HOUSE OF ASSEMBLY

Wednesday, November 8, 1972

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

CROWN LANDS ACT AMENDMENT BILL

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

QUESTIONS

MURRAY NEW TOWN

Dr. EASTICK: Will the Premier say what approach, if any, the Government has made to the Commonwealth Government in respect of obtaining funds for the development of Murray New Town and what has been the response to any such approach? News of the proposed Murray New Town was given to the public of South Australia in advance of any announcement being made by the Commonwealth Government relating to funds being made available for such a project involving decentralization or regional development. Therefore, one would assume that the Government had approached the Commonwealth Government for some financial consideration in respect of this development. A report in this morning's newspaper states that Sir John Overall, who is the Commissioner of the authority considering this type of development, has defined sub-metropolitan centres as "areas being between 15 and 50 miles from a city but which were self-contained communities", and Murray New Town is cited as an example. The report also refers to other instances of regional development. I ask my question in relation to the immediate situation that has been unfolded by the Commonwealth Government of funding being available for such a project but, more particularly, in relation to what results the Government may have had from approaches, assumed to have been made before the recent announcements about it, for Commonwealth funding for the Murray New Town area.

The Hon. D. A. DUNSTAN: The announcement made by the Government about Murray New Town occurred before any statement whatever was made by the Commonwealth Government about regional development—

Dr. Eastick: That's acknowledged.

The Hon. D. A. DUNSTAN: —or assistance for any form of regional development.

Dr. Eastick: But did you try?

The Hon. D. A. DUNSTAN: Since the announcements by the State Government, we have proceeded, with the advice of the State Planning Authority regarding the precise site, in accordance with the provisions of the Act passed by this Parliament. An additional matter relating to that will come before the House in the next day or so. In addition, we have established a steering committee on the development of Murray New Town that will put us, in fact, well ahead of any other part of Australia in being in a position to submit precise information to a Commonwealth Government for assistance for regional development of this kind. We have informed the Commonwealth Government of what we are doing in relation to this area. We have not yet made a submission for assistance within the terms of the proposals of the Commonwealth Government, since at this stage of proceedings we are not able to do so, nor is any other part of Australia able to do so. At the earliest possible opportunity we will put submissions before the Commonwealth Government on the development of Murray New Town and on the assistance that we seek within the terms so far laid down, as far as they can be ascertained. The Leader will be well aware that there has been much vagueness on the part of the Prime Minister.

Mr. Millhouse: Nonsense.

The Hon. D. A. DUNSTAN: The honourable member apparently has not read what the Prime Minister said on this subject. The Prime Minister was not even aware that he was in fact discussing entirely out of context at one stage a Bill being prepared by the Parliamentary Draftsman. We shall be in a position, ahead of any other part of Australia, to make submissions to a Commonwealth Government.

Mr. Millhouse: This Commonwealth Government.

The Hon. D. A. DUNSTAN: If the honourable member wants to whistle in the dark about the present Commonwealth Government, he can keep on whistling. We shall be in a position to make a submission to a Commonwealth Government for assistance in relation to a regional centre, ahead of any other part of Australia.

Dr. Eastick: Hasn't Albury-Wodonga made one?

The Hon. D. A. DUNSTAN: I have heard about proposals in relation to Albury-Wodonga, and heard some very critical things said by the Commonwealth Government in

relation to Albury-Wodonga. Since that was an area advanced immediately by the Leader of the Commonwealth Labor Party as a case for obvious assistance, the present Commonwealth Government has evinced considerable concern that any assistance should be given to that area. They are certainly not in a position of being able to make the kind of submission within the terms of the matters laid down by Sir John Overall that we will be able to make.

COAST PROTECTION

Mr. MILLHOUSE: My question is directed to the Minister Assisting the Premier, who is also, I understand, the Minister of Conservation and Environment. Can he say whether the Government has any plans effectively to protect coast areas still in their natural or near natural state from undesirable development? My question is prompted by two things: first, by the reported comments in this morning's newspaper by Mr. Ronald Gilling, who advocates that all coastal subdivision and building development in Australia should be frozen immediately; and secondly, by a letter I received from the Minister only within the last week concerning the sandhills at Moana, a matter that I raised with him many months ago.

Mr. Jennings: Do you want to freeze the sandhills?

Mr. MILLHOUSE: In the letter the Minister states:

It is proposed to take action—

that is, to protect the Moana sandhills—

when a development plan is produced for the various coast protection districts, but legal advice to the board suggests that no action can be taken to prevent the removal and sale of windblown sand from private property.

As the Minister knows, this is happening and has been happening for a long time at a pretty rapid rate. The letter continues:

Although very concerned by this situation, the board is unable to act at this stage but is considering what steps need to be taken to hasten the provision of development plans for coast protection districts.

