comply with their legal obligation to vote at the shopping hours referendum be stopped. I suppose I may now give the reply to that question, and it is that prosecutions against persons who failed to comply with that obligation have not been stopped at my direction. The procedures of the Electoral Department have been carried out in the normal manner and the stage has now been reached at which prosecutions will be instituted.

LICENSING ACT

Mr. MILLHOUSE: I intended to ask the Minister of Education a question about the Karmel report but, as he is not in the House, I will delay asking that question and ask a

question of the Attorney-General instead. Can the Attorney say whether the Government intends to introduce amendments to the Licensing Act during this session and, if it does, when it intends to do so? Last Saturday evening I had the pleasure of dining at Chateau Fort, on King William Road and inevitably the Licensing Act was discussed with me by the host, Monsieur Vigor.

The Hon. L. J. King: In very polite terms, no doubt.

Mr. MILLHOUSE: Well, in very picturesque terms. As the Attorney knows, as I knew when I was in office and as other members know, he has several objections primarily to the administration of the Licensing Act by the Licensing Court, but I do not comment on those objections. However, in view of what has been said to me by Monsieur Vigor and also in view of comments that have been made to me by other persons from time to time, I ask the Attorney whether the Government intends to introduce amendments to this Act during this session.

The Hon. L. J. KING: Cabinet has approved certain proposals for amendment to the Licensing Act, and instructions are about to be given to the Parliamentary Draftsman. I do not know that I can be dogmatic at this stage about whether the Bill can be introduced before this session concludes. The Government would like to introduce the Bill and, indeed, be able to have it passed before the end of the session, but one is becoming rather conscious that the end of the session is drawing closer and closer. Every effort will be made to introduce the amending Bill before the end of the session but, if that proves to be impracticable because of pressure on the Parliamentary Draftsman or for other reasons, it will certainly be introduced early in the next session. The honourable member has not indicated the nature of the views that his host expressed to him on Saturday evening and, therefore, I cannot say whether the amendments will deal with the matter raised by that gentleman.

DR. BOGLE'S DEATH

Mr. McRAE: In the absence of the Premier, has the Minister of Works received from the Chief Secretary a reply to the question I asked on March 2 regarding the alleged suppression of police inquiries into the death of Dr. Bogle?

The Hon. J. D. CORCORAN: The Chief Secretary states that no directive or suggestion in relation to this matter has been received from the Commonwealth Government. In fact, the South Australian Police Department has had no communication of any sort from the Commonwealth Government or the Commonwealth Police regarding the Bogle-Chandler case.

WATERSHED MAPS

Mr. COUMBE: Will the Minister of Works have displayed on the notice board in this House maps showing the Government's proposals regarding the watersheds of Adelaide's water supply? I am not breaching Standing Orders, Sir, by saying that the legislation which the House will have to debate and determine refers to watershed Zones Nos. 1 and 2. It would greatly assist members if these maps could be displayed so that they would realize exactly what they were discussing and to which parts of their districts these matters related.

The Hon. J. D. CORCORAN: Yes, I shall be delighted to do as the honourable member requests. Maps of the proposed zones are available and, in order to facilitate debate, I shall be happy to have them displayed in the House, if that is in order, and to give the honourable member any further details he may wish to have.

CLEAN AIR COMMITTEE

Mr. RYAN: Has the Minister for Conservation a reply to my recent question regarding the activities of the Clean Air Committee?

The Hon. G. R. BROOMHILL: The Chamber of Manufactures sought an extension of time from January 31, 1971, to enable it to prepare its comments on the proposed clean air regulations to control the emission of air impurities. Its comments were received recently, and they are at present being correlated with comments from other organizations. The Clean Air Committee will meet shortly to consider the submissions and continue with the task of framing regulations for the Government to consider.

NURSING HOMES

The Hon. D. N. BROOKMAN: Has the Attorney-General a reply from the Chief Secretary to the question I asked on March 9 about the possibility of the Government's assisting so-called profit-making nursing homes.

The Hon. L. J. KING: I have consulted the Chief Secretary on this matter. The Government cannot extend the assistance already given.

STRATHMONT GIRLS TECHNICAL SCHOOL

Mr. WELLS: Will the Minister of Works sympathetically consider having repairs effected to three damaged basketball courts at the Strathmont Girls Technical High School, which is in my district? Repairs have recently been carried out at this school, and heavy Public Buildings Department vehicles have been driven over the basketball courts, which were constructed by the school council and parents and paid for by the latter. The courts now have heavy indentations across them and in many places the surface is badly fragmented. Indeed, it will be impossible for basketball to be played on the courts in school competitions this season if such repairs are not effected.

The Hon. J. D. CORCORAN: I shall have the matter examined. I am concerned to think that vehicles have been driven over the courts and caused the damage referred to by the honourable member. It seems to me that carelessness is involved here. However, I will certainly see what I can do about having repairs effected quickly so that students are not denied the opportunity to play basketball this season.

Mr. WELLS: Has the Minister of Works a reply to my recent question regarding the partial collapse of a floor in a classroom at the Strathmont Girls Technical High School?

The Hon. J. D. CORCORAN: The partial collapse of a ground floor of a classroom in the Strathmont Girls Technical High School was caused by a floor joist slipping from a supporting ground stump. This was caused by extreme shrinkage in the black clay soil moving the stump away from the floor joist. As the school is scheduled for replacement, repairs will be limited to those necessary to keep the building functioning and to ensure the safety of the occupants. Preventive work will also be undertaken to ensure that an accident of this nature cannot occur again.

WATTLE PARK INTERSECTION

Mrs. STEELE: Will the Minister of Roads and Transport take up with the Road Traffic Board the desirability of doing something immediately about the intersection of Kensington Road and Penfold Road? I think it was last weekend that a fatal accident occurred at this intersection, this being the second fatality within about 12 months, and there have been many near-misses there. As member for the district, I have been told that a petition in connection with this matter is being circulated for me to present to Parliament eventually. I live near this intersection and often hear the screeching of brakes, although I did not hear the actual accident that occurred at the weekend, but I saw what had happened a couple of hours later. As people living near the intersection are concerned about this matter, will the Minister treat it as a matter of urgency?

The Hon. G. T. VIRGO: I will certainly consider the question. I am sure the honourable member will be interested and pleased to learn that I included this matter when I took up the matter concerning Duthy Street. I was looking at the material I had in relation to the Duthy Street matter, and thought that included in it would be a reference to the intersection to which the honourable member has referred. However, the matter is certainly being discussed with the Executive Engineer of the Road Traffic Board, although it may not have actually reached the level of the board itself. I hope the problem can be solved speedily; perhaps it can be solved when the recommendations of the Pak Poy report are being considered, I hope soon.

MOUNT GAMBIER COLLEGE

Mr. BURDON: Has the Minister of Education a reply to the question I asked last week about further development of the Mount Gambier Technical College?

The Hon. HUGH HUDSON: Sketch plans for major additions to the Mount Gambier Technical College have been prepared. The present intention is that working drawings and specifications should be completed to enable tenders to be called towards the end of 1972. If this plan can be adhered to, completion of the project is expected in the latter half of 1974. The proposed additions will include an administration block containing office accommodation for the Principal, Vice-Principal, lecturers and teaching staff, and general office and ancillary rooms. There will be a library resource centre together with a tiered lecture theatre built as a separate block, while another block will contain classrooms, art and art/craft rooms, a commercial room, dressmaking room, and science room, together with store-rooms and appropriate cloak and toilet accommodation. Some alterations will be made to existing solid construction craft shops to make them more suitable for adult trade and apprentice training, and new accommodation for the electrical, automotive and welding departments will be provided. Provision will be made for metrology and heat-treatment sections in the

existing metalwork building and, for the first time, facilities will be provided for the practical training of hairdressing apprentices. Another important new facility will be a small dining area for staff and student use. Other accommodation will include a small building for teaching woolclassing, together with a maintenance workshop, bulk store and inflammable store.

OH! CALCUTTA!

Mr. RODDA: Will the Attorney-General attend a preview, with members of this House, of a dress rehearsal of the much talked-about play *Oh! Calcutta!?* Much consternation has been expressed about the play and the Minister has announced his attitude towards it. Without wishing to pour cold water on the play, I ask him as kindly as I can, in view of the strong interest evinced in my district, whether he will consider taking this step before the play opens on May 6?

The Hon. L. J. KING: The honourable member has referred to the date on which he believes this play will come to Adelaide, but I can only say that he is better informed than I because I have had no information at all, other than what I have read in the press, as to whether this show is to open in Adelaide or not. As to a preview by me either by myself or in company with other members, I can only repeat what I have said on previous occasions: I do not believe that this is an appropriate way to approach this topic. I believe the question here is a question of legality and that every citizen has the right to decide what he shall see and what he shall read, subject to compliance with the law. If people present a show that complies with the laws of decency, whether the honourable member for Victoria or I may think it is undesirable or desirable is irrelevant. It is for each citizen to decide whether he wishes to see the show, but if anyone presents a show that infringes the laws of decency the proper course is for the law enforcement agency of the community, the police, to make the observation and report the observation and for the law officers of the Crown to decide whether there have been breaches of the law.

I can only repeat what I have said previously, following a conference between me and senior officers of the Police Department and a subsequent communication to the Commissioner of Police. The Commissioner has agreed that his officers shall attend the opening performance of this show, and they will report what is observed to happen on the stage. If offences are committed, prosecutions will be launched. If it appears that the continuance of the show would result in a repetition of offences, I will exercise my powers under section 25 of the Places of Public Entertainment Act and prohibit further performances of the show. If it transpires that there are no grounds for prohibiting further performances of the show and it continues, the police have agreed that it is part of their function to exercise a continuing supervision in the same way as they exercise a supervision in relation to other places of entertainment where offences might conceivably take place. That is the attitude I have previously stated and I repeat it now. I believe no attempt to judge this show by a preview should be made. I believe it would be wrong in principle and it might turn out to be futile because the question is whether offences have been committed at each performance, and the fact that a performance was given as a preview in which no offence was committed would be no guarantee that a performance on stage in front of an audience would be similarly free from offence. I believe that the course I have indicated will be taken is the appropriate course.

Mr. MILLHOUSE: Has the Attorney-General a reply to the question I recently asked about the production of *Oh! Calcutta!*?

The Hon. L. J. KING: Some coupons, cut from a newspaper, regarding the staging of *Oh! Calcutta!* have been forwarded to me. To date I have received 192, there being 180 against the production and 12 in favour.

HOLDEN HILL SCHOOL

Mrs. BYRNE: Can the Minister of Education say when the open-space teaching unit, or four-classroom block, planned for the Holden Hill Primary School will be built and ready for occupation, and when the transportable classroom, which was applied for eight months ago (the indication was that it would be operating in the present school year), will be installed? Will the Minister endeavour to expedite these matters? The 1971 enrolment at this school has already caused over-crowding with the result that activity rooms must be used as a classroom. Following the mid-year intake the position will be worse. The difficulty could be alleviated by providing a temporary classroom, but the only real solution to the problem is to erect the permanent unit by the beginning of the 1972 school year. As the Minister visited the school on March 19, he will be aware of these facts.

The Hon. HUGH HUDSON: As the honourable member said, I visited the school last February. Since returning from the school I have asked for detailed information in respect of the provision of a transportable classroom and also with regard to the four-teacher open-space unit which is planned for the school and which is likely to be necessary next year in order to cope with additional enrolments. I understand that the four-teacher open-space unit is being designed in Samcon construction. I am not sure whether the problems associated with the development of that design in Samcon have been solved as yet. As soon as I have detailed information to give to the honourable member on either of the two matters she has raised, I shall be pleased to see that she receives it immediately.

LAND AGENTS

Mr. EVANS: Has the Attorney-General a reply to my recent question about land agents in which I referred especially to the opening of branch offices that did not have independent managers in charge of them?

The Hon. L. J. KING: The Land Agents Act is currently under review. The Government expects to introduce a Bill next session. The matter mentioned will be considered during the course of this review.

UNLEY POLICE STATION

Mr. LANGLEY: Has the Minister of Works a reply to my recent question about alterations to the Unley police station?

The Hon. J. D. CORCORAN: Sketch plans have been prepared for the enlargement of the general office including the provision of a new counter and general upgrading of the area internally. A submission is being prepared for approval of funds. Subject to the work being satisfactorily included in the financial programme, the project is expected to be completed early next financial year.

GAWLER-KAPUNDA ROAD

Dr. EASTICK: Can the Minister of Roads and Transport say what is the programme for the construction and what is the proposed route of the next stage or stages of the Gawler-Kapunda road via Freeling? The Minister will be aware that on Monday of last week the section of road from Fords road to a point about two miles from Kapunda was opened. I congratulate the Highways Department on an excellent job. Unfortunately, the remainder of the road, especially the half-mile immediately on the Kapunda side of the new section, has several tight corners and a narrow bridge in it. It may well be that people entering this last stage will have gained a wrong impression of the quality of the road as they have travelled over 12 to 15 miles of excellent surface.

The Hon. G. T. VIRGO: I will refer the matter to the department and, in doing so, convey to it the congratulations of the honourable member.

POORAKA PRIMARY SCHOOL

Mr. GROTH: Can the Minister of Education say whether tenders have been called for the erection of a new canteen at the Pooraka Primary School and, if they have, when they will close? If they have already closed, can the Minister say who is the successful tenderer?

The Hon. HUGH HUDSON: I shall be pleased to obtain the information for the honourable member.

JERVOIS WATER SUPPLY

Mr. WARDLE: Has the Minister of Works a reply to my recent question about the possible filtration of the Jervois water supply?

The Hon. J. D. CORCORAN: I have been advised by the Minister of Irrigation that filtration of the stock and domestic water supply for the Jervois irrigation area is not contemplated. It is planned, provided sufficient funds are available, to replace the reticulation system and the surface tank for the Jervois stock and domestic water supply by the end of the 1972-73 financial year. The question of the inclusion of chlorination facilities in conjunction with the new surface storage tank is under consideration.

MURRAY RIVER REVENUE

Mr. McANANEY: Has the Minister of Works a reply to my recent question about receipts from licence fees for wharves, jetties and so on, on the Murray River?

The Hon. J. D. CORCORAN: Current annual receipts from licence fees for wharves, jetties and other similar structures on the Murray River and lakes amount to $3,600. The total cost of wages of the Patrol Officer, upkeep of the patrol vessel, etc., is $4,900.

JUNCTION MIRRORS

Mr. BECKER: Will the Minister of Roads and Transport ask the relevant road safety authorities to consider installing mirrors at dangerous junctions? Oversea countries, such

as England, China, Japan and Italy, have experimented successfully with mirrors at dangerous corners of the type that we call T-junctions. As I understand it, these are mirrors of an ordinary type with wire netting to protect them against flying stones and gravel, and they have been used on every blind corner on the Isle of Wight for the last 50 years. Since 1968, in Taiwan mirrors have been installed at all blind corners on a road 110 miles long. The mirrors are of the concave type and allow vision around the corner for a long distance.

The Hon. G. T. VIRGO: I shall be pleased to obtain information about the matter and give the honourable member a considered reply.

LAND TAX

Mr. GOLDSWORTHY: In the absence of the Treasurer, has the Minister of Works a reply to my recent question whether the onus is on a landholder to obtain a land tax assessment from the department?

