HOUSE OF ASSEMBLY

Wednesday, August 30, 1972

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

INDUSTRIAL CODE AMENDMENT BILL

The Hon. D. H. McKEE (Minister of Labour and Industry): I have to report that the managers for the two Houses conferred together but that no agreement was reached.

QUESTIONS

STUDENT CONCESSIONS

Dr. EASTICK: Can the Minister of Roads and Transport say whether any consideration has been given to the concession rail fare entitlement of students who were required to attend universities or colleges, during the recently gazetted vacation period, for the purpose of study and examinations? The peculiarity of the situation this year is that the second term finished towards the end of July, before students were able to obtain their concession fare entitlement for the month of August. University students ended their vacation and returned to their studies on Monday of this week, and they are denied the opportunity of obtaining the concession fare until September 1. If, in fact, the students were on holiday in total and were not required to undertake study and examinations, probably there would be no purpose in their having a concession fare arrangement. However, because of the increasing demands by the university for students to present themselves for examinations during the holiday period and because the third term has commenced at the end of August rather than September, the students are denied the concession, even when attending university during this week.

The Hon. G. T. VIRGO: The member for Peake asked me a similar question on August 15, and I do not know whether the Leader has looked at my reply to that question (page 718 of *Hansard*) in which I said I would be very pleased to consider the specific points that that honourable member had raised. However, the Leader is now raising somewhat different points and, if I understand correctly the explanation of his question, I suggest that the students to whom he has referred could have got concession tickets if they had applied for them.

Dr. Eastick: Not the monthly concession.

The Hon. G. T. VIRGO: If they are required to attend tuition (I do not know what interpretation is placed on the words "attending tuition", but I find it extremely difficult to believe that anyone could interpret those words so as to exclude attending examinations), the students are entitled to a concession fare.

Dr. Eastick: It has been denied them.

The Hon. G. T. VIRGO: That is the point that I said I would examine. However, I again stress that the students could have got a concession fare on a daily basis merely by requiring the responsible university authority to authorize the concession forms. As I said on August 15, I will consider the whole matter. I think grave anomalies have shown up, at least to me for the first time. I do not know whether they have shown up to anyone else in the past without anything being done about them, but they certainly have shown up on this occasion, and I think probably that has occurred because of the date on which the third term has commenced. As I have said, I am considering this matter and, as soon as I have information for the member for Peake, I will give it in the House. My reply will cover the points that the Leader has raised.

PETROL PRICES

Mr. BURDON: Will the Deputy Premier take up with the Premier the possibility of undertaking a thorough investigation by the Prices Branch or, in the event of the Prices Branch not having adequate power, a Royal Commission into the price of petrol sold in outlets in South Australia and also into the desirability of extending to the general public the benefits that certain distributors and company outlets are now giving? A report in this morning's *Advertiser* states that about 120 petrol resellers met the Deputy Premier outside this House yesterday and put before him a case for certain price increases or outlined certain difficulties under which they were operating. A report in last Friday's *News* states:

Two cent cut for petrol tipped. A 2c cut at least in petrol prices is being tipped by petrol retailers.

The position relating to petrol prices in South Australia and, indeed, throughout Australia prompts this question. Indeed, a recent Queensland report stated that petrol was being distributed in that State at a discount of between 5c and 13c a gallon. Those of us who have travelled through Victoria and New South Wales know that discount prices operate in those States, and we also know that discounts operate in various parts of South Australia.

Indeed, I estimate that about 25 per cent of the people in some localities receive a discount of between 4c and 8c a gallon, and I have been informed that 40 per cent of the people in certain areas enjoy petrol discounts ranging from between 3c and 4c a gallon to between 7c and 8c a gallon in some cases. In view of the deputation the Deputy Premier received yesterday and his promise to carry out an investigation into the matter, I ask whether, if the powers of the Prices Branch in this State are not adequate, a Royal Commission might be appointed to consider the whole matter of petrol sold in South Australia, so that at least the other 75 per cent of the public (and probably more) could enjoy the benefit of cheaper petrol in this State. I believe that, through a complete reorganization of the petrol-selling outlets in this State, cheaper petrol could be provided.

The Hon. J. D. CORCORAN: The honourable member has already said that on behalf of the Premier I met a deputation yesterday. I received from that deputation a series of resolutions that had been passed by its chamber, one of the resolutions indicating that the people concerned were neither satisfied with the current price of petrol in South Australia, nor satisfied with the retailers' margin. I gave the deputation the undertaking that the Government would ask the Commissioner of Prices and Consumer Affairs in this State to investigate the current situation thoroughly, taking into account the price of petrol and the retailers' margin, and that subsequently he would report to the Government. I understand that this afternoon the Premier is meeting further representatives of the chamber, comprising petrol retailers in this State, and no doubt they will canvass the matters referred to in the honourable member's question, these matters causing much concern not only to retailers in the State but also to the general public. I am sure that, if the Commissioner does not have sufficient power to consider the whole scope of the matters referred to by the honourable member, the Premier will consider his request that a wider and more detailed inquiry be held. However, I believe that the Commissioner has adequate power in this matter and that in due course he will be able to report to the Government on the matters raised by the honourable member. I will ensure that the points he has made in his explanation are brought to the Commissioner's notice and that they are considered fully.

Mr. PAYNE: Will the Premier consider making the matter of investigating possible current restrictive trade practices between oil companies and resellers one of the terms of reference of any inquiry into petrol sales in South Australia? One of my constituents, who is the lessee of a petrol station, has told me that much pressure is brought to bear on him to require him to carry and sell a specific range of tyres, and no other brand of tyres is permitted on the premises.

The Hon. D. A. DUNSTAN: The nature of one-brand petrol station agreements, as well as the ancillary requirements and the building of resellers' outlets by oil companies uneconomically, has been debated several times in this House since, I think, 1955. In that year I introduced a measure to follow the New Zealand practice of specific licensing of petrol reselling outlets, in accordance with the request by what was then a majority of the proprietors of petrol stations in South Australia. The Government at that time completely rejected my proposal, saying that, by suggesting that we could have any such thing, we were interfering with the rights of private enterprise. We know well, and have debated, the position of petrol resellers, the depredations on them by the oil companies, and the way oil companies have squeezed petrol resellers, particularly the lessees of oil companies who have stations with a gallonage insufficient to provide a sufficient living amount above the costs of running those stations, which gallonage is then interfered with by uneconomic discounting practices of the very companies from which the stations have been leased. The matter was dealt with in a circular that I sent to all Automotive Chamber of Commerce members before the last State election, when I stated how the Labor Party would give effect to the requests if elected. The suggestions had been utterly refused by the then Premier of South Australia (Mr. Hall), but every one of the promises that I made has been honoured. I agree that this has not in itself in the short term solved certain problems confronting petrol resellers, because it is likely that these can be solved only in the long term. However, uneconomic and restrictive trade practices are still occurring within the industry, and I can certainly discuss these with the Automotive Chamber of Commerce, representatives of which will be seeing me later this afternoon.

PUBLIC BUILDINGS DEPARTMENT

Mr. MILLHOUSE: Will the Minister of Works say whether the Government intends to bow to union pressure regarding the work of the Public Buildings Department? A report

appeared in the *Advertiser* last Friday under the heading "Unions Condemn Government Policy", and it emanates from the Building Trades Federation, representing (and I quote briefly from the report) " all of South Australia's building trade unions", which, according to the report, "had condemned the Public Buildings Department's policy of subcontracting so much of its work". This was a report from the new President of the Building Trades Federation (Mr. Fairweather). The report states that the union has written to the Minister seeking a conference and that, if the Minister's reply is not satisfactory, stopwork meetings are to be held. As this is a serious situation, I ask the Minister whether the Government intends to bow to this union pressure or to withstand it.

The Hon. J. D. CORCORAN: I remind the honourable member that this is not the first approach that trade union representatives have made to the Government, and to me as Minister of Works, about employing more day labour in the Public Buildings Department, the Engineering and Water Supply Department, and other departments with a large work force. Previously, I had pointed out to the union representatives that it was extremely important that the Government have a work force that was not subject to retrenchments from time to time, because peak periods come and go according to the work demands in various departments, and that it had been Government policy to cater for these peaks by using contractors to do that work. The Government believes that, where possible, work should be done by its own work force, bearing in mind the criteria to which I have already referred. This concept has been explained at least twice to the various union representatives.

Late last week I received the letter to which the honourable member has referred, and a letter was also received by the Premier. In due course we will meet representatives of the various unions so that they can put their case, just as, from time to time, contractors meet the Government and put their case concerning work. The honourable member will realize that we can be placed in an invidious position, because similar types of labour are employed. I am willing to listen to representations made by the unions (as I have been willing in the past), but the question of bowing to union pressure does not come into it. The Government has always been reasonable (as I, as Minister, have been reasonable) in this matter, and I point out that there has been no significant reduction in the work force employed by the Government in either the Public Buildings Department or the Engineering and Water Supply Department. I do not intend to see that happen. As I have said before (and I say again), I wish to maintain as large a work force as I can without having to be placed in the situation of retrenching any of this force from time to time. Several matters will determine exactly what that work force should be. I am always willing to listen to the union representations and, where possible, to do something to meet their requirements, bearing in mind what I have said about the nature of the work force.

Mr. COUMBE: Can the Minister of Works say whether, in the work undertaken by the Engineering and Water Supply Department for private developers, the opportunity is given either to the E. & W. S. Department or to private contractors to carry out the work, provided that the work is done under supervision? This system previously applied provided that the work was done to the satisfaction of the department.

The Hon. J. D. CORCORAN: I think that the honourable member was incorrect if he said that the system was instituted by a previous Liberal Government, because it was not. This system was introduced in the time of the former Labor Government under the Minister of Works (Mr. Hutchens) and it was carried on by the honourable member's Party when it was in office. Regarding private developers using contractors to lay water or sewer mains in new subdivisions, the Government's policy is to do the work itself wherever possible, but any developer with a specific case to place before the Government, whereby he seeks to do his own work by contract, can place his case before the Government for review and every case will be treated on its merits. If the Government cannot cope or the delay is too great, the Government will treat a case on its merits. So there is not a complete ban on developers doing their own work: they may do it if we are satisfied there is a need for them to do it.

PORT ADELAIDE DEVELOPMENT

Mr. RYAN: Can the Premier say what advantages, if any, a Royal Commission would have, and what a Royal Commission can find out that was not disclosed in the report tabled in Parliament yesterday by the Government-appointed committee that investigated the Myer project at Queenstown? Recently, a member of the Port Adelaide council (and again, today,

the Mayor of Port Adelaide) called for a Royal Commission, even though the Government-appointed committee dealt with this matter extensively and produced the report that was tabled yesterday.

The Hon. D. A. DUNSTAN: I know of nothing on which a Royal Commission could report that has not been disclosed in the report tabled in Parliament yesterday. Nothing has been suggested to me by Mr. Marten as to the basis on which a Royal Commission on this matter should proceed, and there are no matters for inquiry about which the facts are not already clearly established. I have noted that Mr. Marten has suggested that the implementation of the recommendations in the report would kill Port Adelaide. If there is a major development in the Port Adelaide shopping centre, however, I should think that every one of the criteria suggested to me by the minority of the council (a deputation led by Mr. Marten, which I met) would be satisfied. There would be increased employment and an increase in rate revenue to the council. It could be that Mr. Marten has made that statement without reading the committee's report, but I should think that the best course for the Port Adelaide council to follow would be to try to co-operate in a total operation that would ensure for Port Adelaide the development of its shopping centre and the residential redevelopment of the Queenstown area in accordance with the council's own proposals submitted to the State Planning Authority within the regulations. Indeed, I know of nothing (and there has never been any suggestion to me of any matter) which has not been ascertained in the way of facts and which could constitute the basis of the appointment of a Royal Commission.

CARRINGTON HOTEL

Mr. KENEALLY: Will the Premier have investigated the validity of allegations made by an Adelaide correspondent in the August 26 edition of *Nation Review* in an article headed "Someone New to Bash"? The article concerns an Aboriginal woman, Mrs. A. Gale, married with two children, who was arrested at the Carrington Hotel on August 17 last. She was subsequently charged with offensive language, resisting arrest, failing to give her name, and damaging police property, and a blanket was given to her at 5 a.m. The Adelaide correspondent alleges that on that night he took two friends (a trainee French diplomat and his sister) to the Carrington Hotel to meet Aborigines. They were introduced to Mrs. Gale who, shortly after 10.20 p.m., asked them whether she could leave with them, her own friends having already left. She believed that if she left alone she would most probably be arrested as a prostitute, because the police assumed that all unaccompanied Aboriginal women leaving the hotel at that hour were prostitutes. However, as events turned out, she did not leave with those people, and she was arrested and charged. The article also states that, although Mrs. Gale was not bruised on the evening she was arrested, she was bruised next day. Allegations have been made about the new manager of the hotel. I ask this question to ensure that, if these allegations are incorrect, they will be refuted. However, if they are well founded, stern action should be taken to prevent such events from recurring. Aborigines who transgress the law must face the consequences of their actions, as all other people must face the consequences. However, equally they are entitled to the protection of the law (or from the law) if they do not transgress.

The Hon. D. A. DUNSTAN: A full report having been called for on the matter, it will be investigated. For a considerable time, the Government has been concerned about difficulties that have arisen at the Carrington Hotel, which is a centre for social activity of Aborigines who live in the city. In fact, over some time we have been concerned in such a way that the Minister of Community Welfare has intervened with regard to this hotel, having discussions with members of the Police Force about activities that have taken place at the hotel. I have discussed with the Commissioner of Police the situation at this hotel (I am not now referring to the case raised by the honourable member). Since there had been several complaints about both Aboriginal behaviour and police behaviour in the area, it seemed that these difficulties needed to be resolved effectively. The Commissioner has told me that a specific and separate report is made in relation to every single incident at the Carrington Hotel, this report being supplied to the Commissioner. The Commissioner having been asked for a report on the case referred to by the honourable member, I will inform the honourable member when that report is to hand.

WEEDS

Mr. McANANEY: Has the Minister of Works obtained from the Minister of Agriculture a reply to my recent question about weed control in the Adelaide Hills?

The Hon. J. D. CORCORAN: My colleague states that he cannot see that the honourable member's suggestion, if implemented, would be a practical solution to the problem of weed control in the Adelaide Hills, because of the virtual impossibility of establishing the sources of infestation of the reserves and private land. If it is intended that the Government accept financial responsibility for all eradication work undertaken by councils, the Minister could not agree to such a proposition. My colleague has written to Ministers whose departments occupy Crown lands in the Adelaide Hills areas, seeking their co-operation in urging those departments and instrumentalities under their control to take positive action to remove noxious weeds (including particularly African daisy) from Government land in these districts. As a result of correspondence I have received from the Minister of Agriculture on this matter, I have instructed all departments under my control to take what steps they can to comply with my colleague's wishes.

DESERTED WIVES

Mr. LANGLEY: Can the Minister of Community Welfare give details about the improvements made in State assistance to deserted wives, and single mothers who have children, enlarging on information contained in a newspaper report? In addition, can he say whether, after six months, such women will still transfer to Commonwealth social service benefits? For some time, several women in my area have been unable to increase the low sums that they receive and so improve their budgets, and in many cases they have been reduced to a state of poverty. Often, women are in this position through no fault of their own. The improvement that has been made will help these women to meet their commitments with regard to housing and food. This progressive step is sure to help these unfortunate peop'e.

The Hon. L. J. KING: Substantial improvements have been made in the conditions under which payments will be made to these people. I will obtain precise details for the honourable member and give them to the House.

METER CONVERSION

Mr. BECKER: Has the Minister of Works a reply to my recent question about the conversion of water meters to meet the requirements of the metric system?

The Hon. J. D. CORCORAN: There are no grounds whatsoever for the rumour that the Engineering and Water Supply Department proposes to charge consumers $8 for converting each meter to metric measurement. Cabinet approval made specific allowance for the additional expenditure that the department will incur in converting existing meters to metric measurement. Accordingly provision has been made in the Estimates for 1972-73 for this continuing expenditure which is additional to that previously incurred each year in the maintenance and repair of water meters, and similar provision will be made for future years.

Approval was given by Cabinet in March to convert all water meters progressively (I knew this was to take place, but I wanted to check what the honourable member said about the cost) to metric measurement and for the Supply and Tender Board to negotiate with the Dobbie Dico Meter Company Proprietary Limited for the supply of metric conversion kits for the 300,000 ¾in. B meters which the department currently owns, supplying these at the rate of 3,000 a month and for the supply of metric meters in place of meters outstanding on existing contracts. It is expected that the first 2,000 metric conversion kits will be supplied early in September, 1972, and the first of the metric meters being supplied under the existing contract will be supplied later in September, 1972. In other words, as they are repaired or changed, the meters will be converted. Because this usually occurs at the rate of about 3,000 meters a month, that is the number that will be supplied each month. It is expected that it will take about eight years to 10 years for the complete conversion to take place, but it will not cost the consumer $8 a head.

Mr. Becker: How much will it cost?

The Hon. J. D. CORCORAN: It will not cost consumers anything. I have already pointed out that an additional sum is being provided for the department this year, and this extra allocation will also be provided in future. I hope that what I have said gives the lie to the rumour that has been circulating in the last few days. This rumour has been referred to not only by the honourable member but by other people as well.

HAIRDRESSERS

Mr. JENNINGS: Will the Minister of Labour and Industry take up with the Hairdressers Registration Board the desirability of people who come from overseas and who have hairdressing skills having practical trade tests to qualify for registration, rather than having to wait for years to be registered and having to go through the full course again? I point out that what I have said applies only to those

people who cannot obtain their credentials, because they cannot contact their former employers in Europe or elsewhere, or to those who have lost their credentials. I have often been approached by hairdressers of both sexes about this matter. As I believe that the Registrar of the hairdressers board favours this move, I ask the Minister to investigate the matter further.

The Hon. D. H. McKEE: I should have thought that the hairdressing profession was a little shaky these days, judging by the crops of hair that I see on the heads of the male population. Although for that reason I can hardly believe that there is a shortage of barbers, I will have the matter examined.

SCHOOL BUSES

Mr. MATHWIN: In the absence of the member for Fisher, I ask the Minister of Education whether he has a reply to that honourable member's question about buses used by the Education Department?

The Hon. HUGH HUDSON: For several months the Education Department has been investigating the use of former Municipal Tramways Trust buses for the transport of schoolchildren. Inherent problems are involved. M.T.T. buses are principally designed for metropolitan commuter traffic with a high proportion of passengers who are required to stand. For reasons of safety, comfort and discipline, it is not considered desirable for schoolchildren to stand for long distances. The installation of additional seats, similar to those termed child seats in Education Department vehicles, does not give any greater seating capacity than that already provided in the conventional school buses, which are significantly cheaper to operate. As the honourable member will be aware, school buses are used mainly in country districts, where road conditions and servicing facilities are not as satisfactory as in the metropolitan area. A further problem is that the M.T.T. buses are over-width and cannot be used in country areas without being stripped down and reduced in width, which is a costly process. The cost of providing adequate seating, rebuilding the body, and dustproofing the vehicles is considered to be excessive compared to the additional vehicle life that could be expected from the M.T.T. buses, which already have covered a significant mileage. The Loan Estimates proposed expenditure on school buses for 1972-73 for new vehicles to replace some old vehicles in the departmental fleet, and for additional vehicles necessary to provide new services.

MODBURY ROUNDABOUT

Mrs. BYRNE: Has the Minister of Roads and Transport a reply to my question of August 24 about the basis on which the roundabout at the intersection of Wright Road and Kelly Road, Modbury, has been financed?

The Hon. G. T. VIRGO: The roundabout at the intersection of Wright Road and Kelly Road, Modbury, was constructed by the Tea Tree Gully Council. The project was financed by a grant from the Highways Department to the council of 50 per cent of the cost.

REDEVELOPMENT COMMITTEE

Dr. TONKIN: Will the Premier say when he asked the Minister of Community Welfare to make available an officer to serve on the redevelopment committee in relation to high-rise developments? In response to several questions that have been asked on this matter, no definite answer has been given yet on whether social workers were consulted in the first stages of planning this development. Although this may have been unintentional, the impression has been gained that there is something to hide. Therefore, I ask the Premier to say whether social workers were consulted in the initial planning stages of this high-rise development or whether this consultation has been an afterthought.

The Hon. D. A. DUNSTAN: The honourable member has spoken about Hackney redevelopment as "high-rise developments". The Hackney redevelopment is nothing of the kind: the conceptual plan for Hackney includes only three buildings that conceivably could be called high rise.

Mr. Mathwin: Perhaps he means high density.

The Hon. D. A. DUNSTAN: If the member for Bragg meant that, he might say so. It is not high-density development, anyway, and to say that it is would be untrue. It is not, in any terms of planning, a high-density proposal.

Mr. Mathwin: Perhaps he means terrace houses.

The Hon. D. A. DUNSTAN: If the honourable member means terrace houses, that is not high density or high rise. What does the honourable member mean, and has he consulted his friend? The member for Bragg looks embarrassed. Originally, on the redevelopment committee, which was established under a Labor Government in 1968 and

carried on by the Liberal Government thereafter, there was not a social worker. That is clear. The members of the redevelopment committee have not included such a member. Subsequent to our taking office, proposals were made to the Public Service Board that there should be, in the State Planning Office, people with sociological qualifications, and we have tried to provide staff with those qualifications in that office. Certainly, they were not provided under the Liberal Government, which reduced the amount of money that was available to the State Planning Office for any officers at all. In relation to the Hackney proposal, officers of the Housing Trust with a social science background were used from time to time to question local residents about their desires, but there was no-one with such a background on the original redevelopment committee. At that time, such persons were not readily available to us. Subsequent to discussions with the Residents Association in St. Peters (and I had frank discussions with it over a period), I proposed to the Community Welfare Department that an officer from that department should be made available to the redevelopment committee. I cannot remember the precise date of my request, but I made it a short time ago and what I requested has now been done. However, that arrangement will relate to the future work of the redevelopment committee and will not relate specifically to the North Hackney proposal. That proposal, as the honourable member will see soon, will be dealt with otherwise, and in relation to anything that takes place in North Hackney, or in any proposals for rehabilitation of any other inner city areas (and these are not redevelopment proposals but rehabilitation proposals), people with social science qualifications will be involved in whatever we do. I do not know what there is to hide about that. I have told people that previously.

KANGAROO ISLAND FERRY

The Hon. D. N. BROOKMAN: Has the Minister of Roads and Transport any information on difficulties being experienced in relation to the Kangaroo Island ferry proposals?

The Hon. G. T. VIRGO: The Kangaroo Island Ferry Co-ordinating Committee was constituted in March, 1971, for the purpose of implementing the recommendations of the Kangaroo Island and Eyre Peninsula Committee (the Schroeder committee) concerning the establishment of vehicular ferry service between Cape Jervis and Penneshaw, Kangaroo Island. After reviewing forecasts of traffic and cargo as prepared by the Schroeder committee, a request was made to the Commonwealth Department of Shipping and Transport for the preparation of designs and contract papers for the construction of a double-ended vessel with total vehicular lane capacity of 450 lineal feet. When preliminary designs were sufficiently advanced, the Department of Shipping and Transport advised details of the leading dimensions of the vessel which were required for the design of terminal and harbour works, namely: length 175ft.; breadth 40ft.; load draught 9ft.; light draught 6ft. 3in.; gross tonnage 1,250 tons; and net tonnage 450 tons. The Marine and Harbors Department prepared preliminary plans of harbour protection works for Cape Jervis and Penneshaw with the meagre oceanographic data available, to give minimum protected areas to design criteria of a maximum 6in. amplitude for long-period swell which is the tolerable limit for bridge-loading operations and a 6ft. clearance under the fully-loaded vessel. The co-ordinating committee then sought opinions from master mariners with long experience of operating in South Australian coastal waters concerning the suitability of the vessel for the Backstairs Passage crossing and the adequacy of the harbour protection works.

The Hon. D. N. BROOKMAN: I rise on a point of order, Mr. Speaker. I suggest that, if the Minister is going to answer the question seriously, he should make his reply sufficiently clear for members to hear. I do not know whether he intends to read about 20 pages but, at the rate he is reading, no-one in this House can understand a sentence so far. I believe that he is really departing from the spirit if not from the letter of Standing Orders.

The SPEAKER: There is no departure from Standing Orders. The honourable member asked for a reply to the question, and I called on the honourable Minister to give that reply. The honourable Minister of Roads and Transport.

The Hon. G. T. VIRGO: When the honourable member originally asked the question, I said that I would get the information for him but that, because of its technical nature, I doubted whether he would be able to understand it, and he has today proved that my doubts were justified. Comments concerning the vessel were conveyed to the Department of Shipping and Transport, which accepted suggestions for some alterations to the preliminary designs and these were to be incorporated in the final designs. Criticisms of the harbour

works were expressed including the comparatively narrow openings which made manoeuvring a very hazardous operation in a strong cross wind and the short distances available between the harbour entrances and the berths to bring the vessel to a dead stop. The mariners were adamant that the vessel would have to enter harbour at high speed to be under effective control but even then a danger existed of being forced onto the breakwater especially as the vessel stood high out of water and would be subjected to significant side thrust loads in cross wind. After considering these views the co-ordinating committee requested the Marine and Harbors Department to prepare new layouts to give a minimum of five ship lengths between harbour entrance and berth, and amended layouts (appendices I and II) were subsequently presented which required 390,000 tons of rock-fill for the Penneshaw harbour and 310,000 tons of rock for Cape Jervis. The designs were developed using wave data accumulated in a period of less than 12 months from a recorder installed at Cape Jervis, minimal topographic information of the sea bed and with little or no quantative information of littoral drift, tidal currents and movement of wave fronts around Kangaroo Island.

The representative of the Marine and Harbors Department on the co-ordinating committee expressed reservations on the suggested layouts when these were presented to the committee, as there was insufficient basic data available on which designs could be made with confidence. The geometry of harbour layouts is determined by setting up mathematical models and applying data obtained from oceanographic surveys and adjusting the model until the predetermined operating parameteres are satisfied. The objective in designing harbour layouts is to find the geometry of the breakwaters so any wave front which passes through the harbour entrance is dissipated as it spreads out behind the walls but the properties of the enclosed area must be such that a swell of constant frequency does not set up a resonant movement which would cause the whole of the enclosed surface area to oscillate. As the mathematical approach has some limitations, the layouts of major works are generally tested by means of hydraulic models in which simulated sea conditions are applied to a model of the harbour and changes made to the geometry to obtain the most effective or economical layout of breakwaters. Although no detailed work had been carried out on the source and suitability of rock for breakwaters in the vicinity of the two harbour sites, it was evident that the cost of winning and placing 700,000 tons of rock for the two proposals would be an expensive operation, especially as the armour rock on the outside of the breakwater would be 10-ton minimum rock and would require individual placement. The co-ordinating committee had been given a preliminary quotation of approximately $4 a ton for rock in place but actual costs on similar work at Outer Harbor amounted to $8 a ton but to both figures should be added a contingency allowance of about 20 per cent as the survey data was not sufficiently precise to enable quantities to be calculated with precision.

Thus the committee had before it tentative layouts for harbour works which at the best amounted to multi-million dollar projects but there was no certainty that the proposed works would provide the necessary protection to allow a bridge-loading ferry to operate in times when long-period swell was present in Backstairs Passage and there was insufficient information to indicate the periods of time service could be inoperable because of adverse conditions Although it may be possible to over design in a relatively simple structure to take care of the unknowns and lack of data and still finish with an end result which may be acceptable in terms of cost, this course of action could not be accepted for works of the magnitude now required for this operation. It was evident that it would be unwise to proceed further with harbour work until the necessary basic data was available which would enable designs to be developed with confidence. Accordingly, the committee reported to the Minister of Roads and Transport in August, 1971, that it was unable to meet his requirement that the ferry service be operational before July, 1972, and subsequently sought approval for funds amounting to $70,000 to enable oceanographic surveys to be fact in hand. The Chairman had discussions with engineers of Central Laboratories George Wimpey and Company Limited, London, during a visit to the United Kingdom in late 1971, and it was confirmed that a minimum of three years data collection was required to determine periods of return for significant phenomena which should be simulated in a hydraulic model. Following receipt of approval for the funds requested, the Marine and Harbors Department was requested to put the necessary field work in hand which includes the installation of a wave recorder at Hog Bay, soundings, current readings and littoral drift observations at Cape Jervis and Penneshaw and aerial records of wave fronts moving around Kangaroo Island. Readings

from the 1972-73 winter will give the minimum amount of information for further design work and possible hydraulic model studies but the position will have to be reassessed when this data comes to hand.