In that letter the Minister set out the problem, expressed concern, but gave no solution. I presume that we are within a fortnight or so of the end of this session, so that the chance to take any effective legislative action is disappearing. I hope that, even if it is not possible to take legislative action, it will be possible to take some administrative action, although I do not know whether any is available and, from the Minister's letter, it is hard to see any, but the area at Moana and other areas on the South Coast are rapidly disappearing. In reply to the interjection—

Members interjecting:

The SPEAKER: Order! The honourable Minister of Environment and Conservation.

The Hon. G. R. BROOMHILL: The matter referred to by the honourable member is one that has caused me some concern. It was hoped that the introduction of legislation to establish the Coast Protection Board would solve many of the problems, and it has done so in relation to the immediate problem (or the problem the Government saw as immediate) concerning our metropolitan beaches, which were in a bad situation brought about by years of neglect and the failure of previous Governments, mainly Liberal Governments, to act in this matter. However, there have been other proposals for development, in what the honourable member referred to in his question, that have caused concern. Some action can be taken soon following the passage of the Planning and Development Act Amendment Bill now before Parliament under which the Director of Planning is given the opportunity to refuse any subdivision if it does not form a compact part of the existing town.

Mr. Millhouse: This would not help Moana.

The Hon. G. R. BROOMHILL: No, but the honourable member extended his question and referred to correspondence: he did not confine his question to Moana (I am sure he would be willing to admit that), and I am replying to the question generally. Some control will be available in the immediate future in relation to that type of development. The problem he referred to was sought to be corrected when the Coast Protection Board was established, but because the machinery involved under the legislation will naturally want to be directed towards establishing development plans for the metropolitan area as quickly as possible, it must be noted (and I pointed this out in my letter) that it will be a long time before we can provide these development plans for the total coastline of the State. As a result, it is clear to me that there is a need for additional legislation to hold the position until those plans can be developed. I have asked the Coast Protection Board to examine this matter and, no doubt, in the new year legislation will be introduced and aimed towards that end.

Mr. Millhouse: Introduced by us.

The Hon. G. R. BROOMHILL: There is no chance of that.

HILLS SEWERAGE

Mr. EVANS: Has the Minister of Works a reply to a question I recently asked regarding sewerage in the Adelaide Hills, especially in the Stirling area?

The Hon. J. D. CORCORAN: A site has been chosen in the Heathfield area located in part sections 383 and 417, hundred of Noarlunga. Particular attention has been given to consideration of the surrounding environment and every effort will be made to preserve, wherever practicable, the present natural flora. Adequate land will be purchased to provide a buffer area around the intended works to ensure that its presence will cause minimal interference to neighbouring landholders.

FOSTER CHILDREN

Dr. TONKIN: Can the Minister of Community Welfare say whether his department has any policy regarding the mode of removal of foster children from the custody of foster parents? It has been brought to my attention that a child who has been fostered with the same foster parents for apparently eight years has finally been returned to his natural parents. However, there has been little contact between the child and the natural parents, who have been unable to maintain contact, and little notice was given to either the child or the foster parents before the child was returned to his natural parents. This is a long time for one child to be fostered with one family, and I considered that it was unlike the Community Welfare Department to give little or no notice of such a change, and was sure that there must have been some misunderstanding. In asking this question, I hope that the department's policy will be clearly stated regarding the period of adjustment provided when a child is taken from one family by another.

The Hon. L. J. KING: It is the policy of the department that, where the natural parents are suitable parents and where it is in the interests of the child that they should have the care of the child, everything possible shall be done to have the child brought up by the natural parents. As the honourable member understands, fostering is essentially a substitute care situation and foster parents are not looked on as (nor are they intended to be) a permanent substitute for the natural parents: rather are they a substitute for the natural parents during a period when the natural parents, for one reason or another, cannot care for the child. It follows that, if circumstances change and it becomes possible for the child to be returned to the natural parents, this is done unless there are compelling reasons to the contrary. Whenever that is done, especially after a long period of fostering, the department takes great care to ensure that the child has an opportunity to adjust to the new situation. The child is generally prepared by the parents' visiting the child in the foster home and meeting the child in other circumstances; sometimes the child pays short visits to the natural parents before the final transfer is made. I have had personal association with cases in which I could observe this procedure occurring. Generally, it seems to work satisfactorily. I do not know the explanation of the matter to which the honourable member has referred, but I am sure there must be some explanation. I will have the matter investigated if the honourable member gives me the names of the parties involved.

KIMBA HOSPITAL

Mr. GUNN: Has the Attorney-General a reply from the Chief Secretary to my question about Hospital Department approval for work at the Kimba Hospital?

The Hon. L. J. KING: My colleague states that the Secretary of the Kimba Hospital was told on October 24, 1972, that approval had been granted for the board of management to proceed with the preparation of working drawings and specification.

SCHOOL CARPETS

Mr. CARNIE: Will the Minister of Education say what is the policy of the Education Department on the type of carpet to be laid in school buildings? I have received a letter from the Cowell Area School Committee, the first paragraph of which states:

> At a recent meeting of the Cowell Area School Committee, concern was expressed that the carpet installed in the new library, which is a wooden building, was not wool but was of some obviously flammable material.