The Hon. J. D. CORCORAN: Pursuant to section 24 of the Land Tax Act, 1936-1970, it shall not be necessary for the commissioner, upon the making of any land tax assessment, pursuant to section 20, to give particular notice thereof to a taxpayer, unless some alteration directly affecting that taxpayer has been made in respect of the unimproved value of the land assessed. "Particular notice" means a notice served personally, or by leaving it at, or posting it addressed to, the usual or last known place of abode or business of the person to whom or to which the notice is intended to be given, or by affixing it conspicuously on any land to the tax whereon the notice refers. Regulation 57 states that any notice served by or on behalf of the commissioner by posting the same to the usual or last known place of abode of any party shall be deemed to have been served at the time when the same would, in the ordinary course of the post, have arrived at the place to which the same was addressed, or to the post town or post office nearest to such place.

Regulation 56 states that for the purposes of any notice, the residence of any party as described in any official list of taxpayers in the custody of the commissioner shall be deemed to be the usual or last known place of abode of such party. On behalf of the Commissioner of Land Tax, the Valuation Department has posted particular notices of all altered unimproved values to every taxpayer entitled under the Act to receive such a notice. The address to which the particular notice has been posted in each case would be that as shown on the land tax account of each taxpayer. If a taxpayer changes his place of abode at any time, the onus is on him to notify the commissioner so that the change of address can be made in the commissioner's records. The Valuation Department would be unaware of any taxpayer who failed to receive a notice of assessment by post, and the onus would be on the taxpayer to make his own inquiries, either by attending personally at the department or in writing, regarding the details of his assessment.

Mr. CARNIE: Has the Minister of Works, in the absence of the Treasurer, a reply to my question about areas in which land tax has been reduced?

The Hon. J. D. CORCORAN: The new land tax assessment derived from analysis of actual sales has shown that rural values have increased more in some areas than in others. The best information presently available indicates that the aggregate assessment for all rural land is about 25 per cent greater than the previous aggregate assessment based five years earlier. Because of the effect of the progressive scales of rates, it is likely that without amendment of rates the present yield of about $1,100,000 a year would have been increased by some 40 per cent to about $1,550,000. However, as honourable members are aware, the amending Act passed earlier this session provided for land tax rates to be reduced for rural properties by 40 per cent of the rates presently applying for properties valued up to $40,000 and for reductions equal to 2c for each $10 of unimproved value for properties valued at more than $40,000. The effect of this concession will probably be to reduce the possible yield of about $1,550,000 at present rates to $1,000,000 or a little less in 1971-72.

Dr. EASTICK: In the absence of the Treasurer, has the Minister of Works a reply to my recent question about the mean of land values?

The Hon. J. D. CORCORAN: The Valuation Department has not prepared a summary hundred by hundred of the recently changed unimproved values throughout the State, nor is the mean value of each individual hundred for the 1965 unimproved values available for comparison with that for the 1970 values. However, arrangements have been made to write a special programme to extract this information from the computer tape

for the 1970 unimproved values and/or the manual extraction of the 1965 figures from the old manually operated system so that the required comparisons can be made. It is estimated that the information the honourable member is seeking could be made available in two or three weeks' time.

MARINO TRAIN SERVICE

Mr. MATHWIN: Will the Minister of Roads and Transport consider the possibility of altering the rail service on the Marino-Adelaide line? Last Thursday I asked the Minister a similar question and he has given me a reply. Doubtless, the Minister misunderstood my question, probably because the Minister of Education interjected at that time. However, some trains, particularly the one that leaves Marino at 8.3 a.m., are filled to capacity when they leave Oaklands station. If this morning train ran express from Oaklands to the city and a single-carriage train was used to follow up, this would save much time and would encourage people to use public transport.

The Hon. G. T. VIRGO: When the honourable member asked an identical question last Thursday, I told him that this matter had been considered previously in a general way as a result of a question asked by the member for Mawson.

Mr. Mathwin: That's not quite true.

The Hon. G. T. VIRGO: The honourable member said that last Thursday, and I am pleased that he is sticking with it. However, I am sorry to tell him that it is true. The matter of time tables on the Marino line has been the subject of thorough investigation and serious and full consideration since the member for Mawson raised the matter. I said then, and repeat now, that the matter is still being considered but the time table on that line is determined almost entirely by the availability of rolling stock. I think that last Thursday I said I hoped to be able to bring down information soon. That still applies and I hope soon to give information that will satisfy the honourable member if he is patient enough to allow me to do so.

CRYSTAL BROOK SCHOOL

Mr. VENNING: Has the Minister of Education a reply to my question about the drainage and asphalting work at Crystal Brook Primary School?

The Hon. HUGH HUDSON: In November last a scheme estimated to cost more than $5,000 was submitted by the Public Buildings Department to the Education Department for consideration. In January this year, the Education Department asked that more extensive upgrading of the paving and drainage be carried out. These additional requirements have been investigated and additional funds are being sought. Tenders are expected to be called in April, 1971, and the work will be undertaken as soon as the financial position permits.

MORGAN DOCKYARD

Mr. ALLEN: Can the Minister of Roads and Transport say whether all staff employed at the Morgan dockyard have now joined the Amalgamated Engineering Union; whether a representative of that union has inspected the dockyard; whether, if such an inspection has been made, any complaints have been lodged regarding the facilities at the dockyard; and, if a complaint has been made, whether the department intends to upgrade facilities there?

The Hon. G. T. VIRGO: I suggest that the question should be directed to the State Secretary of the Amalgamated Engineering Union, who is Mr. Scott. His address is Halifax Street, Adelaide. I cannot answer a question about who are members of unions and who are not.

FIRE BANS

Mr. GUNN: Has the Minister of Works a reply from the Minister of Agriculture to my question about the imposition of fire bans in the Western Division?

The Hon. J. D. CORCORAN: My colleague has expressed surprise that this request for the easing of fire bans in the Western Agricultural Division has been made by the honourable member, especially as the Regional Director of the Bureau of Meteorology (Mr. J. Hogan) wrote to the honourable member on March 11, 1971, explaining in some detail the scientific bases on which bans are determined. It has been pointed out on numerous occasions that the general weather pattern in a meteorological district, not the conditions in a particular locality, determine whether a fire ban should be declared for that district; and, whilst it is realized that some inconvenience to some people must inevitably result from the imposition of bans, there is little doubt that the protection afforded by bans far outweighs the inconvenience and losses which may be involved.

KARMEL REPORT

Mr. MILLHOUSE: Will the Minister of Education say what procedures the Government intends to follow in considering the implementation of the recommendations in the Karmel report? Last Tuesday, the Minister tabled copies of the report, which has now been printed. I guess that members are in the process of studying it; at any rate, I hope they are, it being of such great importance and significance to this State, and being commissioned, of course (as the report makes clear), by the previous Government. The Minister has said that he has been aware of the contents of the report for many months and, indeed, in some respects he has already acted on the recommendations contained in it without disclosing those recommendations or the reasons for them. The Minister has also made a statement outside the House on the matter but, as I did not have an opportunity to read it, I do not know exactly what he said. I may add that, as my question is of such great importance, I would have asked it earlier in Question Time, but the Minister was late coming into the House.

The Hon. HUGH HUDSON: The honourable member just cannot help himself. For his information, I was late coming into the House today because I was consulting with the Director of the Commonwealth Department of Education and Science. However, that is obviously far less important to this State than a question by the honourable member for Mitcham!

The SPEAKER: Order! The honourable Minister must answer the question.

The Hon. HUGH HUDSON: Well, Sir, the honourable member should not continue to make this sort of snide, nasty-minded remark.

The SPEAKER: Order!

The Hon. HUGH HUDSON: The position regarding the Karmel report is slightly complicated because, as the honourable member would realize (and, indeed, as is made clear in the report), many of the recommendations contained therein will require finance that is beyond the current capabilities of the State to provide. When policy decisions involving matters touched on within the report are made, those decisions will be announced immediately they are made. Where it is appropriate for people to be given certain opportunities (for example, in respect of the introduction of legislation, in relation to which people might like to make submissions), that opportunity will be given. In view of the peculiar financial situation confronting this State in the field of education, it is not possible to state in an overall policy document which recommendations will be implemented. Certainly, it is the Government's policy to increase the ratio of teachers to students, although that factor is limited by the availability of qualified teachers and finance. The Government could well say that it intends to implement the recommendations that suggest that South Australia should achieve a certain teacher-pupil ratio by 1978, and the recommendations regarding study leave. Indeed, I would certainly like to be able to say that we could. However, I can give no guarantee that the Government will have the money to implement such a policy question. My policy will be to make the necessary public statements as soon as they can be made.

Mr. Millhouse: You haven't worked out any formal procedure?

The Hon HUGH HUDSON: No. I have considered the whole matter and have decided that it would be most appropriate to make public statements on certain policy decisions when those decisions are made, rather than wait until a whole bunch of policy decisions covering the bulk of the report are to be announced.

Mr. Millhouse: Are you going to set about considering this?

The SPEAKER: Order! Only one question at a time can be asked.

The Hon. HUGH HUDSON: I should have thought the fact that certain policy recommendations governed by the Karmel report had already been announced would show that all the recommendations contained in the report would be considered and that appropriate announcements in relation to them would be made.

STRATHMONT CENTRE

The Hon. D. N. BROOKMAN: Will the Minister of Works, as Deputy Premier, say why the present commonwealth Minister for Immigration (Dr. Forbes), who was until last Monday the Minister for Health, was not invited to yesterday's official opening of the Strathmont training centre? As far as I am aware, the Minister was not invited and, after asking him why he was not there, I was told that he had not been invited.

The Hon. J. D. Corcoran: When did you ask him why he wasn't there?

The Hon. D. N. BROOKMAN: As I was about to tell the Minister, I understand that invitations were sent out weeks ago. Dr. Forbes was the Commonwealth Minister for Health until last Monday and, indeed, he is still South Australia's only Commonwealth Minister. I understand that one-third of the cost of this centre was subscribed under the Commonwealth Grants for Mental Institutions Act. It is evident from my explanation that the Ministers of this Government hold an insensate dislike of the Commonwealth Government. This has been evident from many statements that have been made.

The SPEAKER: Order! The honourable member is starting to comment. He can explain his question, but he is not permitted to comment.

The Hon. D. N. BROOKMAN: I hope that this procedure is not to be translated as a departure from the normal courtesy extended to a Government that provides one-third of the money.

The Hon. G. T. Virgo: This is sour grapes.

The Hon. J. D. CORCORAN: No, I do not think it is. I think the honourable member has raised a legitimate point. I would not think for one moment that the South Australian Government would want to ignore the previous Minister for Health in this matter. As the honourable member knows, an officer is appointed by the Government to conduct certain functions, including those associated with a Royal tour, and the Under Secretary (Mr. Isbell) is that officer. Whether or not he was responsible for drawing up the list of guests and an oversight occurred, I cannot say, but I will certainly examine the matter. I assure the honourable member that the Government did not intend to ignore the Commonwealth Government, the present Commonwealth Minister for Health, or the previous Minister. I shall be happy to obtain a reply for the honourable member.

HOPE VALLEY SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked on March 17 about the future of the Hope Valley Primary School?

The Hon. HUGH HUDSON: As the honourable member stated in asking her question, the Education Department holds a site for a primary school at Vista. It is still the position that until a primary school is established on this site there will be a need for the present Hope Valley school to remain open. It cannot be stated at this stage when the planning of the new Vista school will commence. Its urgency will be clearer after the Highbury school is occupied late this year or at the beginning of the 1972 school year.

NAILSWORTH CROSSING

Mr. COUMBE: Has the Minister of Roads and Transport a reply to my recent question about the contentious crossing on the Main North Road opposite the Nailsworth school?

The Hon. G. T. VIRGO: The Prospect council is currently considering several suggestions of the Road Traffic Board for improving this crossing. In addition to the suggestions before the council, the Road Traffic Board intends to discuss with the signal manufacturers the possibility of isolating the centre signal from the signals on the footpath so that, in the event of the centre signal being damaged, the side signals will continue to operate and give some protection to users of the crossing pending their repair.

INSECTICIDES

Mrs. STEELE: Will the Attorney-General ask the Minister of Health to instruct the South Australian representatives on the National Health and Medical Research Council to treat urgently the matter of restricting the sale of certain drugs and insecticides that are injurious to human life? I have read several times recently that insecticides and drugs that are injurious to human beings have for a long time been banned in the United States of America and other countries, yet these same insecticides and drugs continue to be imported into South Australia and used in the various States, even though they have been found to be harmful.

The Hon. L. J. KING: I understand that the toxicity of the active ingredients of insecticides is reviewed by departmental officers and that they place reliance on the work and recommendations of the Poisons Schedules Subcommittee of the National Health and Medical Research Council. However, I will take up the honourable member's question with my colleague and obtain a further reply.

Dr. TONKIN: Has the Attorney-General a reply to the question I recently asked about insecticides?

The Hon. L. J. KING: The Minister of Health states that the toxicity of the active ingredients of insecticides is reviewed by departmental officers, who place reliance on the work and recommendations of the Poisons

Schedules Subcommittee of the National Health and Medical Research Council. The insecticide dichlorvos, which is used in the pest strip and some aerosol insect sprays, has been examined more closely as to its possible toxic effects than has any other insecticide. It is considered, in general, that the criticism of the safety of the pest strip and dichlorvos aerosols made by the Australian Consumers Association is out of step with informed scientific opinion around the world.

MOUNT GAMBIER WALKWAY

Mr. BURDON: Will the Minister of Roads and Transport have investigated the possibility of having an elevated walkway constructed over North Terrace, Mount Gambier, on the crest of the rise between Moten Street and Wehl Street North? At present, the Highways Department and the Mount Gambier City Council are constructing a two-lane highway on North Terrace and, as this is a busy thoroughfare, I have been approached by several Mount Gambier organizations and private persons that are concerned about the safety of children who will be crossing North Terrace when work is completed, probably within about six or seven months. A hazard exists in respect of children who cross the roadway on their way to the North Gambier Primary School and, as the matter has caused considerable discussion in local circles, I ask the Minister to have this matter investigated by the appropriate authorities with a view to eliminating possible danger to children.

The Hon. G. T. VIRGO: I will ask the Road Traffic Board to discuss this matter with the council and bring down a report.

PARKS

Mr. EVANS: Has the Minister for Conservation a reply to the question I recently asked about training park keepers and game keepers to help in rural areas where there is an economic crisis and, at the same time, help preserve natural fauna and flora and protect our national parks?

The Hon. G. R. BROOMHILL: I closely examined the honourable member's question and discussed it with the Minister of Education. The Director of Technical Education informs me that, in view of the limited number of men employed as park keepers and rangers in country areas, the student potential in country areas is likely to be too small to justify the setting up of a course for park keepers and rangers. The question of ranger training and education in parks administration has been discussed in detail at recent Ministerial conferences on national parks. The Director of National Parks states:

Training at an adult education level or on a part-time basis would probably not be the most appropriate method of training rangers. A certificate course such as is envisaged by the New South Wales National Parks and Wildlife Service (about one year) or in-service training would appear to be much more suitable. It would be pointless establishing adult education courses in ranger training unless the persons undertaking the course could be reasonably sure of some employment upon completion of the course. Rangers particularly are being increasingly called upon to present reports on their activities and to investigate and report on the suitability of areas for national park purposes within their regions. Rangers may also be called upon to act as the representatives of the commission in the dissemination of information within the areas under their control. It is therefore expected that rangers will be required in the future to have a basic education of Leaving standard in order to cope with their responsibilities. It is also expected that subprofessional training of an in-service or certificate course level will be required to give rangers at operational levels a basic appreciation of the ecology of the areas that they are directly responsible for and of management practice. Rangers of a technical level, such as would be employed in the assessment and resource survey of park areas, would require further training of certificate or diploma level. Specialist officers such as biologists, ecologists, etc., would, of course, require suitable professional training at a tertiary or post-graduate level.

Maintenance and general employees could be recruited from persons who have acquired particular knowledge such as that referred to by the honourable member. However, few employees in this category are employed in country areas.