The Hon. D. N. Brookman: I'd defy anyone to understand it read at that speed.

The Hon. G. T. VIRGO: I thought you wanted the information.

The SPEAKER: Order! The honourable member has received his reply. The honourable member for Chaffey has the call.

KINGSTON BRIDGE

Mr. CURREN: Will the Minister of Roads and Transport consider having the new bridge at Kingston-on-Murray opened to road traffic during the Christmas and New Year holiday period, even if only temporarily and under strict speed controls? The *Murray Pioneer* of August 24 contains a report outlining the progress that has been made on this bridge, and stating:

The work on the bridge is now ahead of schedule and the contractors expect to complete the project late in November, about four or five weeks ahead of schedule. There are six spans in the bridge and the piles for the fifth and final pier have been driven and the footings were being constructed this week. This pier is only a few feet from the bank on the Kingston side. Although the bridge should be finished well before Christmas it will not be opened until about next February as the Highways Department workmen have to seal the surface and put finishing touches to the approach roads. However, although the new bridge will not relieve the congestion during the school holidays, it should be open in time for the grape-carting season.

This matter is of considerable importance not only in regard to grape carting but also in regard to the holiday period. I point out that a considerable quantity of fresh fruit is transported from a district on one side of the river to a depot on the Kingston side. Also, serious hold-ups occur to tourist traffic with delays of up to two hours at the punts.

The Hon. G. T. VIRGO: I shall be pleased to discuss this matter with officers of the Highways Department to ascertain whether the opening of the bridge can be advanced in order to cope with the Christmas traffic. The most recent report that I had on this project indicated that the contractors expected to finish the bridge construction on schedule (I think December 22 is the scheduled date of completion) and, following this, the Highways Department has to complete other works that cannot be undertaken until work on the bridge is completed. Apparently, as the contractor is ahead of schedule, we may be able to re-cast our thinking, and if it is possible to provide the new facility for the Christmas period traffic we shall be pleased to do so.

SOLDIER SETTLERS

Mr. NANKIVELL: My question refers to the rentals paid by settlers at Campbell Park who are war service land settlers in a similar capacity almost to those at Kangaroo Island but in slightly different circumstances.

The Hon. Hugh Hudson: What is the question?

Mr. NANKIVELL: Will the Minister representing the Minister of Repatriation ascertain whether representations have been made by the Lands Department to the Commonwealth Minister for Primary Industry about current rentals charged to settlers at Campbell Park, as I understand they have made representations to the Minister asking for his support to have their rentals reduced? At the time the Kangaroo Island settlers made representations, a deputation from the Campbell Park settlers met the group from Kangaroo Island and discussed what they considered to be a common problem, namely, the problem of rentals. This situation arose as a result of the review of rentals that took place in zone 5. I have spoken to a Commonwealth Minister, who states that no action can be taken until the State Minister responsible for administering the Act makes representations on behalf of the settlers. As a private member, I cannot take the matter further without the help of the State Minister of Repatriation. Therefore, I ask the Minister whether such a case has been presented to the Minister for Primary Industry and, if it has not, will the Minister consider seriously recommending to his colleague that he present such a case?

The Hon. J. D. CORCORAN: The honourable member is aware that the State Government collects the rents for the Commonwealth Government, and that no alteration can be made in the rents unless the Commonwealth Government agrees. It would seem that, when representations were made on behalf of the Kangaroo Island settlers, at the same time representations would have been made (if there were a joint approach) on behalf of the Campbell Park settlers. The honourable member may not be aware that the Commonwealth Minister for Primary Industry stated recently that certain relief was to be given to Kangaroo Island settlers. However, I will ascertain whether representations have been

made on behalf of the settlers at Campbell Park.

STREET LIGHTING

Mr. SLATER: Does the Minister of Roads and Transport believe that there is any significant advantage in all-night street lighting? The Payneham, Hindmarsh, and Brighton councils, as well as one or two others, have adopted a policy of all-night street lighting, and if statistical information were available it might be interesting to compare the accident rates during the hours from 1 a.m. to daylight in those areas with the accident rates in areas that still retain the procedure of extinguishing street lights at 1 a.m. Apart from the traffic aspect, will the Minister consider other advantages that may accrue from having street lights operating during these hours?

Mr. Mathwin: I can give you three or four!

The Hon. G. T. VIRGO: I do not know what the member for Glenelg has in mind, but I hope he has the same opinion as I have, and that he realizes that the Brighton council operates street lights all night, because I think this is a most beneficial move. I congratulate those councils that have taken advantage of what I understand was a most enticing offer by the Electricity Trust to charge a special reduced fee for this facility. I think it must have an effect on the number of traffic accidents, although I hope that I shall not be asked to produce proof of this effect too quickly. As I said yesterday in reply to a question, it is necessary for some time to elapse before meaningful statistics that prove a point can be obtained. The other aspect of the advantage of operating the lights for these hours is the safety of people who, through no fault of their own or because they choose to do so, are walking in the streets at night. Perhaps with the lights operating some people may be inhibited, but I believe that most people would benefit tremendously. The people who would not benefit would be those who were in a certain location and had an ulterior motive for being there. I hope other councils will follow the progressive lead given by those councils that now operate this scheme.

ADELAIDE CUP HOLIDAY

Mr. RODDA: Can the Premier say whether the Government, when considering granting the Adelaide Cup holiday, will take action to grant this holiday in the metropolitan area only? I have been approached by the Bordertown Chamber of Commerce, which discussed this matter at a recent meeting. As it was considered that this public holiday was of no real significance to rural areas, a resolution was passed strongly recommending that this holiday (if it is to be proclaimed) be proclaimed in respect of the metropolitan area only. Will the Premier take into account that organization's recommendation when considering this matter?

The Hon. D. A. DUNSTAN: I will examine the matter and discuss it with my colleagues.

HIGH SCHOOLS

Mr. GOLDSWORTHY: Has the Minister of Education a policy on regrading the optimum size of high schools? A report in yesterday's *News*, which describes large high schools as "dehumanizing", refers to the annual conference of the Western Australian Federation of Parents and Citizens Associations where the view was put forward that high schools should have no more than 900 students.

The Hon. HUGH HUDSON: I do not believe it is possible to give a precise reply to this question. The honourable member, having carefully read the Karmel report, will be aware that that report recommends that secondary high schools should not have enrolments of more than 800. We could adopt a policy at this time to have no schools with enrolments of over 1,000 or 800 students, but that would be a purely theoretical exercise because many schools already in existence have enrolments of over 1,000 and it would take a long time to effectively reduce the number of enrolments in those schools. There are many secondary schools in South Australia where the numbers are too large, but the existence of these schools is a product of historical circumstances and this situation will take a considerable time to correct. I certainly agree that there should be a limit to the size of a secondary school if certain objectives of secondary education are considered to be important, but I do not believe a precise reply can be given as to the appropriate size of a school. Much will depend on the nature of the staffing of the senior levels within the school and the effectiveness of the staffing. A school with an enrolment of over 700 could have too many students, whereas another school with 1,250 enrolments might work satisfactorily and achieve the kind of objectives that adequate staffing at the senior level could not achieve at the smaller school.

COUNTRY HOUSING

Mr. ALLEN: Will the Minister of Education indicate the method used to determine the

rental charged for Education Department dwellings occupied by teaching staff? I have received protests this week from occupiers of departmental dwellings concerning a recent rent increase of about 7.4 per cent, which was the second increase in about 12 months. It is argued that when determining rents, consideration should be given to amenities in small country towns such as the lack of banking facilities, the availability of doctors, dentists and chemists, and the availability of secondary education, etc., because it is often necessary to travel many miles to obtain these facilities. A comparison of other rentals in a small country town in South Australia shows the local postmaster pays $7.50 a week for a house superior to that owned by the Education Department, although in respect of the latter a rental of $12.50 a week is charged.

The Hon. HUGH HUDSON: The current system of determining rentals was introduced by the Hall Government. That system of annual adjustments has continued, and one adjustment that took place last year will be of interest to the honourable member as it affects some teachers and some Government employees in Peterborough. This adjustment provides that no Government employee can be charged a rental greater than 15 per cent of his normal weekly take-home pay, and I hope that the honourable member would draw the attention of any teachers concerned, or any other Government employees, to that limitation, because it enables the employee to request a rent reduction in certain circumstances. For teachers occupying Education Department houses, a rebate system applies regarding rental assessments. The assessment is first determined on the recommendation of the Housing Trust on the basis of the rent that would be appropriate for a dwelling of similar quality and the rent charged is only 80 per cent of the trust's assessment. In general, teachers throughout the country areas of South Australia pay less rent than would be paid in similar circumstances in the metropolitan area.

TEA TREE GULLY WATER SUPPLY

Mrs. BYRNE: Can the Minister of Works say whether Farr Crescent is included in the area to be served by the recently approved water supply scheme to serve the subdivision east of Haines Road, Tea Tree Gully, about which the Minister gave full details on August 23 last?

The Hon. J. D. CORCORAN: I will get a report.

SHOPPING HOURS

Mr. MILLHOUSE: Can the Premier say what plans, if any, the Government now has concerning the introduction of Friday night shopping? Earlier today, the report of managers of the conference on the Bill was given by the Minister of Labour and Industry. I understand that the Bill has been laid aside in another place, and we are therefore back to square one. The Government has persisted with this matter almost since it came into office, and I wonder what it plans as its next move in this saga.

The Hon. D. A. DUNSTAN: I try to keep the honourable member entertained and so far we have done a superlative job for the honourable member on this matter.

Mr. Millhouse: Have you a plan?

The Hon. D. A. DUNSTAN: If the honourable member has a plan, we should be interested to hear it.

Mr. Millhouse: You are at a loss—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: We are not at a loss, because we have a policy, whereas the Liberal Party is completely at a loss because it does not have a policy. The honourable member wants to know what we are going to do, but what is he going to do? Has he no responsibility in this matter? Apparently not!

Mr. Millhouse: What do you—

The Hon. D. A. DUNSTAN: The honourable member is evidently joking, as usual, because there was a period when the honourable member's Leader was saying that at the next election the Liberal Party intended to put this matter forward as an electoral platform. However, I gather he will not do so now.

Mr. Millhouse: Tell us what you are going to do.

The Hon. D. A. DUNSTAN: We have been doing something whereas what the honourable member has been doing is only to inquire.

SPORTING VISIT

Mr. BECKER: In view of the blatant acts of racial discrimination by Uganda against Asians, will the Premier give an assurance that any sporting team from Uganda that visits this State will be protected against racial demonstrators in an endeavour to avoid another Springbok demonstration, and to show clearly that the Government and the great majority of people in South Australia will not accept the mixing of politics with sport?

The Hon. D. A. DUNSTAN: I should like to know what the honourable member can

tell me about the proposed visit by a sporting team from Uganda and about what sport it will be playing. If a sporting team from any country comes here that is selected on a basis of racial discrimination, it will not be welcomed by the South Australian Government. That is the policy of this Government, and it will be maintained.

BREAD

Mr. MATHWIN: Will the Attorney-General ask the Minister of Health to inquire about the possibility of having all bread wrapped? At present, except for perhaps the smaller loaves and lighter types of bread, the only bread that is wrapped is sliced bread. Large unsliced loaves are protected usually only by a small piece of tissue paper about the width of toilet paper but not as thick, which I think is most unsatisfactory.

The Hon. L. J. KING: I will refer the matter to my colleague.

CONSTITUTION ACT AMENDMENT BILL (ELECTORAL)

Received from the Legislative Council and read a first time.

Dr. EASTICK (Leader of the Opposition): I move:

That this Bill be now read a second time.

A Bill of this kind cannot be introduced without discussing the role and functions of a second Chamber. In 1966, the association of Secretaries-General of Parliaments published a report on bicameral Parliaments which illustrated clearly the wide variety of Parliamentary institutions that exists in the bicameral system. The British Lord Chancellor, Lord Gardiner, in a paper presented to a Conference of Presiding Officers in Ottawa on September 9, 1969, said:

The variety is indeed so great that one might well be tempted to think that no general conclusions at all could be drawn about the form and uses of a second Chamber. On closer examination, however, it gradually becomes clear that second Chambers can be classified, according to their method of appointment, in two ways. First, there are those that are, in the main, nominated like the Canadian Senate and the British House of Lords, though in the latter we still have the distinctive feature of hereditary peers, which most of us think is no longer defensible in the modern worlds.

The Hon. Hugh Hudson: You didn't get DeGaris to write this speech for you, did you?

Dr. EASTICK: The Minister will have every opportunity to speak in this debate. However, if he tries to make his speech now, I am sure you, Mr. Speaker, will rule him out of order, as you will no doubt rule him out of order now because of the interjections he is making.

Mr. Mathwin: He wouldn't have—

The SPEAKER: Order! I will rule the honourable member for Glenelg out of order, too, if he does not stop interjecting.

Dr. EASTICK: This paper continues:

Secondly, there is the much larger group of second Chambers which are based on election, whether direct or indirect, and often linked in some way with regional or local government, or with a Federal system. Here the United States, Australia and Germany are obvious examples, and there are, of course, many variants with which I need not deal in detail.

Lord Gardiner details two main ways in which an Upper House can be formed, but under these two headings there is still a great variety. The Australian States originally displayed a similar diversity in the structures of their Upper Houses.

The Hon. Hugh Hudson: He's reading—

Dr. EASTICK: I should be interested to know, in due course, whether the Minister of Education denies that, in another place, a member of his Party uses the Minister's second reading explanation when explaining a Bill there. However, that is by the by.

The Hon. Hugh Hudson: This is crook—

The SPEAKER: Order!

Dr. EASTICK: Before continuing to discuss the methods of selection for those people to serve in second Chambers, we need to understand the role and functions required of a second Chamber because, unless we understand the role and functions we require the House to fulfil, it is not possible to structure the House correctly, so the method of selection is unquestionably tied to the role and functions of the second Chamber. This question has been dealt with by many authorities.

The SPEAKER: Order! There is too much audible conversation taking place.

Mr. Goldsworthy: Including the Government benches.

The SPEAKER: Order! I wish Opposition members would show their Leader more respect when I am on my feet trying to get order so that the honourable Leader can be heard in silence. They do not even have the courtesy for their own Leader to assist me in maintaining order in this Chamber.

Mr. McAnaney: What about Government members making a shambles of it?

Dr. EASTICK: Walter Bagehot in 1867 dealt with this subject, and I quote from page 135 of *The English Constitution,* as follows:

If we had an ideal House of Commons perfectly representing the nation, always moderate, never passionate, abounding in men of leisure, never omitting the slow and steady forms necessary for good consideration, it is certain that we should not need a higher Chamber. The work would be done so well that we should not want anyone to overlook or revise it.

Therefore, in Bagehot's view the House of Lords has value as a revising Chamber with some powers of delay; but at pages 136 and 137 he added:

It is incredibly difficult to get a revising assembly, because it is difficult to find a class of respected revisers. (*op. cit.* p. 136-7.)

The two most important conferences in this century (the Bryce Conference of 1917 and the all-Party conference of 1968) were in close agreement on the functions of a second Chamber. The Bryce report lists such functions as follows:

1. The examination and revision of Bills brought from the House of Commons . . .
2. The initiation of Bills dealing with subjects of a comparatively non-controversial character . . .
3. The interposition of so much delay (and no more) in the passing of a Bill into law as may be needed to enable the opinion of the nation to be adequately expressed upon it . . .
4. Full and free discussion of large and important questions . . .

In 1950, the Australian Senate appointed a Select Committee to consider and report on the Constitution Alteration (Avoidance of Double Dissolution Deadlocks) Bill. This committee comprised the following Senators: Senator Arnold, Senator Ashley, Senator Courtice, Senator Finlay, Senator McKenna, Senator Nash, and Senator Sheehan. It is interesting to note that all were Australian Labor Party Senators. I quote paragraph 109 of their report, as follows:

Turning to the Senate's function as a House of Review, this function is a universally accepted role of a second Chamber. The necessity for a second Chamber "reviewing or suspending measures that the Lower House has rushed through in an hour of fervour or passion"—

and we have certainly seen that in the recent sessions in this House—

is the verdict of history throughout the world. To quote the words of that distinguished nineteenth century writer John Stuart Mill, as follows:

A majority in a single Assembly, when it has assumed a permanent character—when composed of the same persons habitually acting together, and always assured of victory in their own House—easily becomes despotic and overweening, if released from the necessity of considering whether its acts will be concurred in by another constituent authority. The same resaon which induced the Romans to have two consuls, makes it desirable there should be two Chambers: that neither of them may be exposed to the corrupting influence of undivided power, even for the space of a single year.

The passage of time since those words were written has done nothing to lessen their force. It is interesting to place on record that the Federal Constitution of Western Germany of 1949 saw the adoption of the principle of the bicameral system of democratic Government, with the Upper House, representing the member States, constituted in such a way that it is given certain rights of objection against a Bill passed by the Lower House. In a document prepared in 1953, the Hon. Sir Collier Cudmore, M.L.C., makes the following points:

(1) Athens and Rome, the great empires of the ancient world, both had second Chambers.

(2) France, Germany, Switzerland, Austria, Spain, Italy, Hungary, Portugal, the Netherlands, Belgium, and even Turkey, in modern times, all adopted the bicameral system.

(3) England, under Cromwell, America after the War of Independence, and France after the Revolution, all tried a single Chamber, and all came back to a bicameral system.

(4) Cromwell, in his first enthusiasm in 1649, abolished the House of Lords. After eight years the people asked:

That Your Highness will for the future be pleased to call Parliaments consisting of two Houses. (*Humble Petition and Advice,* 1657).

Cromwell himself, in recommending the revival of the second Chamber, said:

By the proceedings of this Parliament, you see they stand in need of a check and balancing power. I tell you that unless you have some such thing as a balance we cannot be safe.

(5) Canada, the Australian Commonwealth, and the South African Union, after fullest consideration of all systems, were unanimous in adopting bicameral Legislatures.

(6) The Hon. C. C. Kingston consistently advocated the abolition of the Legislative Council, but towards the end of his Parliamentary career said:

In the Legislative Council democracy has nothing to fear and much to be thankful for.

(7) The world, by a sober and considered and unanimous verdict, has affirmed its belief in the necessity of a second Chamber. (Marriott—*Second Chambers.*)

Sir Collier Cudmore listed the functions as follows:

(1) Its main purpose is to review all legislation passed by the Lower House. In other words, "the next morning look" in the hope of saving the State and the taxpayer from loss and preventing other ill-effects of hasty legislation. Bills are usually discussed in the

Assembly in a strong Party atmosphere and not on the merits of the measure.

One can certainly say, from the experience here, when the stamp duties legislation was being dealt with during last session, that the information put forward and the Government's attitude was opposed to the position that the Government desired to adopt when it saw fit, later in the same evening, to accept amendments that reduced automatically, by $400,000, the amount to be extracted from the people of this State. Sir Collier continued:

(2) A watchful and efficient Legislative Council is a safeguard of the people's rights. The second is the only guard against revolutionary legislation on the one hand or reactionary legislation on the other. A Government with a large majority in the Assembly may adopt a policy for which it has no mandate from the electors, and such a policy may involve the confiscation of the liberties of the people or of their property.

(3) By the fact that half the Council remains in at each election, the State is assured that legislation introduced on a popular wave of feeling will be reviewed by members not elected on that wave. This is a vital safeguard against hasty or hysterical legislation.

(4) The purpose of the second Chamber is not to confer rights on any section of the community but to provide extra safety and additional security for the rights of the people as a whole. The Legislative Council has powers of revision without powers of control. It is amenable to permanent public sentiment, but not to hasty Party opinion. The Upper Chamber is a bulwark against revolution but is not a barrier to reform.

(5) The Legislative Council safeguards the independence of the judges, Auditor-General, and the Public Service Commissioner. These officers act as a check on Governments and on maladministration. They would, however, be subject to dismissal by any corrupt Government were it not for the fact that the Constitution provides that they cannot be dismissed without a resolution of both Houses of Parliament.

(6) The Legislative Council ensures that the electors will have the last say. It exercises the discretion of delay in regard to extreme legislation and, if it quarrels with the Assembly, the Government has the remedy of applying to the people for direct authority.

In the United States of America the single-House system was tried for a time by Pennsylvania, Georgia and Vermont, all of which gave it up. With the exception of Nebraska, all the 50 States now have the two-House system. The report of the Pennsylvanian Legislature, which caused the return of the bicameral system, states:

The supreme legislative power vested in one House is in this respect materially defective:

(i) because, if it should happen that a prevailing faction in that one House was desirous of enacting unjust and tyrannical laws, there is no check on their proceedings;

(ii) because uncontrolled power of legislatures will always enable the body possessing it to usurp both the judicial and the executive authority, in which case no remedy would remain to the people but by revolution.

In *Commentaries on the American Constitution,* Mr. Justice Story, after pointing out that the American Constitution adopted the exercise of legislative power by two definite and independent branches, said:

The advantages of this division are, in the first place, that it interposes a great check upon undue hasty and oppressive legislation. In the next place it interposes a barrier against the strong propensity of all public bodies to accumulate all power, patronage and influence in their hands. In the next place, it operates indirectly to retard, if not wholly to prevent, the success of the efforts of a few popular leaders by their combination and intrigue in a single body, unconnected with the public good. In the next place it secures a deliberate review of the same measures.

He also pointed out the great advantage of deliberate review of the measures of one House by another. Lord Bryce, in his work entitled *The American Commonwealth,* wrote:

The need for two Chambers is deemed an axiom of political science being based on the belief that the innate tendency of an Assembly to become hasty, tyrannical and corrupt needs to be checked by the co-existence of another House of equal authority.

In a recent contribution to the *Parliamentarian,* the journal of the Parliaments of the Commonwealth, the Rt. Hon. Lord Shepherd, P.C., Deputy Leader of the Opposition, House of Lords, said:

The power, influence, and authority of the Government and the Executive have increased very considerably during this century, due to the increased complexity of financial and industrial problems and the demands of the British people for a more equitable distribution of the national wealth. It is, therefore, essential that Parliament should examine its institutions and procedures to ensure that its own power and authority should develop correspondingly in order to provide the necessary checks and control which are essential, if Parliamentary democracy is to have any real meaning or permanence.

In recent years there has been an increasing concentration of power and influence within the Government and Executive by the creation of departments such as Trade and Industry, Defence, and the Environment. There has been a marked increase in the use of delegated and subsidiary legislation. The volume and complexity of legislation have also increased. It must be frankly said that Parliamentary control and scrutiny have been weakened and not, as they should have been, strengthened.

Dealing with the functions of the second Chamber, Lord Shepherd continued by saying that the first function of the second Chamber was similar to those of the House of Commons (except in regard to finance) in initiating and passing legislation, approving subordinate legislation, and the general scrutiny of the actions of the Executive. Dealing with the possibilities of reform of the House of Lords, Lord Shepherd said:

To solve these problems, some would favour a remedy which would abolish the House of Lords altogether, or alternatively would strip it so radically of its powers and functions that the House of Commons would become in effect the sole organ of Parliamentary Government. To adopt a system of single-Chamber Government would, however, be contrary to the practice of every other Parliamentary democracy which has to legislate for a large population. More important, the case for two-Chamber Government in this country has been strengthened since the end of the Second World War by the growth in the volume and complexity of legislation, and also by the increase in the activity and power of the Executive and in its use of subordinate legislation. Moreover, abolition of the second Chamber would subject the House of Commons to severe strain, and paradoxically would result in less procedural flexibility and speed because of the need to guard against the overhasty passage of legislation.

Some would leave the House as it is, but with no powers at all. The Lords would become merely a debating Chamber so that, in effect, Parliament would become unicameral. Some would deal with composition by having membership arising from some form of election. This has many attractions. But whatever system of election was adopted, the second Chamber would inevitably become a rival to the House of Commons. A second Chamber that could claim a mandate could well claim a status equal to the Commons with a real risk of it eventually seeking a superior position as is illustrated in the relations of the Senate and Congress in the United States. It would violate the central principle of the British Parliamentary system, that the Government stands or falls in the House of Commons.

One suggestion was that the reformed House should consist solely of members nominated for the life of one Parliament. The Party composition of the House of Lords in each Parliament would then be arranged broadly to reflect the balance of Parties in the Lower House. The main attraction of this proposal is that without recourse to elections it would remove the permanent majority for a single Party and would replace it by an assured majority for the Government of the day; but this attraction is more than outweighed by the reduction in the independence of the individual Peer and of the House as a whole, which the change would inevitably bring with it. A House composed in this way would, in effect, reproduce the composition of the House of Commons and reflect its opinions and decisions; it would, therefore, be incapable of carrying out effectively the complementary functions which the reformed second Chamber should perform. Further, if members of the House of Lords were appointed afresh after each general election, powers of patronage would inevitably be greatly increased, since, in order to be reselected, a Peer would have to remain acceptable to the Party managers. Under the present system a Peer, having once become a Peer, cannot be deprived of his seat in the House.

If membership were by nomination and there were to be a genuine degree of independence, then membership should not be for the Parliament but either for life or to a retirement age or some fixed tenure of office, say, 10 years. Independence is vital but it is essential that, if the House is to retain real powers, the Government of the day should, nevertheless, have reasonable expectation that it can carry out its legislative programme. So it is entitled to obtain, should it be required, a small majority over the other political Parties, leaving the balance to be held by genuine cross-bench opinion.

Lord Shepherd concluded his article by saying:

The United Kingdom requires an effective two-Chamber Parliament. To be effective, both Houses will be required to look at their functions and procedures and to seek ways of removing unnecessary duplication of effort so that each can perform its functions more efficiently than now.

This view is also strongly held by members of the Party that I am happy to lead. Also writing in the *Parliamentarian*, Canadian Senator, the Hon. John H. Connolly, P.C., O.B.E., Q.C., states:

The quality of debate and the work of the Senate are both dependent upon the calibre of its personnel. How best to assure the availability of competent people will always be the subject of debate. Canada is a Federal State. Its regions are vast. Their problems are diverse in the extreme. The attitudes of its people to national policies are equally diverse.

Should the Upper House be abolished, as the ideological Socialist demands? Or should Canada continue to rely upon the wisdom of the ages and the practice of the great democracies of the West? Canada is still a young country—small in population, rich in potential for social, economic, and demographic growth. Of course, short of revolution, the consent of the Senate is required for any alteration of its constitutional status. Can Canada afford to jettison the traditional Parliamentary structure? And would Canada be wise if it did so?

Should the provinces or even the municipalities have a power of appointment or of nomination to the Federal authority? Would balkanization be considered a threat to the Federal Parliament if junior legislators shared some such power? Would such methods of appointment best assure the introduction of the best possible appointees? Assuming that the Federal authority continues to appoint, should the political experience of nominees on

the Federal, provincial, or municipal level be given more weight? Should Party allegiance have any part in the appointment? What of ethnic, cultural, religious, linguistic considerations? What of professional, business, and educational expertise, or experience in the labour field? To what level should opposition Parties be allowed to shrink? What of appointments for a term; and for what term? All of these considerations are factors of reform. It may not be overstating the case to say that there has been reform in the Senate for the past quarter-century. The evidence of the change of pace, of plans carried out, especially in recent years, is in the record. It may not be radical enough for some, but what there has been is the work of the Senators themselves.

There is no evident, well-founded demand that Senators be selected by direct election. The Canadian view of this appears to be that the direct election of the Senate ultimately would establish the body as a rival of the Commons in all matters, including fiscal issues.