It is obvious from the concern expressed by the committee that there is a danger in this sort of thing, and I should also like to mention another point made by the committee: that there is no doubt that pure wool carpets are the best type for the constant hard wear we expect in a school. That is apart, of course, from the fact that wool carpets are known to have non-flammable properties. There may be false economy, in terms of both wear and danger, on the part of the Government in not providing wool carpets. I ask the Minister

what criterion the department uses to determine the type of carpet to be used in school buildings, particularly wooden buildings.

The Hon. HUGH HUDSON: I will consider the matter raised by the honourable member.

JUSTICES OF THE PEACE

Mr. RYAN: Will the Attorney-General say whether, under the new system of appointing justices of the peace, the relevant House of Assembly member will be told of any appointments made? Under the old system, whereby the member for the district forwarded the application for appointment as justice of the peace, the member was told later whether the appointment had been approved, and I ask whether that procedure will continue.

The Hon. L. J. KING: Yes, I am arranging for the members of the House to be notified.

SAND RESERVES

Mr. BECKER: Can the Minister of Environment and Conservation say what is the estimated total reserve of sand off metropolitan beaches and whether the grain of that sand matches that of the sand on the beaches that require replenishment?

The Hon. G. R. BROOMHILL: Although I cannot remember the exact tonnage involved, I can say that in the past it has been estimated that we would require about 1,000,000 cub. yds. of sand for places along our metropolitan beaches, and there is an adequate supply available to us in several areas. The likelihood of our having a problem about the different size of sand or the type of grain in the supplies available to us has been considered, and it is clear there will be no problem. That is one matter that the executive engineer of the Coast Protection Board will examine immediately he takes up his appointment. As I have said previously, he will also examine the best method of placing the sand back on the beaches. I assure the honourable member that the survey undertaken last year showed that the supply of sand available was far more than we would require for the purpose referred to.

TEA TREE GULLY INTERSECTION

Mrs. BYRNE: Will the Minister of Roads and Transport have investigated the dangerous intersection of Hancock Road and Milne Road, Tea Tree Gully, with a view to making the intersection safer for traffic? Constituents living near this intersection have told me that near accidents, which occur daily, are mostly caused by motorists speeding along Hancock Road, which I realize is not within the jurisdiction of the Minister. From personal experience I know that the intersection is dangerous.

The Hon. G. T. VIRGO: I shall be pleased to have the matter investigated.

ROAD TAX

Mr. WARDLE: Has the Premier a reply to my recent question concerning exemption from road tax for landholders in drought areas?

The Hon. D. A. DUNSTAN: It would not be possible to grant exemption from road tax in respect of products transported to and from drought affected areas in the manner suggested by the honourable member. However, presently approved drought relief measures include the payment of a subsidy of 50 per cent of the cost of freight involved in moving stock from drought affected areas and of transporting fodder to those areas. Normally the subsidy is applied to transport by rail but consideration is given to the application of the subsidy to road transport where circumstances require it. Any farmer wishing to obtain a subsidy in relation to transport of stock or of fodder by road should make prior application to the District Inspector at the nearest office of the Lands Department. Further appropriation of funds for drought relief measures is included in the Supplementary Estimates to be placed before Parliament this afternoon.

APPRENTICES

Mr. BROWN: Can the Minister of Labour and Industry say whether his department intends to extend the present block system of apprentice training in my district in the near future? At present, fitters and turners and boilermakers are being trained successfully by this method and I am anxious for other trades to be included in the system.

The Hon. D. H. McKEE: This matter has been considered seriously and the department expects to make announcements early next year about the inclusion of other trades in the block system of training.

Mr. COUMBE: As there is presently a severe shortage of highly skilled tradesmen in the engineering industry and allied heavy industries, can the Minister say what is the position

with regard to apprenticeship enrolments following the appeal that he made to employers early this year?

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

SPEEDING OFFENCES

Mr. RODDA: In view of the effective policing of motor vehicle speeds under the provisions of the Road Traffic Act relating to drivers of heavy transport vehicles, can the Minister of Roads and Transport say what steps he intends to take to introduce effective legislation to remove the anomaly with which these drivers are confronted? Many drivers of road transport vehicles from my district have incurred 12 demerit points and as a consequence have lost their driver's licence for three months, thus losing their source of income and depriving the industry of their experience. The penalties have occurred as a result of the policing of the speed limits, mainly on Duke Highway. Members of the heavy transport industry are concerned about these experienced drivers being removed from the industry because they are being replaced by people who are not experienced in the handling of heavy transport vehicles. As legislation to solve this problem cannot be introduced before the first session of the new Parliament (which could be as late as the middle of next year), I ask the Minister what he intends to do to enable the parties concerned to meet and discuss this matter, which is of grave urgency in one of our major industries.