GREYHOUND RACING

Dr. EASTICK: Has the Attorney-General a reply from the Chief Secretary to my recent question about greyhound racing?

The Hon. L. J. KING: My colleague states that it is not a function of the Totalizator Agency Board to decide that greyhound racing clubs may not compete with other forms of racing, and the T.A.B. made no such decision. Approval for the issue of totalizator licences is given by the Chief Secretary. Each and every night meeting for which Southern Greyhound Raceway (Strathalbyn) applied will be approved for totalizator licences as soon as a copy of the club's rules (totalizator) have been received. The club has been informed of this.

NURSES

Dr. TONKIN: Has the Attorney-General a reply from the Chief Secretary to my recent question about nurses?

The Hon. L. J. KING: My colleague states that all nurses who have passed parts A and B of the Nurses Board Nurses First Examination and have completed two years' service in part-time training schools have transferred to the full-time training school of their own choice to complete training. Student nurses training under existing regulations may elect to transfer to any full-time Government training school in the metropolitan area or at Mount Gambier, Port Pirie or Whyalla. New regulations are pending. As soon as these become available, all training schools will be informed by the Nurses Board regarding educational assessment of student nurses currently in training and phasing dates for transfer. Affiliations with base hospitals under the regionalization scheme will come into effect under these new regulations. Nurses will be notified by the matrons of their respective training schools in accordance with the new regulations.

CEDUNA COURTHOUSE

Mr. GUNN: Has the Attorney-General a reply to my recent question about the erection of a new courthouse at Ceduna?

The Hon. L. J. KING: The Minister of Works states that, because of high tender prices received in response to the tender call for the Ceduna courthouse, police station and office, the Public Buildings Department is examining means of reducing the cost of the work. It is therefore not possible to state accurately the likely time of commencement of this work.

BURRA HIGH SCHOOL

Mr. ALLEN: Has the Minister of Education a reply to my recent question about the tennis courts at the Burra High School?

The Hon. HUGH HUDSON: I am informed that tenders for the reconstruction of the tennis courts to be undertaken, together with additional paving works and repairs to the existing paving, will be called next month. The work will be undertaken as soon as finance is available.

EDUCATION EXPENDITURE

Mr. HALL: Has the Minister of Education the information that he said he would get last week about the increased percentage of Government expenditure on education this year?

The Hon. HUGH HUDSON: No, although I should have had it by now. I can, however, tell the Leader that it is conceivable that the final expenditure by the Education Department this year will be as much as $79,000,000, which is over $3,000,000 above estimates. I will make sure that the detailed information the Leader requires is available on Tuesday.

ELECTRICITY SUBSTATIONS

Mr. MATHWIN: Will the Minister of Works inquire about the investigation held in relation to the Morphett Road electricity substation fence? In reply to a question I asked last year about the modification of this fence, I was told that the matter would be investigated on December 17. As this substation is adjacent to the Morphettville Park Primary School, I think the matter is urgent.

The Hon. J. D. CORCORAN: I shall be happy to take up this matter with the Electricity Trust and bring down a report.

BUS EXHAUST

Mr. BECKER: Has the Minister of Roads and Transport a reply to a question I asked recently about bus exhausts?

The Hon. G. T. VIRGO: It is believed that the noise referred to by the honourable member is made by the Metropolitan Tramways Trust's latest buses in which the rear positioning of the engine and the higher power contribute to the increased noise from the engine and exhaust system. The trust is aware of the problem and is investigating ways of reducing the noise made by its buses. The black smoke emitted by a diesel engine is not toxic and is therefore not a pollutant in the same sense as colourless petrol engine exhaust gases. The trust has a unit change programme for fuel injectors and the periods between changes have been established from experience and selected to coincide with other major servicing operations. The trust's traffic inspectors are continually watching for and reporting excessive smoke emissions from buses, and their reports are investigated and corrective action is taken.

WEEDS ACT

Mr. McANANEY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about the collection of fines by the Government instead of by the local council?

The Hon. J. D. CORCORAN: My colleague states that the Weeds Advisory Committee has recently examined the need to amend the

Weeds Act, 1956-1969. As soon as the committee has prepared the draft amendment it will be considered by the Government.

PROFESSOR MEDLIN

Mr. GOLDSWORTHY: Will the Minister of Education get a report on the arrangements made for Professor Medlin's classes to be conducted while he is in gaol? It has been stated publicly that Professor Medlin does not want anyone to pay his fine; in fact, he would be annoyed if anyone did so. Apparently he considers that the serving of this gaol sentence is of higher priority than his responsibility to the classes he is employed to teach. I and, I believe, many members of the public would appreciate a report on the arrangements made for conducting his classes.

The Hon. HUGH HUDSON: The honourable member will appreciate that, as the university is an autonomous institution, it is not under my control. The member for Mallee, who I believe is a colleague of the member for Kavel, is a member of the Council of Flinders University.

Mr. Goldsworthy: No, you have the wrong one.

The Hon. HUGH HUDSON: Well, one member opposite is a member of the council: perhaps it is the member for Bragg. I am sure he could do just what I could do or what the member for Kavel could do himself: telephone the Registrar or the Vice-Chancellor and find out what is happening. If the honourable member, having endeavoured to contact Flinders University to see what is happening in the matter, fails to get an answer, and if he then wants me to act as a messenger, I will consider his request.

DEEP SEA PORT

Mr. VENNING: Has the Minister of Marine a reply to the question I asked some time ago about evidence being taken with regard to a deep sea port?

The Hon. J. D. CORCORAN: It is not possible at this stage to predict the date of completion of the inquiry but it is unlikely to be before July, 1971.

JUSTICES OF THE PEACE

Mr. CARNIE: Has the Attorney-General a reply to my recent question about justices of the peace?

The Hon. L. J. KING: On March 17, 1971, during my absence at a meeting of Ministers of Social Welfare, the member for Flinders directed a question to the Premier concerning the intervals at which justices of the peace were appointed. In view of the existence of quotas, I think it is undesirable to appoint justices of the peace more frequently than three or four times a year. This enables the Attorney-General to select the best applicants for the purpose of filling the quota in a district. If appointments were made more frequently the quotas might be filled by applicants of lesser quality than those who applied later. I intend to make further appointments in April.

CHIROPODY BOARD

Mr. MILLHOUSE: Can the member for Tea Tree Gully, as Chairman of the Subordinate Legislation Committee, say what undertaking has been received from the Chiropody Board of South Australia to take action to amend the regulations on which the honourable member reported to the House on Tuesday, and what objections were raised by the committee? On Tuesday, the honourable member presented the committee's report, which ended as follows:

However, an undertaking has been received from the Chiropody Board of South Australia that it will take action to have the regulations amended to meet objections raised by the committee.

However, no explanation was given of the action that is to be taken, nor were the objections made by members of the committee stated. As the Opposition has no representation on that committee, it would have been helpful if the honourable member had enlarged in her report, for the benefit of honourable members on both sides, on just what is involved in this matter.

The SPEAKER: If the honourable member for Tea Tree Gully desires to reply, she may do so. However, the relevant evidence has been tabled and is available for the honourable member to examine.

Mr. Millhouse: I have examined it, Sir.

The SPEAKER: Does the honourable member wish to reply?

Mrs. BYRNE: Yes, Mr. Speaker. As you have said, Sir, if the member for Mitcham wishes to know fully the undertaking given by members of the Chiropody Board to the committee about certain suggested amendments, he can find this out by looking at the evidence tabled in Parliament.

Mr. Millhouse: As Chairman, can't you tell us?

The Hon. G. T. Virgo: Why don't you do your own homework?

Mr. Venning: Answer the question.

The SPEAKER: Order! For the benefit of the honourable member for Rocky River, I point out that the honourable member for Tea Tree Gully has answered the question, and she had no need to do so. I will not continually warn members about interjecting. I would expect members who represent districts to be able to conduct themselves in a better manner in this Chamber. They are not setting a good example, especially when there are people in the gallery. I expect to receive a little more co-operation. The honourable member for Tea Tree Gully has answered the question. However, if she wishes to continue she may do so. If she does not wish to continue, the subject is closed.

Mrs. BYRNE: I believe that I have already answered the question: the information that the member for Mitcham requires is contained in the evidence. As far as I know, evidence is tabled in the House so that members can get information from it. If members opposite continue in this vein, saying that they do not have representation on the committee (and this is an internal matter in their own Party and has nothing—

Members interjecting:

The SPEAKER: Order!

Mrs. BYRNE: —to do with members on this side who are members of the committee), we can amplify the report given to the House. In future, I will consider doing this.

Mr. Millhouse: Thank you.

Mrs. BYRNE: I could go into detail now for the honourable member—

Mr. Millhouse: Please do.

Mrs. BYRNE: —but I do not consider that it is necessary to do so at this juncture.

ADELAIDE ABATTOIRS

Mr. VENNING: Has the Minister of Works a reply to my recent question about the Adelaide abattoir?

The Hon. J. D. CORCORAN: The Minister of Agriculture has informed me that the condition of the yards at the Adelaide abattoir is kept under constant notice by the Metropolitan and Export Abattoirs Board which, at the time the honourable member asked his question, had already made arrangements to have them cleaned. This work was carried out at the weekend. With the possibility of wet weather approaching, appropriate measures will be taken (in accordance with the usual practice) to maintain the yards in a satisfactory state.

Mr. McANANEY: Will the Minister of Works, representing the Minister of Agriculture, say why the abattoir yards cannot be cleaned regularly by the permanent staff, who service only two markets a week? As they have three days each week to keep the yards clean, surely this work could be done on those days rather than over the weekend, when overtime rates have to be paid, at greater expense to those using the yards.

The Hon. J. D. CORCORAN: I shall have the matter checked.

WINE PRICES

Mr. HALL: In the absence of the Treasurer, has the Minister of Works a reply to my recent question about wine prices?

The Hon. J. D. CORCORAN: The Prices Commissioner reports:

The retail mark-up margin on cost of 37½ per cent now applying on bottled wine sales in South Australia is comparable with that in Victoria and below the levels operating in Queensland, Western Australia and Tasmania. Comparative prices of wellknown lines, obtained from the Liquor Industry Council, indicate that, as a result of the reduction in the South Australian retailers' mark-up margin, prices in Adelaide compare quite satisfactorily with those of similar lines in Melbourne and Sydney. Some lower-priced fortified wines and table wines were increased in price in New South Wales from March 10. Prices of other lines may be varied later. In Victoria, price rises on wines do not appear imminent. In South Australia it is understood that, with the exception of brandy, it is unlikely that wine prices will be increased for the time being, as both winemakers and resellers are desirous of maintaining present prices for as long as possible.

EXCAVATIONS

Mr. EVANS: Has the Minister of Works a reply to the question I asked recently regarding excavations in the Stirling council area?

The Hon. J. D. CORCORAN: No control of excavations for housing sites exists within existing State water legislation administered by the Engineering and Water Supply Department.

SEDAN POLICE STATION

Mr. GOLDSWORTHY: Has the Attorney-General a reply from the Chief Secretary to my question regarding policing of the Sedan area?

The Hon. L. J. KING: My colleague states that no decision has been made on the future policing of the Sedan area, but it would

appear from the recent survey conducted by members of the Police Department that the work load does not support retaining a police office at Sedan for that town alone. It is also obvious that the police premises at Sedan will have to be replaced soon and this, together with the results of surveys in adjacent police districts, will receive consideration before any recommendation is made on this matter.

DOCTORS

Mr. GUNN: Has the Attorney-General a reply from the Chief Secretary to a question I asked regarding the allocation of a doctor to Kimba?

The Hon. L. J. KING: My colleague states that, whilst it is disappointing to the department and to the country town concerned that a doctor who has been assisted under a medical studentship breaks his bond to serve in a country area, it is considered that nothing more can be done than is at present provided in the agreement signed by the student, namely, to repay the monetary equivalent of the assistance granted to him by the Government. The case to which the honourable members refers (namely, the doctor allocated to Kimba last year) is the only occasion on which a doctor has not fulfilled his obligation, and there is no positive proof that at the time he was awarded the studentship the doctor concerned "had no intention of going to Kimba but underwent the training scheme so that he could qualify and make use of the Government scheme for his own purposes". He was not, in fact, awarded Government assistance until after he had completed the fourth year of his medical course. In any form of agreement or contract there is usually a let-out clause by which the agreement may be broken provided the penalty set out in the agreement is accepted. This applies in all other forms of Government assistance: for example, teaching and other studentships in the dental and paramedical areas.

GOVERNMENT PRODUCE DEPARTMENT

Mr. CARNIE: Has the Minister of Works a reply to my question about the appointment of a committee in regard to the Government Produce Department?

The Hon. J. D. CORCORAN: A committee of three has been appointed, comprising Mr. J. R. Dunsford, Director of Lands (Chairman); Mr. K. M. Lowe, Managing Director, City Meat Company Proprietary Limited; and Mr. C. C. Catt, Senior Lecturer in Economics, South Australian Institute of Technology. The Secretary of the committee is Mr. D. R. Carter.

SOUTH ROAD LIGHTING

Mr. PAYNE: Will the Minister of Roads and Transport ask the Highways Department to inspect the road lighting arrangements on South Road in the vicinity of the new shoping complex near Price Street, Edwardstown? The installation of the islands and removal of the buildings that formerly fronted the western side of South Road in this area seem to have created a dark area, which is hazardous at night time.

The Hon. G. T. VIRGO: I shall have an inspection made for the honourable member.

NARACOORTE EDUCATION CENTRE

Mr. RODDA: Has the Minister of Education a reply to my question about the extremely important Naracoorte Adult Education Centre?

The Hon. HUGH HUDSON: I am always pleased to oblige the member for Victoria. The provision of an art and crafts block for the Naracoorte Adult Education Centre was considered when the wooden building lists were determined in 1970, but it was not possible to include the proposal, because of the higher priority which had to be given to more urgently needed works, particularly classrooms. Consideration will be given soon to the 44th priority list of wooden buildings planned for erection during the second half of this year, and in that consideration the claims of the Naracoorte Adult Education Centre will be borne in mind.

NEPABUNNA MISSION SCHOOL

Mr. ALLEN: Has the Minister of Education a reply to my question regarding the provision of air coolers at the school at Nepabunna Mission?

The Hon. HUGH HUDSON: The Public Buildings Department states that suitable 32-volt evaporative air-conditioning units are available commercially. Because of their capacity, it is possible that three would be required at Nepabunna to serve a standard 24ft. x 24ft. classroom. Where climatic conditions warrant the equipment and adequate power supply has been available, the practice has been to supply air-conditioners to Aboriginal schools. I have given directions that

air-conditioners are to be provided at Nepabunna. However, it will be necessary first to conduct a detailed investigation on the site, and I have asked that this be done at the earliest possible moment.

SCHOOL BOOKS

Mr. BECKER: Will the Attorney-General investigate the reason for the delay by the John Scott Educational Books Supply, 37 Angas Street, Adelaide, in supplying books ordered and paid for by students at St. Michael's College, Beverley? I understand that, because of the company's failure to supply the books, an average of four students at the college is sharing each science book. Other books are also missing from the range required by the college. As the first school term is nearing completion, the failure of the company to supply the books is causing the parents concern about the homework and studies of the students.

The Hon. L. J. KING: I understand the concern of the students and their parents. Some of us have encountered a similar problem in getting textbooks for our own children. However, I do not know what I can do about the matter. Apparently, it is not suggested that there is anything illegal or improper about what has taken place, and I think the only course to follow is for the persons concerned to take up the matter with the suppliers.

The Hon. Hugh Hudson: Or for the honourable member to do so.