Senator Connolly concluded his article by saying:

Of second Chambers, Morley wrote: "Cromwell and his Parliament set foot on this *pons asinorum* of democracy without suspicion of its dangers . . . like small reformers, since Cromwell had never decided to make his Lords strong or weak; strong enough to curb the Commons, yet weak enough for the Commons to curb them."

The Hon. Hugh Hudson: That sounds rather like—

Dr. EASTICK: I rather suspect we shall be hearing not only from the Minister of Education but also from the Minister of Roads and Transport and the Attorney-General.

The Hon. L. J. King: Stick to what Ren wrote!

Dr. EASTICK: The article continues:

The same problem has plagued Canadian political scientists and politicians. Changes will come to the Senate. Most of them will be called reform. Powers, tenure, method of appointment, all will be under scrutiny. Egalitarians will urge abolition or election. But the Government of the day must approach reform with a high sense of responsibility and a clear understanding of the traditions and value of the Parliamentary system. Of this system Churchill once said: "Parliament is not the best arrangement for the governance of men. But it is the best so far devised.

The views I have quoted cover only a few of the contributions made over many years on the role and structure of a second Chamber. The quotations are from people of diverse political belief as well as political scientists with international reputations.

Whilst other quotes could be made from many others who have written on this question, the function and role of the Upper House can be based broadly on these views. In our Parliamentary system a correctly structured Upper House, that is, a second Chamber structured so that it is able to fulfil its correct role, is one of the most important parts of the modern Parliamentary system.

The second Chamber must be different from the Lower House, and cannot be a pale reflection of it. It must be the fundamental aim to have an Upper House that has the ability to act independently of the dominant Party machines in the Lower House. This independence has been evident in my opinion in the Legislative Council under its present structure, and there are many of us (both past and present members) who have striven to achieve this goal.

In South Australia these purposes have been achieved by using a different franchise for the Legislative Council, and this has been able to ensure an important difference, that of voluntary enrolment, and this in turn has had some effect on the second important difference, voluntary voting. This has produced a House, which, in my opinion, has fulfilled with distinction its role in the bicameral system of Parliament, even though attacks have been made upon it, usually by people who seek to broaden their own power base, or those who only see democratic institutions from one restricted viewpoint.

The Hon. G. T. Virgo: We'll have compulsory voting for the Upper House.

Dr. EASTICK: It would mean that there would be a mirror image of both Houses. With the variety of ways that Upper Houses can be structured on different lines to the House of Assembly, many people who seek change have not been prepared to give the matter deep study. Many advocate today that the only franchise that is acceptable is to have the same franchise as the House of Assembly, but that is as far as they are prepared to go: the same franchise on any terms. It is interesting that, in the countries and States where nominated Upper Houses exist, the Lower House generally opposes any proposed change to an elected Upper House because of the fear of greater competition to the authority of the Lower House.

The scene in the United States of America, where the Senate has achieved a more powerful role than the Congress, is worthy of study. This position should not be allowed to develop, and is contrary to the thinking of most authorities on the bicameral systems. It violates the central principle of the British Parliamentary system that the Government stands or falls on the Lower House. The same

franchise for an Upper House will bring about a situation where the Upper House can claim a mandate from the people just as validly as the Lower House claims a mandate at the present time! It is reasonable to assume that the same franchise without other processes will increase the chances of confrontation between the two Houses. I see the role of the Upper House more as that of a partner and being complementary to the Lower House—not one of assuming the role of the Lower House.

With the same franchise for the Upper House, several important facets of the present structure will be lost, and the Council could not only become a probable direct competitor but also lose its traditional independence of the Party machines operating in the House of Assembly. In New South Wales, although it has a nominated Upper House, these problems are largely overcome by a 12-year term, one quarter of the Council retiring each three years. This tends to prevent the pressures of the Party machines on the member by virtue of the fact that many in the Council do not have to worry about re-endorsement, so their attitudes become more independent because of this fact. It is unfortunate that over many years the A.L.P. has pursued a policy of abolition of all Upper Chambers, although recently this policy has changed to abolition provided a referendum is held approving such abolition. One wonders whether it is not a fact that the nominated persons in New South Wales who were members of the A.L.P. and who refused to abolish the Upper House have not been a thorn in the side of the A.L.P. since then.

It is unfortunate also that the Party to which I belong, the philosophy of which expresses a belief in the bicameral system with the Upper House as a true House of Review, has been unable over the past few years to agree on a policy consistent with its principles and beliefs. It is a simple task to adopt policies that would destroy the effectiveness of the second Chamber, if not destroy it completely. Some blame must also rest with Parliament itself in not seeking an all-Party conference, as occurred in Great Britain. After thorough research, the L.C.L. general meeting of delegates agreed unanimously to adopt a policy based on the same franchise as the House of Assembly, using the proportional representation voting system.

The Hon. G. T. Virgo: It was designed to heal the split in the L.C.L., but it did not work.

Dr. EASTICK: I put that comment down to ignorance of the facts. At this stage I pay a tribute to those who, under pressure, refused to accept any unresearched policy which, in their opinion, would have destroyed the Upper House as an effective House of Review.

The Hon. Hugh Hudson: It is crooked and a gerrymander, and you should know it.

Dr. EASTICK: It will be interesting to hear the Minister's contribution, because he seems to be on one track so far and the only word he knows is "gerrymander". Having reached broad agreement in the L.C.L., it is now our role to seek the agreement of the Government to these proposals. I hope the Government will give the Bill more consideration in this place than it did elsewhere, when it failed to make any positive suggestions or give any thought to ways and means of accepting the Bill, even with its own amendments added. I hope that the Government may be prepared to discuss the whole question on a co-operative basis, so that we can produce an Upper House which satisfies the demands being made but which at the same time is capable of fulfilling its role effectively. The proposals the Bill makes are only one set of variations of so many acceptable ways of structuring a second Chamber. This is only one set, and the chance exists for the Government to put forward amendments that are to be considered indicating other variations that could be considered for the benefit of the State. I hope that the Government will be prepared to discuss the matter freely and frankly with us, if necessary even to the point of suggesting some all-Party conference, similar to the all-Party conference in Great Britain. There is available a considerable amount of material from many conference papers, stemming mainly from Commonwealth Parliamentary Association conferences, upon which we can draw. The options open to us are, in the broad sense (1) a nominated Council (2) an elected Council, or (3) a part-elected, part-nominated Council. From these broad headings stem many other matters, some of which have been referred to previously. It is certain that, if the same franchise is the only accepted principle, there is only one method of election that can be recommended—multiple-member electorates with an effective system of proportional representation.

As the House of Assembly is already using the single-member electorate system, the correct alternative must be multiple-member districts with proportional representation to give the maximum variation from the House of

Assembly. The next decision to be made concerns the number of districts and the boundaries. With the provisions made in this Bill, and on the basis of metropolitan and country districts, the opportunity exists for the Government, if it so desires, to seek an alternative and it could go so far as to make half country and half city areas: that is, an east-west division so that it could obtain that which has been claimed in another place as being the Government's desire of equal numbers in the two Houses. However, it is entirely up to the Government to put this forward as an alternative, as I hope it will do.

The other alternative to which I referred is to have an election similar to that conducted for the Senate, which uses the State boundaries. However, this has several drawbacks, as all members would appreciate, because of the numbers returned, the size of the voting paper for each election and the percentage of votes required for individuals for each election because, if the election were to be on the basis of the whole State, this percentage would be low and could not possibly be in the best interests of all concerned. Certainly it would not be in the best interests of the two major Parties.

The Hon. Hugh Hudson: You are placed in the disgraceful position of having to advocate this policy which maintains this situation.

Dr. EASTICK: I suggest that the Minister read the provisions of the Bill, because the proposition he has just put forward is just so much poppycock.

The Hon. Hugh Hudson: You cannot tell me that your mates don't know where the sixpences are when they make a cake like this.

Dr. EASTICK: Referring to the second reading explanation, another alternative is to consider an election on the basis of the whole State. It is not necessary to look far to see the several drawbacks amongst which are the size of the voting paper and the difficulty of representation unless the terms of members are extended or elections occur at more frequent intervals than once every three years. The method recommended uses the present boundary of the metropolitan area as defined by the 1969 electoral commission and divides the State into two districts, which allows the best use to be made of the proportional representation system using a voting paper that is not unreasonable. Regional representation in the second Chamber is also reasonably assured.

Members interjecting:

Dr. EASTICK: Members opposite can interject, but here is an opportunity to introduce suitable changes and for regional representation in the Upper House to be reasonably assured. I believe that all members will accept that this is a desirable feature: representation should be on a geographical basis to some degree, because representatives should not be all from the one area of the State. Experts in proportional representation recommend that the ideal number of candidates to be returned is seven, and I do not think that is a matter in dispute. The Tasmanian Parliamentary paper compiled by G. Howatt sets out the arguments clearly. He dismisses three-member electorates as being unsatisfactory and the reasons for his conclusions can be found in that paper. He states that in five-member electorates the shortcomings of the three-member electorates apply to a lesser degree and he claims that a seven-member electorate supplies a much truer and more reliable result. Under the proposed two-district system, to give effect to this concept the Upper House would have to increase its membership to 28, which is certainly not my Party's proposal or the intention of this Bill.

I do not believe that this number is warranted, although the Upper House in South Australia has the smallest number of members of any House in Australia, with the exception of Tasmania, which has only 19. A strong case can be made for the present 20 members to be increased to 24 because, as a general rule, the Australian concept is for Upper Houses to be comprised of not less than half the number of the members of the Lower House. As the Lower House in South Australia has increased its numbers to 47, it seems reasonable to increase the number of members of the Upper House to 24, as this would allow the distribution of seven and five members alternately for election in the two districts proposed.

The next variation that needs to be examined is in relation to compulsory and voluntary voting, and compulsory and voluntary enrolment. Over the period of South Australian history, the Upper House has rejected compulsory voting as having any part in a democratic system. When the House of Assembly decided unanimously in 1942 to impose compulsion on the electors of South Australia, the Upper House took the view that the unanimity of the House of Assembly should be respected, but only for that House. The Upper House's view was overwhelmingly in favour of voluntary voting. So the position is that in the House of Assembly, the voting for those enrolled is compulsory, but the voting for those enrolled on the Legislative Council roll

is voluntary. In South Australia, enrolment for both House of Assembly and Legislative Council is still voluntary but, because administratively the State adopts the Commonwealth roll on which enrolment is compulsory, both enrolment and voting is, for all practical purposes, compulsory in the House of Assembly. The only truly voluntary roll is the Legislative Council roll, and this exists because of the different franchise. To preserve this essential variation from the Lower House, the Bill proposes that the election for the Upper House should be held on separate days from the House of Assembly. If a second Chamber is to fulfil its proper role, and the demands are for an identical franchise, then it is reasonable that the elections be separate, because the issues before the public in choosing a Government are entirely different issues from the issues in the selection of members to serve in a second Chamber.

Considerable thought has been given to the question of casual vacancies. It is difficult to prepare legislation that can clearly define the method of the proposal or the method of replacing persons in the event of a casual vacancy. After long consideration the matter has been left with no alteration from the present system, but I emphasize that under proportional representation the filling of a casual vacancy by the by-election method is not entirely satisfactory. I say that in respect of both major Parties and of minor Parties, too. A casual vacancy dealt with by by-election would not necessarily return to the Chamber a person who reflected the opinions of the person who had retired or died.

There are two ways of overcoming this difficulty, both of which have been given consideration. We could, first, adopt the Hare-Clark system of proportional representation voting, or, secondly, allow the Council itself to nominate the replacement or replacements, with some direction given in the Constitution. Again, I point out that this is not specifically spelt out in the Bill, but this could be a point of discussion between members on both sides.

These alternatives to the proposed system in the Bill are mentioned here for the information of honourable members, in the knowledge that this question will be raised in the debate, and may be the subject of amendments. The question of franchise is not included in the Bill, because in the Governor's Speech the Government indicated that it intended introducing in the House of Assembly a Bill providing for the same franchise for the Upper House as that existing in the House of Assembly. This Bill is complementary to the proposed Government Bill.

I now turn to the clauses of the Bill. Clauses 1 and 2 are formal. In order for this legislation to be submitted for Royal Assent, there is a need to submit the Bill for approval by the electors for the House of Assembly, pursuant to section 10a of the Constitution Act. Clause 3 contains definitions of "periodical election" and "periodical retirement". It is necessary to use these expressions in the new clauses dealing with retirements and elections.

Clause 4 increases the number of members of the Council to 24. The increase will be put into effect at the first election after the Bill is assented to. Clause 5 contains provisions for altering the Council districts, by reducing the number from five to two, and assigning new names to the districts. The proposed names are the Metropolitan District and the Country District.

As I have pointed out, the names could be Northern and Southern, or Eastern and Western. The composition of these districts is set out in the schedule, the effect of which is that the Metropolitan District includes all the Assembly districts that were within the metropolitan area as defined by the 1969 State Electoral Commission. The new Country District will comprise the remainder of the State.

Clause 6 is a consequential amendment upon the proposed introduction of proportional representation. Clause 7 contains the provisions for introducing a proposed new system of retirement of members, and also the proposed scheme for making the changeover from the present system to the requirements of the new system. The clause provides for the periodical retirement of members after the Bill is passed; two members from each district will retire, as at present. The continuing members of Central District No. 1 and No. 2 will become members representing the Metropolitan District, and the continuing members of Midland, Southern and Northern Districts will represent the Country District.

At the first elections, eight members will be elected to build up the representation of the Metropolitan District to 12, and six will be elected for the Country District, to bring that district to the same strength. Thus the Council will then consist of 24 members. At the next general election five members from the Metropolitan District and seven members from

the Country District will retire, and at subsequent elections the retirements will be arranged so as to maintain in each district an alternate retirement of five and seven members at successive elections. Clauses 8 and 9 are consequential amendments arising from the proposed introduction of proportional representation. Clause 10 repeals section 19, which sets out the existing provisions for Council districts; it is no longer required in view of the other provisions of the Bill. Clause 11 deals with the method of counting the votes at a Council election, other than a by-election; that is to say, it introduces the system of proportional representation.

The details of the proportional representation system are set out in a schedule and follow substantially the rules for counting votes in Senate elections, as set out in the Commonwealth Electoral Act. It also provides that some provisions of the State Electoral Act will not apply to Council elections. By-elections for a single vacancy will be conducted on the system of preferential voting as in the State Electoral Act. Under the present law, every Assembly district is a division of a Council district. It is possible that under the new system it may be convenient to combine two or more Assembly districts as a division of a Council district; clause 12 will enable this to be done. Clause 13 amends the section of the principal Act dealing with deadlocks. The Act at present provides that deadlocks can be dealt with by electing additional members or a double dissolution, and for retirements after a double dissolution or increase of members in groups of two in each district.

Because of the proposal in the Bill that Legislative Council members shall retire in groups of five or seven it is necessary to alter section 41, as obviously retirements in groups of two would disturb the proposed new system. Clause 14 provides that Council elections are not to be held on the same day as an Assembly election, an election for either House of the Commonwealth Parliament, or a State or Commonwealth referendum. Clause 15 inserts in the Constitution Act a definition of the new Council districts. Clause 16 inserts in the principal Act a schedule of rules for conducting Council elections in accordance with the concept of proportional representation. I seek the help of the Government and its consideration with regard to these proposals. I will be interested in any alternatives that may be a discussion point both here and in another place.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The diffidence with which the Leader evidently introduces the Bill is well merited and explicible. This Bill is not the product of any marriage within the Liberal and Country League. The Leader has said, "Having reached broad agreement in the L.C.L., we see our role now as being to seek the agreement of the Government to these proposals." Broad agreement in the L.C.L. on this matter is not evident; in the Upper House, the sympathizers of the Liberal Movement did not support it. It is evidently not a matter that has arisen from a marriage within the L.C.L. This thing was born out of wedlock. No doubt it is the result of what one part of the L.C.L. is doing to the rest of it.

Mr. Mathwin: Are you suggesting it is illegitimate?

The Hon. D. A. DUNSTAN: Yes.

Mr. Mathwin: You would be an authority on that, I suppose.

The Hon. D. A. DUNSTAN: I do not know about that but, if the honourable member accords me that authority, no doubt he has some knowledge in the area himself.

Mr. Mathwin: Quite possibly.

The Hon. D. A. DUNSTAN: Well, this appears to be a time of confession for the honourable member. I should think that is appropriately so, because this is another blatant endeavour by the conservative political forces in this State to impose on South Australia a further gerrymander of its districts. The principles with which the Labor Party is imbued in electoral matters have always been clear: they are that every citizen within the State should have an equal right with every other citizen to an effective say in the Governments that affect his life. However, what do members opposite now propose? We have seen many attempts to impose minority control on the State, and this is just another of those attempts. In this measure members opposite do not even introduce adult franchise. They have the gall to say that this Bill is complementary to the Government's proposals for adult franchise. One can only be amazed at the way members opposite express themselves in comedy. How can this Bill be in any way complementary to the Government's measures for adult franchise, which are on the basis of one vote one value and on the basis of the people of this State having an effective right to elect their Governments? Let us examine the opening gambit in the explanation from the other place that the Leader has read. There was an elaborate and highly selective

defence of second Chambers. We have been told about what happened in Georgia and various other States of the United States, but the explanation does not say what the United States Supreme Court said about the districting of the Upper House in Georgia, but apparently the careful districting to prevent the effect of the citizen's vote being valid and effective was not in the mind of members opposite or in the mind of the Leader in another place.

The explanation also does not refer to a few examples that are much easier to cite as being comparable to South Australia. The Leader did not refer to another Federation in the British Commonwealth of Nations, namely, Canada, which has not one single second Chamber in its provinces. In fact, the last of Canada's second Chambers was abolished not long ago, and no-one has wanted it restored. The Leader has not cited the State of Queensland, in our own country, where even Mr. Bjelke-Petersen does not want the second Chamber restored.

Mr. Jennings: What about New Zealand?

The Hon. D. A. DUNSTAN: In New Zealand a Conservative Government abolished the second Chamber, and they do not want it back, either.

The Hon. Hugh Hudson: The Leader of the L.M. does not want the Upper House, if he can get rid of it.

The Hon. D. A. DUNSTAN: That is so. He wants members of the Upper House to be excluded from Cabinet as a first step. Let us turn from the strangely selective and special pleading contained in the explanation of the provisions of the Bill. It seeks to alter the districts for the Legislative Council so that half of the members will be elected from the country area and half from the metropolitan districts, as is set out in the Constitution at present. Therefore, in the metropolitan area two and a half times the number of people would elect the same number of members of the Upper House as the country district would elect.

Dr. Eastick: What is the physical distance variation?

The Hon. D. A. DUNSTAN: The physical distance variation is not so great that members of the Upper House cannot service their districts.

The Hon. Hugh Hudson: There is very little servicing to do.

The Hon. D. A. DUNSTAN: What servicing do they do?

Mr. Gunn: That's not true, and you know it.

The Hon. D. A. DUNSTAN: We know that they do little servicing of their districts. We know the kind of call that is made on members of the Legislative Council for district representation, and the member for Eyre must know that that call does not approach the call made on House of Assembly members. In fact, of course, it is not even in the brief proposed by the honourable member's Party that the other place will comprise people who act as agents for their districts: they are to be there as members of the House of Review, our own House of Lords, reviewing the "hasty" legislation and deliberations of the popularly-elected Chamber. Members opposite know perfectly well that there will not be any difficulty for members of another place in servicing the requests of people in their districts.

If the district I represent gives any indication of the sort of call that is made on members of the Upper House, I can only say that in the 20 years I have represented Norwood District I have not seen the members for that district in the Upper House at more than 10 functions. If members walk down the Norwood Parade and take a survey that shows that the people can tell them the name of one representative of the Upper House for that district, I will throw a garden party.

Mr. Becker: They wouldn't know who their Assembly member was.

The Hon. D. A. DUNSTAN: I think the honourable member may find a difference there. With all due modesty, I must confess that voter recognition in the Norwood District proves, on all surveys, to be tolerably high.

Mr. Mathwin: Wait till you get the pimple up in Hackney.

The Hon. D. A. DUNSTAN: The honourable member must look to his own acne and leave me to mine. He asked for that one. It is clear that this Bill merely substitutes one form of minority control for another. Up to this stage the Upper House has been controlled by the conservative forces in South Australia, and the amount of interference with the Labor Government legislation in the whole history of the Legislative Council has been grossly more than the amount of interference with Liberal Government legislation. It is clear, on all studies that have been made of the activities of the Upper House, that that House has acted as a conservative veto of the popular mandates of the people of South Australia. It has been clear also that the conservative forces in South Australia have used the Upper House to maintain a veto over the rest of the

population and a minority control of the legislation of this State.

The Hon. Hugh Hudson: They know the permanent will of the people!

The Hon. D. A. DUNSTAN: The present Leader of the Opposition there has said that he knows better than the electors what is good for them and what they want. Since it has been suggested in the Liberal Party that the Party is under attack because most people in this State cannot see any real justification for a property franchise in this day and age, members of the Upper House are trying to substitute a new form of minority control. They would create adult suffrage, but they would make the suffrage as between areas so unequal that they would obtain exactly the same result.

Dr. Eastick: I don't think that's right.

The Hon. D. A. DUNSTAN: The Bill would attain the same result. As the Leader knows, the effect of this legislation is to ensure that at no time will anti-Liberal forces obtain a majority in the Upper House. The Leader knows that that is true and he knows perfectly well where the voting system lies. Members opposite know well the gentleman whose letter to the Editor was published in the newspaper this morning. I know that gentleman very well, and he had a few things to say about what was happening in the Liberal Party, of which he has been a country member for many years.

Mr. Mathwin: Did you write the letter for him?

The Hon. D. A. DUNSTAN: If Mr. Burdett were to hear that suggestion, he would be even more angry than he has shown himself to be so far, because he would not touch any letter that I had written for him with a 40ft. barge pole. I am sure that the honourable member's Deputy Leader, in whichever capacity he is operating for the time being, also could tell the member for Glenelg that Mr. Burdett would not think that my views or drafts were things to which he could put his name. Mr. Burdett was able to point out just what was the situation concerning the voting power of the L.C.L. and where it lies. Members opposite know it perfectly well also: they know where is their electoral support, and they have drawn the boundary under this measure to ensure that their electoral support will have an artificial weighting. That is not democracy, and it is not justice: it is a subterfuge, and it deserves to be exposed for the shabby thing that it is.

We have heard several suggestions that alternatives were not really practical. Let us look at the practicalities of some of the measures proposed. In the first place, it is intended that there be an increase in the number of members in the Upper House by four. That is terribly interesting, because I recall that at the last moment, before the election in 1968, large advertisements were authorized by the Liberal Party in all country districts in South Australia about a proposal for an increase in the number of members of the House of Assembly, suggesting that the proposal for a 56-member Lower House was grossly improper. But we have already increased the number of members of the House of Assembly to 47. It is now intended to increase the number of members of Parliament by another four. The Opposition is not getting far away, and in this case it is not members who would be directly representing districts and acting as agents for them, as members of the House of Assembly do: it would be members of another place.

What justification can there be for another four members in another place? There is not the slightest justification for it in regard to work load. This is only in order to provide the basis for this extraordinary proposition, which pretends to work on the basis of proportional representation, when the very basis of the districts is disproportionate. It is not the beginnings of proportional representation, and members opposite know it. Then, of course, they propose the very practical thing of having a separate voting day for the Upper House, as though we did not have an enough election days already in this country!

Mr. Millhouse: You've added to them with referenda.

The Hon. D. A. DUNSTAN: In fact, we had a referendum on the same principle during the time of the previous Labor Government, and we seem to have got much support from the populace for doing so.

Mr. Millhouse: Are you talking about shopping hours?

The Hon. D. A. DUNSTAN: No—

Mr. Millhouse: Of course you're not!

The Hon. D. A. DUNSTAN: —I am talking about lotteries. Obviously the honourable member does not want to know. We would not have provided for an additional election day if members opposite had been willing to agree to our proposal. We wanted to hold the referendum on the day of the Legislative Council by-election, but members opposite would not agree.

Mr. Millhouse: You know it was—

The Hon. D. A. DUNSTAN: What the honourable member wants to do by having a separate Legislative Council election day on a voluntary voting system is to ensure that as few people vote as possible and that the Legislative Council election will be on the basis of dragging people to the poll by those who have the most money to get them there.

Mr. Coumbe: What rubbish!

Members interjecting:

The Hon. D. A. DUNSTAN: Having complained about holding a referendum, members opposite want us to spend vastly more in each three years in providing a separate election day for the Legislative Council.

Mr. Mathwin: You ought to talk to Harold Wilson when you go overseas.

The Hon. D. A. DUNSTAN: I do not know what the honourable member is talking about.

Mr. Mathwin: Voluntary voting!

The DEPUTY SPEAKER: Order! The honourable Premier.

Mr. Gunn: What about the Tasmanian Legislative Council elections?

The Hon. D. A. DUNSTAN: If the honourable member thinks the Tasmanian Legislative Council is any model for this State, perhaps he will get up and give us his views. In terms of practicalities, to hold a separate voting day for the Legislative Council elections is sheer nonsense, as members opposite know perfectly well. What is the purpose of holding a separate voting day for the Legislative Council?

The Hon. Hugh Hudson: To improve the L.C.L. vote!

The Hon. D. A. DUNSTAN: Why should people be dragged to the poll twice concerning matters on which the same issues will be fought? Why should they be asked to go to the poll on separate days—

The Hon. D. N. Brookman: To give a purely voluntary vote, not a cooked-up one.

The Hon. D. A. DUNSTAN: The honourable member knows perfectly well that he cannot really be sincere in that statement. Members opposite are not sincere when they suggest that we should spend this money on poll clerks, etc., and get people there after a separate election campaign and on a separate day to elect the Upper House, because that is the way in which we will get enshrined in our Constitution the principle of voluntary voting. If members opposite are really suggesting that to us, I am sorry, but they really do get to the stage of straining our level of credulity more than is fair.

Mr. Mathwin: Why not make it voluntary for this House?

The Hon. D. A. DUNSTAN: We have no intention of making it voluntary for this House.

Mr. Millhouse: Why not?

The Hon. D. A. DUNSTAN: Because it has been the principle of this Party, as it has been, from time to time, of the Party opposite, whose members have voted unanimously for compulsory voting for this House. The reason is that every citizen in this country has a duty regarding the election of Governments.

Mr. Millhouse: Why don't they look at it in that way in the United States and Great Britain?

The Hon. D. A. DUNSTAN: Why don't you ask them! A moment ago I was asked for our view, and I am giving that view, but members opposite do not want to hear it.

The Hon. Hugh Hudson: You aren't compelled to vote.

The Hon. D. A. DUNSTAN: People are compelled not to vote but to do their duty as citizens and to go to the polls, and that is a perfectly proper thing to demand of anyone.

Mr. Mathwin: People in the U.K.—

The DEPUTY SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: I thought a few moments ago that the honourable member did not think terribly much about how things were going in Great Britain.

Mr. Mathwin: They're going better now.

The Hon. D. A. DUNSTAN: It is clear just how dishonest a measure this is. It is an attempt by certain of the people within the Party opposite to present themselves as being less reactionary than they should truly be pictured to be; that is all. They are just putting up a smoke-screen, saying, "We're going to go for adult franchise and proportional representation," when this measure represents nothing of the kind.

Mr. Curren: They know it.

The Hon. D. A. DUNSTAN: Of course they do.

The Hon. D. N. Brookman: Do you recall—

The Hon. D. A. DUNSTAN: During the period the honourable member has been in this House he has been involved in some of the most reactionary proposals that have ever disgraced a Parliament in this country. I was sitting here when the honourable member was a member of a Government which brought in a proposal, which could only have been

taken from Mussolini, to divide this State on the basis not of people but of interests.

The Hon. D. N. Brookman: Your Party's Bill in 1965 was a disgrace.

The DEPUTY SPEAKER: Order!

The Hon. D. A. DUNSTAN: The Labor Party constantly in this State has maintained the principle that the basis on which this Constitution should be formed is the basis that was the original resolution for the formation of the Constitution in this State. The original resolution that passed the first Legislative Council was that the basic principle of the Constitution should be manhood suffrage and equality of voting in all areas of the State.