The Hon. G. T. VIRGO: First, there is no doubt that amending legislation will not be introduced during this Parliament, as the member for Victoria has indicated. However, I cannot and do not wish to comment on the honourable member's suggestion concerning when the House may be called together again: the Premier will determine that matter after consulting His Excellency the Governor, following the next election.

Mr. Millhouse: Not the present Premier.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. G. T. VIRGO: I know that the member for Victoria does not appreciate the stupid comment of the member for Mitcham. The member for Victoria is at least sufficiently realistic to know that he will still be in Opposition after the next election and, if the member for Mitcham has not sufficient brains to realize it, I point out that he also will be in Opposition if, indeed, he is in the House.

Members interjecting:

The SPEAKER: Order!

The Hon. G. T. VIRGO: Having disposed of the stupid interjection of the member for Mitcham, I will get back to the question asked by the member for Victoria, because the honourable member had asked the question seriously and it involves a serious problem. The effects of the points demerit system are now being felt by the drivers of the vehicles concerned. Understandably, transporters think they are being singled out, but some people driving transport vehicles have reached the stage of receiving 12 demerit points. Indeed, the people concerned have been charged and have either pleaded guilty to or been found guilty of the charge, which in most cases is one of speeding. As a result, those people have attracted demerit points nearing, and in some cases reaching, a total of 12. This matter has concerned me for a considerable period, and I think it must be borne in mind that it has been debated at least twice this year, but the desired result has not been achieved. The Government is willing to increase the speed limits of commercial vehicles, provided that the people concerned accept the necessary safety precautions that must be taken as a consequence.

It has been stated many times that in New South Wales and Victoria there are speed limits for commercial vehicles of over 50 miles an hour and that our speed limits are unrealistic compared to the limits in those two States. However, conveniently ignored is the fact that in those States there are safety precautions in connection with the braking of a vehicle, the weight it can carry, and the hours that a driver can sit behind the wheel. I have made my position plain many times not only in this House but also to the transport industry itself. Provided that the transport industry will accept the responsibilities associated with road safety that must be observed if speed limits are increased, the Government will legislate to increase the permissible speeds. I think that when this is done many of the problems currently faced will be solved. However, those people who are complaining that they have received demerit points have received those points only because they have broken the law that this Parliament has made.

STURT HIGHWAY ACCIDENT

Mr. CURREN: Will the Minister of Roads and Transport obtain a full report on the fatal

accident that occurred last weekend at the junction of the Lyrup road and the Sturt Highway, between Berri and Renmark? I have heard various news reports and other statements concerning what occurred and what was the cause of this accident, one report being that the car involved was standing and waiting to make a right turn on to the Lyrup road and was crushed from the rear by a road transport vehicle, because the road was insufficiently wide for that transport vehicle to pass. Unfortunately, two children were killed instantly as a result of the accident, two others were seriously injured and the drivers of the two vehicles were also injured. Will the Minister obtain a full report on this accident?

The Hon. G. T. VIRGO: Yes.

COUNCIL BOUNDARIES

Mr. VENNING: Will the Minister of Local Government say why he is pressing on with the formation of a commission to consider the redistribution of local government areas when, in fact, the Local Government Act Revision Committee has strongly recommended against this action? The recommendations of this committee are found in the report in sections 274 to 387, commencing at page 43, sections 461 to 464 (page 51), and section 468 (page 52).

The Hon. G. T. VIRGO: Just to correct the misstatement of the honourable member, I point out that I am not pressing on with a redistribution of council boundaries.

Mr. Venning: But you want to establish a commission to do so.

The Hon. G. T. VIRGO: What I have said as clearly and as simply as possible is that I am seeking the views of local government and, if local government by a majority supports the view that a commission should be set up to consider council boundaries, I shall take the necessary steps to set up such a commission; in other words, the commission will be set up only if it has the support of local government. That is vastly different from the statement made by the honourable member. The second point he raises is why this is happening when it is contrary to the Local Government Act Revision Committee's report. That report is not a document which has been accepted *in toto* and which is going to be adopted without any concern about the effects it may have. The opinions expressed by the Local Government Act Revision Committee were the opinions of a group of people who were entrusted with a specific task some time ago. I think the committee was set up by the Hon. Stan Bevan in the 1965-68 Labor Government.

Mr. Venning: That's all right; I'm not talking about that.

The Hon. G. T. VIRGO: I do not blame the honourable member for not talking about it, because it must embarrass him to realize that a Labor Government was responsible for setting up that committee.

The SPEAKER: Order!

The Hon. G. T. VIRGO: The committee presented a valuable document but that document is not a bible: it does not have to be adopted word for word. If local government supports the view that a commission should be appointed to investigate boundaries, such a commission will be appointed. I believe that the view of local government is of greater importance than the view of the revision committee.

Mr. McAnaney: You're ignoring it in your Planning and Development Bill.