The Hon. L. J. KING: As the Minister of Education suggests, perhaps the honourable member could take up the matter with the suppliers to find out the difficulty about supplying the books and what can be done about the matter. As I understand the question, it is not suggested that any impropriety or illegality is involved. Therefore, I do not see what I can do.

Mr. Becker: They should not undertake to supply books.

The SPEAKER: Order! For the benefit of honourable members, I point out that Ministers are not responsible for answering questions about personal matters that are beyond their control. Unless a specific case is involved, I suggest that the relevant inquiries could be made by members themselves.

Mr. BECKER: I rise to explain, Sir, if I may. How can members exert pressure on some of these companies?

The SPEAKER: Order! That is a hypothetical question.

Mr. MILLHOUSE: I address my question to the Minister of Education. I cannot hear the Minister of Works, who is interjecting.

The SPEAKER: Order! The honourable member should ask his question. Interjections are out of order.

Mr. MILLHOUSE: Then you should discipline the Minister, Sir.

The SPEAKER: Order! The honourable member should ask his question. I will reprimand whom I see fit.

Mr. MILLHOUSE: A couple of weeks ago I asked the Minister of Education a question regarding the failure of John Scott Educational Books Supply to deliver books to schools in the Elizabeth area, and last Thursday the Minister was kind enough to say that he had an answer for me. However, I did not have an opportunity to ask about the matter then, and this is the first opportunity I have had to do so since.

The Hon. HUGH HUDSON: The honourable member is ingenious in saying that this is the first opportunity he has had to ask the question. Several firms have made arrangements with individual schools for the supply of books. This kind of scheme was first commenced in South Australia at Port Adelaide Girls Technical High School in 1969. John Scott Educational Books Supply has made arrangements with many schools for the supply of books this year. In their case the schools were required to issue and collect booklists. Students or parents were then invited to submit a date on the form when they would collect the books. The arrangement relieves each school of a considerable amount of administration yet they still receive the customary 10 per cent discount on book sales. Difficulties have been experienced this year as in previous years over the supply of books, largely brought about by recent difficulties in England and the delays of certain ships.

However, each year we have experienced some problems arising from oversea publications that are awaiting reprint. In addition, some schools experienced difficulty because of unexpected changes in enrolments, requiring supplementary ordering of books. In the schools where the new arrangements have applied, heads of schools report that they are satisfied with the service that has been provided, first, because books are supplied generally prior to the commencement of school; secondly, because of the administrative advantages; and, thirdly, because in some schools classrooms have to be

used for the distribution of books in the early days of the school year. Under the new type of arrangement this does not occur.

MURRAY BRIDGE WELFARE CENTRE

Mr. WARDLE: Will the Minister of Social Welfare say whether an officer of the newly-created Community Welfare Department is to be appointed to Murray Bridge? I read with great interest the Attorney-General's announcement regarding this department that appeared in the week-end press. As Murray Bridge is a large centre that has several large towns near it, and as it has a large population, I believe it would be an ideal place for a welfare officer to be located.

The Hon. L. J. KING: Further investigations will be necessary before the locations of the various community welfare centres can be stated with finality. However, I assure the honourable member that, on the information at present available, it is almost certain that Murray Bridge will be the location of such a centre. Although I cannot say this with complete finality, as at present advised I believe it is planned that a community welfare centre will be established at Murray Bridge as soon as practicable.

NORTH ADELAIDE SCHOOL

Mr. COUMBE: Has the Minister of Works a reply to the question I asked on March 11 regarding the proposed renovations and work to be undertaken at the North Adelaide Primary School?

The Hon. J. D. CORCORAN: A detailed inspection has been undertaken of the repairs and painting required at the North Adelaide Primary School. The work is programmed for the 1971-72 financial year, and approval will be sought within several weeks for the expenditure involved.

GAWLER HIGH SCHOOL

Dr. EASTICK: Has the Minister of Education a reply to the question I asked on March 16 regarding the likely commencement date of construction of the proposed art and craft complex at the Gawler High School?

The Hon. HUGH HUDSON: Because of increased enrolments and the consequent additional pressure on art accommodation, steps have been taken to include an additional art and craft room on the Gawler building programme. As a result of the co-operation of the Public Buildings Department's works division, it is expected that this room will be erected during May, 1971.

EGG PRODUCTION

Mr. McANANEY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question regarding the control of egg production in South Australia?

The Hon. J. D. CORCORAN: The Minister of Agriculture regrets that he is unable to indicate at this juncture when legislation will be introduced for planned production control in the egg industry. Whilst the Minister is of the opinion that legislation for this purpose is desirable, the honourable member will appreciate that the effectiveness of any scheme of control would depend on the co-operation of the other States. It is believed that New South Wales is drafting a Bill for use as a guide for similar legislation for consideration by the other States.

COOBER PEDY POLICE

Mr. GUNN: Has the Attorney-General a reply from the Chief Secretary to the question I asked on March 3 regarding the upgrading of police and court accommodation at Coober Pedy?

The Hon. L. J. KING: The Chief Secretary states that the prefabricated building currently in use as a police station was installed in 1969. Plans are being prepared for alterations, extensions and upgrading of police and court accommodation. This work will bring the police and court facilities up to an acceptable standard. With a view to installing power and air-conditioning in the proposed upgraded police and court accommodation, the department has conferred with a private authority that proposes to provide power generating facilities to the town. The overall works programme is expected to be completed during the first half of 1972.

The practice of justices constituting the courts of summary jurisdiction at Coober Pedy is to conduct hearings in the evening. This is to suit their own convenience by not interrupting their work activity during the day. The number of occasions on which the court has been constituted at Coober Pedy averages about 230 days a year.

CLARE ROAD

Mr. VENNING: Has the Minister of Roads and Transport a reply to my recent question regarding the reconstruction of the Clare-Auburn road?

The Hon. G. T. VIRGO: In reply to a similar question from the honourable member on October 20, 1970, I advised that urgent

work at Peterborough would delay the start of work on the Auburn-Clare section of the Main North Road by perhaps a month. Urgent work is still being carried out at Peterborough and it now appears that it will be either late April or early May before the roadmaking gang can be shifted.

TRADING HOURS

Mr. MILLHOUSE: Will the Minister of Labour and Industry say whether the Government intends to mark the end of late Friday and weekend shopping in any way, or whether it hopes that the change will come without much publicity? As the Minister will be aware, the cutting out of late Friday and weekend shopping is due to take place, I think, on Tuesday, April 13 (within a fortnight or so), and this will cause, as he knows, much disruption—

Mr. Jennings: Question!

Mr. MILLHOUSE: —to people, particularly to the south of the metropolitan area and to the north and north-east. It will therefore be an event of great significance as well as of regret to many people and, because of this, I wonder whether the Government plans anything special to mark the occasion. I remember when—

The SPEAKER: Order! The honourable member is commenting.

Mr. MILLHOUSE: Yes, Sir. I will go on with my explanation. When the drinking hours were changed, the then Premier gave the matter much publicity—

Mr. Jennings: Question, Mr. Speaker!

Mr. MILLHOUSE: —by having his photograph taken—

The SPEAKER: "Question" has been called, and an objection has been taken. The Minister of Labour and Industry.

The Hon. D. H. McKEE: I understand that the honourable member's question is whether we are going to organize a gala performance in connection with the cessation of the late closing of shops on April 13.

Mr. Millhouse: That's elaborating on it.

The Hon. D. H. McKEE: I assure the honourable member that the answer is "No": there will be no festivities.

WOOL

Mr. VENNING: Has the Minister of Works a reply to the question I recently asked about statements in the policy speech of the Australian Labor Party to the effect that the Party would try to get the Americans to reduce their embargo on Australian wool?

The Hon. J. D. CORCORAN: The honourable member's attention is drawn to the reply given on October 27, 1970, to previous questions asked by him and the member for Heysen on this matter. I then informed the honourable member that my colleague had taken up this matter at a recent meeting of the Australian Agricultural Council and was informed that it had not been discussed during the Kennedy Round talks. In fact, on the last occasion when he raised the subject, the Minister was told that the talks were "bogged down" on the question of tobacco and that this was the reason why the tariff of 25½c on export wool was not discussed. The Minister is hopeful that negotiations on this matter can be conducted when Kennedy Round talks are held in the future. In these circumstances, my colleague has not made further written representations to the Commonwealth Government, as he is of opinion that little purpose would be served at this stage of the negotiations by doing so. At the appropriate time, he will certainly bring this matter once again to the notice of the Australian Agricultural Council.

HILLS FREEWAY

Mr. EVANS: Can the Minister of Roads and Transport say whether the Highways Department is proceeding to purchase properties along the entire route of the Hills Freeway, as proposed in the Metropolitan Adelaide Transportation Study plan? I realize that an error was made in respect of the original reply to my previous question, for which error the Minister has apologized. I understand the position and accept his explanation. I have received telephone calls from two people who are concerned that the Hills Freeway may be constructed and properties acquired along its entire route in accordance with the M.A.T.S. plan. Can the Minister say, therefore, whether properties that become available anywhere along the route will be acquired?

The Hon. G. T. VIRGO: The State Planning Authority has taken the first steps to amend the 1962 development plan to give legal effect to the Government's decision to adopt the recommendations contained in the Breuning report. The honourable member has probably heard me persistently claiming in the House that the M.A.T.S. plan, even though it was adopted on the casting vote of the former Speaker, never had any legal status. That fact is now acknowledged, although it was

denied while we were in Opposition. The amended 1962 development plan has been circulated to councils in accordance with the terms of the Planning and Development Act, and two months is allowed for consideration and any written objection to be lodged with the State Planning Authority either by councils or any person interested. After two months has elapsed, the authority is required to consider any objections that may have been lodged and to finalize matters in connection with the amendment to the 1962 development plan.

In regard to the amendment that the authority has circulated, there is no reference whatsoever to the Hills Freeway. Accordingly it has no status, and it has never had any status. The honourable member will recall, however, that earlier this session I introduced a Bill enabling the Highways Department, subject to certain conditions being satisfied, to purchase properties, even though such properties were not included in the authorized plan, or not specifically referred to as being required for highway purposes. Before these purchases can take place, it is necessary for the Minister to give a certificate, and there are certain criteria on which the Minister must be satisfied before he can issue that certificate. Speaking from memory, I have issued only one such certificate, as on that occasion I was completely satisfied that the conditions laid down in the Act had been observed.

I point out here, particularly for the benefit of the member for Mitcham, that this provision only permits the purchase of land that would be required for the freeway, or whatever corridor it might be. It is not intended that this is to provide for the acquisition or purchase of properties other than those directly concerned: in other words, those properties which are adversely affected because they are adjacent to the route but which were never intended to be included in this proposal.

Mr. Millhouse: I can't accept that.

The Hon. G. T. VIRGO: I am not concerned whether or not the member for Mitcham can accept it. It happens to be the opinion of the Attorney-General, the Crown Solicitor, and the Parliamentary Counsel who drafted the Bill. Finally, over the past week I have received two applications for certificates to be granted in accordance with the amended legislation, and in both cases I have declined to issue a certificate.

HIGHBURY EAST SEWERAGE

Mrs. BYRNE: Can the Minister of Works supply me with a progress report on the projected sewerage scheme to be undertaken at Highbury East? On July 30 last year the Minister told me by letter that Cabinet had approved an expenditure of $89,100 for a sewer to serve Tolley's winery, Hope Valley, to provide discharge points for a common effluent system to serve the area bounded by Amber Avenue, Zircon Avenue and North-East Road, Highbury East. I ask this question because residents of this area, as well as the committee associated with the Hope Valley Primary School, are interested in it.

The Hon. J. D. CORCORAN: I shall be happy to get a report for the honourable member and to bring it down as soon as possible.

MEAT PRICES

Mr. McANANEY: In the absence of the Premier, as Minister in charge of prices, has the Minister of Works a reply to my recent question on meat prices?

The Hon. J. D. CORCORAN: The Prices Commissioner reports that a comprehensive survey has been made of the prices and margins of 85 butchers representing all suburban areas. This survey shows that since the previous general check in August, 1970, retail prices have held firm in the case of beef while pork prices disclose an increase. However, due to the depressed state of the mutton and lamb market both these categories of meat have been selling at lower prices.

For the 85 butchers surveyed, current average retail prices of typical cuts of meat compare with those being charged in August, 1970, are as follows:

	August, 1970 (cents per lb.)	March, 1971 (cents per lb.)
Beef:		
Rump steak	100.9	103.6
Stewing steak	59.9	59.7
Corned brisket	45.3	44.6
Lamb:		
Legs	42.7	41.9
Loin chops	49.8	48.8
Mutton:		
Legs	30.9	30.5
Loin chops	30.3	27.7
Pork:		
Loin chops	59.7	64.8
Pickled pork	48.9	53.8

Beef prices may rise over the next few months if cattle prices follow their seasonal trend. However, butchers usually endeavour to maintain price stability by their normal practice of working on lower margins when seasonal increases in market prices occur. As far as mutton and lamb are concerned, the depressed

state of the market has been reflected in cheaper meat being available over a long period. Currently there is a movement towards higher market prices, particularly for first quality lambs, although retail prices are still lower than they were last August.

Market prices for suitable pigs have risen sharply since last August but increases in wholesale prices have been only partially passed on by butchers in an endeavour to maintain price stability. The overall position as regards meat prices, therefore, is that there has been little significant change since the previous survey in August, 1970, and, so far as butchers are concerned, it is considered unlikely that, under the competitive conditions prevailing, excessive margins will be taken.

At 4 o'clock, the bells having been rung:

The SPEAKER: Call on the business of the day.

SUCCESSION DUTIES ACT AMENDMENT BILL (CONSEQUENTIAL)

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Succession Duties Act, 1929-1970. Read a first time.

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

That this Bill be now read a second time.

As members will remember, the amendments to the Succession Duties Act which finally passed in the closing hours of the sittings of Parliament in December last year were prepared under great pressure, with the result that a number of consequential amendments were inadvertently overlooked. This Bill seeks to remedy them and, indeed, it is surprising that only four such amendments have become necessary when one has regard to the complexities of the Act. I will deal with the purpose of each amendment as I explain the clauses of the Bill.

Clause 1 is formal. Clause 2 amends section 55e of the principal Act which contains definitions under that part of the Act dealing with rebate of duty on property passing to widows, etc. The definition of "dwelling-house" as it now exists contains no reference to a daughter-housekeeper and therefore is defective in view of the hastily added rebate for a daughter-housekeeper under section 55i. Furthermore, the existing definition does not make it clear that a dwelling-house may be part only of land or of a building. The new definition of dwelling-house remedies both these defects but is in no other way changed. The definition of "rural property" is defective in that it refers to land used for primary production at the time of death, whereas the phrase "land used for primary production" is separately defined as meaning land used during the whole period of three years prior to death. This inconsistency is remedied by rephrasing the definition, excluding reference to use at date of death as regards the land. Clause 3 amends section 55k of the principal Act, which deals with the application for rebates, by inserting a reference to the paragraph designation relating to daughter-housekeeper rebates. Clause 4 amends section 55n of the principal Act by inserting the correct reference to rebates in respect of "rural property" instead of "land used for primary production". Similar consequential amendments were effected by the 1970 amending Act, but this section was inadvertently overlooked.

Mr. MILLHOUSE secured the adjournment of the debate.

AGENT-GENERAL ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Places of Public Entertainment Act, 1913-1967. Read a first time.

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

That this Bill be now read a second time.

This measure is designed, in accordance with the statement made to this House on February 23 last, to impose a tax on admissions to public entertainment. The duty will be on the admission charges at the rate of 7½ per cent but will not extend to admission charges which do not exceed $1 for an individual admission. There will be other exemptions detailed in the statute which will extend to entertainments for charitable purposes and admissions to agricultural shows and the like. Subject to the exemption the tax will extend to cinemas and live theatres, racing and other sporting entertainments, and to all other public entertainments for which admission charges are made.