The Hon. D. N. Brookman: With some remarkable exceptions for expediency.

The Hon. D. A. DUNSTAN: In the original provisions there were none. For the Legislative Council there was one vote one value, because it covered the whole State and there was no districting, and the honourable member knows it. It was only through the conservative forces in the State that we got the gerrymander that existed, and for which the honourable member intends to substitute one that is worse.

Mr. MILLHOUSE secured the adjournment of the debate.

SITTINGS AND BUSINESS

Mr. MILLHOUSE (Mitcham) moved:

That Notices of Motion (Other Business) Nos. 4 and 5 be adjourned until Wednesday, September 13.

The DEPUTY SPEAKER: Is the motion seconded?

Mr. COUMBE seconded the motion.

The Hon. HUGH HUDSON: I rise on a point of order, Mr. Deputy Speaker. The member for Mitcham has seconded his own motion.

Mr. Coumbe: No he didn't, I did.

The Hon. HUGH HUDSON: The member for Mitcham did it as well.

The DEPUTY SPEAKER: Order! I cannot sustain the point of order, because I took the seconding of the motion as that of the member for Torrens.

ADVERTISING

Mr. BECKER (Hanson): I move:

That, in the opinion of this House, all Government and semi-government advertising should be placed with Australian and preferably South Australian owned and controlled advertising agencies.

I take this action to bring to the attention of this House and of the South Australian taxpayers the fact that we should do everything we can to encourage the Government to support local advertising agencies and ancillary organizations. Also, I will try to prove that the present Administration of this State (that is, the Government) is, in my opinion, corrupt. I believe that the Government is breaking the Australian Labor Party's rule and principle which does not support foreign-owned and foreign-controlled organizations and the foreign ownership and take-over of Australian assets. I believe that the action of this Government and of the A.L.P. in not supporting the local advertising industry has been responsible for the difficulties encountered by locally-owned and controlled advertising agencies and ancillary industries. All members have received a letter from the Managing Director of Monahan Neate and Associates Proprietary Limited (Mr. Jack Neate) in which he states:

I and others who operate local agencies consider that State Government advertising should be restored to local South Australian agencies, and any help which you are capable of giving to achieve this end would be appreciated.

I understand that only a few members have bothered to reply to that letter and, at this stage, no-one has taken any action to support South Australian advertising agencies. This situation reflects particularly on the Government and shows the minor interest that that Party has taken in our advertising industry. We hear so much from the Labor Party about supporting local industries and encouraging new industries to come to South Australia, but when it comes to spending the taxpayers' money in this State, the Government allows it to go into foreign hands. On August 16, I asked the Premier whether the facts contained in Mr. Neate's letter were true, and in his reply the Premier, in trying to gloss over my question, stated, among other things:

It is not known in the United States as Hansen Rubensohn-McCann Erickson, because Hansen Rubensohn is not involved in the American company.

As we know, since the A.L.P. assumed the Treasury benches Government advertising is the responsibility of most departments, but the advertising agency selected by the Government is Hansen Rubensohn-McCann Erickson Proprietary Limited, which happens to be the advertising agent for the A.L.P. in South Australia and throughout the Commonwealth.

Mr. Coumbe: That is pure coincidence!

Mr. BECKER: Yes. I have no argument with that firm and I have not met the gentlemen, but I argue on the principle involved in this issue. The fact that the Government

has awarded Government departmental advertising to this firm, which is the Labor Party's advertising agent, indicates that something untoward is going on and that this firm, because of the present situation, has perhaps received what I could call the golden handshake. A letter the Premier wrote to Mr. Neate, in reply to the circular letter, states:

I refer to your circular letter received on August 16, 1972, concerning your remarks to the 10th Annual South Australian Seminar of the Advertising Institute of Australia, and also your reference to the fact that State Government advertising is handled by Hansen Rubensohn-McCann Erickson Proprietary Limited. Your statement that this company is a wholly owned American company is not correct. The company is associated with the American advertising firm of McCann and Erickson, but Hansen Rubensohn is not involved in the American company. I regret that the remarks in your letter may have created a wrong impression among those who have received it.

Hansen Rubensohn-McCann Erickson Proprietary Limited was incorporated in New South Wales on June 24, 1955. It is a subsidiary of Interpublic (Eastern) Proprietary Limited, which was incorporated in Canberra on July 16, 1959, as Hansen Rubensohn-McCann Erickson (Eastern) Proprietary Limited. It changed its name to McCann Erickson Proprietary Limited, and finally changed its name back again to Hansen Rubensohn-McCann Erickson Proprietary Limited on December 22, 1961. The principal company involved is known as Interpublic (Eastern) Proprietary Limited, which has the majority of shares in Hansen Rubensohn-McCann Erickson and is a subsidiary of Gansel and Company, Box P.O. 1508, New York. There is no doubt that the Government's advertising agency and the advertising agent for the Australian Labor Party is an oversea company. That agency is owned and controlled in America with the exception of two shares registered in the name of a person living on Norfolk Island. Therefore, for the purposes of this exercise, this advertising agency is an oversea company and its use, as we all know, is contrary to the policy of the Australian Labor Party. To further prove my point concerning the intentions and directions of the Government regarding this advertising agency, and the principle behind it, I refer to a letter of August 11, 1970, written by the Conservator of Forests of the South Australian Woods and Forests Department to Clem Taylor O'Brien Proprietary Limited, which states:

This letter will confirm the recently telephoned advice to Mr. Wright that this department was required by Government directions to employ the publicity firm of Hansen Rubensohn-McCann Erickson Proprietary Limited. As the department's dealing with the above firm must cover all aspects of advertising, it is regretted that the department is unable to take advantage any further of your services. The department would like to convey its appreciation of the association which it has enjoyed with your firm and in particular to acknowledge the able assistance and advice it has had from your Mr. Brian Wright.

This is proof of the Government's direction. How many such letters were written? How many Government departments have received the direction to direct their advertising to this agency, which is also the advertising agency of the A.L.P.? Mr. Neate, in commenting on a reply to a recent question I asked on this matter, said he considered the Premier's reply to be not only vague but also misleading and confusing the two issues of the A.L.P.'s advertising and the State Government's advertising. I quote from that letter, as follows:

The A.L.P. advertising is handled federally by the firm of Hansen Rubensohn-McCann Erickson which is 100 per cent American owned and I have documentary evidence to prove this. The A.L.P. advertising in this State is also handled by Hansen Rubensohn-McCann Erickson, the manager and a director of which is Mr. G. Huntley, who is a member of the Board of Trustees of the Savings Bank of South Australia.

We all know that Mr. Huntley was a Labor Government appointee some years ago and that he is Managing Director of this advertising agency. He previously handled the Labor Party advertising in this State. It can be said that Mr. Huntley has received the golden handshake for services rendered. Mr. Neate's letter continues:

Up until 1962 Mr. Huntley and Mr. D. Monahan operated an agency known as Monahan Huntley Proprietary Limited, and this agency handled A.L.P. advertising in this State from about 1950 until 1962. In 1970 the State Government decided to place all State Government advertising with Hansen Rubensohn-McCann Erickson. This did not necessarily include advertising for State instrumentalities such as the Savings Bank of South Australia or the Electricity Trust of South Australia.

The interesting point he then makes is as follows:

A Mr. Bob Malin who at that time was employed by the Government, but who had had previous advertising agency experience, joined Hansen Rubensohn-McCann Erickson as the account executive handling the State Government advertising.

If any member wishes to challenge the statement that the Labor Government has taken advantage of encouraging its own advertising

agents to handle State Government advertising, the simple fact is that a person previously employed by the State Government (I believe in the Premier's Department) is now the account executive handling State Government advertising.

That is all contrary to Labor Party policy. I find it difficult, therefore, to understand how the Government can justify its direction to departments to place their advertising with the A.L.P.'s advertising agency. I now refer to a report concerning a statement made by Senator McLelland (in the *Advertising News* of August 4, 1972), as follows:

Senator Douglas McLelland (A.L.P., N.S.W.) has given an explanation why the A.L.P., which is committed to a policy of greater Australian equity in industry and business, uses a foreign-owned agency for advertising. He told a luncheon of the Australian-owned Advertising Agencies Council (Austac) in Sydney on August 2 that the selection of Hansen Rubensohn-McCann Erickson Proprietary Limited was determined by those who controlled the machine of the Labor movement.

We on this side know that such control is not exercised by the rank and file members. The report continues:

"One of the fundamental principles of the Labor movement is loyalty to those who are regarded as our friends," he said.

We have seen in the term of this Government the loyalty to "our friends", as Senator McLelland has stated, especially in regard to the Kangaroo Island dispute and the payment of the court costs involved. The report continues:

"I understand that in years past, when things were running at a low ebb for the movement, the agency took our business and stood by us. They were an Australian-owned agency when they first did our business shortly after the defeat of the Chifley Government. They were prepared to assist us financially and those who stood by us then are deserving of support now."

It is interesting to see how those who have supported this Government in years gone by have received Government contracts and tenders, and the charge that the Government is corrupt is spot on. The report continues:

Senator McClelland said, from a personal viewpoint, he hoped the A.L.P. "will come to see the wisdom of patronizing an Australian-owned agency". He said this view in no way reflected on the present agency which was doing "a very good job".

At the seminar to which I have referred, members of Parliament were invited to attend. The member for Playford, who was present (no doubt on behalf of the Government), said he would raise the matter of advertising with the Federal Executive of the A.L.P. I understand that the Advertising Institute of Australia has not received any correspondence from him in this regard, and it will be most interesting to see what type of reply the institute will receive and what is the justification of the South Australian Labor Government. It is also difficult to understand why South Australian advertising is placed with this firm. In the United States there is an entirely different arrangement regarding priorities. I will now quote the following submissions made to the Senate Select Committee on Foreign Ownership and Control by the Australian-owned Advertising Agencies Council:

American legislation generally favours the use of local companies. Since the advertising agency business in the U.S. is virtually completely locally-owned, there is no need for specific legislation regarding, for example, the placing of Government advertising through American agencies. Nevertheless, other regulations affect this. Statute 455, section 10, lays down that materials required for public use must be of American origin provided they are of satisfactory quality and the cost is consistent with the public interest. Such provisions affect Government contracts and the materials used in them.

In the U.S.A., a Government department wishing to advertise would normally invite a number of agencies to submit offers describing their ability to perform the required service. Such offers are not based on price competition but on facilities and service. Once an agency has been chosen, it is usual for the department to offer a two-year contract. This would then come under the general provisions of the above regulations.

If it is good enough for the Americans to adopt these standards and policies, why should we not adopt the same principle in South Australia? Why should a political Party, whose principles are opposed to foreign ownership and control of Australian companies, use an advertising agency that is not local? How can the present Government justify the use of taxpayers' money in this regard?

Looking at the matter on a Commonwealth basis, one can see the long-term benefits that could result. At page 53 of the submission to the Select Committee we can see that the total advertising expenditure by Commonwealth Government departments in 1970-71 was $6,473,753. We cannot criticize the Commonwealth Government, because it has formed the Australian Government Publishing Service to cover advertising. This total of about $6,500,000 worth of advertising is placed so that almost 50 per cent goes to companies that are owned overseas and 50 per cent to companies owned in Australia. It is interesting that the Commonwealth Government also appoints agencies for advertising in the various

States. In Queensland, the agency is owned in Australia, as it is in Western Australia. However, in Tasmania and South Australia it is an oversea-owned agency. The South Australian agency of the Commonwealth Government is Clem Taylor O'Brien Agency Proprietary Limited, which is the very agency whose contract was cancelled by the Woods and Forests Department. Perhaps the fact that the Commonwealth Government uses this agency had something to do with that cancellation.

If the State Government follows the principle adopted by its own Party, surely it will see the wisdom of assisting local agencies. From the Auditor-General's Report it is difficult to determine just how much is spent on advertising by the various State Government departments. Under various headings the departments spend various sums. We know that the Tourist Bureau spent $97,000 on advertising, and that the Public Service Board spent almost $34,000. On publicity and information, the Department of the Premier and of Development spent over $70,000. Under a similar heading the Agent-General's department spent more than $74,000. Semi-governmental organizations, such as the Egg Board, the Electricity Trust, and so on, spend considerable sums on promoting their various departments and services. An educated guess (and I believe that I am barred from such guesses) of the total sum spent by the State on advertising would be $400,000 to $500,000. If advertising contracts were awarded to local agencies, the advertising industry in South Australia would grow.

It is interesting to note that the current campaign to attract those in the 18 years to 20 years age group to enrol and vote is being handled by Hansen Rubensohn-McCann Erickson, whose motto is "Truth well told". Yet the advertisement in this connection encourages these young people to enrol if they wish to vote but gives no warning that, if they enrol and do not vote, the State can fine them up to $8. Perhaps a local advertising agency would have picked that up.

Mr. Payne: That's an incredible argument.

Mr. BECKER: It is not. We demand to know how much the departments spend on advertising. We have heard something about the establishment of a film industry in South Australia, but we have seen nothing in this connection. South Australia is short of natural resources, so something must be done to promote and develop the State. What we should try to do is to develop South Australia as the advertising centre of the Commonwealth. We have the personnel capable of doing this. The State Government can support this by giving all departmental advertising to local firms. The ancillary organizations in relation to advertising are those concerned with film-making, commercial photography, printing, engraving, plate-making, designing, writing, sound recording, displays, modelling, and so on.

Over the last few years, the number of people employed in these fields has slowly diminished. Many retrenchments have occurred in South Australian advertising agencies. This has happened because the Government is not prepared to use its influence to direct advertising to locally-owned agencies. The sum involved at this stage may be small. However, I challenge the Government to put the taxpayers' money to the best use of the State and to encourage Government and semi-government departments to place their advertising with South Australian owned and controlled agencies.

The Hon. L. J. KING secured the adjournment of the debate.

PUBLIC ACCOUNTS COMMITTEE 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 of the proposed new clauses to be moved to the Bill by the Premier.

The Hon. L. J. KING (Attorney-General) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to financial provisions for the Public Accounts Committee.

Motion carried.

In Committee.

(Continued from August 23. Page 983.)

Clause 7—"Quorum and voting."

Mr. NANKIVELL: I have nothing more to say on this clause. I previously moved that progress be reported to enable the Premier to move new clauses that he promised to move.

Clause passed.

New clauses.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move to insert the following new clauses:

7a. (1) The salary of the Chairman of the committee shall be at the rate of one thousand five hundred dollars per annum, and the salary of each member of the committee shall be at the rate of one thousand dollars per annum.

(2) In addition to such salary each member of the committee shall, in respect of the performance of his duties as such member, be

entitled to such expenses and allowances as are prescribed.

(3) The amounts payable to a member of the committee pursuant to this section shall be in addition to any payment received by such member pursuant to any Act in respect of his services in the discharge of his Parliamentary duties.

7b. The amounts to which a member of the committee is entitled pursuant to this Act shall be certified in writing signed by the Chairman and the Secretary of the committee, whose certificate shall be sufficient authority for the payment of all amounts so certified.

7c. Within the meaning and for the purposes of any provision of any Act—

(*a*) the office of the Chairman or a member of the committee shall be deemed not to be an office of profit under the Crown;

(*b*) the Chairman or a member of the committee shall not by reason of holding office or accepting any salary, fees, allowances or other emoluments as such be deemed to accept or to have accepted any office of profit under the Crown.

7d. Any moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for those purposes.

These clauses contain the financial provisions necessary for the setting up of a Public Accounts Committee, provisions for salaries and allowances of the members, and provisions relating to the holding of an office of profit under the Crown. I take it these clauses are in accordance with the wishes of the member for Mallee. I am pleased to be able to accommodate him.

The Hon. D. N. BROOKMAN: Although, if we are to have this committee, its members must be properly paid, can the Premier say whether the Government will pay any regard to the proliferation of committees in this Chamber? I have previously dealt with the numbers of members involved in various committees and other jobs. In some cases, as can easily be demonstrated, these committees are fulfilling a useless purpose.

The CHAIRMAN: Order! The Premier has moved to insert new clauses, and the honourable member can deal only with these new clauses at the moment. The honourable member is getting rather wide of the mark when talking about other committees.

The Hon. D. N. BROOKMAN: I see the point you are making, Mr. Chairman. However, at some stage someone in a position of responsibility should say what will happen to some of the other committees.

Mr. NANKIVELL: I appreciate the form in which these new clauses have been introduced, and in particular the status that I hope will be given to this committee in view of the salaries proposed in new clause 7a. I am gratified by the Premier's co-operation in this matter.

New clauses inserted.

Clause 8 passed.

Clause 9—"Duties of committee."

The Hon. D. N. BROOKMAN: I protest against some of the provisions of this clause. I do not agree that the committee should direct its attention to matters simply on the order of a Minister or of its own volition. Some trouble in the Commonwealth Parliament has been caused by its Public Accounts Committee itself determining which department to examine. As applies in the case of special inquiries, the direction should be at Cabinet level: the Government's attention should be directed to the matter. The Governor, whose order in Executive Council would come from Cabinet discussion, would then be in a position to discuss what inquiries should be undertaken. To leave these matters to the committee itself seems to me to be making the committee far too powerful. It is liable, in the wrong hands, to upset considerably the running of the Public Service and the administration of the State. These matters should come from proper Cabinet deliberations. In no circumstances would one agree to Royal Commissions being set up by people below Cabinet rank, and I believe that in this case the committee should not direct its attention to such matters unless Cabinet has considered them.

Clause passed.

Remaining clauses (10 to 12) and title passed.

Bill reported with amendments.

Mr. NANKIVELL (Mallee) moved:

That Standing Orders be so far suspended as to enable the Bill to pass through its remaining stages without delay.

The SPEAKER: The honourable member for Mallee has moved that Standing Orders be so far suspended as to enable the Bill to pass through its remaining stages without delay. For the question say "Aye"; against "No".

The Hon. D. N. Brookman: No.

The SPEAKER: There being a dissentient voice, it will be necessary to divide the House.

The House divided on the motion:

Ayes (35)—Messrs. Allen, Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Coumbe, Crimes, Curren, Dunstan, Eastick, Ferguson, Groth, Gunn, Harrison, Hudson, Jennings, Keneally, King, Mathwin, McAnaney, McKee, Millhouse, Nankivell (teller), Payne, Rodda, Ryan,

Simmons, Slater, Tonkin, Virgo, Wardle, Wells, and Wright.

Noes (2)—Messrs. Becker and Brookman (teller).

Majority of 33 for the Ayes.

Motion thus carried.

Mr. NANKIVELL moved:

That this Bill be now read a third time.

Mr. McANANEY (Heysen): It gives me great pleasure to support the member for Mallee, who has made many valiant attempts to have this legislation passed. I agree that it is essential. Further, I support the view of the member for Alexandra that we need accountants on the committee. This Bill will be of tremendous value to the State, particularly the taxpayers.

Bill read a third time and passed.

SUCCESSION DUTIES

Adjourned debate on the motion of Mr. Hall:

That in view of the hardship caused by the unfair incidence of death duties on those who have inherited businesses or farming properties, the Government should this session introduce legislation to adjust and reduce succession duties to enable individuals dependent on those concerns to earn a reasonable living from them.

Mr. McANANEY (Heysen): I wholeheartedly support the motion. I am not opposed entirely to probate or succession duties, because I realize that, to remove inequalities in wealth, it is essential to have probate duties and taxation of this kind. One has only to travel to the Philippines to see, in one quarter of the town, the millionaire village, whereas in other parts many people are living in abject poverty. I therefore believe in the principle of estate duty. I also believe that succession duty is far better than estate duty, because it is paid on what comes out of an estate according to those who inherit it. It is good to encourage families in this way.

The modern trend is for people not to have any children, or only one child. However, I do not believe in small families. Indeed, if we have any faith in the future, science will cope with all the problems that face us. We must protect the family estate. In the past, family estates, particularly those in South Australia, have incurred nearly as much taxation as have the more wealthy estates. Indeed, in 1968 the smaller estates of up to $30,000 paid out nearly 10 per cent of the estates; estates of up to $60,000 paid 10 per cent; whereas the really large estates paid only 14 per cent. It appears, therefore, that many wealthy people are using loopholes in the Act to avoid such payments, which is most unfair. Mr. Thompson, a university lecturer, said that this was a regressive tax and that the wealthy people were escaping it whereas small family estates, because they were not making use of the loopholes, were paying an unjust share of the tax.

We have not yet been able to see the effect of the Bill that the Labor Party introduced in 1970. Although I did not think that another $2,000,000 had to be collected in this manner, one must accept that that Bill was better legislation than we had had before. If there are still loopholes in the legislation regarding large estates, I would be happy to support any move to eliminate the possibility of this group's not paying its just share. South Australia imposes succession duties whereas other States impose estate duties. If we need to collect a certain sum in estate duties to merit the right allocation from the Grants Commission, I believe it would be possible to increase the rates on the very large estates, which would enable us to exempt the family estates. I believe there should be a total exemption on smaller estates.

I believe that the Bill which was introduced by the Labor Party and which provided for an exemption for a house costing up to a certain sum was an injustice, in that it does not suit every family to own a house, particularly when elderly citizens homes are provided and many people do not have a house to pass on when they die. I think it would be more equitable to increase the total exemption instead of having an exemption for insurance and another exemption for a house costing up to a certain sum. This would give people freedom to decide what to do with their money, and this is something I always advocate. In the case of a man who works for the Education Department or in some business and who dies after perhaps saving enough money to buy a house on retirement, his widow, who has the money to buy the house, gets no exemption but still has to buy the house. I believe this Bill would be greatly improved if there were one exemption for everyone.

Suggestions have been made that we should have a pay-as-you-go tax, which some people consider would be better than having to pay a lump sum on death. I do not support that view, because it is a tax on property rather than on the value of what could be earned. It would be difficult to maintain the succession duties we have in this State. One of the advantages we have in South Australia is that we have succession duties

instead of estate duties, and this evens things up to a certain degree. I do not think we could have a pay-as-you-go tax unless it were Australia-wide, because it would not be tax-deductible unless we got back to the old basis of land tax, against which people, particularly in country areas, protested strongly.

Land tax has many disadvantages, and a tax on that basis could not be introduced. It has also been suggested that as long as one is making a living off a property it should not be taxed until the property was sold and the assets realized. I do not see that this would be practicable, because we would not know the sum the Government would collect in any one year. I do not see any merit in that suggestion. I think the answer is that, even though it is necessary to review the rates on the large estates, it is essential to increase the exemption allowance before any succession duty is paid. This has become more obvious now because of the increase to $34.50 in the age pension. I am not complaining about the increase in the pension, but the married man with a wife and children who cannot work at any job is worse off, particularly if he is buying a house. He would be in a difficult position. An income of $34.50, taking into account the fact that pensioners get free transportation, medical benefits, etc., is possibly equivalent to a $30,000 estate if invested.

I think the exemption on the smaller estates must be increased so that many people would not have to pay succession duties. A publication issued only this week by the Agriculture Department sets out the circumstances of the rural industry at present and how borrowings have increased from about $85,000,000 in 1959 to about $250,000,000 in 1970. If this money has been borrowed to increase the size and productivity of farms, that is something we must accept, but if it has been caused through loss of income or by paying succession duties when properties have changed hands, it is bad indeed. The publication, which sets out what a farmer can do, takes a pessimistic view of whether farmers should go into some other industry or decide whether they are viable. The department says that many farmers will have to leave their properties. The publication states:

Since the rural economic crisis has no adequate self-correcting mechanism, we have to consider what can be done to overcome this problem.

The publication sets out how markets are over-suppiled and how costs are increasing because of our growth rate, but, to me, that is ridiculous. Inflation should not necessarily occur simply because of a growth rate. On that basis, it is as well that we do not have the growth rate we would have in Australia if we all pulled together; otherwise, prices would increase faster than ever.

Mr. Mathwin: How do you define "pulling together"?

The SPEAKER: Order! The honourable member for Glenelg is out of order.

Mr. McANANEY: We have some members in our own Party who are not doing this at present.

The SPEAKER: Order! There is nothing about Parties in this motion.

Mr. McANANEY: On a television programme that I saw last Sunday evening one of the leading reporters in Canberra said that our problems were small compared to those in the Labor Party. I believe he hit the nail right on the head.

Mr. Mathwin: Who was the interviewer?

Mr. McANANEY: It was Mr. Reid, on *Federal File*, at 10 o'clock on Sunday evening.

The SPEAKER: Order! Interjections are out of order and I do not want the member for Heysen to be led astray.

Mr. McANANEY: I thought I was going fairly well and producing a good logical case. The Agriculture Department publication also states:

The Government's rural policies have an important role to play here of course, as do producers' selling organizations: both should be doing everything in their power to seek new markets, to investigate the quality (and other) requirements of these markets, and to pass this information back to producers. But this is not the only approach needed. Farmers themselves have to take steps to combat the situation. In fact, the producer has to ask himself two fundamental questions: am I capable of continuing as a rural producer, and, at the same time, able to provide my family with a satisfactory standard of living? In other words, am I viable in the long run?

In the difficult circumstances of primary industries at present, a farmer, in assessing whether he is viable, must remember that from his income each year he must do two things. First, he must provide sufficient capital to pay for the machinery he needs. For example, a header or a tractor now costs two or three times the amount that it cost a few years ago. He has this never-ending battle to accumulate sufficient capital from his reduced income to provide this equipment and, if he is developing his property, to provide additional stock. At the same time, he must put aside an

amount each year to provide for this capital tax at the end of the road.

Unless we can get a better arrangement or better protection for the family estate, many more farmers will have to decide to go off the land after they have made this assessment. I think that the rebate to primary producers is justified, because property assessments are far above the productive value of the land. I always try to be fair to each section of the community, but if ownership of a secondary industry in the city is being transferred, the business is assessed on its productive value rather than at an artificial value placed on it by an excessive demand for land. This problem has been created by the Commonwealth Government's policy of making concessions for depreciation.

Mr. Coumbe: What if it were a business that had made many losses?

Mr. McANANEY: It would not be assessed at a very high amount. Recently shares in a primary producers' organization that had been transferred at $8 each a few years ago were transferred at $1 a share. Values have become artificial because of the excessive development in the Hills areas. Developers are subdividing the land and many city people who are making much money are buying property on which to keep a few horses. The cost is many times the value of what can be produced from the land.

I think there is a good case for rebates for primary producers' land, but I think the rebates diminish far too quickly. They start at 50 per cent but they drop to 22.5 per cent on an estate of $100,000, so the amount is a gradually reducing one. This matter should be examined and the rebate should be continued at least while the property is what I regard as of family size. Then, if the Treasurer still wants to obtain as much money as he obtained previously from estate duty, the rate of collection could be increased on the bigger estates.

Farmers are told to grow big or get out, but I consider that the most economic land unit is a two-man farm. On such a farm those working it are not completely tied to the place and they can have machinery and equipment of a size sufficient to make the farm an economic proposition. Immediately a man gets beyond the two-man size farm and must employ people, although that man may have grown big, he is involved in paying the award rates to people working on the land. If a man must pay double time for work on Saturday and Sunday, he will soon revert to having a family unit, on which he will work at the weekend. A man who really enjoys farming will get enjoyment from what he does in this way.

The definition of a family unit is debatable. During the 1965 State election campaign the then Leader of the Labor Opposition (Mr. Frank Walsh) said that he would make a living area free from duty. However, the Bill that he introduced defined a living area as being almost as small as the room in which a person could live. The figure fixed was about $10,000. If a farmer held such a property and divided part of it amongst four sons, giving them a portion to the value of $2,500 each, the farmer would not be giving a living area to those sons.

People should be encouraged to operate as a family unit. If gift duty is reasonable and people operate in a businesslike way, paying their children wages so that the children can get an interest in the property, there would be reasonable protection for a family unit. I have in mind something similar to what the Commonwealth Government has done in increasing the gift duty exemption to $10,000. I do not think we should protect someone who is 90 years of age and wants his farm and all his assets around him. Young people will not stay on the land unless they have an interest in the property, so if we increase the exemptions so that the property is operated as a family unit in the true sense, with the son working on it and receiving wages, that is as much as we should try to achieve.