The Hon. G. T. VIRGO: I will ignore the member for Heysen, too, because that is what he deserves. The point I want to make for the member for Rocky River is that at this stage amongst councils the majority is about two to one in favour of accepting a thorough investigation of a redistribution of council boundaries. I know that the honourable member will be horribly disappointed to hear that, but what he must get into his thick skull—

Mr. GUNN: On a point of order, Mr. Speaker.

The Hon. G. T. VIRGO: —is that if there is no redistribution—

Mr. GUNN: On a point of order, Mr. Speaker.

The Hon. G. T. VIRGO: —some local government bodies—

Mr. GUNN: On a point of order, Mr. Speaker. I take exception to the personal remarks made by the Minister about the member for Rocky River, and I ask him to withdraw them.

The SPEAKER: The honourable Minister was not speaking about the honourable member for Eyre.

Mr. VENNING: Mr. Speaker—

The SPEAKER: Order! The honourable member for Rocky River must resume his seat. He knows that he is entirely out of order in getting to his feet while I am on my feet trying to attend to a previous point of order.

Mr. VENNING: I take a point of order, Mr. Speaker. The Minister made a personal

remark about me, and I ask him to withdraw it. At the least, it was unparliamentary.

The Hon. G. T. VIRGO: Will the honourable member say what is the unparliamentary term that he wishes me to withdraw?

Mr. VENNING: Mr. Speaker, I think you heard what the Minister said.

The SPEAKER: Order! The honourable member for Rocky River was interjecting at the time, and I could not hear what was said. What does the honourable member object to?

Mr. VENNING: He insinuated that—

The SPEAKER: Will the honourable member write it down and bring it up? If the honourable member wants to take objection, he must write it down and bring it to the table.

Mr. Venning: If I have to write a book about it, I won't.

RAILWAY SLEEPERS

Mr. LANGLEY: Has the Minister of Roads and Transport received any information following the request made that concrete sleepers be installed on the Tarcoola to Alice Springs railway line? It has been reported that a termite is causing anxiety on a Western Australian railway line. Apparently, sleepers are now being replaced by a preservative-treated Malaysian sleeper. However, had concrete sleepers been used on this line, there would have been little trouble.

Mr. Gunn: What are you reading?

The Hon. G. T. VIRGO: I know that the member for Eyre will be interested in this matter. I am certain that the member for Unley was not in any way, even by innuendo, referring to the member for Eyre in his question.

Mr. Coumbe: He might have been referring to his mates.

The Hon. G. T. VIRGO: Yes, he has some mates, even amongst members opposite. The Bureau of Transport Economics in the Commonwealth Shipping and Transport Department has examined the question of concrete sleepers compared to timber sleepers. The Commonwealth Minister has decided that timber sleepers will be used on the Tarcoola to Alice Springs railway line. Regrettably, his decision will cost the Australian taxpayers, from memory, about $2,300,000 (that is the estimated cost) that will be wasted in an endeavour to buy votes in one or two Country Party districts. Therefore, timber sleepers and not concrete sleepers will be used, even though it will cost the taxpayers almost $2,500,000. Whether concrete sleepers will be used on the Adelaide to Crystal Brook line has not yet been determined. I have been told by the Commonwealth Minister that discussions will take place between whoever is Commonwealth Minister after December 2—

Mr. Venning: Mr. Nixon, or one of his colleagues.

Mr. Coumbe: Yes, there could be a Cabinet reshuffle.

The SPEAKER: Order! Honourable members who are continually interjecting are out of order. I warn them that I will not constantly rise to my feet to call for order. Because of these rude interruptions, it is impossible to hear what is being said.

The Hon. G. T. VIRGO: The Commonwealth Minister has told me that he or whoever holds that position after December 2 will have discussions to determine whether concrete or wooden sleepers will be used on the Adelaide to Crystal Brook standardization programme. I am not certain when those discussions will take place. However the feasibility study of the Bureau of Transport Economics indicates that there is little difference in this matter financially. In fact, it appears to me that, if anything, the odds are in favour of the use of concrete sleepers. Certainly in South Australia we strongly advocate the use of concrete sleepers. The Premier has submitted a strong and (I would go so far as to say) an unanswerable case to the Prime Minister pointing out the advantages of concrete sleepers, particularly with regard to the employment of South Australians.

WHEAT QUOTAS

Mr. FERGUSON: Will the Minister of Works ask the Minister of Agriculture what action he has taken to urge the Commonwealth Minister for Primary Industry to recommend that wheat quotas be removed for the 1973-74 harvest? I ask this question because, in the *Advertiser* of September 20, 1972, the Minister of Agriculture is reported to have said that wheat quotas in Australia should be removed, if only for two years.

The Hon. J. D. CORCORAN: I will ask my colleague what steps he has taken to inform the Commonwealth Minister of his views in this matter. I think the major concern of the Minister of Agriculture is that, if the quota system is continued (and this is apart from the fact that there is a shortage of grain throughout the world at present), it can lead to blackmarketing practices, as the honourable member will be aware. There are reasons

why it is to the advantage of South Australia for quotas to be maintained, especially when the position of wheatgrowers here is compared to the position of growers in the other States.