Until taken over as a war-time measure by the Commonwealth during the Second World War, South Australia had for many years operated an entertainment tax, but it did not

resume the tax when the Commonwealth subsequently abandoned it. At present two States only operate such a tax. Victoria makes a levy on admissions to race meetings and Tasmania a levy on admissions to cinemas. I believe these States must consider an extension of their present levy, and the others will not be able to avoid moving back into the field to assist their very serious budgetary problems. It is proposed to operate this new duty in South Australia on a basis much simpler to operate than formerly. Instead of a duty endorsed on and payable on each ticket issued, promoters will be called on to render periodical statutory returns and pay the tax as determined therefrom. This will be far less costly to administer both from the point of view of the Government and the point of view of the promoter or taxpayer.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 provides for the amending legislation to come into operation on a day to be fixed by proclamation. Clauses 3 and 4 make amendments to the existing provisions of the principal Act which are consequential on the enactment of the new provisions relating to entertainment tax. Clause 5 enacts new sections 27a to 27j which impose the new tax. New section 27a fixes the rate of tax at 7½ per cent of the gross receipts for admission to a place of public entertainment. An exemption is granted in respect of admission charges of less than $1 entertainments from which the proceeds are devoted to charitable purposes, agricultural and other like exhibitions and entertainments on licensed premises where the admission fees are not paid primarily or substantially for the purposes of the entertainment. New section 27b deals with season tickets and subscriptions related to public entertainment.

New section 27c enables the Minister to exempt any component of an amount paid by way of admission charge where the Minister is of the opinion that the payment represents rights and privileges in addition to the public entertainment. New section 27d provides that the proprietor of a place of public entertainment is to be primarily liable for tax, but that where an agreement in the prescribed form is made and lodged with the Minister the obligations under the entertainment tax provisions can be transferred to the promoter of an entertainment. New section 27e requires the submission of monthly returns where taxable amounts have been paid for admission to an entertainment during the month. New section 27f provides for the payment of tax on submission of a return and empowers the Minister to issue an assessment of tax. An assessment of the Minister may be challenged by appeal to a local court.

New section 27g provides for the recovery of tax. New section 27h confers upon the Inspector of Places of Public Entertainment certain powers necessary for the enforcement of the entertainment tax provisions. New section 27i enables the Minister to delegate any of his powers under the entertainment tax provisions to an inspector. Where powers are so delegated, a person affected by a decision of the Inspector may appeal against the decision to the Minister. New section 27j enables the Governor to make regulations in respect of entertainment tax.

Mr. MILLHOUSE secured the adjournment of the debate.

PUBLIC SERVICE ACT AMENDMENT BILL (RETIRING AGE)

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Public Service Act, 1967, as amended. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

This short Bill, the need for which arises from the current shortage of teachers, is intended to increase the compulsory retiring age of temporary female teachers from 65 years to 70 years. Clause 2 amends section 128 of the principal Act which deals with the temporary employment of over-age persons by the South Australian Railways Commissioner and the Education Department. At present, this temporary employment cannot extend beyond age 70 years in the case of males or beyond age 65 years in the case of females. The amendment set out in paragraph (*b*) of this clause extends the limit from 65 years to 70 years in the case of female teachers. Opportunity also has been taken to effect two formal drafting amendments to section 128 by paragraphs (*a*) and (*c*) of this clause.

The appropriate protection for permanent officers of the organizations concerned provided by subsection (3) of this section remains unaffected. In conclusion, I add that the substance of the proposed amendment has been considered by the executive of the South Australian Institute of Teachers, and I understand that it has its full support since

it is one step towards the realization of the policy of the institute relating to equality of treatment and opportunity for men and women teachers.

Mrs. STEELE secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (POINTS DEMERIT)

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1970. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

Its major purpose is to introduce a points demerit scheme of motor vehicle licence suspension. Honourable members will recall that a Bill for this purpose was introduced by the previous Government. That Bill was referred to a Select Committee of the House of Assembly and a subsequent Select Committee also examined the desirability of introducing a points demerit scheme. The result of these inquiries has been that a number of worthwhile improvements have been suggested to the original scheme. It is hoped that the points demerit scheme embodied in the present Bill will prove to be both effective and just and will achieve the vital aim of greater road safety without improper restriction of personal rights and liberty. The Bill also makes several other significant amendments to the principal Act which I will explain in the course of dealing with the clauses of the Bill.

Clause 1 is formal. Clause 2 makes a formal amendment to the section of the principal Act dealing with the arrangement of its provisions. Clause 3 adds mobile field bins and bale elevators to the farm implements exempted from registration fees. Clause 4 makes a drafting amendment to the principal Act. Clause 5 makes two amendments. It enables the Registrar to vary the registration number allotted to a vehicle. It also enables the Registrar to refuse registration to a vehicle if he is not satisfied that the design or construction of the vehicle conforms with the requirements of any legislation governing the design or construction of the motor vehicle. Clause 6 repeals section 25 of the principal Act. The repeal of this section is necessary in view of the fact that the Registrar is to have a discretionary power to vary the registration number allotted to a motor vehicle.

Clause 7 repeals and re-enacts subsection (2) of section 26 of the principal Act. This re-enactment is made to clear up some confusion about the commencing date of the provision and does not alter its substance. Clause 8 provides that registration without fee shall be granted to motor vehicles used for the purpose of civil defence; for the purpose of controlling or eradicating weeds under the Weeds Act; or for the purpose of the Lyrup Village Association. Clause 9 empowers the Registrar to issue an amended registration label at any time. Clause 10 deals with hire-purchase transactions. Usually, when a vehicle is purchased on hire-purchase, the vehicle is registered in the name of the person who takes the vehicle on hire. Thus, when the vehicle is eventually paid for, there is no change in the person registered as the owner of the vehicle. Section 61 already takes care of this situation. However, occasionally the vehicle is registered in the name of the person who lets the vehicle on hire. Where this occurs the registration must be transferred when the vehicle is paid for to the purchaser. The amendment is designed to cover this kind of transfer under a hire-purchase agreement.

Clause 11 removes a weakness in the provisions related to limited trader's plates. The amendment provides that these trader's plates can be used only by stipulated classes of person and for stipulated purposes. Clause 12 provides for the fee for a duplicate licence or learner's permit to be prescribed. Clause 13 gives the Registrar a slightly wider power than he has at the moment to require motorists to undergo tests relating to their ability to drive. The power is extended to cover applications for learner's permits and the Registrar is empowered to refuse a licence or a learner's permit where he is satisfied that it is in the public interest to do so.

Clause 14 amends section 82 of the principal Act. This section enables the Registrar, upon the direction of the Minister, to refuse a licence to any person who has been convicted of certain offences, or who is otherwise unfit to drive. The amendment extends the provisions of the section to cover learner's permits. Clause 15 makes drafting amendment to the principal Act. Clause 16 repeals and re-enacts section 89 of the principal Act. The section as re-enacted will enable the Registrar to refuse to issue, or to suspend, a licence when a person has been disqualified from holding a licence by a judgment, order or decision given or made pursuant to the law of another State or country.

Clauses 17 and 18 make drafting amendments to the principal Act.

Clause 19 amends section 93 of the principal Act. This section requires an officer of court or the Commissioner of Police to give the Registrar notice of any order disqualifying a person from holding or obtaining a licence. Under the amendment the notification is required in respect of any conviction attracting demerit points or any order of court affecting demerit points. Clause 20 enacts new section 98b of the principal Act, which contains the points demerit scheme.

New subsection (1) provides that upon conviction of a person for an offence mentioned in the third schedule the number of demerit points prescribed by the section shall be recorded against the convicted person. Where the number of demerit points amounts to 12 or more, the licence shall be suspended. Demerit points are not, however, to be recorded in respect of an offence committed before the commencement of the amending Act. New subsection (4) provides that the only demerit points accumulated within a period of three years shall be taken into account for the purposes of the section. New subsections (5) and (6) provide for the Registrar to issue a warning where half the requisite number of demerit points have been accumulated. New subsection (2) provides that demerit points shall not be recorded until any right of appeal expires or, if there is an appeal, until the determination of the appeal.

New subsection (8) provides that where two or more offences attracting demerit points arise out of the same incident demerit points shall only be recorded in respect of the offence that attracts the most demerit points. New subsection (9) provides that in assessing penalty a court shall not take into consideration the fact that an offence attracts demerit points. New subsection (10) enables a court to order that demerit points be not recorded, or that a reduced number of demerit points be recorded, when it is satisfied that the offence is trifling or other proper cause exists. New subsection (11) provides for personal service of a notice of suspension when the required number of demerit points has been incurred. New subsections (12) to (17) provide for an appeal to the Local Court against suspension of a licence. The appeal may be allowed if the court is satisfied that it is not in the public interest that the licence be suspended or that the suspension would result in undue hardship to the appellant.

Clauses 21, 22, 24, 25, 26, 27, 28 and 29 provide for the administration of the third party provisions to be placed in the Minister, rather than the Treasurer as the present Act provides. Clause 23 enables a member of the Police Force to require production of evidence that a vehicle was insured at some time in the past as well as evidence that the vehicle is for the time being insured. This enables a police officer to ascertain whether a vehicle was covered by third party insurance at some time in the past when the vehicle may have been involved in an accident. Clauses 30 and 31 are drafting amendments. Clause 32 introduces the schedule of demerit points.

Mr. EVANS secured the adjournment of the debate.

MINING BILL

The Hon. G. R. BROOMHILL (Minister for Conservation) obtained leave and introduced a Bill for an Act to regulate and control mining operations; to repeal the Mining Act, 1930-1962; to amend the Petroleum Act, 1940-1969; to amend the Crown Lands Act, 1929-1969; and for other purposes. Read a first time.

The Hon. G. R. BROOMHILL: I move:

That this Bill be now read a second time.

The Mining Act, 1930-1962, has grown to its present form by additions and amendments from time to time. It includes many obsolete requirements and provisions, and on the other hand does not provide adequately for some modern aspects of exploration and mining. In order to explain the proposed reconstruction of the Act, it is necessary to review some of the fundamental concepts relating to ownership of minerals and the community interest therein.

It is important to appreciate that the winning of rocks and minerals from the ground is the fundamental basis of all economic growth and urban development. It is as necessary to a modern community that minerals be mined as it is that other primary industries (agriculture, etc.) be developed. When minerals are not available within a community they must be imported from elsewhere. It is equally important to emphasize that unlike some other forms of primary production, the location from which minerals can be economically recovered is not a matter of choice. Minerals are where you find them, and they are not easy to find.

For these reasons (community need and the expensive and risky exploration necessary) it

is the policy in all industrialized countries to encourage exploration and mining by providing access to potentially mineralized areas notwithstanding the surface rights thereto. Access is usually qualified in relation to the value of the material and the use to which the surface of the ground is being applied. The principle of encouraging access to minerals was recognized in very early legislation in this State. Before 1889, land grants carried with them ownership of minerals on or under the land. Since that date, land grants have reserved ownership of minerals to the Crown.

The present Mining Act accordingly recognizes the two forms of mineral ownership. Land, the title to which includes mineral rights, is referred to as private land. Land over which the Crown owns the minerals is known as mineral land. It is emphasized that freehold land in the present use of the term may be either private land or mineral land, depending on the date of the original grant. Access to minerals on mineral land is available through the simple possession of a miner's right. Access to minerals on private land is provided by a complex procedure involving authorities to enter, and other machinery. The latter procedures have been proved by current experience to be not only cumbersome but also ineffective in protecting rights to discoveries. We thus have an anomalous situation in which by historical accident some freehold land (probably as much as half) is mineral land and the opportunity for mineral discovery is available on it, whereas other freehold land is subject to procedures which are inhibiting and unsatisfactory.

It is interesting to point out now that the problem of division of ownership was recognized in the case of petroleum in 1940, when all petroleum in the ground was proclaimed to be the property of the Crown, and in the case of uranium the same principle was applied in 1945. The proposed amendments now presented recognize the right of those people who have inherited or acquired freehold land containing mineral ownership to receive the equivalent of royalty from minerals obtained from such land, but intend that in all other respects such land should revert to the status of freehold mineral land. There is, however, another important qualification. Under the existing Act, stone, sand, gravel, or shell are exempt from the operation of the Act on private land, whereas on mineral land, including freehold mineral land, these materials can be acquired by pegging. Because the mining of these relatively low value materials can cause hardship to landowners out of proportion to the value of the materials, it is proposed under the present Bill that on freehold land only the owner of the land can peg these materials. On all lands other than freehold, they will be available to all parties under the Act, as indeed they always have been.

The procedure provided under this Bill involves the immediate resumption of all mineral rights by the Crown, provided however, that any current mining operations on private land, or any such operations commencing within two years of the proclamation of this Act, may be registered as private mines and continue to operate outside the Act. It is further provided that the royalty payable on any minerals brought into production during a period of 10 years after the proclamation of this Act will be paid to the former owners of the mineral rights, and such royalty will continue to be paid until the mine ceases operation. The proposal has the effect of placing all freehold land throughout the State on an equal footing, regardless of historical mineral ownership, with the prior opportunity available to present mineral owners during the next 10 years to prove the value of their ownership and obtain benefit therefrom.

The proposal will enable the Crown to grant mineral exploration rights over areas of land that are presently excluded from effective investigation. It is believed that this will stimulate exploration in areas where it is now inhibited, and it is also considered that the transition and compensation arrangements are equitable to all concerned. While dealing with exploration on freehold land, it can also be pointed out that the Bill provides that notice of entry must be given in writing to owners at least 14 days before entry, and owners may lodge an objection to the operator and to the warden's court, which shall then determine the matter of entry and the appropriate conditions if entry is approved. It should be emphasized that even the most protected landholder under the present system does not lose under the provisions of the Bill any effective protection, while many other landholders who are not so well protected under the present legislation obtain substantial advantages under the provisions of the Bill.

Regarding miner's rights, prospecting claims and mineral leases, the Bill provides as follows:

the possession of a miner's right (proposed cost $2.00) authorizes entry on land for prospecting purposes, subject to the previously mentioned restraints in respect of freehold land. The owner of a miner's right can peg a mineral claim the size of which will be set out in regulations and, after registration of the claim, he can proceed to determine its value by sampling, drilling and so on. He can at any time within up to 12 months apply for a mining lease to cover the same area. Until a mining lease is applied for and granted, he cannot dispose of minerals obtained from the area other than for testing purposes. If he fails to apply for a lease within 12 months the claim lapses. A mineral claim is not transferable, that is, it cannot be sold or traded. A mining lease will be available to the holder of a mineral claim.

A mining lease requires the payment of rent to the owner of the land, requires the payment of royalty (2½ per cent of the value at the mine), and is subject to such conditions as may be appropriate and specified in the lease in respect of damage to the land, restoration compensation, and so on. A mining lease is for a specified period not exceeding 21 years, has rights of renewal, and is transferable with the approval of the Minister. These provisions do not differ greatly from those of the existing Act. However, the latter permits actual mining operations on a mineral claim as well as on a mining lease, and does not require an application for a lease until payable results are obtained from the claim. Furthermore, a mineral claim remains current as long as the miner's right is kept current. The effect of this has been to perpetuate a vast number of mineral claims upon which no effective work is taking place. Furthermore, the existing Act makes no provision for imposing operating conditions on a mineral claim, and no rent or royalty is payable.