Under the present Act, we cannot do that and many people will leave the land in the next few years unless something is done about the matter. I have concentrated on primary producers and those engaged in primary production, but I feel just as strongly about how this affects the family business in the city, where the chance of carrying on such a business is hindered by the heavy impact of duty at the time of death. The rebate to the primary producers is justified because the land is overvalued in relation to the productive value, but I do not think this happens in a city business.

Primary producers must look after their estates and run them in a more businesslike fashion. Every family-size property should be run as a private company, on business lines, paying wages and interest on capital. If we continue at our present rate of inflation it will be impossible for many people to own their farms. It is the same as running a business in the city. If one were to assess

the amount owed by every business in Adelaide to outside sources the percentage of debt would be much higher than in primary industry. The only difference is that most city businesses are running at a profit, whereas in the country, with excessive costs, farms are not returning wages plus interest on capital.

Primary producers must wake up to the fact that it is useless to produce eggs at a give-away price of 10c a dozen, or to produce commodities that world markets are not willing to buy. When there is some control of production as compared to what can be sold on a profitable basis, primary industry will have a viable basis upon which to borrow the money necessary to finance expansion. At present, primary producers cannot borrow money because they cannot offer a viable proposition to make a profit to service their capital or the money they want to borrow, let alone borrow to service heavy estate duties.

It is necessary that members of the legal and accountancy professions should give better advice on how properties should be run. When I consulted an accountant and a lawyer for advice about my affairs, I would have found myself in a shocking mess if I had accepted their advice. However, I went about things in my own way, which was legal and honest. They thought I was mad, but they said there was nothing illegal or wrong about it, and in my case succession duties on a family property present no problem. The legal and accountancy professions must give better advice. I was told I should create trusts.

Mr. Nankivell: You've got to have trust.

Mr. McANANEY: You do not want to have too much trust when you go to certain people. I am not being personal; I am speaking generally. I am not advocating dodging taxation, but speaking of the wise management of an estate and a just system of taxation to avoid injustice to people willing to work harder and for longer hours for their own benefit.

Mr. Rodda: What do you think about the idea of having a company office in Norfolk Island?

Mr. McANANEY: I would have closed that down 20 years ago instead of just now.

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

Mr. McANANEY: Thank you, Mr. Speaker. It is well worth hearing. That is a general summing up. I must mention the member for Brighton, who was the member for Glenelg. He said in this House that the State should exact heavy duty on larger estates, because the rest of the community had helped to create that wealth and therefore should be entitled to a share of it. Whenever I have seen a good family property, whether in primary or secondary industry, it has been built up by people willing to work twice as hard as anyone else. They are entitled to what they receive and I do not see how the rest of the community helps in any way. I think I have covered the subject, and I fully support the motion before the House.

The Hon. L. J. KING (Attorney-General): I oppose the motion, and in doing so I do not intend to deal with all the points made by the honourable member for Heysen. Some of the more interesting ones, such as members of the Liberal Party pulling in opposite directions, could occupy my attention and that of the House for quite some time, but I will pass over that and deal with some of the other matters. The Government revised its succession duties legislation late in 1970. At that stage it raised the levels of exemptions, gave concessions on the matrimonial home and in relation to smaller farming units, and for the smaller successions treated more kindly insurances kept up for dependants for whom the deceased had been responsible.

In any case, the State tax being a succession duty, it aims to align the tax with the circumstances and extent of the successors, rather than with the extent of the estate as such. It therefore is more equitable in its incidence. The rates set in the 1970 amendments submitted by the Government and ultimately accepted, after conferences, by both Houses, were in their incidence lower than in other States of the Commonwealth. Whilst we have not yet seen the report of the Commonwealth Grants Commission in its first full survey of the taxation severity in this State, as compared with other States, there is no doubt its conclusion will be that South Australian severity falls clearly short of the commission's standard. Last year we raised $10,695,000 from succession duties, and I believe that on the basis of Victorian and New South Wales rates and exemptions we would have raised at least $12,000,000 and possibly $13,000,000. If this State is to give social and other Governmental services comparable with other States and comparable with what the public expects, then its taxes and charges generally must also be comparable. I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

POLICE OFFENCES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BOOK PURCHASERS PROTECTION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADVANCES TO SETTLERS ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Advances to Settlers Act, 1930-1970. Read a first time.

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

That this Bill be now read a second time.

The principal Act authorizes the making of an advance presently limited to an advance of $9,000 for the purpose of erecting, enlarging or altering a dwellinghouse on the holding of a person who is a "settler" within the meaning of the Act. Since it has been decided that the maximum loans which may be made by the State Bank for ordinary housing purposes is to be increased to $10,000, it appears equitable that the maximum loan under the principal Act for settlers should also be set at $10,000. Accordingly, this short Bill provides for this increase. However, since it is possible that the maximum amount that can be lent by the State Bank for ordinary housing purposes may be determined by the Treasurer, it appears desirable that some additional flexibility should be provided in the Advances to Settlers Act so that any increase that may be made for ordinary housing can be reflected in the Advances to Settlers Act without the necessity of legislative amendment. It is proposed that the maximum amount will in future be varied by proclamation.

Clause 1 is formal. Clause 2 amends section 12a of the principal Act which relates to the provision of advances for dwellinghouses and the amendments proposed provide (*a*) that the maximum advance will be increased from $9,000 to $10,000; and (*b*) by the insertion of proposed subsection (2a), that in future the maximum advance that can be made under this Act may be varied by a proclamation. This latter amendment should ensure appropriate flexibility.

Mr. MATHWIN secured the adjournment of the debate.

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BUSH FIRES ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Bush Fires Act, 1960-1968. Read a first time.

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

That this Bill be now read a second time.

Arising from submissions by, and discussions with, bodies and authorities interested in the operation of the principal Act, it covers a number of disparate matters. Topics dealt with in the Bill include—

(*a*) a revision of the requirements as to obligations of bodies to insure persons engaged in fire-fighting operations under the Act;

(*b*) a revision of the general level of penalties provided for under the Act to ensure that they are an appropriate deterrent;

(*c*) a change in description from "inflammable" to "flammable" the latter word being, it is felt, less likely to confuse those whose mother-tongue is not English;

(*d*) the conversion of denominations of weights and measures in the Act expressed in English Units of measurement to denominations expressed in metric units; and

(*e*) a revision of the restrictions on the movement of aircraft on private air fields.

The Bill deals also with other matters that will be mentioned in connection with the relevant provision. Clauses 1 and 2 are formal. Clause 3 provides for a definition of "nominated council" and for a metric conversion from 2gall. to 9 *l* in the case of portable water sprays; this conversion should ensure that all present portable sprays may be kept in use. Clause 4 provides for the declaration of a municipal or district council to be nominated as the council responsible for a fire-fighting organization and further provides that the fire-fighting organization is to keep its nominated council informed of the current state of its membership. Clause 5 inserts a new heading in the principal Act.

Clause 6 is the operative provision as regards insurance against injury of fire fighters and is intended to make quite clear just who is the responsible "employer" of the fire fighter for insurance purposes. Subsection (2) of proposed new section 36 applies the Workmen's Compensation Act, 1971, to the fire fighters' employment as such. The notional salary of the fire fighter for these

purposes is fixed at the State living wage, plus an amount to be prescribed. This salary is necessarily a notional one, since this compensation provision applies only to unpaid fire fighters. Proposed new section 37 provides for the liability of the Minister as employer to be met out of the general revenue of the State. It might be noted that this Act, in terms, no longer imposes on a council the obligation to insure against a liability as an employer imposed on it by this Act, that obligation being imposed by the Workmen's Compensation Act, 1971.

Clause 7 is consequential on the amendments proposed by clause 6, proposed new section 36 (1) (*b*) providing that fire party leaders will fall within the ambit of that section. Clause 8 increases the penalty for an offence against section 43 that relates to burning of stubble during a time of fire risk to make the maximum penalty commensurate with the gravity of the offence. Clause 9 effects a metric conversion amendment and is self-explanatory. Clause 10 substitutes the word "flammable" for the word "inflammable" and is one of many similar amendments, and makes a metric conversion amendment. Clause 11 effects a number of metric conversions to section 49 of the principal Act. Clause 12 increases the penalties for an offence against section 52, which relates to burning scrub during periods of fire risk and again recognizes the serious consequences that may flow from a breach of this section.

Clause 13 makes a metric conversion to section 54 of the principal Act. Clause 14 increases the penalties for an offence against section 59, which relates to burning scrub or stubble on Good Friday, Sunday or Christmas Day, as does clause 15 in relation to offences against section 60, which empowers councils to make by-laws prohibiting the burning of scrub or stubble and clause 16 in relation to section 61, which relates to restricting of fires in the open air. Clause 17 again makes certain metric conversions, alters the word "inflammable" to "flammable" and effects certain increases in penalties for offences against section 62 of the principal Act. Clause 18 makes similar amendments to section 63 as does clause 19 to section 64. Clauses 20 and 21 together change the description of a situation of high fire risk from that of "Serious Fire Risk" to that of "Extreme Fire Danger" and in addition penalties for offences connected with that situation have been increased.

Clause 22 increases penalties for offences against section 67 of the principal Act, makes further metric conversions and alters references to "inflammable" to read "flammable". Clause 23 repeals and re-enacts section 68 of the principal Act to make it clear that this section applies only to the use of internal combustion engines within the boundaries of a property. The penalty for an offence against this section has been increased. Clause 24 effects certain metric conversions to section 69, which relates to the fitting of spark arrestors on certain vehicles, and again increases the penalties for a breach of that section. Clause 25 increases the penalties for an offence against section 70, which relates to the provision of fire extinguishers on certain caravans. Clause 26 enacts a new section 71 regulating aircraft movements on what might be called "private" airstrips and is generally self-explanatory.

Clause 27 effects a metric conversion to section 72 of the Act, which prohibits smoking near flammable matter, alters a reference to "inflammable" and increases the penalty for an offence against that section. Clause 28 increases the penalty for an offence against section 73, which relates to throwing burning material from vehicles. Clause 29 increases the penalty for an offence against section 74, which regulates the use of fires in rabbit fumigators. Clause 30 makes a metric conversion amendment to section 75 of the Act, which deals with blasting of trees and also increases the penalty for a breach of that section. Clause 31 increases the penalty for a breach of section 76 of the Act, which prohibits the use of ignitable wadding in cartridges. Clause 32 increases the penalty for a breach of section 77 of the Act, which deals with fire protection in sawmills and proclaimed premises. Clause 33 revises the standard specification of certain matches the sale of which is prohibited and inserts the appropriate British standard. The penalty for a breach of this provision has also been increased. Clause 34 alters the reference to "inflammable" in section 79 of the Act as does clause 35 in relation to section 80. Clause 36 effects a metric conversion to section 81 of the Act.

Clause 37 sets out in some detail the power of a council to order the establishment of firebreaks and the rights of the council to establish such breaks at the expense of the owner or occupier of land affected. Clause 38 increases the penalty for an offence against section 82 of the Act, which obliges councils to provide adequate fire-fighting equipment. Clause 39

effects a number of amendments to section 86 of the Act, which deals with the powers of fire fighters under the Act. The effect of the amendments is to enable the powers to be exercised when there is a present danger of a fire. Previously, the powers could be exercised only when a fire had actually broken out. It is not difficult to imagine a situation arising that presents such a danger—for example, the case of an overturned petrol tanker on a busy road. Clause 40 increases the penalty for an offence that involves a failure to comply with a direction under section 89 of the Act given by a fire control officer. Clause 41 effects a metric conversion to, and increases the penalty for an offence against, section 90 of the Act, which deals with the power of fire control officers and foresters to prohibit the lighting of fires, and clause 42 increases the penalty for an offence against section 91 of the Act for hindering officers in the execution of their duty under the Act. Clause 43 re-enacts section 92 of the principal Act and spells out in somewhat greater detail the powers of a police officer present in the vicinity of a fire. Clause 44 increases the penalty provided for by section 94 of the Act in the case of a failure by a suspected person to disclose his name and address.

Clause 45 increases the penalty provided for by section 94 of the Act in the case of offences relating to fire plugs, and clause 46 increases the penalty for an offence under section 95 of the Act relating to false alarms. Clause 47 amends section 96 of the Act and somewhat enlarges the duty on the part of coroners to hold inquests into fires. Clause 48 amends section 97 of the Act and extends the immunity already given to fire control officers and fire party leaders to police officers acting under the Act. Clause 49 alters "inflammable" to "flammable" in section 99 of the Act. Clause 50 effects certain metric conversions to, and alters "inflammable" to "flammable" in, section 100 of the Act. This provision deals with liability for damage to dividing fences. Clause 51 effects a metric conversion to section 101 of the Act, which deals with the right of an adjoining occupier to clear fire-breaks on roads. Clause 52 provides for an additional regulation-making power dealing with the design, construction and maintenance of fire danger indicators and also increases the maximum penalty that can be provided for a breach of the regulations from $100 to $200.

Mr. McANANEY secured the adjournment of the debate.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Legal Practitioners Act, 1936-1972. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

It introduces a number of amendments to the principal Act designed to increase the revenues available for the purpose of legal assistance in this State and to facilitate the collection of the contributions that assisted persons are personally liable to make towards the cost of legal assistance. Members will doubtless be aware that the present legal assistance scheme came into operation in this State in 1932, during the great depression. Under the conditions that then existed the machinery for assisting poor persons (namely, the office of the Public Solicitor) had come under very great strain and was generally thought not to be providing a comprehensive scheme of assistance for poor persons who desired to avail themselves of redress at law. The legal profession undertook the responsibility of providing legal assistance, and the charter of the scheme provided that no person who needed legal assistance and was without the means to pay for it would be unable to obtain that assistance by reason of lack of means.

The scheme was operated by the legal profession for 30 years on a purely voluntary basis. The costs of administration were provided by the Government but there was no provision of public funds at all for the remuneration of those legal practitioners, comprising well over 90 per cent of the profession, who participated in the scheme. In 1960 the State Government for the first time made a grant towards the remuneration of practitioners who participated in the scheme. The initial grant was $9,000, and it remained at that figure for about eight years. In 1969 the present provisions were inserted in the principal Act, which provisions enabled part of the trust accounts of solicitors to be invested to yield a return that could be used partly to fund the legal assistance scheme and partly to provide an indemnity fund out of which members of the public could be indemnified if they suffered loss because of default on the part of a legal practitioner.

When the present Government came into office, the sum provided by the Government for the purpose of remuneration of legal

practitioners participating in the legal assistance scheme was about $22,000. The situation had changed obviously in the 38 years that had elapsed since 1932. The legal profession made it clear to the Government that, whereas about 30 years ago it had been practicable for the profession to provide legal assistance on a purely voluntary basis, that had ceased to be a practicable proposition.

When the scheme was instituted, overhead costs were low in relation to a legal practitioner's gross earnings. It was possible in those circumstances for practitioners to provide a part of their time free of cost to enable such a scheme to be conducted. However, by 1970 (at all events, by the time I assumed office as Attorney-General) the average overhead for a legal office had risen to between 50 per cent and 60 per cent of gross returns. This has created a situation in which it is impracticable for the practitioner to spend any appreciable amount of time unremunerated, because it involves him in carrying the overhead of his office for that period of his professional earning time.

Consequently, the legal profession, through the Law Society, made representations to have the Government undertake a greater degree of financial responsibility for the operation of the legal assistance scheme. On investigation it became clear that, unless it was changed, the scheme was likely to collapse because of the impracticability of the profession's continuing on the old basis. The Government, after investigation, recognized the reality of the situation and the need to secure additional funds for the purpose of enabling the legal assistance scheme to continue.

What seems to be imperative is that the scheme should continue on a basis that would enable every member of the community to obtain access to justice, irrespective of whether he has the means to pay for the legal representation he needs. So we must, if we can, adhere to that principle, but it is clear that costs to the community will increase. The Government, after discussions with representatives of the legal profession, agreed that it must work towards a situation in which the scheme provided at least 80 per cent of what would be the normal charges made by a legal practitioner for the services rendered. This still involves provision for a substantial degree of contribution by the profession to the scheme.

Mr. Coumbe: Does this apply to a silk, too?

The Hon. L. J. KING: Yes, where a silk is assigned to act in a legal assistance scheme. The practice is that a Queen's Counsel is assigned only on a matter of special importance in which it would be reasonable for a person who had the means to employ a Q.C. in that case. So the goal the Government is pursuing is to attain a scheme in which the profession will receive an 80 per cent return, because it is clear that, unless that objective can be reached within the foreseeable future, the scheme will collapse because of the sheer inability of the profession to continue the scheme.

The first steps taken in this direction have been taken a number of ways. In the first place, the Law Society has instituted a system of pooling the sums received from assisted persons. The importance of this step is that we should be able to see clearly and certainly what is the actual return to practitioners under the scheme as at present. By that means we shall be able to judge the amount of additional finance necessary to bridge the gap between the present return and the 80 per cent return that is the objective.

The first action the Government took was to increase the amount of the grant in the first year to $36,000. In the second year the total amount of the grant for both the remuneration of practitioners and the administration of the scheme was increased to $75,000. In the second year the total amount of the grant for both the remuneration of practitioners and the administration of the scheme was increased to $75,000. In the present year the grant will be increased again, from the $75,000 to $150,000, and in addition the Government has undertaken that the dividend to a practitioner for the current year will not fall below 50c in the $1. The important matter now is to ensure that we get sufficient funds into the scheme in the foreseeable future to make certain that the scheme does not collapse, because this scheme, which sometimes has been subject to criticism, has nevertheless been by far the best and most comprehensive legal assistance scheme that has existed, and does exist, in Australia. I think all members agree that we should do all we possibly can to ensure that the extent of assistance provided under the scheme is not diminished but, if at all possible, is increased. The present measure before the House is further action to try to attract sufficient funds into the scheme to enable it to survive in its present form.

The Bill increases the proportion of the trust moneys to be invested by a practitioner with

the society from one-half to two-thirds of his lowest annual trust account balance. This will increase by one-third the investment revenue payable into the statutory interest account maintained by the society. This revenue, after deduction of administrative expenses, is at present divided equally between the Legal Assistance Fund and the Guarantee Fund. It is proposed, however, that all additional revenue should be paid into the Legal Assistance Fund. Accordingly, the Bill provides that the revenues derived from the investment of trust moneys by the society should be divided between the Legal Assistance Fund and the Guarantee Fund in the ratio $\frac{5}{8}:\frac{3}{8}$. As a result of this allocation of revenue, the income of the Guarantee Fund will be maintained at its present level and the Legal Assistance Fund will receive the benefit of the increase in revenue.

The other amendments to the Legal Practitioners Act enable the society to make an arrangement for legal assistance on terms that the assisted person will make payments directly to the society. At present the arrangement can be made only on terms requiring the assisted person to make payments to the practitioner assigned to his case. The society hopes that ultimately it will be able to establish a centralized collection agency by which all amounts recoverable from assisted persons (except, perhaps, disbursements and out-of-pocket expenses) may be collected.

An ancillary amendment is made to the principal Act relating to the recovery of the society's legal costs in the new debt-collection proceedings that it will undertake. Members doubtless are aware that the society has legal practitioners on its staff. However, it is not convenient for these practitioners to appear on the court records in these new proceedings as solicitors for the plaintiff, because the consequent payment of judgment debts to them personally would give rise to a duty to establish separate trust accounts. This would be an unnecessary administrative burden.

On the other hand, if no solicitor appears on the court record as solicitor for the plaintiff, the society would not, under the ordinary principles, be entitled to recover a proper amount on account of the expenses that it incurs in employing legal practitioners on its staff who will in fact have the conduct of the proceedings. The Bill overcomes this problem by providing that the society will be entitled to recover its costs in all respects as if it had engaged a solicitor to act on its behalf and the name of the solicitor appeared on the court records.

The provisions of the Bill are as follows: Clauses 1 and 2 are formal. Clause 3 makes a drafting amendment to the principal Act. Clause 4 alters the proportion of the moneys held in a legal practitioner's trust account that is to be lodged on deposit with the society from one-half to two-thirds. Clause 5 provides that the revenue obtained from investment of trust moneys under the principal Act is to be divided between the Legal Assistance Fund and the Guarantee Fund in the ratio $\frac{5}{8}:\frac{3}{8}$.

Clause 6 amends section 24i of the principal Act to enable the society to make an arrangement for the provision of legal assistance on terms that the assisted person will make all or some of the payments for which he is to be liable to the society.

Clause 7 amends section 24j of the principal Act to provide that the costs incurred by the society in proceedings for the recovery of amounts due for legal assistance are to be assessed on the assumption that a legal practitioner has acted for the society in the institution and conduct of the proceedings.

Dr. EASTICK secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL

Read a third time and passed.

LAND TAX ACT AMENDMENT BILL

Read a third time and passed.

ENVIRONMENTAL PROTECTION COUNCIL BILL

Adjourned debate on second reading.

(Continued from August 29. Page 1073.)

Mr. NANKIVELL (Mallee): When I concluded my remarks last evening I had summed up the position in the United Kingdom and the United States, and I had outlined details of the legislation in Victoria and Western Australia on this matter. I had said that the Bill brought into this House was a much better measure than that introduced in Victoria in 1970 or in Western Australia in 1971, because I believed its terms were not as authoritarian or as precise as those of the Victorian and Western Australian legislation, which laid down hard and fast lines, defined the problem at that stage, enacted penalties for infringements, set up appeal committees in relation to infringements, and defined the problems of environment and pollution as they affected those States.

In my opinion, anyone who is so precise at this stage is rather presumptuous, because I believe some of the problems associated with environmental control and with pollution are still in a state of flux and will continue to change as we make what we term progress under the conditions existing today. Nearly all the problems we have in this area are due to development in one form or another, biological control in one form or another, or action in one form or another which has been determined at the time when the decision was made. The Governments of Victoria and Western Australia have predetermined the problems by introducing such authoritarian legislation.

I am rather concerned that in the second reading explanation no reference was made to the fact that in 1969 the Hall Government set up a committee, which we will call the Jordan committee, that had extremely wide powers to inquire into the problems that might occur in this State. The terms of reference of that committee provided that it would "inquire into and report on all aspects of pollution in South Australia, including pollution of land, sea, air and water, and all matters and things associated therewith; and submit recommendations to the Government of South Australia as to any action considered necessary to retain, restore or change the environment of the State so that the life of the community is improved and not impaired".

This is a wide reference, and it is no doubt because of the breadth of that reference that the committee has not yet reported. However, I understand, from a reply to a question asked in the House yesterday, that the Minister expects the report of this committee to be tabled within one month. It is an affront to this House to introduce legislation of this kind before such a report is tabled in the House.

Mr. Coumbe: It's an affront to the committee, too.

Mr. NANKIVELL: Indeed. The Chairman of this committee is Professor Jordan, who, according to *Who's Who in Australia,* 1971, has been the Angas Professor of Physical and Inorganic Chemistry at the University of Adelaide since 1955, and who is a highly respected person. The second member of this committee is Dr. F. D. Morgan; the third (and this is most interesting) is the present Director of Conservation and Environment (Dr. W. G. Inglis); the fourth member is Mr. C. W. Bonython; the fifth is Mr. E. M. Schroder; the sixth is Dr. P. S. Woodruff, who is the Director-General of Public Health in South Australia; and the other member is Mr. B. Mason. These members are very responsible people, who were selected by the then Government and appointed to this committee of inquiry because of their specific knowledge of certain matters.

Mr. Coumbe: The report will contain valuable information.

Mr. NANKIVELL: Yes, it would be a great help in debating this measure. I drew attention yesterday to the fact that the Ashby Royal Commission had been set up in the United Kingdom to define the problems of environmental control that existed, to act as a watchdog under the British Government (a Labor Government, headed by the Hon. Mr. Harold Wilson), and to help that Government deal with these problems. We have to accept at the outset that the U.K. Government, whether it is Labor or Conservative, has led the world in regard to environmental and pollution control. I do not think there is any doubt about that, if one reads back through the history of legislation dealt with in the British Parliament and if one reads about the means and measures of control being adopted.

Mr. Wilson's Government saw fit to establish a Royal Commission and to leave a standing Royal Commission under Sir Eric Ashby to define the problems and act as a watchdog to ensure that the Government departments carried out the recommendations and took action on them in the interests of the people of the United Kingdom. I was not aware, when I spoke on this matter yesterday, of the terms of reference of the Jordan committee, and I repeat that it is most unfortunate that this House has not had the advantage of having the report of that committee before it before it has to discuss this Bill. It is an affront to that committee, because this Bill seeks to set up another committee with the powers of a Royal Commission to undertake what could be described as an identical inquiry to that undertaken by the Jordan committee.

Mr. Coumbe: It could be a committee reporting on or duplicating the work of an existing committee.

Mr. NANKIVELL: It could. The Minister knows that I was critical of the fact that we had not defined the perimeters of our problem or done the basic work before setting up this new committee, and I now find that it will investigate the same problem as the Jordan committee has already investigated. If the Minister knows what is in that committee's report he has an advantage over this House. If he is not satisfied with what it contains, he should have told us so in his second reading

explanation, before he proposed to set up another Royal Commission.

I accept that the intentions of the Government are honourable and proper, and I believe that members on this side agree that a body with wide powers should be set up to report and advise on the overall condition of the environment throughout the State, the efficiency or effectiveness of the measures being taken or proposed to be taken to protect the environment, the possible dangers to the environment of any proposed development; to warn of potential environmental deterioration which it may foresee; and to recommend action to overcome or correct anything affecting the environment adversely. This is the Government's intention in setting up this proposed environmental protection council. It can be seen that the terms of reference of the Jordan committee and the terms of reference of this new council are almost identical. Why do we have to duplicate the work of a committee which has already been established?

The Hon. G. R. Broomhill: You should have read the second reading explanation.

Mr. NANKIVELL: I have it here, but nowhere does the Minister mention the Jordan committee or say that a committee has been set up to inquire into the very problems proposed to be dealt with by this Bill. Had he done this, it would have been of great assistance to members on this side: I had to carry out much research to determine who the members of the Jordan committee were and what the terms of reference of that committee were. Had it not been for the Minister's reply to a question from the member for Mitcham, I should not have known that the committee was to report in about a month.

The Hon. G. R. Broomhill: I cannot be blamed for your ignorance.

Mr. NANKIVELL: It is not a question of ignorance. I do not think I am the only ignorant member of this House: I believe that all the members were ignorant of this information until the Minister gave it to the House. I am disappointed that in his second reading explanation he did not say that the report into this aspect of research was to be made within the next month. My view—and I think I speak for most members on this side—

The Hon. G. R. Broomhill: There would not be many.

Mr. NANKIVELL: —is that this committee is, as I described it yesterday, comparable to a committee set up by the Secretary of State for the Environment in Britain or to the committee known as the President's Advisory Committee in the United States, because it is basically comprised of leading public servants. Although they are competent people and I am not reflecting upon their ability, they are very busy people. In other legislation on this matter, advisory committees have always been set up, representing the interested parties, from a cross-section of the community to act as advisory bodies (to the authority in Victoria or Western Australia)—the President's Advisory Committee in the United States or the committee set up by the Secretary of State for the Environment in the United Kingdom.

However, in this legislation we are not setting up any advisory body at all: we are setting up a council, four members of which are to be senior public servants (two of whom are, or would have been, on the Jordan committee) and we are also providing for four other people. However, we have not said, in providing for four other people on this council, that they would be people whose names would be submitted by any body. All we have done in the Bill is provide that they shall be, in one instance "a person with knowledge of and experience in industry", and presumably they will be nominated by the Chamber of Commerce or the Chamber of Manufactures, or a list of names will be submitted to the Minister from those sources. That would be equivalent to Mr. Schroder, who was on the Jordan committee.

The Hon. G. R. Broomhill: What is wrong with that?