FIREWORKS

Mr. SLATER: Has the Minister of Works obtained from the Minister of Agriculture a reply to my recent question about prohibiting the sale of all fireworks in South Australia, except those required for organized public displays?

The Hon. J. D. CORCORAN: My colleague has considered such a prohibition but he doubts whether such action is warranted. This year the number of accidents from misuse of fireworks declined partly because of the restrictions now operating prohibiting sales of the larger and more dangerous types of firework. It must not be overlooked that total prohibition on sales of fireworks could well lead to increased manufacture (often by children) of home-made and potentially dangerous firecrackers.

EGGS

Mr. McANANEY: Has the Minister of Works a reply to my question about new legislation to deal with egg marketing?

The Hon. J. D. CORCORAN: The Minister of Agriculture does not intend to introduce legislation regarding production control in the egg industry at this late stage of the present session. However, he is anxious that this matter be dealt with as quickly as possible, and expects that a Bill will be ready for consideration by Parliament early in the session next year.

HIGH-SPEED HIGHWAY

Mr. GOLDSWORTHY: Has the Minister of Environment and Conservation, in the absence of the Minister of Roads and Transport, a reply to my question of October 25 about the high-speed highway via Millbrook, Gumeracha and Birdwood to Mannum?

The Hon. G. R. BROOMHILL: It is intended to reconstruct progressively the Adelaide-Mannum Main Road 33 between Tea Tree Gully and Mannum by modifying the existing alignment, where required, to allow easier movement and greater safety for both recreational traffic and traffic from the Gumeracha, Birdwood, and Mannum areas. Detailed investigation of the preliminary line for the improved route, earlier submitted to the district councils concerned, is now being undertaken, with particular reference to effects on landscape in the more scenic sections. While reduced times for journeys will most likely result from the route overall when reconstructed, design for high-speed operation between Millbrook and Birdwood must necessarily be tempered by consideration of the prevailing hilly terrain. As a first measure towards ultimate improvement, provision for some road widening to facilitate passing on this section has been made in the works programme for 1973-74.

ELECTRICAL HEATING

Mr. COUMBE: Can the Minister of Works say whether the Public Buildings Department is investigating the installing of electrical heating in timber classrooms to replace the oil and gas burners now used and, if it is, is the Minister aware of the likely additional cost to be involved in using electrical heating? Further, if this investigation is being made, will the Minister obtain some safety comparisons between the use of electrical appliances in timber classrooms and its use in other classrooms?

The Hon. J. D. CORCORAN: Only this morning the Director of the Public Buildings Department told me that a report was being typed and that he would send it to me. I asked my Secretary to place it in the bag if it were available, but it is not here. Naturally, I will have to study the report and confer with the Minister of Education about this matter. This question is being considered at this stage, but I have not yet received the report, although I may receive it later this afternoon.

ROYAL ADELAIDE HOSPITAL

Mr. MATHWIN: Will the Attorney-General ask the Chief Secretary to inquire into the waiting time of people attending the outpatients section of the Royal Adelaide Hospital? A constituent of mine has complained to me that her husband, a diabetic who had been in a coma, was taken to the Royal Adelaide Hospital by motor car, and then had to wait 4½ hours for attention. She said that there seemed to be no shortage of staff at the hospital.

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

TRANSPORT POLICY

Dr. TONKIN: Now that the Minister of Roads and Transport has returned to the Chamber I will forgo the pleasure of asking the Minister assisting him to give me a reply to a question I asked recently about transport

policy and will ask the Minister himself to give me that reply.

The Hon. G. T. VIRGO: I shall be pleased to give the honourable member the reply, after an absence of about two minutes to attend to some Ministerial matters that were rather pressing. When the honourable member asked this question on October 26, 1972, the Minister of Environment and Conservation said, "Obviously, the honourable member has not been listening when these announcements have been made." This would be so, because had he been listening there would have been little need for him to ask such a question. Nevertheless, I am pleased to make again a constructive announcement of practical measures being considered to upgrade Adelaide's public transport.

The appointment of a Director-General of Transport has certainly added much impetus to the Government's transport policies and, as pointed out previously, he is at present engaged in establishing a Planning and Development Branch. I am sure the honourable member will agree that this cannot happen overnight, because specialized professional staff must be sought and recruited. Nevertheless, much work has been done, and is being done, with the staff that is available. The following metropolitan area projects are being examined and researched at present, and I would expect that soon I shall be able to report on them: reserved bus lanes, express bus services, speed-up of downtown bus operations, common ticketing, postgraduate transportation scholarships, public transport to Flinders University, State public transport map, and, of course, the continuing investigations into the demand-actuated public transport system commonly known as "dial-a-bus". These are only some of the projects being examined, but they will serve to show that the imputations in the honourable member's question are entirely without foundation.