The present Bill, by ensuring that actual production can only take place on a lease, enables conditions and controls to be effective. Returning to the matter of the rights of an owner, the Bill provides that an owner may at any time object to the unconditional use of declared equipment upon his land (declared equipment being bulldozers and other earthmoving equipment). It also provides for compensation to the owner for any financial loss arising from mining operations, for the assessment of such loss—failing agreement between the parties—by the Land and Valuation Court, and for the prior lodging of a bond or security by the operator against compensation obligations.

Regarding redundant titles, much of the existing Act is a carry-over from earlier times, in which the basic assumption is that gold is the principal commodity to be mined. This is no longer valid, and all special provisions for gold mining are deleted. Gold mining is provided for in the same way as any other mineral. The existing Act provides special leases for the mining of salt and gypsum (miscellaneous leases). These are now deleted, but provision is made in the granting of ordinary mining leases for special terms and conditions to meet the particular requirements of certain materials. This discretion applies to the size of the lease and to the operating conditions. Similarly, the existing Act provides for coal leases; these are deleted and any coal (or shale) mining can be accommodated by making special provision in an ordinary mining lease.

The existing Act provides special conditions to cover the mining of uranium and thorium. These are now regarded as industrial minerals and no special provision is made for them. The existing Act provides for occupation licences. None has been issued for many years. Authority for occupation for mining purposes other than that covered by the right to reside on a mineral lease is now obtained by licence from the Lands Department. Occupation licences are accordingly deleted. The existing Act provides that search licences may be granted for an area up to five square miles and for a restricted list of minerals. This form of tenement is not suitable for present-day operations. Search licences are also deleted.

The existing Act provides for the issue of special mining leases to meet special or unusual conditions of mining. The terms and conditions of a special mining lease are completely discretionary. Hitherto, this form of tenement has been used to permit large scale exploration, and many hundreds are current at present. The present Bill deletes this tenement and covers the special or unusual conditions which may be met in, say, salt or gypsum mining or any other, by providing wide discretionary powers over the conditions of an ordinary mining lease. Exploration requirements are to be met by a new tenement to be known as an exploration licence. Similarly, the present Act provides for a dredging lease, but this has been deleted for the same reasons. The net effect of the above deletions is a tremendous simplification of the Act, achieved principally by providing for the issue of mining leases tailored as necessary to meet special conditions.

New Titles: To provide a suitable tenement for exploration purposes, an exploration licence is introduced. As mentioned above, these licences will supersede the existing use of special mining leases that have hitherto been adapted for exploration purposes. An exploration licence will enable exploration for all minerals except precious stones, will be issued for periods not exceeding two years, and will normally be granted over areas not exceeding 2,500 square kilometres. The holder of an exploration licence will have the right to obtain a mining title for any minerals found. Provision is made for the method of application and issue, the terms, the right to acquire other titles, the lodgement of the technical information with the department, the right of access and objection to access by the landholder, and for bonds to ensure satisfaction of any incurred civil or statutory liability. Provision is made for exploration licences to be held by the Director of Mines, thus avoiding the complicated machinery of reserving an area from the operation of the Act when departmental investigations are envisaged.

Opal Mining and Exploration: The proposals regarding precious stones (opal) are designed to reserve known areas for small prospectors and to make provision for reasonable restoration of the ground after use. The proposals have been submitted to the opal fields for comment and are generally acceptable. The boundaries of a precious stones field will be defined and the opal fields will be declared as such. A special type of miner's right (precious stones prospecting permit) will be required before a claim can be pegged out for precious stones. To prevent further destruction of land in the manner which has occurred at Coober Pedy and Andamooka, the use of bulldozers will be prohibited except on a registered claim, and operators will be required to tidy up their cuts before making a new cut on another claim. To meet some of the objections raised by bulldozer operators, provision is made to enable the joint operation of up to four adjoining claims by mutual agreement of the individual claimholders. Another provision will expedite registration of a claim by permitting the lodgement of an application for registration to be deemed to be registration for the purpose of operating thereon. As an office of the Mines Department is located at each of the major opal fields, and this office will be open for the lodging of applications on certain hours each day of the working week, there need be no delays in dealing with applications for registration.

Miscellaneous: The Bill also provides for the following: (1) provision is made for delegation of some of the administrative functions of the Minister to the Director of Mines; (2) provision is made to prevent the improper use of confidential information; and (3) provision is made to enable the Minister to examine and approve or otherwise all dealings with leases, including take-over operations. Turning now to the Bill in detail, I am sure that honourable members will be interested to note immediately that all measurements specified in this Bill are in metric form. Part I sets out the form of the Act and provides definitions and transition arrangements. Because of the many changes in procedures, titles, etc., it is important that the rights and obligations of all parties are protected during the transition period. Clause 5 ensures that this is so by providing that all tenements and titles continue for the remainder of the period for which they were granted and that rights of renewal if any, are continued. In regard to clause 6, attention is directed to the definition of minerals which is a very wide one thus bringing within the scope of the Act most materials won from the ground or recovered by evaporation of mineralized water. Where appropriate, some of these materials (such as precious stones, quarry materials, etc.) are exempted from subsequent provisions of the Act.

Clause 8 permits the proclamation of any part of the State as mineral lands for the purpose of the Act, including three miles to seaward from low water. This latter provision already applies by virtue of regulations under the present Act but is now taken into the Act itself. Honourable members will be aware that the Commonwealth Government has expressed an intention to legislate for control over all offshore minerals other than those in the so-called inland waters. However, no action has been taken and none seems imminent and it seems desirable to stake the State's claim to the three-mile limit quite firmly. Access to the inland waters by the State is also specifically covered by clause 8. Clause 9 exempts built up and otherwise occupied areas from the operation of the Act. Clause 12 enables the Minister to delegate some of the formal administrative aspects of the Act to the Director of Mines. This does not of course relieve the Minister of full

responsibility but it will enable more efficient administration of matters not directly involved with policy. Such matters could include minor variations of operating conditions imposed on mineral leases and reimbursement of statutory royalty to private landowners where necessary.

Clause 14 makes it an offence for any officer appointed under the Act to use confidential information for personal gain. It should be pointed out that this clause is included for formal reasons only; there has never been a case in this State where such confidence has been abused. Clause 15 provides for a continuation of the powers of the present Act which enables the Government to carry out geological and geophysical surveys and to publish or otherwise make known the results of the work. Operating within this power the department has built up a bank of published and unpublished information which has provided a basis not only for systematic exploration but also for important scientific understanding of the distribution and structure of the rocks and minerals of the State. Clause 16 vests all minerals throughout the State in the Crown and provides the basis in law by which such minerals can be recovered and sold. As mentioned in the introduction, the operation of the clause is cushioned by transition arrangements which provide that a former owner of mineral rights may exercise such rights for a specified period (clause 18).

Clause 17 sets out the royalty provisions which, in fact, are those operating under the present Act with the addition of a right of appeal to the Land and Valuation Court against an assessment. It should be noted that royalty is not payable by owners recovering extractive materials from their own freehold land. Clause 18 ensures that in cases where royalty is payable ownership of minerals recovered from the ground does not pass to the person recovering the minerals until the royalty has been paid. Clause 19 provides for the declaration of a private mine, the case of a mining operation currently operating, that is, established within two years, on land where the mineral rights are at present privately owned. Subclause (6) further provides that royalty will be payable to the present owners of the mineral rights on minerals recovered from any mine established under the Act within 10 years of the proclamation of the Act.

Clauses 20-27 provide for the issue of a miner's right by virtue of which mineral claims may be pegged out on mineral land. It should be noted that a miner's right is not operative upon a precious stones field. Registration of a mineral claim must be completed within 30 days of pegging. These provisions vary the present Act in the following respects:

1. At present a mineral claim is renewable annually by the simple act of renewing the miner's right. The Bill provides that the claim is current for one year only.
2. At present a mineral claim permits mining and ownership of minerals. The Bill requires that the claims must be converted to a mining lease before there is any right to sell or dispose of minerals. In effect, a mineral claim enables the holder to determine the nature and value of the minerals by exploration as a preliminary to obtaining a mining lease.
3. At present a mineral claim can be sold or transferred. This privilege is confined to a mining lease and a precious stones claim under the Bill.

Clauses 28 to 33 provide for the issue of an exploration licence. This is a new tenement not previously provided under that name. In the existing Act use has been made of the special mining lease provisions to enable the grant of large areas for exploration purposes. The introduction of the exploration licence provides a more formal and appropriate form of tenement for exploration purposes. The procedures and terms and conditions which are set out in the Bill are largely those which currently apply under the existing Act. It is important to point out that, while an exploration licence grants an exclusive right to the holder to peg a mineral claim, it does not in effect grant an exclusive right for entry and exploration. It is also important to point out that an exploration licence does not give any rights in respect of precious stones.

Clause 28 specifies the maximum area for which an exploration licence may be granted, namely, 2,500 square kilometres (about 1,000 square miles) but also provides that, if circumstances warrant it, a larger area may be granted. Subclause (5) enables an exploration licence to be granted to the Director of Mines. This is an interesting provision which is inserted to overcome the present complicated procedure necessary to protect an area while the Mines Department is carrying out investigations. At present it is necessary for such an area to be reserved from the operation of the Mining Act by proclamation of His Excellency the Governor. The new provision enables the

department to undertake its work, to prepare reports and for the area to be made available again to other parties once the work is completed.

Clause 29 sets out the procedures by which an application for an exploration licence shall be lodged. Clause 30 enables the Minister to include such conditions in the licence as the circumstances justify. This clause is the basis upon which the Minister will require a licensee to ensure that he carries out his work with minimum disturbance to the landholder or to the land itself and that any damage he does is satisfactorily restored. This clause also specifies that the maximum period for which an exploration licence shall be granted is two years. This provision is the same as that which applies in the existing Act under the special mining lease provisions and has proved to be an important control over the technical performance of exploration companies. The Minister has issued notes on policy guidelines from time to time for the information of exploration companies.

In these he has stated that, while an exploration tenement is limited in time, he will always grant a further tenement to the holder thereof if he has satisfactorily met the obligations of the tenement. In other words, although there is no statutory right of renewal, the Minister makes it known that he will in fact grant an effective renewal so long as the licensee performs adequately. Clause 32 requires the holder of an exploration licence to keep complete records of his work and to submit these to the Mines Department. This is an important provision that has enabled the department to accumulate a very large bank of technical information throughout the State. The data received is regarded as confidential during the currency of a licence but, as soon as the area is surrendered or the licence has expired, the reports are placed on open file and are available to any new explorers. This system has been operating for many years under the existing Act and has proved of tremendous value not only to the State but also to the exploration industry.

One of the problems that has been experienced in the past with exploration tenements concerns the right of tenement holders to deal with their tenement in respect of company floatations, mortgages, farm-ins, etc. Because an exploration licence is granted on the Minister's discretion to a person who has financial and technical competence, for the purpose of an approved exploration programme and for a limited time, it has been regarded as inappropriate that the tenement holder should gain any financial advantage by trading with his tenement. For this reason, rigid guide lines have been laid down, and these are known to the exploration companies in advance of the granting of the tenement. These provisions are retained in the present Bill through the application of clause 82 to exploration licences. This clause is discussed in more detail later.

Clauses 34 to 41 deal with mining leases. By making provision for the prescribing by regulations of various classes of mining lease, the Act itself has been greatly simplified. Whereas the present Act provides for different types of lease including different terms and conditions for such materials as gold, salt, gypsum, uranium, etc., simplified provision for these will now be included in regulations. It is not proposed that the size or operating requirements be significantly changed from present practice. However, it is important to stress that a mining lease of any type may be subject to such terms and conditions as the Minister may specify in the lease. It is here that the Minister has the opportunity of ensuring that the lessee carries out his operations in a satisfactory manner with proper provision for progressive restoration and rehabilitation where the circumstances warrant this. This is a new provision giving a power not previously available in the granting of a mining lease. Furthermore, as explained earlier, since mining can no longer be undertaken on mineral claims, every mining operator is obliged to apply for a mining lease and to be subject to such conditions as are appropriate.

Part VII: Clauses 42 to 51 provide for the prospecting and mining of precious stones, with particular reference to opal mining. These provisions have been discussed over quite a period of time with the responsible delegations from both opal fields. In effect, the provisions in this Bill will not change the day-to-day operations of the opal miner but they do require a different administrative procedure, and they provide power to impose some restraints on the use of heavy earth-moving equipment. Clause 42 introduces a precious stones prospecting permit, which replaces the miner's right so far as opal mining is concerned. Clause 44 sets out the rights of the holder of a permit and provides in subclauses (4) and (5) that a group of not more than four persons may consolidate their claims for operating purposes.

Clause 45 permits the prescribing of the size of a precious stones claim. It is proposed that the regulations will specify an area similar to the present dimensions, namely, 50 metres x 50 metres (150ft. x 150ft.). Clause 8 permits the Governor to declare any mineral land to be a precious stones field. It is proposed to declare each of the main opal fields in this category, whereupon these areas are protected exclusively in favour of holders of precious stones prospecting permits. Clause 46 provides for registration procedures and it is this section that provides the machinery for the speedy registration of a claim by deeming a claim to be registered when a valid application has been lodged. Clause 48 provides that prospecting or mining can be undertaken within a precious stones field only upon a precious stones claim. The use of bulldozers and other earthmoving equipment on opal fields, which has been a topic of some previous discussion in this House, is covered by general provisions regarding the use of such equipment in any mining operation. The Bill deals with the problem amongst the general provisions in clause 59 but because of the specific problems of the opal fields I propose to discuss them at this stage.

Clause 59 provides that a mining operator shall not use declared equipment (declared equipment will be set out in regulations and will include bulldozers and other heavy earth-moving equipment) except upon a registered claim or upon a registered precious stones claim. Subclause (2) goes on to ensure that a mining operator shall give notice to the owner of the land at least 14 days before using such equipment and the owner may object to the Warden's Court, which shall hear the objection and determine the conditions under which the equipment may be used or alternatively may determine that it should not be used at all. However, these latter provisions including the giving of notice do not apply on a precious stones field but it should be noted that if bulldozers are used outside the boundaries of a precious stones field subclause (2) will apply. Returning now to the precious stones section of the Act, clause 49 provides that the waste or spoil from a claim shall not be deposited outside the boundary of the claim without the permission of a warden or inspector. This clause has been the subject of considerable discussion and objection from some of the bulldozer operators on the opal fields, it being claimed that it will be impossible to use a bulldozer on a claim which is only 150ft. square, without the waste material at some stage being pushed over the boundary of the claim. Although regulations will permit the amalgamation of a maximum of four claims for purposes of labour requirements, such amalgamation does not include automatic approval to push over-burden or spoil from one claim to another. However, in practice an inspector or warden will give consent for spoil to be moved across the boundary of a claim to an adjoining claim with the consent of the adjoining claimholder, provided that he is satisfied that in due course the ground will be reasonably restored to a satisfactory condition. Although there has been objection that this provision puts too much power in the hands of an inspector or warden it appears to provide a reasonable compromise between the requirements of the earth-moving operators and the necessity to minimize the disturbance of the ground.

Furthermore, as provided in clause 44 previously discussed, where up to four miners intend a joint operation they will have the right to use a bulldozer immediately they have lodged their applications to register their claims. This matter is further dealt with in clause 60 and discussion thereon will be deferred until that clause is reached. Clause 50 ensures that precious stones claims shall not be pegged out on freehold land. This is a remote possibility only on present knowledge but it is thought wise to include this provision. Clause 51 ensures that a precious stones field is exempted from any mining tenement other than a precious stones claim.