Mr. NANKIVELL: Nothing; and "one shall be a person with knowledge of biological conservation; and two shall be persons qualified in a field of knowledge". Who suggests the names of these people to the Minister? Does he call for nominations or is he proposing to call for nominations or a list of names from the bodies interested in the various aspects of conservation? How does he propose to obtain the names of these people? Usually, it is stated that the names will come from a list nominated by such-and-such a group. Perhaps the Minister thinks we are accepting the principle that from some source a panel of names will be nominated to him, from which he will make a selection. However, it does not say that in the Bill. I believe that we need to have someone to define the problem for us. The report of the Jordan committee has not yet been presented, yet now we are setting up an environmental council to inquire into the same matters, although

perhaps in greater depth, although the Minister has not said so. Perhaps it is intended that the council will take up points made by the Jordan committee; I do not know.

The Hon. G. R. Broomhill: You know what we contemplated. You have been asking me questions about this for six months.

Mr. NANKIVELL: If I knew that, I would be a mind reader. I know only what the Minister has provided in this Bill; anything else is just words and is not significant.

The Hon. G. R. Broomhill: The honourable member should read the Bill.

Mr. NANKIVELL: I have done that, and I have also read the Minister's second reading explanation. This Bill sets up a Government-controlled committee, which includes four senior public servants, with the Director of Environment and Conservation as Chairman. He has a casting vote, so the council is Government-controlled.

Mr. Payne: You seem to have changed your tune.

Mr. Clark: Have you received different riding instructions?

Mr. NANKIVELL: I have not received any riding instructions. Because I was not given all the facts by the Minister, I subsequently obtained more information. Consequently, I am now raising these points. Although I believe that what we are doing here is much better than what has been done in Victoria and Western Australia, my criticism is that no reference has been made to the fact that within a month the Jordan committee is to report on many of the aspects about which we are concerned.

The Hon. G. R. Broomhill: Did you read a recent newspaper article?

Mr. NANKIVELL: I am expressing my opinion as a result of my reading of the Bill and the Minister's second reading explanation. I am not concerned about what is said by anyone else. I believe that all members agree that environmental protection and the preservation of the quality of life are important. I believe that we must do what other States have done but, ultimately, this will be the result of recommendations. We will have to license and control certain industries to ensure that unnecessary pollution does not occur. If there is any possibility of polluting the environment, it should be controlled within reasonable and safe limits from the point of view of the society in which we live.

Mr. Harrison: It is long overdue.

Mr. NANKIVELL: I think that all members will agree. Much of the preliminary work should be done in the Jordan committee's report. We should not need to appoint a committee of inquiry: the inquiry should have been undertaken, if that committee has done the work it should have done under its terms of reference. The council the Minister is establishing should not need such wide powers. It should be able to move quickly into establishing the problems immediately important to us in the State. The council's recommendations should, I suggest, result in legislation being introduced in the next session to deal with some of these problems.

It seems to me that there is a possibility of duplication, which we cannot afford. The Jordan committee has been an effective committee, and its members are either responsible or not responsible people. If they are responsible, much of the work the council will be required to do has already been done for it. Much of what is set out in the Bill about the ideals for which the council is to be established has been, to a large measure, covered. The council should be concerned only with the more specific task of defining the more definite problems and making definite recommendations to the House on how they should be dealt with. In this respect, we are trailing the other States: they have already done this. Perhaps they have been rather hasty in making decisions and have not taken a sufficiently wide view of the problem. This Bill is good because it takes a very wide view of the problem.

I support in an unqualified manner the intentions of the Bill. It is vitally important to the people of the State that we do something finite in this matter. I have given notice of certain amendments I propose to move in Committee. I have no hesitation in supporting the intentions of the Bill, because the Opposition believes most definitely in the protection and conservation of the environment and in every aspect of caring for and preserving the quality of life for the people of the State. With the qualifications I have made, I support the second reading.

Mr. KENEALLY (Stuart): This Bill has my wholehearted support. It has been said by cynics that people who support the policies on pollution and conservation are jumping on the environmental band waggon. That may well be so but, for whatever reason people jump on the band waggon, the result will meet with the applause of all thinking people. I do not consider that Government members are more concerned than Opposition members about the protection of our environment. Every

thinking person must share the concern of every other thinking person about what we are doing and about what is happening to the environment.

Although I do not agree with everything the member for Mallee has said, he has shown an admirable concern. He said in concluding his speech that he believed he was speaking for all Opposition members, and he could as easily have been speaking for all Government members. I consider that his reservations about the council and how it will work are ill founded. Nevertheless, if I also adopted that attitude to the Bill, probably I would be asking the Minister the same questions as the honourable member asked. I do not consider that the council that we hope to establish under this Bill will be a duplication of the Jordan committee. The Jordan committee and the Environmental Protection Council will both serve useful purposes, but the purposes will be different.

The member for Mallee was rather curt about the Minister's not saying that the previous Government, the Hall Government, had appointed the Jordan committee, and the honourable member said that the Minister did not refer in his explanation to the wide terms of reference given that committee. I am willing to compliment the Hall Government on having established that committee but, as I have said, concern about the environment is not Party political: all thinking people have that concern. The report of the Jordan committee will add much to what we know already and, probably, will give important and vital information for the department to work on, but I do not think that the committee's work and its report will affect what this council is being established to do. I suggest that members read clause 14 (1) of the Bill, which provides:

Subject to this Act, the council is charged with the responsibility of considering and reporting on matters affecting the environment of the State referred to it by the Minister and to consider and report on such other matters as, in its opinion, affect the environment of the State.

The major matter in that clause is that the council shall investigate and report on matters that the Minister refers to it. The Jordan committee had extremely wide terms of reference and probably will be able to report on most of the factors affecting the environment of this State, but that report will not cover all the factors. From time to time problems will arise in South Australia on which the Minister will need to have expert opinions. Through the council, he will have ready access to such opinion, not only from the council but also by virtue of the powers vested in the council to obtain expert advice from outside sources. Therefore, the council will serve a distinct purpose beyond the purpose of any other committee that may have been appointed to report on the environment.

All the reservations expressed by the member for Mallee about the Bill are groundless, certainly when one considers the terms of reference and what this council is intended to do. If I were to adopt the same belief as the honourable member about the impact of this Bill, I would ask the same questions. I shall be interested to hear the Minister's reply. I am confident that the Minister will be much more articulate and much more specific than I have been in dealing with the problems raised and that he will give a very capable and competent answer which will be acceptable to the member for Mallee and to his Party. They will accept it because they are concerned about the environment and the protection of that environment.

It is probably opportune to report briefly on what has been achieved by the department and by the Minister in the short time since the department was set up and in the short time we have had a Minister of Environment and Conservation. We in South Australia have made giant steps. We lead the other States of Australia in our attitude towards conservation. The steps initially taken by the Hall Government would have ensured that South Australia would be a leader in this field, irrespective of which Party was in power, but it happens that South Australia has a Labor Government and that Government is continuing on with the work done already. I think this meets with the approval of everyone.

The new department has been able to combine under its responsibility matters relating to national parks and wild life, the State Planning Authority, the South Australian Museum, and another department dealing with administration and finance of the Environment and Conservation Department. The department's work is done in liaison with the Health Department, the Engineering and Water Supply Department, and other departments.

The protection of the purity of our water supply is of great importance and action has been taken in this direction by the purchase of the Chain of Ponds property and by the protection of our watersheds. The Minister has co-operated with the Health Department in the matter of the air pollution potential alert

system. South Australia was the first to implement such a system, and it has been made effective by the voluntary co-operation of the general public. There has been no need for legal sanctions. The air pollution potential alert system will be complemented in January, 1973 by the new clean air regulations based on the regulations which, implemented in the United Kingdom, have had such a dramatic effect on conditions in London. I have not been to London, but I have seen films showing the effect of the clean air regulations, and this is a move everyone should applaud.

The department has been able to operate in another area with the projected establishment of Murray New Town. One of the greatest problems we are likely to face within the next 30 years is that of population growth. It has been estimated that world population will double by the year 2000, and so we will have another New York, another Tokyo, another London, and certainly another Adelaide. Steps must be taken now to deal with this problem, and the department has done this with the proposal to set up a new town situated near Murray Bridge.

The ACTING DEPUTY SPEAKER (Mr. Crimes): Order! There is too much audible conversation in the Chamber.

Mr. KENEALLY: Steps have been taken to ensure that the Adelaide metropolis will not extend through the Mount Lofty Range and connect with Murray New Town, and this is another area in which the department has been active. It has also considered actively the matter of open space, and to date a total of 4,269 acres has been acquired at a cost of $2,511,370. The department has a creditable record in regard to its policy on national parks and the development of recreation areas, and it has taken steps also to protect native fauna. We have in South Australia legislation designed specifically not only to protect our own environment but also that of every living thing. Indeed, we have a responsibility to preserve our fauna and flora so that perhaps our children's children will not know about them only through picture books.

In regard to coast protection, a matter that has been treated by the department as being of the utmost importance, I think a total of $400,000 is being spent not only on maintenance work and on repairing damage already occasioned but also on research into ways and means of protecting our beaches. New measures regarding the protection of wild life which have been introduced and debated in this House will certainly be effective and ensure the preservation and protection of our wild life, and this is, again, a matter of vital importance. We have seen the results of the department's action regarding regional planning, involving both Kangaroo Island and the Flinders Range areas, and ensuring that the existing natural beauty of those areas will be preserved. However, the preservation of those areas would have been doubtful had this sort of legislation not been introduced. The Minister and his department have considered many other areas, including the problem arising from the proliferation and types of packaging. The Director of the department, on behalf of the Australian Environmental Council, is leading a study on this problem.

The Minister himself has indicated that he is concerned to ensure tree planting along roads, in houses and on industrial properties, and this matter has been pursued by the department since its inception. This is another step that can only be applauded. In his position as Assistant to the Premier, the Minister is in a positon fortunate for South Australia: being aware of any proposed industrial development, he can not only suggest but also recommend environmental protection controls to be applied to the industry concerned. He is also concerned with mining legislation, and here I point out that the Extractive Industries Committee will ensure that the activities of any mining or extractive industry shall not be carried out to the detriment of the environment.

Other areas have also seen the department's attention focused on them through the purchase of historic buildings. We have seen the purchase of the A.N.Z. Bank building at a cost of about $1,000,000 to the Government. Another area of concern is Hallett Cove, and the expensive purchase of this important historical and scientific site by the Government will ensure its preservation. I considered it of importance to refer to the work that has already been done by the department because, when a new department is set up, it is difficult to quickly gauge what is its area of responsibility. However, I believe that in South Australia we have progressively moved in the right direction and, in setting up a Minister and a department, we have taken the lead in Australia. In other States the Ministers in charge of environmental matters have other Ministries under their control, and this leads to a complex and confused situation. Those Ministers do not have the control and authority that our Minister has, and this Bill is another

step in the progressive approach that has been shown by this Government in its attitude towards environmental control.

The council provided for by the Bill is not a new council that will start from scratch: it is a council whose work will be complementary to the work that has already been done. The council will be able to investigate and report to the Minister on projects and problems that have been referred to it by him, and the council will certainly have the authority to initiate investigations on its own accord, although no person would be so foolish as to say that any committee, even the Jordan committee, could report on all our environmental problems. About 10 years ago this matter was not even a subject that was widely discussed. Then, three or four years ago the Hall Government set up the Jordan committee, which was to operate for three years and bring down a report. Although that report will be of great importance, if that report is presented to the Minister now we will need another committee to which the Minister can refer other problems as they arise. Indeed, in the field of the environment and environmental control, problems will arise every month—

Dr. Tonkin: Have you seen the report?

Mr. KENEALLY: —and I hope these problems can be referred to the new committee. I did not hear the interjection of the member for Bragg—

The ACTING DEPUTY SPEAKER (Mr. Crimes): Interjections are out of order.

Mr. KENEALLY: Even though interjections are out of order, it makes no difference whether I have seen the report or not. The report can only refer to matters on which action must be taken in respect of problems we are now facing. The Jordan committee is not competent to report on the action needed in respect of all future problems about which we have no knowledge today. It matters not whether the member for Bragg accepts that opinion or not. Indeed, he may believe that he knows all the problems that may arise. If he has, he is most fortunate and may be able to give this House the benefiit of his knowledge. I suspect that, knowledgeable though he may be, there is just a possibility that a problem of which he is not aware at the moment will arise that would have a direct influence on our environment.

I did not intend to speak at length on this Bill. The Opposition's objections to it are based on a false premise. I do not believe that its reservations about how this council will operate and about its terms of reference and the work it will do are well founded. When members opposite hear the Minister's reply to this debate, I believe they will give this measure their wholehearted support.

Mr. Mathwin: Why rush the Bill through tonight?

Mr. KENEALLY: I was interested to hear both the speeches made by the member for Mallee, although his two speeches may have contradicted each other slightly. Nevertheless, his contribution was valuable, although misguided. The member for Bragg, with his hand to his ear, will probably continue to act on that false premise, although, if he is patient and lets the Minister reply to this debate, he will not need to speak. As to the suggestion that the Bill is being rushed through Parliament, anyone on the other side who says he holds valid views but cannot discuss this Bill in a reasonably short time should be ashamed to admit such a thing, because this Bill is not the foundation of environmental policy: it is merely complementary to other actions already taken. This is not unique legislation that will change the Government's attitude to this problem. It is an important measure and I hope the work to be done by this council will be of the greatest importance, for this is a vital matter for South Australia. I am confident that the work of this council will prove that the decision to set it up was important and that it will meet with the wholehearted support of the community. With those few remarks, I repeat that this measure has my full support.

The Hon. D. N. BROOKMAN (Alexandra): It is little wonder that people question the effectiveness of Parliament in view of the performance of members on this Bill tonight. There is more bulldust and eyewash in this Bill and less material advantage than there is in almost any piece of legislation one can think of. There is absolutely nothing in it except the setting up of a council to investigate and report on various matters—and this at a time when the important Jordan committee is close to making its report. Yet members behind the Government front bench get up and, with what I can only describe as sickening flattery, praise the Minister for what he is doing about air pollution and how he has reorganized Kangaroo Island. If the honourable member for Stuart, who I believe comes from Port Augusta, took the trouble to study just what happened on Kangaroo Island, he would see that most of the information he gave us tonight was also

bulldust. There is no excuse for sycophantic speeches from the Government back-benchers. The previous Government appointed an important committee under Professor Jordan.

Mr. Payne: The previous Government is the crux of the whole matter.

The ACTING DEPUTY SPEAKER (Mr. Crimes): Order! Interjections are out of order.

The Hon. D. N. BROOKMAN: At the time the Government of which I was a member appointed the Jordan committee, it thought that its appointment was one of the most important actions it could have taken. It took the greatest trouble in selecting the committee members. It selected Professor Jordan as the Chairman, and it selected Dr. Inglis, Dr. Morgan, Mr. Schroder, Dr. Woodruff and Mr. Mason as members. Those gentlemen were selected because of their ability to cope with the terms of reference with scientific, philosophic and practical ability. That committee is one of the most important that this State has had, and anyone considering the problem of pollution cannot deny its importance. Yet the Government, only a short time before the committee's report is due, introduces legislation presupposing some part of the committee's report while at the same time ignoring the terms of reference.

The Hon. Hugh Hudson: Do you think that the Minister doesn't know what is in the report?

The Hon. D. N. BROOKMAN: If the Minister knows what is in the report, it is all the more reprehensible for him to conceal from Parliament what is in that report. There could not possibly be anything in that report that Parliament should not know, yet the Minister has the effrontery to introduce legislation on that very subject just before the report is due.

The Hon. Hugh Hudson: How long do you think it takes to print the report?

The Hon. D. N. BROOKMAN: If a Labor Government has a report, it is a matter of how long it will be before it produces that report.

The Hon. Hugh Hudson: What about the Karmel report?

The Hon. D. N. BROOKMAN: You shut up.

The ACTING DEPUTY SPEAKER: Order! Interjections are out of order. The honourable member for Alexandra.

The Hon. D. N. BROOKMAN: Thank you, Mr. Acting Deputy Speaker; I accept your comment and I admire it. The Labor Government has a room full of reports that it has not released. The previous Government set in train other important inquiries, including those conducted by the Sangster committee and the Bennett committee. The reports of those inquiries have not been released. Now, before the Jordan committee's report is released, the Government is introducing legislation that does nothing more than what the Jordan committee was asked to do. That committee's recommendations may well bear heavily on this report, yet the Minister has made no reference to that committee as though he has either not heard of it or thinks that, because it has been supported by another Government, it might besmirch his record. The member for Port Augusta gave a sycophantic report about Kangaroo Island, about which he might not even know. If he asks me about the proposed regulations for the island I can tell him something about them, but they are far different from what he reported to the House; it was complete nonsense. If, on the few occasions that Government backbenchers speak, all they do is praise the Ministers, when they go wrong, this Government's life will be much shorter than they really believe. I warn them that the Government will suffer from complacency and conceit.

Mr. Payne: We don't need any of your advice.

The DEPUTY SPEAKER: Order! Interjections are out of order.

Mr. Payne: You are not in any position to advise what to do. You are not in Government.

The Hon. D. N. BROOKMAN: The council has no power, except one to which I object. Its other powers are non-existent. The Minister likes to think that he is important and serious-minded about environment and protecting the environment. When his back bencher colleague was speaking (and I might say praising him in the way in which a Minister should be pleased), he was interjecting on Opposition members about all kinds of extraneous matters, such as reports in the weekend press, and making other flippant comments which were not only irrelevant but which made one doubt his sincerity.

The Hon. G. R. Broomhill: You wouldn't be—

The Hon. D. N. BROOKMAN: I can only say that it is time the Minister became disturbed about some matters which I think he treats with complacency. It is all very well to announce over the radio that it is not a good day to light incinerators, etc., and then to say, "Listen to the things we have done." The member for Stuart said that we have taken a

lead from the other Australian States and that this legislation was another step in the progressive policy of the Government. Have the members who are now taking umbrage at what I am saying read the Bill? Do they know what the duties of the council are? Its powers and functions are contained in clause 14. The council is charged with the responsibility of considering and reporting on matters affecting the environment of the State; of considering and reporting on existing and potential problems; of considering, developing and reporting on means of enhancing the quality of the environment; of consulting with and obtaining the advice of persons having special knowledge, etc.; and of recommending or promoting research on matters connected with the environment.

Not one of those things gives the council any other power, except to make a few inquiries, and to make them very much subject to the Minister. There is one other thing that every committee established by a Labor Government must have, and that is the power of a Royal Commission. As I have said previously, the powers of a Royal Commission should be given in specific cases for specific inquiries, not for general inquiries.

One of the biggest problems that we will face in future about preserving the rights of the individual and the liberty of the citizens of the State will be to protect them from inquiries that have no specific purpose when they are established. It is all very well to appoint a Royal Commission to investigate and report on a matter that has been considered by a group of men, such as the Cabinet, and then has been ordered by Government proclamation. However, it is a different matter to establish a standing committee with the powers of a Royal Commission and give that committee power to investigate many matters, regardless of whether this council has power to act. This council will have the powers of a Royal Commission, and I consider that that is wrong unless the council submits a case for a special inquiry.

The Hon. G. R. Broomhill: That's in the Bill, if you will only read it.

The Hon. D. N. BROOKMAN: If the council requires that power, the power should be given to it, but it should not be given in any other circumstances.

The Hon. G. R. Broomhill: That's in the Bill, if you will only read it.

The Hon. D. N. BROOKMAN: If the Minister will calm down, I will tell him that his Bill is eyewash, piffle and bulldust. I will not oppose the second reading, because amendments to be moved would improve the Bill if there was not a block vote from the Labor Party, but I consider that the Labor Party will support the Minister with even more flattery and will not accept amendments in Committee. However, this Bill should not pass for at least some time after the Jordan committee report becomes available, so that that report can be considered. The members of that committee are highly qualified, and the committee has been operating for several years. I shall be surprised if it does not produce something that has a bearing on future legislation, yet this Government introduces a measure anticipating the report, without mentioning the matter.

The Government does not give attention to anything that has been initiated by another Government. The Minister of Environment and Conservation has my good wishes, and I like the way in which he is operating in many respects, but I consider that, if he adopts this stupid attitude that members of the Opposition do not count and Parliamentary consideration does not matter as long as he has members behind him who will say that he is a good Minister, he will be falling down on the job. This Parliament requires more life and vigour than the front bench of the Labor Party will allow.

Dr. TONKIN (Bragg) moved:

That this debate be now adjourned.

The House divided on the motion:

Ayes (15)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Ferguson, Gunn, Hall, Mathwin, McAnaney, Nankivell, Rodda, Tonkin (teller), and Wardle.

Noes (24)—Messrs. Broomhill (teller) Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, McKee, Payne, Ryan, Simmons, Slater, Virgo, Wells, and Wright.

Pairs—Ayes—Messrs. Evans and Venning. Noes—Messrs. Hopgood and McRae.

Majority of 9 for the Noes.

Motion thus negatived.

Dr. TONKIN: Mr. Speaker, I am sorry if my motion to adjourn the debate has upset the proceedings at all.

The Hon. D. N. BROOKMAN: I rise on a point of order, Mr. Speaker. The honourable member's remaining time is now shown to be 39 minutes. Does he lose the time that it took to hold the division? Does that count against him in regard to the time he has left to make his speech?

The SPEAKER: The honourable member does not lose the time taken to hold the division: five minutes will be added to the time showing on the clock. However, the time taken by the member for Alexandra in regard to his point of order will not be allowed in calculating how much time the honourable member for Bragg has left.

Dr. TONKIN: I thank you for that ruling, Mr. Speaker. I am not sure just how long I will be provoked to carry on but, nevertheless, I moved the motion for the adjournment of the debate for a specific reason, and I think the Minister well knows this. Preceding speakers—

The SPEAKER: Order! The honourable member cannot debate the motion for adjournment; he must speak to the second reading. The question of adjournment has been decided, and it is entirely contrary to Standing Orders for the honourable member to refer to that matter.

Dr. TONKIN: I am most grateful for that ruling, Sir, but, I say with the greatest respect, I was trying to speak to the second reading of the Bill when I was interrupted.

The Hon. G. R. Broomhill: Have you—

Dr. TONKIN: I have heard reference this evening to "Onlooker", and the Minister and members opposite who have spoken in this debate already and who have ventilated the subject of "Onlooker" and his column quite thoroughly and extensively are, I think, taking a great deal of pride in this; but I believe this is another example of the sort of treatment that this Opposition has come to expect from the Government. I should like to refer to two quotes from the conversation that went on. I am sorry that the member for Mitchell is not in the Chamber at present, but I think all members who were heard him say to the member for Alexandra, "You're not in any position to advise; you're not in Government." We know this very well: the honourable member does not have to tell us.

Mr. Ryan: We had a decade of it; you don't have to worry about that.

The SPEAKER: Order!

Dr. TONKIN: We are in Opposition, certainly, but we are members of Parliament. We represent people and we deserve the same consideration, and I believe we should be able to expect the same consideration, as we would expect to be shown to any individual in this community. The Minister of Roads and Transport—

Members interjecting:

The SPEAKER: Order! There are far too many interjections from both sides, and I will not tolerate it any longer. The member for Bragg is entitled to be heard with courtesy.

Dr. TONKIN: Thank you, Mr. Speaker. The Minister of Roads and Transport said, "They're going to lose anyway." That was not news to me, and I do not think it was news to anyone in this Chamber. As the member for Alexandra has said, we are being treated with scant consideration, and I point out to the Government and to all members opposite that, when they treat the Opposition with little or no consideration, they are treating a sizable proportion of the community in this way.

Mr. Ryan: A minority!

Dr. TONKIN: I do not care whether or not it is a minority: the Government is treating those people with exactly the same lack of consideration. Having said that, I indicate my support for the Bill. I think it is an anachronism, because it is being introduced about a month too soon. I am sorry that I cannot agree with the member for Stuart that the Jordan committee's report will make no difference at all: that this Bill should be introduced in any case. The honourable member could be right. I hope that he is because, bearing in mind the bulldozer tactics of this Government, this Bill will pass.

I hope that in this instance we see our suggestions and advice heeded instead of being thrown away out of hand, which is an absurd situation. I believe that the Jordan committee's report will be one of the most important reports made to this House. Its importance will rank with that of the Karmel report, which has also attracted wide attention as an authoritative and studied summary on education needs in South Australia.

Mr. Nankivell: A magnificent publication.

The SPEAKER: Order! Interjections are out of order.

Dr. TONKIN: The honourable member has entirely summed up my opinion of that report. Even if the creation of the council is the right move, I cannot agree that the introduction of this Bill at this time is the right move, because we as members of Parliament and the community generally have a right to know that this is the right move. I have no doubt that the Minister has seen the report and knows what it contains. I have no doubt that it is as a result of that report that this Bill has come before us. However, I shall be disappointed if it is not, and I should like to know the position.

We have a right to know, and our constituents have a right to know.

Environmental protection is one of the most important matters concerning mankind. Other members have dealt with this subject and its importance at length. General recognition and awareness of the importance of this matter and the dangers of pollution that we are facing is wide. People are so well informed that they will want to know the basis on which the council is to be set up. This awareness has arisen through school teaching, lectures, and television programmes (I refer especially to *Doomwatch,* which is a remarkably fine programme on this topic). Members of the community have seen for themselves the effects of pollution as it begins to affect Adelaide. Honourable members need only come down from the Hills (as the member for Fisher does each morning) to see the layer of smog covering the city. It is significant that courses on environmental science are soon to be set up in our tertiary education institutions throughout Australia, and I hope we will soon see courses commence in this State. It is, of course, necessary for this to be done because environmental protection involves many facets and disciplines. In his second reading explanation, the Minister said that the introduction of this Bill was tangible evidence of the Government's concern. If that is so, I welcome the introduction of this Bill and I will support it, certainly at the second reading, but I wonder whether it is tangible evidence and is based on something that is necessary. Certainly, I agree that the accepted way of starting any environmental control in any country is to get together a committee of experts. That is being done in all the other countries where such control exists.

Much play has been made in the last few years of the fact that the Thames has been cleaned and fish are now to be caught as far down the river as the Pool of London. The river is much improved but what most people do not realize is that the Thames Conservancy, the body responsible for this, has been in existence for over 90 years. The problem was seen as long ago as that.

Mr. Nankivell: I thought it was formed in 1852.

Dr. TONKIN: In this particular form.

Mr. Nankivell: Oh!

Dr. TONKIN: We are particularly fortunate in this country in that we do not have the same problems as are experienced in Europe generally and in North America, where heavy industrialization has produced problems of environmental pollution. We have our own peculiar problems, one of which is a tremendous lack of water, but nevertheless we have a head start on other countries; in South Australia and in Australia generally we start with a tremendous advantage. We must establish a council like this, which is necessary. I do not share all the misgivings of my colleague from Alexandra, for I think it is necessary to have this council in one form or another. I am concerned about the composition of the council, which I think needs to be looked at very carefully. As honourable members will know, the Director of Environment and Conservation in the Public Service of the State shall be a member; and also the Director and Engineer-in-Chief of the Engineering and Water Supply Department.

Mr. Nankivell: Dr. Inglis was also a member of the Jordan committee.

Dr. TONKIN: I was coming to that. It seems there is a possibility that those members of the Jordan committee who are so well qualified may be appointed to this council.

Mr. Nankivell: I agree.

Dr. TONKIN: It would be a good thing if that were to happen. I wish, however, that the release of the report over the names of those learned gentlemen could coincide with the passage of this Bill, because we would have much more to debate and could speak about this matter with much more authority if we were assisted by the report of those gentlemen.

Mr. Nankivell: Hear, hear!

Dr. TONKIN: The Director, Department of Premier and of Development, and the Director-General of Public Health are also to be members; and there will be four other members appointed by the Governor—"one shall be a person with knowledge of and experience in industry; one shall be a person with knowledge of biological conservation" —that sounds good—"and two shall be persons qualified in a field of knowledge." That must have taken someone a long time to draft.

Mr. Becker: Which union?