Dr. TONKIN: Will the Minister say what has been done by this Government to relieve Adelaide's transport problems other than to appoint the Director and institute examinations and research? As I wished to find out what measures were being considered, I asked specifically what was being done. If there are imputations in my question, as the Minister has suggested, he has obviously read them into the question, and obviously for a reason.

The Hon. G. T. VIRGO: Obviously, the honourable member has not yet got around to reading the reply I gave him.

Dr Tonkin: I have.

The Hon. G. T. VIRGO: Then I can only suggest that either I get someone to explain the reply to him in simple language or I have it put in braille. If the honourable member lets me know which he prefers, I shall be pleased to provide him with the necessary service.

Dr. TONKIN: Does the Minister continually refuse to give details of improvements made to Adelaide's public transport system by this Government simply because no improvements have in fact been made during his term as Minister?

The Hon. G. T. VIRGO: I am not sure for how long the honourable member will continue along this line. This is the third question he has asked on this matter this afternoon and, again by implication, he suggests that nothing has been done in the public transport field. I repeat that, if he looks at the reply I gave to his question last week, he will see the areas in which we are currently conducting investigations with a view to upgrading public transport where necessary. I do not know whether the honourable member also wants me to give details of the representations that have been made from each of the six States to the Commonwealth Minister who, in turn, has had these representations reviewed by the Bureau of Transport Economics, which has recommended that $500,000,000 be allocated to the States within the next five years for the upgrading of public transport. Perhaps the honourable member would like me to go on talking about that. If he is asking me to give a reply that suits his political persuasion, obviously he is wasting my time and the time of the House.

HIGHWAY GANGS

Mr. ALLEN: Can the Minister of Roads and Transport say what increase, if any, has been made in the last five years in the number of highway gangs operating outside the metropolitan area? Also, does the Government intend to let more road construction work on a contract basis?

The Hon. G. T. VIRGO: As I cannot now provide the statistical information sought by the honourable member, I will obtain the information from the Highways Department.

SPELLING

Mr. WRIGHT: Has the Minister of Education been able to consider further the proposition that spelling should be reformed?

The Hon. HUGH HUDSON: I am rather wary in replying to another question on one of these topics, particularly as on a previous occasion the member for Kavel asked a question when occupying the crease and trying to extend Question Time to 4 p.m., and my reply, which appeared on the front page of the *Advertiser*, resulted in some abusive letters appearing in the correspondence column of that newspaper. However, I have received a poem on the subject of spelling that I think will be of some interest, because it illustrates the problem involved.

Mr. Gunn: Is this a poem by Dorothy Dix?

The Hon. HUGH HUDSON: No, she had nothing to do with writing this poem. In its last lines the poem helps to reply to the question about whether spelling should be reformed. The poem—

The SPEAKER: Is this in reply to the honourable member's question?

The Hon. HUGH HUDSON: It is in reply to the honourable member's question. The poem is as follows, Mr. Speaker:

Dearest Creature in Creation—

Dr. TONKIN: I rise on a point of order. I do not think that the honourable Minister should address you, Mr. Speaker, in those terms.

The SPEAKER: Just before the point of order was taken by the honourable member for Bragg, the language of the honourable Minister was such that I was going to take exception and ask him for a withdrawal of that remark, because I think it is a reflection on the Chair. I ask the honourable Minister to correct that statement.

The Hon. HUGH HUDSON: I regret, Mr. Speaker, any inference that you may have drawn from the way I started to read the poem. I assure you, Sir, that no reflection was intended. I will now read the poem:

Dearest Creature in Creation,
Studying English pronunciation
I will teach you in my verse,
Sounds like corpse, corps, horse, and worse,
Sword and sward, retain and Britain,
(Mind the latter how it's written!)
Made has not the sound of bade,
Pay—paid, say—said, laid but plaid.
Now I surely will not plague you
With such words as vague and ague,
But be careful how you speak,
Say break, steak, but bleak and streak,
Previous, precious; fuchsia, via,
Pipe, snipe, recipe and choir.
Blood and flood are not like food,
Nor is mould like should and would.
Shoes, goes, does. Now say finger,
And then singer, ginger, linger.
Worm and storm, chaise, chaos, chair;
Senator, spectator, mayor.
Query does not rhyme with very,
Nor does fury sound like bury,
But it is not hard to tell
Why it's pall, mall but Pall Mall,
Though the difference seems little,
We say actual, but victual,
Finally: which rhymes with "enough",
Though, through, plough or cough, or tough?
Hiccough has the sound of "cup".
My advice is—give it up.

For those who want reform of spelling, I point out that the problem is so complicated, so difficult and so intricate that my advice on this matter is to give up.

COUNTRY SEWERAGE

Dr. EASTICK: Has the Minister of Works a reply to my question of November 1 regarding effluent and sewerage scheme programmes that have been approved and previously announced?