Part VIII: Clauses 52 to 56 provide for the granting of a miscellaneous purposes licence. Such a licence enables the licensee to undertake ancillary operations connected with mining, such as treatment plant, drainage, establishment of waste heaps and such other purposes as may be required related to the mining operation. Clause 52 sets out the purposes to which such a licence may be granted. Clause 53 provides for the mode of application, for notice to the owner of the land and for objections to be lodged. Clause 54 provides for compensation where applicable. Clause 55 specifies the maximum period for which such a licence may be granted, namely 21 years. Clause 56 provides for the cancellation of such a licence for any contravention of the terms and conditions thereof.

Part IX: Clauses 57 to 62 deal with the entry upon land, compensation and restoration. Clause 58 provides that a mining operator must give at least 14 days'

notice before entering upon freehold land and also provides for objection to entry by the owner. Subclause (4) provides for the hearing of the objection by a Warden's Court and sets out the basis upon which such an objection may be sustained and provides for the determination of conditions of entry if any. Clause 59 which has been mentioned previously in respect of precious stones fields is included in this Part because it in fact has a general application.

Subclause (1) prevents the use of declared equipment in the course of any mining operation except on a registered claim or a mining lease. Subclause (2) ensures that a mining operator shall give at least 14 days' notice to the owner of his intention to use declared equipment. This requirement does not however apply upon a precious stones field. Subclauses (3), (4), (5), (6) and (7) set out the procedure for which objections may be lodged by the owner, heard and determined by the Warden's Court.

Clause 60 provides that a mining operator who uses declared equipment may be required to restore the ground disturbed by his operations to a satisfactory condition, and it also provides that the Warden's Court may order that no further claim shall be pegged out by a person who has failed to meet the requirements of satisfactory restoration. It should be pointed out to honourable members that this clause is deliberately phrased to permit an inspector to use his judgment as to what is satisfactory in the circumstances by way of restoration. It may at first glance appear that this is giving substantial power to an inspector; however, in practice this power will be used with great discretion and in such a way as to ensure that the restoration required is in keeping with the local circumstances. It should also be pointed out that a similar power is already provided under the Mines and Works Inspection Act by which an inspector may require an operator to carry out such work as may be necessary to prevent damage to or restoration of an amenity. Very clearly, the requirements of the restoration at, say, Coober Pedy would be very different from those in the Adelaide Hills, and it is thought unwise to attempt to specify in the Bill the details of those requirements.

Clause 61 provides for compensation to the owner of any land upon which mining operations are carried out. I would also draw the attention of honourable members to the definition of "owner" in clause 6, an "owner" being any person with an estate or interest in the land and including the occupier. Subclause (2) provides for an agreement between the operator and the owner in respect of compensation or, in default of agreement, reference to the Land and Valuation Court. Clause 62 permits the Minister to require a mining operator to lodge a bond for the satisfaction of any subsequent claims for compensation.

Part X: Clauses 63 to 69 cover the procedures and powers of a Warden's Court. These provisions are substantially those which presently operate under the existing Act but they are set out in a more precise manner and introduce one or two new features. In particular subclause 2 of clause 64 provides a new power enabling the Warden's Court to grant an injunction. Under the present Act, if an objection is lodged with the court against some operation or practice, there is no power to prevent this practice continuing while the matter is before the court. Provision is now also made for an appeal against an order of the Warden's Court to the Land and Valuation Court. Clause 65 provides for the making of rules for the operation of the court. Clause 66 sets out the jurisdiction of the Warden's Court.

Clause 67 enables the court to hear an application by the Director of Mines for the cancellation of a miner's right or precious stones prospecting permit; such an application by the Director of Mines could be made in the case of a person who has contravened or failed to comply with the provisions of the Act or in some other way has committed an offence of sufficient gravity to justify the application. Clause 68 enables the court to hear disputes concerning mineral claims or precious stones claims. Subclause (2) permits some discretion by the court in making its decisions by permitting the court to satisfy itself that the matter is of sufficient gravity to justify forfeiture. Clause 69 permits the court to hear disputes on mining leases; it also permits discretion in respect of forfeiture.

By way of general comment on these last two clauses, honourable members should perhaps be reminded that under the Act, as it presently stands, it is possible for plaints to be lodged against mineral tenements on minor technicalities, such as the shape or size of pegs, and the court has little discretion in dealing with such applications. The provisions now included in this Bill will enable the court to deal justly with matters before it.

Part XI: Clauses 70 to 72 permit the Minister to assist exploration and mining operations where necessary by the loan of moneys which

are recoverable as a debt, and also permit the Minister through the Mines Department to undertake research and investigation programmes either on the Government's account or on behalf of other persons, in which case costs can be charged and recovered. As members know, the Mines Department in fact has a substantial fleet of drilling plants and other equipment which it uses in the carrying out of quite thorough investigations throughout the State, and these are also available to private persons and companies to hire on a cost-recovery basis. This has been a feature of the department's work for very many years and is a greatly appreciated stimulus to the mining and exploration industry.

Part XII: Clause 73 provides substantial penalties for illegal mining. This has not been a serious problem in South Australia hitherto but there have been cases recently especially upon the opal fields, and this clause re-enacts provisions in the existing Act but with increased penalties. Clause 74 is a very important provision. As pointed out in the introduction, it is the intention to ensure that owners of freehold land are protected in respect of extractive materials. This clause sets out the proposed arrangement. It states quite simply that no mineral claim or lease may be pegged out on freehold land in respect of these materials except by the effective owner of the land or, as a transition arrangement, the person presently holding a claim in such land may be granted a lease. Subclause (2) enables an owner to obtain materials from his land for his own personal use.

Clause 75 provides for the submission of returns twice yearly, and clause 76 ensures that proper records and samples are obtained and kept by the holder of a mining tenement excepting on a precious stones claim. Clause 77 sets a limit on the age of a person who shall be permitted to hold a miner's right or a precious stones prospecting permit or a mining tenement. Clause 78 permits some discretion by the Minister in varying the conditions of a mineral mining lease or licence. As explained earlier, such leases or licences will be issued subject to a variety of conditions and requirements, and it is the object of the Act in general to ensure that these are carried out satisfactorily. However, it is known from long experience that circumstances change from time to time and that it is necessary to have the power to vary these terms when justified.

Clause 79 provides that any land shall not be subject to more than one tenement at any one time. However, special clause 2 enables this requirement to be varied by mutual consent of the respective tenement applicants. This provision is rarely used, but circumstances may conceivably arise when for example one party may wish to mine salt from the surface of the ground while another is extracting valuable minerals at depth. Clause 80 points out that this present Bill does not derogate from the provision of the Pastoral Act relating to the conduct of mining operations. Clause 81 is a procedural matter permitting the Minister to consent to the surrender of a lease or licence.

Clause 82 is an important provision, as it ensures that any dealing with the lease or licence must have the consent of the Minister after a full disclosure of all considerations involved. Such a provision has always been written into exploration tenements granted under the existing Act and a similar provision exists in the Petroleum Act but hitherto it has not been included in the Mining Act itself. These provisions are regarded as essential to ensure that public interest is protected in all dealings with tenements.

Clause 83 is procedural. Clause 84 provides for forfeiture for non-payment of dues. Clause 85 enables the removal of plant from a forfeited or surrendered tenement, or the disposal of abandoned machinery. Clause 86 is a completely new provision, which enables the Minister to intervene if it is in the public interest to do so in respect of take-over proposals involving mineral tenements. Clauses 87 to 90 are precedural. Clause 91 is the regulation-making power, and the matters for which regulations are required are set out therein.

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

CONSTITUTION ACT AMENDMENT BILL (VOTING AGE)

The Legislative Council intimated that it insisted on its amendments Nos. 1, 2 and 4, to which the House of Assembly had disagreed.

PLANNING AND DEVELOPMENT 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.

Adjourned debate on second reading.

(Continued from March 23. Page 4269.)

Mr. MILLHOUSE (Mitcham): I understand that the Government is not asking the House to vote on the second reading today, and I am pleased about that, because it was introduced only last Tuesday and, quite frankly, in the crush of business in this House, and with the Royal visit, and so on, I have not had an opportunity to study the detail of the Bill and to take advice from those who may be interested in its working. What I say is subject to any advice that I may receive in the next few days regarding the detailed provisions that relate mainly to the working of the Planning Appeal Board.

As I see the measure at present, I do not intend to vote against the second reading, but amendments may be moved in the Committee stage, perhaps on the detailed provisions that I have mentioned (although, frankly, I think that is unlikely) or, more possibly, on the matters in the Bill that are of the greatest significance to the general community. These concern the constitution of the State Planning Authority and the Planning Appeal Board. It is obvious (and, indeed, the Minister said this when introducing the Bill) that the Government aims to get rid of land agents from the Planning Appeal Board. Personally, I do not agree with that view. I have never been quite able to understand the Labor Party's attitude towards land agents and, particularly, members of the Real Estate Institute.

Mr. Jennings: You didn't make them justices of the peace, though, did you?

Mr. MILLHOUSE: That is another matter. If the Minister for Conservation and his friend from Ross Smith are really trying to equate the appointment of justices of the peace to the appointment of the State Planning Authority and the Planning Appeal Board, I pity them. The Minister may say that he did not say a word, but he giggled. There is, in fact, no comparison to be made between the two, and the interjection by the member for Ross Smith was absurd.

The Hon. G. R. Broomhill: I thought you might comment on the appointment of justices of the peace.

The SPEAKER: Order! The honourable member would be out of order if he did. The Minister for Conservation should not interject.

Mr. MILLHOUSE: Of course not, Mr. Speaker. I have some idea of the attitude of the Premier and the Attorney-General towards land agents, because both are members of the legal profession and professionally, unfortunately, there has always been some antipathy by lawyers as a whole towards land agents. I may say that it is an antipathy that I do not share, because in my experience—

Mr. Coumbe: Did they pinch your business?

Mr. MILLHOUSE: That is the origin of it, of course: there is no doubt about that. The legal profession 100 years ago was most foolish in the way it would not accept the Torrens title system, but that is by the way. In my experience, land agents and members of the Real Estate Institute have been honourable men. Of course, in every occupation some members of it fall below the desired standard, and that is true in this field as in any other professional field. However, I do not think that that attitude, which springs from professional antipathy, should be translated into the general antipathy which the Labor Party has always shown towards people in that calling and which it shows in the actions it is taking in this Bill.

We can look at the matter in two ways. The Labor Party and the Labor Government say that we cannot possibly have on the body anyone who has any financial interest in land dealings, because they may be interested and, therefore, may be influenced in their decisions by that self-interest. On the other hand, we can consider the matter as I think Parliament did in 1967 and say that people in this occupation have a special knowledge and experience valuable to the authority and to the Planning Appeal Board and, therefore, they should be included. In 1967 we did one thing under the previous Labor Government and, in all fairness, I say it was under some pressure from another place. Now we are doing another thing by this Bill and, personally, I do not like it very much.

Under the constitution of the State Planning Authority at present, two members of it are Mr. H. F. Gaetjens, a nominee of the Real Estate Institute and a person who, to my experience and knowledge, has an unblemished record in his occupation, and Mr. John Roche, who is a nominee of the Adelaide City Council. Both of these members will be pushed off by the amendment proposed in clause 6 to enact a new section 8a (1), which provides:

On and after the appointed day, no person who, either directly or indirectly, has any financial interest in the business of buying, selling, developing or otherwise dealing with

land as proprietor, broker, agent or director of a company shall be eligible for appointment or re-appointment by the Governor as a member of the authority.

Not only is the Real Estate Institute losing its rights to nominate, but the bar will extend to a nominee of any other body. No-one who has any interest will be able to be on the authority. Incidentally, I query the drafting of subclause (2): its intention is to provide that the director of a large public company like Elder Smith-Goldsbrough Mort Limited or Dalgety Australia Limited should not necessarily, simply by virtue of his directorship, be barred, but I doubt whether that intention has been achieved, as the subclause now provides:

For the purposes of subsection (1) of this section and section 10 of this Act "director", in relation to a company, includes a person who owns, or control the exercise of the voting rights attached to, not less than fifteen per centum in number of the ordinary shares in the issued capital of the company.

It could be construed that a person who owns much less than that comes within the bar. I wonder whether "includes" is the most appropriate word to convey the Government's intention. However, this is subject to whatever opinion I may form in the next few days. I do not like that provision very much, but what I find extraordinary is that, whilst the Government wants to push off Messrs. Gaejtens and Roche, obviously it wants to keep Mr. Kenneth Tomkinson a member of the board. The Government draws a distinction by saying that it is terrible to have anyone in this game as a member of the authority, but it does not matter if a person in this game is a member of the board.

The Hon. G. T. Virgo: You like smearing people, don't you?

Mr. MILLHOUSE: The Minister of Roads and Transport has a nasty tongue, which he brings to this place. I pity his colleagues in Cabinet and in his Party, because they have to put up with this more than we do. He has a nasty tongue and his interjections show it. I am not smearing—

The Hon. G. T. Virgo: You are smearing them for all you are worth, and they can't defend themselves.

Mr. MILLHOUSE: I am not smearing them. I am saying what is obvious on the face of it: that the Government wants to retain him on the board even though he is a land agent, but it wishes to get rid of Mr. Gaetjens and Mr. Roche who are on the authority.

The SPEAKER: Order! It is in bad taste to use the names of individual people.

Mr. MILLHOUSE: What nonsense!

Mr. Coumbe: It is in the Bill.

The Hon. G. T. Virgo: It is not.

Mr. MILLHOUSE: I am afraid I cannot accept that stricture of yours, Sir. I do not know whether you are ruling me out of order, but if you are we can argue about that. I will not accept what you have said: that it is in bad taste. If one looks at the report of the planning authority, one finds set out in the front of it the names of the people, and we know that the members of the Planning Appeal Board are set out in Information Sheet No. 3. Also, the Minister in his speech referred to people who are land agents not being properly on the authority.

The Hon. G. T. Virgo: By name?

Mr. MILLHOUSE: What does it matter whether it was by name? It is publicly known who they are. The Minister then went on to say that it did not apply to people on the board, of which Mr. Tomkinson is a member, and this is publicly known. I will not accept from you that what I have said is in bad taste, but I do not know whether you are ruling—

The SPEAKER: The honourable member is speaking to the Bill, and I so rule.

Mr. MILLHOUSE: I should think so. As I was saying, it is utterly inconsistent of the Government to get rid of these two gentlemen from the authority but to retain deliberately (and say it is retaining deliberately) Mr. Tomkinson, who is a member of the board.

The Hon. G. T. Virgo: Where does it say he is being retained?

Mr. MILLHOUSE: It does not say that, but I challenge the Minister to say that the Government intends to dismiss him from the board. Obviously, it does not. I believe that this is entirely inconsistent: if we are to have one thing then we should have the other. I make it clear that I do not reflect in any way on the integrity of Mr. Tomkinson or his ability to carry out his duties. I merely reflect on the inconsistent action of the Government, or the attitude of the Government, in this Bill, as a matter of principle. Those matters are the most important considerations about this measure. I have not been able to study the many machinery provisions that need to be studied. However, the guts of the Bill is to alter the constitution of the authority and to enlarge the number that may be on

the board. Concerning the authority, if we look at clause 5 we find that in future the Government is to be virtually unfettered in the nature of the people it nominates or places on the authority, because the amendment is couched as follows:

(iv) one shall be a person who, in the opinion of the Governor, has knowledge of and experience in matters relating to or affecting local government;

The Government can have anyone it likes on the authority, and who could possibly challenge the opinion and, therefore, the appointment? There is no brake on this. Although I may be debarred for other reasons, I think I have a knowledge of and experience in matters relating to or affecting local government, and no-one could challenge that statement. These words are entirely ambiguous. The same clause provides:

(vii) one shall be a person who, in the opinion of the Governor, has knowledge of and experience in matters relating to or affecting conservation or aesthetics;

We may get a trade union secretary, or someone else who is very good: the trade union secretary could be very good.