Dr. TONKIN: I can think of a number of examples. The provision is rather wide; it could even involve a lecturer in economics. However, I do not think that this is wide enough, because there is a tremendous number of people who are well qualified to serve on this council. In his second reading explanation of the Victorian Environment Protection Bill, the Victorian Minister of Lands said:

Advising the authority would be an Environment Protection Council consisting of 17 high-level representatives of agencies and technologies related to the primary problems of environment protection. The selection of representation was influenced greatly by the need to keep the size of this advisory group within manageable proportions so that it could function efficiently yet have a desirable breadth and depth of expertise and representation. To effect co-ordination between programmes of certain State agencies, specific representation has been provided in the membership to bring the advice of these agencies to bear on the problems of the programme and to provide a high level and continuing liaison with those agencies.

Mr. Nankivell: Those representatives were to advise an authority of three members.

Dr. TONKIN: The Victorian Minister of Lands continued:

Thus the Engineer in Chief of the Melbourne and Metropolitan Board of Works, the Chief Health Officer, the Director of Fisheries and Wildlife, a commissioner of the State Rivers and Water Supply Commission, the Chairman of the Soil Conservation Authority and an engineer of the Ports and Harbors Branch of the Public Works Department are specifically mentioned in the Bill for membership on the council.

Those officers are still a minority of the total membership. I believe that this points to a defect in this Bill. The eight-member council has powers going far beyond that of an advisory council. Four members of the council will be public servants, and the Chairman, the Director of Environment and Conservation, will have a casting vote. With the best will in the world, Government departments do have axes to grind and they have special interests. Whilst I thoroughly agree with the need to have these public servants as members of the council, because of the need for liaison between departments, I believe that we must also have outside experts, who should outnumber the public servants on the council. I also believe that the Chairman should not be a Director of a Government department. To have the Director as Chairman puts the council in an extremely difficult situation. Inevitably the Chairman of any council has considerable influence on the other council members and on the matters discussed, so inevitably the Director's viewpoint will show through in this council.

Mr. Nankivell: And the Director's viewpoint that will show through will really be the viewpoint of the Minister.

Dr. TONKIN: Yes. The Chairman, being the Director of Environment and Conservation, will undoubtedly mirror the Minister's opinion. So, what we are really setting up is a council with wide powers which, in effect, will be dominated by Government officers, particularly the Minister, exercising his influence through the Chairman. That is not how it should be. It is wrong to set up a Government-dominated council to tell the people what they should do about environmental conservation. If we are to respect and get the best use from those people who have advised us so well (and who I hope will continue to advise us), we must not allow Government influence to change their points of view or to steer them off on another course—away from a course of action which appears to be necessary but which the Government for reasons of expediency might not wish to follow. I do not think that anyone would deny that Governments do steer alternative courses for reasons of expediency. This subject is far too important to be left to the whim of the Minister.

Mr. Nankivell: Even a competent Minister.

Dr. TONKIN: I thank my honourable friend. I am not criticizing the Minister's competency or the competency of the officers specified in the Bill. I think they will act in good faith, but it is not right that they should have the entire say. I think this has been the experience in oversea countries where similar councils and committees exist.

Mr. Nankivell: That is why the then Prime Minister Wilson appointed an independent Royal Commission under Sir Eric Ashby.

Dr. TONKIN: Yes. I believe that the matter is a serious one and that the future of the State, indeed that of Australia and the whole world, is at stake. We have a duty not only to the individuals in our community but to the world as a whole. This will be a two-ended advisory council. We must look after the problems that affect South Australia. In looking after those problems we will, in turn, be looking after problems that affect the world again. No-one can avoid the problems that are growing month by month. I believe that we must take the chairmanship away from a Government servant and place it in the hands of a competent expert chosen by the Minister. I believe that we should widen the membership of the council to include some of those other experts who have already given such good service on the Jordan committee, in whose report I have every faith.

The Hon. Hugh Hudson: We can't include them all.

Dr. TONKIN: That is the very point I am making: if they are worth having, we should allow for all of them and for others. I welcome the introduction of this important Bill.

I commend the Government for its action, but wonder why the Bill had to be introduced at this time. I wonder what is the Government's legislative programme? We have been criticized as an Opposition because legislation is passed through the House quickly. I will not raise the matter of the Loan Estimates debate again, except to say that we repeatedly heard the Deputy Premier's comment, "I will get a report for the honourable member." That is very much the reason why legislation has passed through the House quickly, because at present the Government has made it clear that it does not care about the Opposition. The Government's action here this evening in insisting that the Bill go through tonight is not in the best interests of the State. Just what is the Government's programme? Can it not get its legislative programme organized? Is there nothing else the Government wants to introduce? Is it looking for wishy-washy legislation that will not arouse any controversy? If the Government cannot find any legislation, will it send us home early and get someone to write in the press, "What a weak Opposition; it's not debating any of our legislation."

Mr. Mahtwin: The Premier said the same thing.

Dr. TONKIN: I question the Government's motives in introducing this legislation before the Jordan committee's report has been released and I protest once again that we are being asked to consider this legislation which, in all probability, is right in principle, but which we do not know for sure is or whether the experts think that it is.

The Hon. Hugh Hudson: Why not use your common sense, or haven't you got any?

Dr. TONKIN: The Minister seems to have a crystal ball, or expects us to have one. The Minister is showing the same lack of consideration that typifies the Government.

The SPEAKER: Order! Interjections are out of order.

Dr. TONKIN: I support the second reading and hope that the Bill comes out of Committee in a changed form.

Mr. BECKER (Hanson): I also wish to raise objection to this legislation. We have not had the opportunity to see the Jordan report to ensure that what the Bill does is in the best interest of the community. Doubtless, at present the community is more aware of the need to preserve the environment than it has ever been previously, and many people are working to ensure that that will be so. The Bill provides for a council of eight members. Four of these will be public servants, one will be a person with knowledge of and experience in industry, one will be a person with knowledge of biological conservation, and two will be persons qualified generally in any field of knowledge.

It will be most interesting to know how the Minister determines the members other than the four public servants. Doubtless, there will be an opportunity for one or two friends of the Government to be appointed on this council, to receive remuneration for services rendered to the Party. We hope that they will be able also to make some contribution to protecting and preserving the environment. Regarding the selection of two persons within the community qualified in a field of knowledge, possibly thousands of people have undertaken much work as a hobby or study, and the Government should be seeking to continue the opportunity for people to make submissions and undertake research on behalf of the Government. I hope that the new council, with all the power that it will have, will offer encouragement. Provision is made for this to some extent, but I should like greater encouragement given. We will be looking, too, for greater participation by our educational institutions. They have done this already, they are doing it, and I hope they will continue to do so.

However, probably no other electorate in the metropolitan area would be subject to more disturbances from noise and pollution than my electorate. Members well know that we have the notorious Sturt River running through the area to the Patawalonga Basin. This is a collecting point for all the rubbish that flows from the gutters into the creek, from the foothills right down to Glenelg North and, depending on tidal conditions, it is then flushed out to sea. Then again, if the wind happens to blow in the right direction, a large amount of this debris ends up on the beach. Everyone in the area blames the treatment works for the odour, but nine times out of 10 it is the Patawalonga that creates this tremendous odour in the area.

Mr. Mathwin: It is a stench, really, isn't it?

Mr. BECKER: I did not want to be too crude; I could add more to that. As the Minister is aware, there have been problems with the Torrens outlet as well, although sewage is no longer being washed into the Torrens River and ending up at West Beach and Henley Beach. However, there is need at some time in the future to look at the whole of the Torrens outlet in the Minister's district, my

own district, and particularly down in the western suburbs.

The alarming point in relation to pollution, particularly in the Sturt River area, is that if people residing in the vicinity use certain types of spray in their gardens or certain fertilizers on their lawns, and if rain falls within 24 hours, the runoff of water is again washed into the gutters and into the creek. In the past this has contributed to the killing of many fish in the Patawalonga Lake. I have been sufficiently concerned to raise this with the Government, and I hope the Bill will ensure that steps are taken by the Government to improve the situation and to prevent this happening in the future.

I should like to quote a letter I received from the Premier in December, 1971, after asking him a question in the House on November 16, 1971, in relation to Government responsibility for the Patawalonga Basin. The Premier replied:

I have received a report from the Chairman, Central Board of Health, who has reported as follows:

> The Patawalonga Basin south of the Anderson Avenue bridge is under the control of the Glenelg council, whilst the part of the basin north of the bridge is in the West Torrens council area and is under the control of the West Beach Recreation Reserve Trust.
>
> The Sturt, Brownhill and Keswick Creeks, which are fed by many tributaries and stormwater drains, all discharge into the Patawalonga Basin, together with the drain originating north of the airport. The vegetation and refuse which accumulates on the banks of all of these systems is flushed into the basin following high flows such as that which occurred recently. The trash, which appears to be mainly of vegetable origin, can be regarded as offensive or to constitute a nuisance, but it is not considered to be injurious to health.
>
> Nearly all the trash is deposited in the Glenelg council area, and this is collected and disposed of by the council. The area has been recently cleared by the council, and recent deposits have been collected and disposed of. The stormwater collection system is vested in various owners and it would be difficult to provide effective methods of preventing the trash entering the basin. It is considered that the present method is probably the most effective way of dealing with the problem.

That comment from the Central Board of Health is, in my opinion, disappointing. Apparently, we can do nothing to prevent rubbish (vegetable matter, and so on) entering our stormwater system and, as I said, flowing into the Sturt River and the Patawalonga Basin. We hope that the material in question is flushed out to sea at high tide but, if it is not, it accumulates in the basin for weeks on end, and such a smell as that emanating from the rotting carcasses of animals and rotting vegetable should not be tolerated in any modern community. But no solution is offered to the problem: we have to depend on local councils' cleaning up the areas concerned from time to time, at the expense of the ratepayers. But why should those councils have to employ men to clean up rubbish that is coming from outside their areas? I hope that the new environmental council will tackle this problem and suggest a solution that will in future ensure that those living in the area concerned will not be subjected to the adverse effects of this trash.

Dealing with the environment, one must always consider the metropolitan beaches. As the member for Stuart has said, the Government provided $250,000 in 1970-71, and $450,000 was allocated in 1971-72 with a view to restoring beaches and helping seaside councils in this regard, as well as encouraging cleanliness along the foreshore. It is important that those using our beaches, especially the metropolitan beaches, which cater to many more people, be encouraged to keep the beaches clean. As local councils must be helped financially to ensure that this is done, I find it extremely difficult to understand why this Bill does not provide that one of the members of the council should not come from local government. I should have thought that at least one member of the eight-member council would be a local government representative. I hope that, under the wise provision requiring the appointment of two generally qualified people in any field of knowledge, someone from local government will be included.

Mr. Brown: Speak up!

Mr. BECKER: Unfortunately, this may reduce the opportunity of the trade union movement to be represented on the council.

Mr. Mathwin: Victoria has a trade union member on the council.

Mr. BECKER: Has it? Another source of nuisance in my area which affects the environment is the Adelaide Airport. Every capital city must have an airport, and I point out that no member has been more involved on behalf of his constituents in trying to protect the environment from this nuisance than have those members whose districts border the airport. It was interesting to have the Minister of Environment and Conservation request his department to take noise level readings near the Adelaide Airport. Those readings have proved to be interesting, and they have proved

to my constituents that the noise level is far in excess of that level which they should be expected to tolerate. I refer to an article published in the *Sunday Australian* of July 6, 1971, which states:

The State Governments will be asked to ban all noises in a residential area louder than 40 decibels—a level 16 times quieter than a two-stroke lawn mower. Under the proposed laws people could not play radios at full blast, improved mufflers would have to be fitted to cars and factories would have to install soundproofing. The campaign for the new legislation is being waged by the Standards Association. So far South Australia is the only State to have introduced restrictions on noise levels.

Regarding the noise level readings taken near Adelaide Airport, I should like to quote from a letter dated December 20, 1971, from the Minister, as follows:

In order to obtain some appreciation of the noise levels associated with aircraft movement into and out of the Adelaide Airport, a small survey was conducted in June, 1968, by the Public Health Department. Measurements of sound levels were made at four sites adjacent to the perimeter of the airport, thus—

Site A—approximately half a mile beyond the south-west end of the north-east/south-west runway.

Site B—on the foreshore of North Glenelg, approximately half a mile beyond Site A.

Site C—approximately half a mile beyond the north-west end of the north-west/south-east runway.

Site D—On Burbridge Road approximately 150yd. from Tapley Hill Road.

These sites are shown on the attached sketch plan of the area. Sites A, B and C are directly under the path of aircraft during landing and taking off. Sound levels were recorded from four different types of aircraft during landing and taking off. The maximum levels recorded, and the sites at which that level was recorded, were as follows:

727 Jet	Landing	Site D 91dB(A)
727 Jet	Taking off . . .	Site A 106dB(A)
727 Jet	Taking off . . .	Site A 107dB(A)
727 Jet	Taking off . . .	Site A 105dB(A)

The SPEAKER: Order! The honourable member should speak to the general principles of the Bill. Although the environment does include such matters as noise, the honourable member is talking on technical matters rather than speaking to the Bill.

Mr. BECKER: The Bill, as I understand it, relates to the setting up of an environment council and, as far as the environment is concerned in the metropolitan area, the south-western suburbs probably suffer the highest level of noise interference and pollution of all metropolitan suburbs. I believe that it is most important for the House to know of the noise level readings near the Adelaide Airport. I hope that the new council will take action to ensure that these noise levels will be reduced in the future.

The SPEAKER: The honourable member has asked that something be done about noise pollution in his district. I should like him to confine his remarks to the Bill, because this is the second reading stage. He is dealing rather with details that should be referred to the council.

Mr. BECKER: As we have not received the Jordan report, it is difficult for the Opposition to appreciate what is contained in it and what its recommendations will be in relation to the establishment of the council. I am convinced that all members hope that the environmental council will be established for the benefit of all citizens in the metropolitan area, both present and future. The Adelaide Airport plays a major part in the environmental problems in the metropolitan area, as the noise level readings are well in excess of the standards recommended by the Standards Association.

The SPEAKER: Order! We are not discussing any technical noise level readings. I ask the honourable member to confine his remarks to the Bill.

Mr. BECKER: I seek leave to continue my remarks.

The SPEAKER: The question is that the honourable member have leave to continue his remarks.

The Hon. Hugh Hudson: No.

The SPEAKER: There must be a division. Ring the bells.

While the bells were ringing:

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker, leave is refused.

The SPEAKER: That is so. If there is objection, leave is refused. The honourable member for Hanson must continue.

Mr. BECKER: I belive that the matters I have raised could be considered of paramount importance in discussing the formation of this council. So far, it has not been stated that one member of the council will come from the field of local government. It is, as the Minister says, important that we ensure that we do not make the mistake of having clean air and pure water but unpolluted soil in which all natural beauty has been lost. I think the member for Stuart highlighted this when he said that Murray New Town would be a new city in what we consider will be first-class environmental conditions. We hope that all planning and thought of high-rise—

The SPEAKER: Order! I have warned the honourable member on four occasions to

speak to the Bill. I expect him to observe my requests; I ask him to speak to the second reading.

Mr. BECKER: Mr. Speaker, with all due respect, the member for Stuart raised the matter of Murray New Town, the A.N.Z. Bank building and the money allocated for beach restoration. I consider that his remarks—

The SPEAKER: Order! I was not in the Chair then. Had I been, the honourable member would have had to stop.

Mr. BECKER: I agree with the Minister's statement about the importance of the need to protect and enhance the present and future quality and safety of the lives of the people of this State.

The SPEAKER: Order! I warn the honourable member for Hanson that repetition must not be used to waste time.

Mr. BECKER: This Bill is being pushed through. The intention of the Bill is to give the Environmental Protection Council wide powers. The council will investigate, advise and report on the overall condition of the environment throughout the State. I consider that this Bill is worthwhile and that it will be well received. Since I have been denied the opportunity to expand further on my attitude to the Bill, I shall conclude by saying that I support it.

Mr. MATHWIN (Glenelg): This Bill is one of the most unprepared Bills ever to be placed before this House. It proves to me that the Government is scraping the bottom of the barrel to come up with legislation in order to save face, when actually it has only a small amount of business to present to Parliament. The Government has pressured this House to get this Bill through today. A report that definitely has some bearing on this Bill has not yet been presented, and the Minister well knows that it will be released soon, yet he will not allow this Bill to be held over. It sets up a council, and it is the worst type of toothless legislation that has ever been presented in this House. In his second reading explanation of the Bill, the Minister said:

It establishes a council to be known as the "Environmental Protection Council".

I agree that there is room for this type of council to be set up, but it is problematical whether it ought to be set up at this time and in the way proposed. The Minister continued:

It is intended that the council be specifically charged with a responsibility to take into consideration in its deliberations, among other things, flora, fauna, the natural beauty of the countryside, and the value of buildings and objects of architectural or historic interest. This is to ensure that we do not survive in a State in which we have clean air, pure water and unpolluted soil but in which all natural beauty has been lost.

That reads like a fairy story, but if we want all the things to which the Minister has referred, surely we must lose some of our natural beauty. The Minister said that the council would furnish annual reports on its activities and that the reports would be laid before Parliament. That is a change of policy: the Government has the unique record of not laying any reports before Parliament, and it has failed to make yet another report available before discussion takes place on the subject matter.

The Minister has said that the senior public servants who are responsible for much of the State's environmental protection shall be members, together with four other members, one with knowledge of industry, one with knowledge of conservation, and two generally qualified in any field of knowledge. What on earth does "two generally qualified in any field of knowledge" mean? It could apply to almost anyone! Surely we deserve better information, and this is the most unprepared second reading explanation I have ever seen. The council will have the powers of a Royal Commission, and this is an extremely important matter that could affect all the people of the State. We have been told that the council will ensure that the results are adequate, the costs acceptable, and the benefits manifest. This is a wide statement. Would the Government challenge industry? Every member knows who is responsible for much pollution. I am referring to many big industries as the trouble-makers in this respect. If the council recommended that factories be closed down, would this Government agree?

The Hon. HUGH HUDSON (Minister of Education): I rise on a point of order, Mr. Deputy Speaker. The member for Eyre is blocking the view of members on the back-benches. He is showing complete disrespect to his colleague.

Members interjecting:

The DEPUTY SPEAKER: Order! I cannot sustain the point of order.

Mr. MATHWIN: The council will comprise four public servants, one of whom will be from the Department of the Premier and of Development. The Director of Environment and Conservation will also be a member. A

quorum will be five members, and the Chairman will have a casting vote. This matter needs consideration. Who would suggest that these public servants would criticize the Government? If they did they would possibly jeopardize their position in the Public Service. A report in the *Advertiser* of August 28 regarding the power given to criticize states:

South Australia's proposed Environmental Protection Council will have among its wide powers the right and responsibility to criticize publicly the Government which set it up.

Have honourable members ever heard anything so silly as that a council, with four Public Service members on it, one of whom will be the Chairman, with a casting vote, will criticize its masters? The Public Service members of the committee would criticize at the peril of their own jobs and future. No right of appeal is provided in the Bill. An environment protection measure was introduced in Victoria in December, 1970, and the definitions in that Bill were much wider than the definitions in our Bill. The Victorian Bill defines pollutants and pollution, but our Minister has not included such a definition. Further, the Victorian Bill defines soil, trade, waste, and waters. This Bill should give some definitions for the benefit of the people who will be implementing the legislation. Three environment protection bodies have been set up in Victoria. The Environment Protection Authority consists of three members, the Environment Protection Council consists of 17 members, and there is also the Environment Protection Appeal Board, because the legislation gives people a right of appeal against decisions of the authority.

I agree with the member for Mallee that we are taking the bull by the horns in the matter of environment and conservation. My objection to the Bill is that it is a rush job and it is being forced through this Parliament, giving members little time to consider it. The authorities in the United Kingdom have gone much further in their efforts to combat environment pollution problems. The Research Council was set up by Royal Charter in June, 1965, to encourage, to plan, and to conduct research in those sciences, physical and biological, relating to man's natural environment, with very wide powers in an area ranging from fisheries and fauna to university post-graduate training and training awards.

The Conservative Government in the United Kingdom is taking great steps in this important matter. The previous Wilson Government made some wrong decisions, particularly relating to smokeless fuel, setting back the programme for some considerable time and causing much hardship. When I was in the United Kingdom I thought it rather quaint to see in the Midlands a truck, loaded, advertising smokeless fuel, belching forth the fumes we associate with diesel engines, cars and trucks.

This type of pollution has not yet hit Australia, especially South Australia. I have warned the Government of the effect of such things on the environment. On my return, in a speech I made regarding pollution, I asked the Government to consider this matter. In some of the countries of Europe and in Turkey, particularly in Istanbul, it was difficult even to breathe at one stage because of the large number of taxis, which we can expect under the dial-a-bus system to be brought in by the Minister of Roads and Transport if he gets around to it. This type of thing creates pollution. Laws exist dealing with this problem, especially in the United Kingdom, but the authorities fail to police them. Anyone who knows anything about pollution (I am sure the Minister knows this) will know that motor vehicles contribute 39 per cent of the pollution in the air.

Aircraft are another source of pollution, not only regarding fumes but also regarding the noise that affects our environment, and this will increase with the greater use of supersonic aircraft and the greater speeds that will be achieved in future. The problem will be accentuated as a result of the greater use of motor vehicles. Another problem is that of noise pollution in the homes of families whose teenage children have transistor radios, although I do not intend to go deeply into the matter of decibels, etc. As I said earlier, a problem was created by the Wilson Government before it was ousted by the Conservative Party which, when it came into office, had to correct the situation regarding the shortage of smokeless fuel. Industry in the U.K. produces 6,000,000 tons of sulphur fumes a year, mainly as a result of the burning of heavy oil, and this also produces grit and dust at the rate of 1,000 tons a square mile each year. That must horrify anyone who considers this matter seriously.

I am sure that the Minister must have these figures at hand but, if he has not, I leave him with this information, which I should hope the council to be set up would consider. However, the great question in my mind is how far the Government will follow the recommendations of this council. Since I have been in this House, matters concerning pollution of the environment have been raised. However, when a question was asked about on-the-spot fines

in relation to litterbugs, the Government showed little interest, although I point out that anyone who visits the Far East, especially Singapore, will find that it is unusual to see litter on the pavements or in the streets, simply because of the existence of an on-the-spot fine of $20 for anyone who offends in this regard. Members in this place have asked questions about non-returnable bottles, the scourge of the beach councils. Indeed, questions have been asked time and time again about placing a charge on these bottles or doing something about the matter, but the Minister has refused to take any action. In fact, the last time I asked a question about this matter last November, the Minister said that the problem was not as severe as that caused by non-returnable aluminium cans. Of course, that is debatable but, nevertheless, I think the Government should set a better example in this regard and deal with the problem, instead of delaying action. Many young children receive cuts and abrasions from non-returnable bottles left on beaches because a deposit does not apply to them. Yet the Minister of Conservation and Environment, who has such an interest in these people, has refused to do anything about this matter.

I should like to see what action the Government will take on recommendations from this council concerning plastic containers, which are widely used in industry today. They will not burn and, even if they were burnt, they would pollute the environment. The Minister has already referred to the problem of the aluminium can, which never disintegrates. These cans are solid waste and will pollute for ever. Indeed, it is time that the plastics industry institute supplied information to resolve that problem.

Our beaches are the best in the world, but as a result of these problems, time is running out. Last session a Bill came before the House concerning the replanting of sand dune areas, yet I have seen no evidence at all of the replanting of sand dunes, or what is left of them, yet in many oversea countries this lesson has been learnt over the years through the loss of beaches. The replanting and replacement of sand dunes, especially in Holland and Belgium, is a great advance. As soon as it is technically possible, the spinifex grass is planted, and this applies also in the United Kingdom.

The Hon. G. R. Broomhill: They may not have had Playford for 30 years.

Mr. MATHWIN: Perhaps they acted more quickly than we did. Although I have not been to America, I understand that a similar situation applies there. Another important environment issue is that of water pollution. This has arisen where the oxygen has been slowly exhausted from our rivers, resulting in a lack of fish. The lack of oxygen has been caused by industry polluting our rivers. In 1969, figures showed that over 40,000,000 fish were killed by insecticides in the River Rhine, and during my recent visit to Europe and the United Kingdom I visited Switzerland and went to Lake Geneva, which I had not seen for 20 years.

The DEPUTY SPEAKER: I have allowed plenty of latitude in discussing this Bill, because the Bill gives wide powers in reporting and investigating the matter of environment, conservation and pollution. However, I must draw the honourable member's attention to the scope of the Bill. The honourable member should link his remarks to the matters that should be considered by the council to be set up by the provisions of this Bill if it is passed by both Houses of Parliament. Standing Orders do not permit a general debate to take place on any matter that the honourable member may consider to be related to pollution, so I ask him to confine his remarks to the consideration of the matter of the council to be set up rather than indulge in a general debate on the lines he is pursuing. The honourable member for Glenelg.

Mr. MATHWIN: Thank you, Mr. Chairman. In that case, I ask that the council consider these matters that I have presented to the House. I should be the first to agree with you, Mr. Deputy Speaker, that it is difficult, and I should hate to challenge you to tell me exactly what the word "environment" means and to give me a definition of it.

The Hon. G. R. Broomhill: The council will be doing that.

Mr. MATHWIN: I should like the Minister in his reply to give me a definition of "environment".

The DEPUTY SPEAKER: Order! It is not the duty or the prerogative of a member to seek an interpretation when dealing with the second reading of a Bill: it is his duty to study the Bill and the comments made on it. If he will study the Bill, the honourable member will see that it contains a definition, and it is up to him to confine his remarks to that definition rather than challenge other members to interpret the definition. The honourable member for Glenelg.

Mr. MATHWIN: Thank you, Mr. Chairman. In the Bill, which I have read fully,

"environment" and "pollution" are mentioned. Everything I have said this evening has a bearing on what should be considered by this council if it is set up. I have something further to bring to the attention of the council —the Swiss lake at Geneva. When I visited it at three points along the shore (Geneva, Montreux and Lausanne) at all times I saw dead fish floating along the edge of the lake in their hundreds. Switzerland has not the air pollution that other countries have, but I stress the importance of this matter. Whether or not other members think it is important, I think it is. That great lake derives its water from the melted snow and ice (that is all; and it is not very far away), yet the fish in that lake die because of pollution. Therefore, it is of paramount importance that this council, if it is set up, should use this type of information.

It behoves the Government and industry to do something about pollution. It will be interesting to see what the Minister will do when the council blames industry, to see how far he will go to control industry and stop it doing this sort of thing. I shall watch with interest the antics of the Minister. It is obvious we shall not get the report, although the Bill provides that a report shall come to the House each year. I draw the Minister's attention to a brief comment by an American (Mr. Arthur Godfrey) who said:

> We're running out of air; we're running out of water; we're running out of land. You see, all our technology can't produce one square inch of soil or one drop of water.

The council should heed that grave warning. The member for Stuart recently asked a question about the storage of water in the Flinders Range. I refer the honourable member to the following paragraph in the magazine of the Nature Conservation Society of South Australia:

> No further water storages should be built unless they are clearly justifiable on sound economic grounds and only then after a detailed study of the probable environmental effects has been undertaken and published, and these effects properly taken into account.

Last year I supported the beach protection legislation, under which some committees were set up. I wonder why the Minister sets up so many committees.

The Hon. G. R. Broomhill: I like the councils to have a say. That is reasonable. Why do you object to it?

Mr. MATHWIN: I am glad to hear the Minister say that, because I thought it was because they made it easier for him to pass the buck to someone else. In not releasing the Jordan committee's report, the Minister is running true to form and is following in the steps of the Attorney-General and the Minister of Roads and Transport, who is a past master at not releasing reports. I believe that it is imperative that this Bill be held over until the Jordan committee's report is released. The Minister said he was the only one who knew what was in the report, but the member for Stuart said that he had read it. If that is correct, I do not see why the Opposition should not have the opportunity of reading it. The Minister said that the report would be available for publication within three weeks, so why will he not hold over the Bill until then? There must be something in the report that the Minister wants to hide from the Opposition, because he is rushing this Bill through this evening; he refused to agree to adjourn the debate.

The DEPUTY SPEAKER: Order! The honourable member cannot reflect on a decision of the House and I must rule that his remark is out of order. If he persists in such remarks, I shall have to ask the honourable member not to continue to reflect on a decision of the House.

Mr. MATHWIN: I apologize for making the remark I made; it was not meant in that sense at all. Even though Opposition members represent the minority in this State, they have a duty and a right to see the report. It is our job to read the report and to report to Parliament any objections that we have. As long as I am a member of the House I will continue to do that, whether I am browbeaten by this Minister or by any other Minister. The following important figures are worthy of consideration. Although in 35 years time many of us will not be here, the world's population will have doubled and the number of vehicles will have trebled. Environment is a very wide subject that covers even the matter raised by the Premier, namely, the Adelaide pimple. The Premier said recently that he thought that people should live in high-density housing but, if that is his idea of living, it is not mine.

Mr. Clark: That has nothing to do with the Bill.

Mr. MATHWIN: It has plenty to do with the environment, and my ex-schoolteacher friend would know that. The environment covers housing, particularly high-density housing.

Mr. Clark: This Bill is to establish a council.

Mr. MATHWIN: If the member for Elizabeth were to speak to his constituents, many of whom come from densely populated

countries, they would put him on the right track.

Mr. Clark: They should put you on the right track. No member should be allowed to talk such intolerable twaddle. You have five minutes more.

Mr. MATHWIN: I have always considered the member for Elizabeth to be a reasonable person.

Mr. Clark: Not when I have to listen to stuff like this.

Mr. MATHWIN: Because the member for Elizabeth is getting old and the time is getting late, he is getty nasty.

Mr. Clark: I'm getting tired of your drivel.

Mr. MATHWIN: I suggest that the honourable member go out and take a spell. No-one can deny that high-density living affects the environment. Most people aspire to a beautiful house on a full block of land, and people who come from the crowded countries of Europe want their own house on a block of land. Yet the Premier, in his wisdom, believes that people should be satisfied to live in high-density areas. He thinks that, if it is right for him, it is right for everyone else. I suggest that the Premier would not know about this: he has never lived in a high-density area.

Mr. BURDON: On a point of order, Mr. Deputy Speaker. There appears to be a caucus meeting on the other side of the Chamber.

The DEPUTY SPEAKER: I draw the attention of honourable members to Standing Order 169, which I may have to implement, and I warn the honourable member for Hanson in accordance with that Standing Order. The member for Mount Gambier has raised a point of order that I must sustain. The honourable member for Glenelg is addressing the House and has the right to be heard. I ask other honourable members to maintain decorum while the honourable member is speaking, and I sustain the point of order. There will be only one speech at a time.

Mr. MATHWIN: Members opposite will be pleased to know that I have almost completed my speech. I object to this Bill being rushed through Parliament in this way.

Mr. Payne: Are you supporting it or opposing it?

Mr. MATHWIN: I wish the member for Mitchell would keep quiet for a few minutes. It is bad that the Minister has not given the Jordan report to Opposition members so that they can debate the Bill and matters relevant to it.

Mr. RODDA (Victoria): I feel like the man who married a widow with 14 children: there is nothing left for me to do.

Mr. Clark: That's only because you're getting older.

Mr. RODDA: No, it is because of the eloquence of the member for Glenelg. This Bill has been cast in the widest terms, as it should be. I am disappointed that we have not had the privilege of seeing the Jordan committee report, but I thought the Minister of Education was on good ground when he said that printing the report was a big job. The powers of the council are extremely wide, and a council that is to be charged with this responsibility must have such powers. Four of our leading public servants will be on the council, as well as four other persons to be appointed by the Government, and the council will liaise with local government and other bodies in the State.

One of the members of the council will be an industrialist, another will be a biologist, and two will be persons qualified in a field of knowledge. No specific field of knowledge is stated, but I suppose it will not be hard for the Government to find suitable people to be members. Clause 14 (2) (*a*) gives the council power to—

> investigate and report upon existing and potential problems of environmental deterioration and protection referred to it by the Minister, or considered by it to require investigation and if possible suggest or advise upon methods for the control or elimination of any such problems.

That in itself is extremely wide. Amongst other things, the committee will recommend or promote research on matters connected with the environment. As a man on the land, I am not unconscious of the need to look closely, in liaison with the people concerned, at the effect of pesticides used in agriculture, but I urge that a balance be maintained in this important aspect of our environment. The production of food is all-important and the use of pesticides and other toxic compounds must be under the very closest control at all times. I was told recently that Agricultural Council is to look at this matter.

I was interested in a publication by Dr. Stephen Collins. Entitled *Biocide Blunder* and distributed in Massachusetts, it states:

> Not every pollutant of our atmosphere is man-made. Some, such as inert volcanic dusts, have produced magnificent red sunsets. Other eruptions have been responsible for the "year without a summer". Natural air pollutants include plant pollens, particles of shed insect skins, and spores of fungi and other plants.

It touches on the subject of pollutants specifically designed to destroy life, and it refers to pesticides. The report, which should

receive close consideration, points to the need for balance.

In the *Financial Post* of Canada appears a report stating that Canada's chemical industry is deeply worried, in fact stunned, by the case of a number of poisoned bulls. The report states:

A recent judgment of the Supreme Court of Alberta ruled that a dose of a widely-used pesticide has poisoned 47 pure-bred Shorthorn bulls, thus reducing their value. Found liable for $16,511 damages were (*a*) the pesticide supplier, (*b*) the Alberta county which used it—

The Hon. Hugh Hudson: What is the parallel?

Mr. RODDA: It has a very interesting parallel in South Australia. The proposed council would recognize the problem. Many voices have been crying in the wilderness, one of them being that of R. R. Loveday, when I first came to this House, about the effect of hepatitis sustained from D.D.T. It has a far-reaching effect on the environment. I am citing a case that happened in Canada in 1964. I do not want to press the point nor to weary the House, but the matter of pesticidal poisonings would come within the ambit of the Bill. One need not look far for examples that should receive the attention of a council such as this. As much as I deplore the fact that the Opposition has not had the benefit of seeing the Jordan report, we have had sufficient practical experience to know that there is a need to look closely at how this Bill will be implemented. I hope that the council to be set up will examine the matter of pesticidal poisoning, which seriously affects the environment.

Mr. McANANEY (Heysen): We all appreciate that some effort must be made to preserve the environment and to control pollution. I am not one of the pessimists who think that we are doomed and that we will not survive for long. Some of the statements being made by leading citizens regarding the number of people that Australia can maintain are absolutely ridiculous. However, we must acknowledge that the environment must be protected. Unfortunately, it is often the activities of the Government of the day that affect the environment as much as do the activities of any other section of the community. If the Government could set an example in respect of the situation concerning its own land, it would go a long way towards inducing the private citizen to do the right thing.

One of my pet subjects is that of the shocking state of reserves in the Hills area which are infested with noxious weeds. Indeed, one of the worst decisions made by this Government was the decision made last year to remove African daisy from the provisions of the Weeds Act, with the result that the Cleland Reserve, for example, which faces Adelaide, is a mass of African daisy, which last year a couple of energetic men could probably have eradicated within a few days. Even now, I cannot get a satisfactory assurance from the Minister of Agriculture that a real effort will be made to tackle this problem. Although we know that motor vehicles create pollution, I am confident that scientific experiments will eventually solve this problem, even though it may prove expensive.

Apparently the council to be set up will be only an advisory body to the Minister. Although councils and committees are set up by the dozen, we seldom receive their reports. The last Liberal Government established a committee to consider environmental matters, but we have not seen its report. Although I know that we will receive reports from the council to be established, I point out, for example, that we get a report every three years from the Metropolitan and Export Abattoirs Board but, when we inquire whether various recommendations have been implemented, we find that they have not been, and things go along as they did previously.

Some parts of my district must be maintained to an extent in their natural state, but I believe that the insistance on 20-acre subdivisions was one of the worst things inflicted on the Hills environment. A more individual approach and a general assessment of the origin of pollution and its effect is required. The experts say they may know in 10 years time what is going on, but this is not good enough. We have sent experts overseas to gain further knowledge in this area, so we should be able to determine the causes of pollution and to act on this matter instead of continuing in—

The SPEAKER: Order! I point out to the honourable member that this Bill is for an Act to constitute an Environmental Protection Council. We are not discussing the various aspects the honourable member is dealing with.

Mr. McANANEY: I can never understand your rulings on these matters, Sir. We are setting up a council to undertake certain tasks and, surely, before we can vote money for this purpose, we must assess the need for this council. We must discuss more than just the setting up of the framework. The Minister

must make it clear to us why this council is being set up, and I believe that so far we have not had a satisfactory explanation. Although I give general support to the idea, the Bill is vague, and it does not set out in detail what is required, and how effective it will be is extremely doubtful.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I intend to be brief in reply to the remarks made, and for good reason. I have been a member of this Chamber for eight years and during that period have never seen such a sham debate take place on any issue as has taken place this evening. I was somewhat surprised earlier this evening by the attitude of the members opposite—

Mr. Gunn: Why don't you answer us?

The SPEAKER: Order!

The Hon. G. R. BROOMHILL: —especially the member for Mallee who, when speaking last evening, apparently supported the measure totally, but, after the adjournment, changed his whole attitude and found many objections to the measure. Following his address we have been subjected to a constant barrage of uninformed speeches, obviously designed to take up the time of this House. I became suspicious on hearing the member for Alexandra speaking and, on making inquiries outside this House to try to ascertain the reason for the attitude of the Opposition on this matter, I have been informed that the majority of members opposite have been subjected to numerous phone calls from constituents.

Mr. GUNN: I rise on a point of order. I should like you, Mr. Speaker, to ask the Minister to confine his remarks to the Bill.

The SPEAKER: Order! The member for Eyre is entirely out of order. He is not going deliberately to waste the time of this House. There is no point of order.

Mr. McANANEY: I, too, rise on a point of order, Mr. Speaker. You pulled me up for not speaking to the Bill, but now you do not pull up the Minister for not speaking to the Bill. This is an injustice.

The SPEAKER: Order! There is no point of order. The Minister is replying to the debate.

Mr. MATHWIN: On a point of order, I understood that the Minister was telling us just where he was when he left the Chamber. He said he had been down to the office to get information, and I do not think that is relevant to the Bill.

The SPEAKER: There is no point of order.

Mr. McANANEY: I rise on a point of order relating to injustice in this House. We were pulled up for not speaking to the Bill. You pulled me up, yet the Minister has not even mentioned the Bill yet. Surely you cannot carry on like this.

The SPEAKER: Order! There is no point of order.

Mr. BECKER: I rise on a point of order. Standing Order 154 states:

> No member shall digress from the subject matter of any question under discussion; and all imputations of improper motives, and all personal reflections on members, shall be considered highly disorderly.

I ask for a ruling under that Standing Order.

The SPEAKER: Order! The honourable member is out of order. There is no point of order.

The Hon. G. R. BROOMHILL: The member for Bragg mentioned Onlooker, and I simply make the point that complaints were made and it was as a result of those complaints that members opposite were trying to create a debate in this House to make themselves look like some sort of Opposition. During the tremendous opposition we have had from members opposite, it is to the credit of the Leader that he did not enter into this debate. That applies also to the Leader of the L.M., who kept out of this debate; so it is obvious that this is a sham opposition from members opposite.

The SPEAKER: Order! No-one in this Chamber is known as the "Leader of the L.M.". The Minister must refer to honourable members by their district.

The Hon. G. R. BROOMHILL: Thank you, Mr. Speaker. Only three of the points made by members opposite should be answered. The first thing I want to say is that the Government or the Minister has been criticized for not mentioning the environment committee set up by the Liberal and Country League Government some 2½ years ago and the fact that that committee's report was at present being prepared for presentation to Parliament. It is unnecessary for me to repeat what is well known to most members of the House. The fact that some members were apparently unaware of that committee's existence or that it was due to report I cannot be blamed for, because a question was asked on this matter only within the last day or two. I am prepared to concede that the L.C.L. while in Government did this one thing to improve the environment of this State; but that is the only one significant thing that can be talked about in respect of the protection of the environment.

I point out particularly to the member for Glenelg, who spoke at great length about the steps being taken by the Conservative Government of the United Kingdom, that little has been done by the L.C.L. State Government and that the Commonwealth Liberal Government is noted for its failure to assist the States in this matter. The member for Alexandra said that the council would have the powers of a Royal Commission, and he found all sorts of objection to that. He claimed that the council should have the powers of a Royal Commission only on a specific issue and only where a proclamation had been issued to provide such powers. If the honourable member had read the Bill he would have seen that that is exactly what is proposed. His speech was typical of those made by Opposition members; not one Opposition member had any idea of what the Bill was about.

The member for Mallee said that the Government had not stated sufficiently clearly the qualifications of people who would be appointed and the method of selecting them, but this point was completely destroyed by the member for Alexandra, who said that the previous Government had taken great care in selecting the members of the Jordan committee. A similar principle is embodied in this legislation. It was disgusting to hear Opposition members attacking public servants and suggesting that the public servants who are to be council members would not act properly. Some Opposition members said that those public servants would be under the direction of the Government and would not treat matters on their merits; instead, they would do what was wanted by the Government. Members opposite cannot deny that, and it is a reflection on the public servants involved. The Jordan committee was established to look at the total environment in South Australia, to report to the Government on weaknesses, and to recommend where action was required. This is the concept of the report that members will have available to them soon. Because of the wide range of the inquiry, members can surely see that the best the committee could do was to present only a very broad picture of the total environment.

While the report will be useful to all members in future discussions on the environment, the council established under this Bill will not continue with the same sort of work as was done by the Jordan committee. Instead, it will undertake specific research. The member for Mallee should know something about this, and I cannot understand his remarks on the Bill. In reply to his questions about the problems and salinity of the Coorong, I pointed out that I intended, as soon as the legislation was passed, to place that problem before the environment council. As the honourable member knows, no single Government department can undertake the sort of study required or tell us why the Coorong is becoming stagnant and the way in which we can correct the problem. This would require considerable expert study, and it is the kind of reference that would be ideal for the council to deal with.

The Hon. D. N. Brookman: Have you seen the report of the Jordan committee?

The Hon. G. R. BROOMHILL: Yes. I should not like to try to judge the kind of issues likely to be put before the council, but I think that the problems of the general environment of the Murray River would be a critical area from an environmental point of view. It would be difficult simply to refer the question of the environment of the Murray River to the Engineering and Water Supply Department or to officers of my own department or of the Health Department, so it is necessary to have a council not only with the expert knowledge of its members but also for them to be able to co-opt other people who may have specific knowledge of an area should such expert knowledge be required. If the Government had not already taken steps to have a study made of our beaches, such a study could have been referred to the council. However, the matter was referred to Dr. Culver.

The Hon. D. N. Brookman: Are you going to have another inquiry into the foreshore.

The Hon. G. R. BROOMHILL: The Bill has no impact on the foreshore and beaches committee. As this is the way we contemplate the council will work, it is unnecessary to provide the large number of members suggested by some members. It is obvious, as a result of my experience and the experience of any honourable member who has been associated with a body of this kind, that it is better to have a small, compact body with the required expertise and with all the power to call on others if they are required and if the subject is beyond the council's scope. I believe that some of the matters raised by the Opposition members have simply been red herrings to try to stir up some kind of opposition to any measure now before the House, because of the attacks that have been levelled at the Opposition

because it has failed to be an adequate Opposition.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Environmental Protection Council."

Mr. NANKIVELL: I move:

In subclause (5) to strike out "eight" and insert "twelve".

I have listened to what the Minister has said in replying to the second reading debate, but my principal objection still applies and it is strengthened by the Minister's suggestion that this council will deal with specific problems such as the matters he has given as examples. I think it appropriate that the council be expanded and that wider experience be available to it. A quorum of five is a rather minimal number to deal with the sort of problem with which the council will be confronted. That is one reason why I am moving to enlarge the part of the council that does not comprise senior departmental officers.

I do not reflect on these officers. They are extremely competent and responsible people, but there may be great difficulty in getting a quorum or group of these people together for any length of time without their other responsibilities interfering with the work of the council. There is no provision for any of these senior departmental officers to send another person from his department to act in his place on the council. An officer's other duties may prevent him from being present when the council is dealing with extremely important matters. Therefore, it may be in the interests of the council if the majority of its members are not senior Government officers.

For these reasons and because of the public attitude towards an important council such as this, I recommend that the Committee accept my amendments to increase the membership of the council and to increase the number of members who will not be senior public servants. They should be people from outside, such as the people who were invited to join the Jordan committee, and I am sure the Minister would want people such as Professor Jordan himself to be invited to join the council. The members of that committee might be invited in this area.

The CHAIRMAN: Order! I have allowed the honourable member to discuss all his amendments, but I point out that there is another amendment to be moved after the first amendment moved by the honourable member for Mallee. The honourable member is not moving all his amendments: he is moving only the first one. However, discussion can take place on the others at this time.

Mr. NANKIVELL: I am serious in suggesting that the size of the council should be increased from eight members to 12. The increase in numbers will enable the committee to be more elastic.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I am certain the honourable member is moving his amendments in good faith and with the object he has mentioned. However, I cannot accept this amendment, primarily for the reasons I put forward in closing the second reading debate. It was the deliberate intention of the Government to reduce the working numbers on the council to as small a number as possible, simply because more people would not necessarily provide a greater field of expert knowledge. It was necessary, of course, to include the directors of the four departments primarily concerned with the administration of environmental control in South Australia. On the basis that this was to be an important committee, it was realized that this would be an additional duty for these people and for the people from outside, and this factor was taken into account.

There is no doubt that the activities on this council of these officers will need to take priority over their other duties, and we shall not have a problem in attempting to find a quorum. The more people who are associated directly with the council, the more likely are we to encounter the very problem the member suggests his amendment will solve. The Government attitude is proper. We should keep the numbers to a reasonable figure, with sufficient knowledge among the members to cover the broad field of environment and with the proviso included elsewhere in the Bill that they can seek advice and knowledge from outside their own group. I believe this covers the matter adequately, so I cannot accept the amendment.

The Hon. D. N. BROOKMAN: Although about 80 per cent of this State is occupied, the occupiers of land are in no way represented on the council: landowners seem to have been overlooked completely, and the Minister has not seen fit to include anyone with a "knowledge of and experience in" primary industry. Primary producers, more than anyone else, stand to lose as a result of the recommendations of a council set up under this sort of legislation.

The Hon. Hugh Hudson: Who are the main polluters—primary industry or secondary industry?

The Hon. D. N. BROOKMAN: The Minister is only trying to waste time.

The Hon. Hugh Hudson: Not at all. I'm trying to demonstrate that secondary industry has more to lose than has primary industry.

The CHAIRMAN: Order! The Minister cannot debate the matter at this stage.

The Hon. D. N. BROOKMAN: Already many primary producers are suffering as a result of Government regulations aimed, for example, at preserving water supplies, etc.

The Hon. Hugh Hudson: What about the Clean Air Committee?

The Hon. D. N. BROOKMAN: The Minister of Education has no interest in primary producers.

The Hon. Hugh Hudson: That's rubbish.

The Hon. D. N. BROOKMAN: He is trying to interrupt me and trying to—

The CHAIRMAN: Order! Interjections are out of order.

The Hon. D. N. BROOKMAN: —destroy my line of argument. I do not say that, simply because someone suffers, the council's advice will necessarily be bad, but no-one should be subjected to these sorts of recommendation without the voice of primary producers being heard at the level at which an inquiry is held. The regulations dealing with the watershed already seriously affect primary producers and a case was brought to my attention recently of a man selling his small property but the prospective purchaser not proceeding with the transaction.

The CHAIRMAN: I call the attention of the honourable member for Alexandra to the fact that this is not a second reading debate. We are dealing with the constitution of the council to be set up under this clause. Any discussion will be confined to the amendment under consideration.

The Hon. D. N. BROOKMAN: The amendment under consideration increases the size of the council and I say that it should be increased and that it should have representation from primary industry. Regulations dealing with the watershed in the Hills area already affect people on the land and were made before this council was on the scene. They were made under the authority of the Director of the Engineering and Water Supply Department, and he will be a member of this council. Farmers are not allowed to increase the number of livestock on their farm or to undertake lot feeding of cattle. That type of restriction is forced on people who have their livelihoods tied up in the land. The Minister is happy to have various Government departments represented, but not the Agriculture Department or the Lands Department. However, if he considered the conservation work carried out prior to his undertaking Ministerial office by the Director of Lands and the Director of Agriculture, he would have those departments represented on the council because their knowledge of the land and land occupiers is greater than that of the other persons specified in this clause. Of the other four members, one is described as having experience in industry and one as having experience in biological conservation. The member for Mallee has referred to the Victorian legislation on environmental protection under which the representatives on the Victoria Environment Protection Council shall include a member appointed on the nomination of the Minister of Agriculture.

The Hon. G. R. Broomhill: The member for Mallee also said that the Victorian Act was no good. At what stage are we to believe him?

The Hon. D. N. BROOKMAN: The Minister is always ready to dispute trifles, but he is never ready to debate a main issue. He well knows the effect of environmental decisions on land occupation and, in this respect, he is disfranchising occupiers of land throughout South Australia. It is time he adopted a more flexible attitude about his legislation, rather than relying on the back-bencher improvers behind him who are so vocal in their suport. I want to know where the Minister stands upon representation of primary producers on this council. Where do the member for Mount Gambier, the member for Stuart and other rural members from the Government side stand on this matter?

The Hon. Hugh Hudson: I suppose we should create a council consisting of all those people who would be adversely affected by pollution of the environment! That is the most stupid suggestion I have heard.

The Hon. D. N. BROOKMAN: That is absolute rubbish. Neither Minister (the one who is doing all the talking nor the one who should be listening) will face the fact that the council's decision will probably affect the landholders more than it will affect any other group in the community, and that group will not be represented on the council. I support the amendment and deplore the inflexible attitude of the Minister, who is so happy to rest simply upon his numbers to get his Bill through.

The Committee divided on the amendment:

Ayes (15)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Ferguson, Gunn, Hall, Mathwin, McAnaney, Nankivell (teller), Rodda, Tonkin, and Wardle.

Noes (21)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, McKee, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pairs—Ayes—Messrs. Evans and Venning. Noes—Messrs. Hopgood and McRae.

Majority of 6 for the Noes.

Amendment thus negatived.

Dr. TONKIN: I move:

In subclause (5) (*a*) to strike out "who shall be the Chairman of the council".

If this amendment is carried, I shall move a further amendment providing that any one of the four council members dealt with in subclause (5) (*e*) shall be appointed Chairman of the council by the Governor. It will be better if the Chairman is not associated with a Government department.

The Hon. G. R. BROOMHILL: I oppose the amendment. The past experience of the Director of Environment and Conservation makes him a suitable person to act as Chairman. Members will realize that other provisions in the Bill enable the council to call on Government departments, particularly the Environment and Conservation Department. It therefore seems to me proper that the Director of that department shall be the Chairman, so I oppose the amendment.

Mr. MATHWIN: I support the amendment, which is a very valid one the Minister should consider seriously. As the Minister said, it would mean that the Chairman, rather than being the one suggested in the Bill, would probably have a very flexible mind. Being Director would not necessarily qualify a member to be Chairman.

The Hon. G. R. Broomhill: Are you deliberately excluding him?

Mr. MATHWIN: No. He would be a member, but not the Chairman.

Dr. TONKIN: I am not surprised by the Minister's attitude, which is fairly typical, as was borne out by the remarks of the member for Stuart earlier this evening. I have worked on committees of which Directors of Government departments have been Chairman, and serious difficulties have arisen. I believe that no Government is guiltless of political expediency and of moving in a certain direction. For this reason, although I do not reflect on the officer who might be Director of Environment and Conservation at the time, it is possible, through the Minister's influence, that he might adopt a course of action which he would strongly press at council meetings. For this reason and to prevent that from happening, I believe that the Chairman should be an independent Chairman. I believe that the council would have the confidence of members of the community to a greater extent if they knew that the Chairman was able to speak out freely and confidently, which senior public servants are unable to do.

Amendment negatived.

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

In subclause (5) (*e*) (iii), after "knowledge" to insert "of matters relating to the environment".

The member for Alexandra is wrong in accusing me of being inflexible. Criticism was made by a number of Opposition members of the provision in the Bill that two council members shall be qualified in a field of knowledge. Some Opposition members said that this provision was too vague and did not convey what I indicated in my second reading explanation, namely, that these members should be qualified in a field of knowledge relating in particular to the environment and not to the extreme examples given by Opposition members in the second reading debate.

The Hon. D. N. Brookman: What does "in a field of knowledge" mean?

The Hon. G. R. BROOMHILL: It was difficult to define clearly what the Government was aiming at. Originally, we thought that "in a field of science" might be suitable. However, we considered that this was too restrictive and might debar a person with, say, a qualification in architecture or some other field of this kind that would have fitted him for membership of this council. We desire to keep the options as wide as possible, and the amendment clarifies the position.

[*Midnight*]

The Hon. D. N. BROOKMAN: Does this now disqualify a primary producer from membership of the council?

The Hon. G. R. BROOMHILL: Certainly not. Paragraph (*e*) (ii) provides that one member shall be a person with knowledge of biological conservation. An agricultural farmer would be in that category.

The Hon. D. N. BROOKMAN: I am not satisfied that there will be sufficient primary producers on the council but, if the Minister is saying that that provision includes primary

producers, at least it is an assurance and I shall see that it is widely publicized through *Hansard*.

The Hon. G. R. BROOMHILL: I think I ought to make the position clear. I hope honourable members do not misunderstand what I am saying about the provision that one shall be a person with knowledge of biological conservation.

The CHAIRMAN: Order! I draw the Minister's attention to the fact that we are dealing with an amendment to subclause (5) (*e*) (iii).

The Hon. G. R. BROOMHILL: Even under that provision, whilst not giving the honourable member an assurance that there will be someone with a farming interest on the council, that could be so. The honourable member should not misunderstand and think that some such person would be appointed.

The Hon. D. N. BROOKMAN: To be sure that I have the matter clear, the expression "a person with a knowledge of biological conservation" may include—

The CHAIRMAN: Order! I have ruled that we are dealing with an amendment, and any other matters raised will be out of order. The Minister has moved an amendment to insert the words "of matters relating to the environment" in subclause (5) (*e*) (iii).

Dr. TONKIN: I do not understand what is flexible about the Minister's request that we accept his amendment and not accept an amendment moved by another member. It seems that this is not flexibility but just tacking on an addendum. Nevertheless, I support the amendment.

Amendment carried; clause as amended passed.

Clauses 5 to 13 passed.

Clause 14—"Powers and functions, etc., of council."

Mr. COUMBE: Subclause (3) contains reference to architectural and historic buildings. Can the Minister assure me that this will in no way interfere with the very laudable objects of the National Trust, but rather that the trust will be consulted and possibly the council will work in conjunction with it, and that the work it does not only in relation to historic sites but also in relation to historic buildings will be augmented by and taken into consideration by the council?

The Hon. G. R. BROOMHILL: Most certainly there is no intention in this clause to interfere in any way with the present activities of the trust. The clause is inserted merely to provide powers for the council to consider matters that may affect buildings or other objects, which would include Aboriginal or other relics, or perhaps buildings associated with mining ventures, such as those at Burra. It is not intended to take over any of the role of the trust.

Mr. NANKIVELL: Since no specific body is being set up under this council, as has been done under some other councils, who is going to carry out the research work? Is it to be paid for by special grant or must it be covered by a provision in a later clause, such as clause 18? How does the council propose to implement, carry out, and finance the research?

The Hon. G. R. BROOMHILL: This is explained in clause 13. It is likely that a considerable amount of research will be required on certain aspects, and the council is able to call upon staff of the Environment and Conservation Department or any other Government department where such research officer may be available.

Mr. NANKIVELL: I accept what the Minister says, but this is another case where there is a limitation in thinking. What about the universities? What about oceanographic work? No provision is made for universities, although provision is made for local government bodies and specific departments.

The Hon. G. R. BROOMHILL: Clause 18 provides the opportunity for money to be made available for any outside research project.

Clause passed.

Remaining clauses (15 to 18) and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 12.12 a.m. the House adjourned until Thursday, August 31, at 2 p.m.