The Hon. G. T. Virgo: We might get someone that was a member of the Adelaide Club.

Mr. Clark: Who could well be very good!

Mr. MILLHOUSE: My point is that these words are meaningless and give the Government an unfettered discretion on whom they put on the authority. I believe that that situation is not desirable, and it is misleading to include these words in the Bill. In fact, they are mere window-dressing. My final point concerns the constitution of the board. In future the number of members of the board is to be unlimited but with a minimum of eight. At present there are four members.

Mr. Coumbe: And no upper limit.

Mr. MILLHOUSE: In the intermediate courts legislation no upper limit on the number of judges was included. I acknowledge that there is a long delay in the hearing of matters before the board but, when this Government's declared policy is to economize, is it wise to go from one extreme to the other? I doubt that it is, but that is what the Government intends to do concerning the members of the Planning Appeal Board. That is all I have to say at this stage about the Bill. I do not oppose the second reading, but I reserve my decision on several matters and others I do not like.

Mr. HOPGOOD (Mawson): This is the first chance the Fortieth Parliament has had to debate the Planning and Development Act, and I welcome the opportunity to speak to it, because I regard it (and the State Planning Authority, which was set up under it) as one of the most important measures to have come before the Parliament of South Australia. I believe that the future of the State Planning Authority can hardly be comprehended at this stage, because its possibilities are so wide. I also regard the necessity for this type of planning as so overwhelming that it is remarkable that this type of authority was not introduced long before it actually was. Of course, we know one reason why this did not happen. The Town Planning Committee brought down its report in 1962, yet a perusal of *Hansard* shows we have to go to the volumes dated 1966-67 before the authority was actually set up. One wonders why the Liberal Government from 1962 to 1965 sat on that report. It is difficult to understand this. However, I believe one has to go to the debates that were held on the issue in 1966 to get some idea of the Government's attitude at the time. The speaker for the then L.C.L. Opposition, speaking to the Planning and Development Bill in the Upper House (Hon. C. M. Hill), had this to say:

Earlier in the day, the Hon. Mr. Story mentioned his objection to socialistic legislation, and I commend him for having done this. I know that we do not agree with our political opponents on this point, but I am opposed to any legislation of a socialistic kind. The authority appointed under the Bill is to have power to subdivide and develop land—

and so it goes on. In other words, what was in fact a moderate measure indeed (one which I believe has subsequently been shown as not having anywhere near enough teeth to control the future development of this State) was attacked as a socialistic measure at that time.

The Hon. G. T. Virgo: It was too progressive for the Upper House.

Mr. HOPGOOD: I believe the Minister has hit the nail on the head: obviously, it was too progressive for the Upper House. One hopes that the modest amendments we are making to the Act will show that the Upper House has caught up with public opinion in the meantime. We all know that certain amendments that were forced on to the Government of the day were moved in the Upper House by the member to whom I have

already referred, and I quote again from the debate at that time, when the Hon. C. M. Hill said:

However, I feel that private enterprise should be further represented on the authority for many of the reasons that I have stated this afternoon. I think we need a balance between private enterprise, individuals, people concerned with property and people who could be affected by town planning.

He went on to plead the case for the Chamber of Manufactures and the Chamber of Commerce, and then said:

The third body I thought ought to be represented is the Real Estate Institute. Although I am a member of that body, I make no apology for stating that view, for I think it can be said that it represents landowners who could well be affected by planning. I think it could contribute to the good working of the authority.

The Government of the day, rather than lose the Bill, was forced to accept these amendments, along with others, from the Upper House. I congratulate the Minister for Conservation on introducing this Bill, and I include in my congratulations the Minister of Local Government who, during the time that the State Planning Authority was under his control, did much of the ground work prior to the introduction of this Bill. I also compliment the Government on the transfer of the control of the authority, not because I have any preference between the two Ministers to whom I have referred but because I think the State Planning Authority has now been put where it properly belongs—within the area of conservation. I believe that this is why we set up the State Planning Authority and that it should always come down as having a bias on the side of conservation rather than development. I use "development" in the old-fashioned sense of the term (the sense in which the Opposition uses that word), and I might say for myself that, in any conflict or tension between development in the old-fashioned sense and conservation, I will always plump strongly for conservation. It is fairly obvious that there has been disquiet on the part of certain sections of the public regarding the constitution of the State Planning Authority. I make no reflection whatever on what the authority has done to date, and I make no reflection whatsoever on any members of the authority or on anything that they have done or left undone.

I might refer in passing to the agreeable co-operation that members who have taken the opportunity to interest themselves in the affairs of the authority have received from the new Secretary of the authority (Mr. M. J. Taliangis), whom I compliment on the way in which he has always been willing to co-operate with us. However, I return to the disquiet that has been exhibited on the part of certain sections of the public from time to time. One need only refer to the *Sunday Mail* of August 1 last year when, on page 88, Onlooker (that peculiar and allegedly composite figure) gave us a run-down on the constitution of the State Planning Authority.

Mr. Rodda: What do you mean "composite"?

Mr. HOPGOOD: I rather imagine that the honourable member is fully aware of the implication of that remark; I have not time to expand on it, anyway.

The SPEAKER: Order! Interjections are out of order.

Mr. HOPGOOD: Referring to the remarks of the mysterious Onlooker I point out that he had this to say:

The charges boil down to this: too many men from big business and landed interests are around the State Planning Authority table. Some political observers see their predominance resulting in a development authority rather than a planning authority.

He went on to refer to some of the gentlemen on the authority; and, again, I have no quarrel with any of these gentlemen, two of whom were referred to by the member for Mitcham when he was speaking to this Bill, the first being Mr. J. J. Roche who, of course, is the Adelaide City Council representative on the authority. About this gentleman, Onlooker said on that occasion:

He is a millionaire member of a family of landowners and developers with manifold company interests. He is managing director of the Reservoir Grazing Company Limited, with hundreds of acres of hills face land south of Bellevue Heights.

He referred to one or two others, and also referred to Mr. A. A. Holley, who is a councillor down my way on the Noarlunga District Council and who is the nominee of the Local Government Association of South Australia. Onlooker had the following to say about this gentleman:

A member of a south coast farming family, he has in the past year subdivided his property at Hackham.

Onlooker then referred to Mr. Gaetjens, nominee of the South Australian Real Estate Institute, and said:

Mr. Gaetjens is a member of the near century-old real estate firm of A. & H. F. Gaetjens. He is also on the S.P.A. advisory committee on redevelopment.

Reference is then made to Mr. H. L. Bowie, nominee of the Municipal Association of South Australia, Chairman of the Salisbury District Council, and a landholder and developer with large holdings on the Northern Plains.

Mr. Mathwin: A very good man, too.

Mr. HOPGOOD: I could not but agree with the honourable member. Although I have no quarrel whatsoever with any of these gentlemen, I am opposed to people who have a vested interest in the subdivision and sale of land being represented on a body that is vested with the important future of land development in the metropolitan area. I consider that it is not only important that justice be done: it is important that justice be seen to be done and, further, that there can be no loopholes, pointing up the possibility of further injustice. We do not know how long these gentlemen will be on the authority, and we do not know by whom they may be replaced. We can give no guarantee that in the future a person who had interests in real estate and subdivision might not use or misuse his position on the State Planning Authority. Furthermore, if I were involved in the business of real estate I do not think I should be at all happy about taking projected plans of subdivision to an authority that comprised some of my competitors in the business. Again, I have no doubt whatsoever that the position of those people on the authority has not been misused, but it could be; it is capable of being misused.

I make a further point. Various suggestions have been made to us about the sort of person who should be on the State Planning Authority. One body that has been most active and vocal in what it has had to say is the Town and Country Planning Association, which has made various suggestions in its bulletin *Planning S.A.* about the type of people it would like to see on the authority. I quote from its June-July, 1970, issue:

The composition of the authority should be representative of all interests in the community and it should be given stronger legislative powers. There should be sub-committees investigating such environmental issues as urban development, transportation, pollution, noise abatement, aesthetic integrity and conservation.

In the September-October, 1970, issue we read:

The State Planning Authority must be immediately reconstituted so that its composition is representative of all interests in the community. The new authority should include experts in sociology, ecology, economics, aesthetics and other fields relevant to planning. The authority must be given stronger legislative powers and increased financial support from Federal sources so that it will be able to implement satisfactory planning measures.

Of course, one thing that could be said about that suggestion is that we would finish up with a State Planning Authority with 50 members on it. Obviously, it is not in the interests of the planning authority to be so large; so we must keep it small. The original Bill provided for nine members but, in the process of "give and take" between the two Houses, this was increased; so that positions on the authority are precious. We have only a limited number of positions, which we must try to offer to people representing a whole range of interests. When I say that, I do not mean interests in the economic sense of the word, when we speak of vested interests: I mean genuine interests in the future development of the environment of our cities and countryside and in the orderly development of the urban environment.

It seems to me that one of the obvious interests that must be represented on such an authority is the conservation interest. How do we make room for conservation interests on the authority? I do not believe we do this sort of thing by simply expanding the size of the authority willy-nilly. We must have a second look at the present position and, given the public disquiet that has been expressed in the press and in the journals of associations consisting of people with a real concern for town planning in the general environment about the position of people on the authority who have a vested interest in the subdivision of land, it seems to me that one of the obvious things to do is to remove the provision dealing with the representative of the Real Estate Institute and, in his place, to put on the body someone representing conservation.

The member for Mitcham has made certain muted criticisms of this Bill. He has spoken of the unfettered discretion given to the Government in relation to one or two appointments to the authority. Let us take a look at the representatives of local government on the board. Obviously, an amendment had to be made to deal with the fact that the Municipal Association is now defunct, so it seems to me there were two possibilities open to the Government: one was to allow the Government to choose a second person, who would be chosen from the panel nominated by the Local Government Association; and the

second was to give the Government wide powers that would enable it to tap the great reservoir of knowledge and talent that is available to it in the community from people who have studied these sorts of matters at the tertiary level or who have had experience of local government and allied matters in other parts of the world or of the country, and so bring extra enterprise to the board. Put this way, it seems obvious to me that the answer is to give the Government the sort of power that is provided for in the Bill.

I really cannot see any danger in this power. The control in this matter, as in all these matters, is public opinion. If the Government makes a crook appointment to the planning authority, this will be given much publicity in the press. People will understand the situation and the Government will get it in the neck for making this type of appointment. The Government does not intend to make a crook appointment. When it says that it will make an appointment from people who it believes have had experience in local government or in matters relating to it, the Government means exactly what it says. When it says that it will appoint to the board someone who has experience and knowledge in conservation and aesthetics, it means exactly what it says: that it will appoint someone who has this type of expertise, knowledge and experience. We know that, if we make a ludicrous appointment (if, on the one hand, we appoint someone who has been a street sweeper or, on the other hand, someone who has been snoozing for 40 years in a chair at the Adelaide Club), we will get it in the neck from the public. Therefore, public opinion is the control here.

The member for Mitcham made certain observations as to a distinction made here between appointments to a State Planning Authority and to a Planning Appeal Board. The unspoken premise in what he had to say was that there was no significant difference in function between the Planning Appeal Board and the State Planning Authority. As the honourable member well knows, that is not the case. The Planning Appeal Board deals with points of law; it has no area of initiative as has the State Planning Authority. I invite honourable members to have a look at the *Planning News*, the bulletin put out by the State Planning Authority every six months, and to read the yearly report of the State Planning Authority in the Parliamentary Papers. In these publications they will see the broad area of initiative open to the State Planning Authority. I wish that the area was broader and that the authority had more teeth to make stick some of the things that it wants to do; I hope that the Government will see fit in another session to introduce measures that will go some of the way towards the things I want. I assure the Government that it will have my full support in that way.

The point I want to make is that the Planning Appeal Board has a most limited function. It hears appeals against decisions of the authority or against decisions of local councils in relation to zoning regulations and the like, on points of law. It examines the meaning of certain sections in the Act, and there is a further appeal from it. I have previously raised in this House the matter of the right of the individual to appeal to the Planning Appeal Board against decisions of his local council. It seems to me to be an obvious defect in the legislation that a developer has a right of appeal under the Act because he has been ruled by the court to be an aggrieved party under the Act, whereas the person who lives next to the block of land on which the development will take place has no right of appeal, for he is not legally aggrieved under the Act, as his grievance is an aesthetic one. It seems to me that this is an area in which the Act should be tightened up. I could refer to some other cases.

Mr. Mathwin: There are referees.

Mr. HOPGOOD: I am fully aware of that, but I doubt whether that is sufficient. Referees were the sort of thing that existed under the very weak sort of town planning that operated before the Planning and Development Act came into force. I would like to see the whole of this machinery brought under the operation of the Act and the Planning Appeal Board, but I must agree with the member for Glenelg that, before that is done, we must ensure that the individual has the right of appeal. If that is not given, it may be better to leave things alone, so that the individual will at least have the limited right of appeal that he has at present.

I do not think the objection of the member for Mitcham has great substance. I am sorry that some of the things he said could have been construed as an attack on an individual. In quoting from Onlooker, I suppose my remarks could be misconstrued as an attack on individuals, but in my case they are not such an attack and I hope they were not in the case

of the member for Mitcham. This Bill is extremely moderate. I hope the Government will go much further at a later stage. In the meantime it seems to me that these provisions are necessary to allay the public disquiet that has been expressed from time to time. I urge the House to support the Bill.

Mr. EVANS secured the adjournment of the debate.

WATERWORKS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 23. Page 4264.)

Mr. RODDA (Victoria): After listening to the Minister's second reading explanation and after studying the concept spelt out in the Bill, I cannot but have some fellow feeling for the Minister as he tries to cope with his responsibility of maintaining a full and sweet water supply for Adelaide. I well remember the hand-shaking and the words of welcome that were extended to me a little over 12 months ago when I became Minister of Works. However, all that fellowship faded; the very next thing that happened was that all hell broke loose. I felt the impact of an announcement about certain measures my predecessor was obliged to take.

The SPEAKER: Order! There is too much audible conversation. I cannot hear the honourable member. Will honourable members be seated!

Mr. RODDA: Regulations under the Planning and Development Act gave the Director of Planning power to refuse approval of plans of subdivision and resubdivision in the watershed area. On the findings of the Director and Engineer-in-Chief of the Engineering and Water Supply Department, it was thought that any further development from those plans could lead to the pollution of the hills reservoirs. I well remember my baptism under fire early in my Ministerial career, and I now find it rather ironical that it was the failure of Parliament to ratify a plan to ensure the provision of a water supply for this State that was responsible for ending my short Ministerial career.

This Bill sets out to rectify one matter, as it is designed to ensure for this State a pure and unsullied water supply. The Bill is necessary and extremely far reaching in its effect on persons who live in the watershed area. It seeks to secure water quality and the maintenance of a lifeline. If the Labor Party had not been so grasping for the Treasury benches last May and had considered the water supply then, the position would be different now.

When this Bill becomes law, there will be some extremely angry people in the Adelaide Hills, and the Government must shoulder the responsibility. The assured water supply that would have come from the measure that put the Minister for Conservation where he is today could have been well on the way to being a reality. Despite the events of a year ago, the cookie has crumbled and we now face raw facts. I was pleased to hear the Minister say that he was willing to take the credit and the responsibility. However, he did not say he was willing to take the kicks that will come from this Bill. I remember the consternation expressed by landholders in the catchment area when they were first confronted with the regulations that caused so much hardship. They had a serious effect on families who had lived there for many years and wanted to subdivide or transfer a small portion of land to, say, a son so that he could build a house on it. I ask leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.50 p.m. the House adjourned until Tuesday, March 30, at 2 p.m.