The Hon. J. D. CORCORAN: No new schemes for the sewerage of country towns have been recently approved. Sewerage works are continuing in the towns of Port Pirie, Victor Harbour and Gawler, and minor extensions as approved will be made in country towns already sewered. Subsidies for common effluent schemes are under the control of the Minister of Local Government. I have referred this part of the Leaders question to him for consideration.

SOUTH-EAST HIGHWAY

Mr. RODDA: Can the Minister of Roads and Transport say whether a decision has been made regarding the completion of Main Road No. 298? Earlier this session I gave the Minister details and a petition signed by Lucindale residents who are vitally interested in this road. The road runs through my district and the districts of other distinguished people.

The Hon. J. D. Corcoran: We supported you in this matter.

Mr. RODDA: And we accepted the support of the Minister.

The Hon. G. T. VIRGO: If I remember correctly, Main Road No. 298 services the Districts of both Victoria and Millicent. As a birthday gesture to the member for Millicent, Minister of Works, and Deputy Premier, and as a gesture to the member for Victoria, I will get the information sought.

WATER POLLUTION

Mr. EVANS: Has the Minister of Works a reply to my recent question concerning the causes of water pollution and measures that can be taken to prevent it?

The Hon. J. D. CORCORAN: Vegetation and rubbish in stream beds are only a minor part of the total pollutional load of nutrients and suspended matter received in the reservoirs. Most of the pollution received at the reservoirs is associated with rural and other human activities on the watersheds. Manual cleaning of the waterways would be impracticable and expensive and could not be justified on a cost-benefit basis. Furthermore, the majority of streams would be inaccessible by machines, which would cause excessive damage to properties and destroy natural stability of the stream beds. Access to the waterways would be difficult because, with a few exceptions, they are located within private property. It is considered that there is no justification nor is it economically practicable to employ personnel to clear the waterways. However, it can be noted that the department does clean up any domestic rubbish dumping located by its inspectors or brought to the attention of the department by the public.

RACING DATES

Mr. WARDLE: Will the Attorney-General ask the Chief Secretary if he has approved the racing dates for 1973 recommended by the South Australian Jockey Club and, if he has, will he give me a list of those dates?

The Hon. L. J. KING: I will obtain that information for the honourable member.

ASSISTANT MINISTERS

Mr. BECKER: Can the Premier say whether the Government has considered appointing assistant Ministers? The appointment of two or three assistant Ministers would relieve the work load of some Ministers and afford valuable experience and training for future Ministers. I understand that the Minister of Education and the Minister of Roads and Transport have two busy portfolios, and that the portfolio handled by the Minister of Works is also considered to be a heavy portfolio. I find it difficult, when wishing to ask questions of the Premier concerning finance and development matters, to be told that he is not here, because I must then direct the question to the Deputy Premier, with whom I sympathize in this respect.

The SPEAKER: Order! The honourable member is commenting and cannot go on.

The Hon. D. A. DUNSTAN: There is a Minister assisting me in this House. The Constitution, which does not provide for assistant Ministers except for the creation of special portfolios, limits the number of Ministers we can appoint in this House. Of course, the number of Ministers must not only bear some relationship to the work load: it must not exceed a given ratio of Ministers to other members. However, it must be acknowledged that my Cabinet carries a heavier work load than any other Cabinet in Australia. It has more work to do because of the programme we have been accomplishing at a record rate. I pay a tribute to members opposite for the assistance they have given the Government recently in accomplishing that programme, because their attention has often been elsewhere. The matter of the load that Ministers must carry is one of natural concern, but I do not think any further action can be taken about it at this stage.

TEACHING SCHOLARSHIPS

Mr. GOLDSWORTHY: Will the Minister of Education say how many student teachers will be admitted to teachers colleges, the Institute of Technology, and other colleges of advanced education next year? A report in the *News* today states that 4,000 students will miss out on teaching grants this year and that the number of scholarships awarded will be, I think, 1,715. I take it that this refers to entrants to what we at present call teachers colleges. I have not heard of entrance scholarships previously, and I ask the Minister how many such scholarships will be awarded next year and how many applications he expects to receive.

The Hon. HUGH HUDSON: At the beginning of next year (and I give the figure from recollection) the Education Department will award 1,725 first-year scholarships.

Mr. Goldsworthy: Is that a new term?

The Hon. HUGH HUDSON: No. If a person is attending a teachers college or a university and is paid almost $1,000 a year on the basis of merit after applications have been invited, he is entitled to say that he has received a scholarship from the Education Department. These are first-year scholarships tenable at one of the colleges or a university. In addition to the 1,725 scholarships for first-year students, another 150 students will be admitted to Salisbury Teachers College in the middle of next year. That is the only teachers college involved in mid-year admissions and mid-year exits. The total number of applications for scholarships received at this stage is about 5,600, which is much greater than the number of applications we have received in the past. We expect that the total number of applications will probably reach 6,000. This

indicates that the competition for these scholarships is much greater than it has been in past years, but that position does not allow one to conclude that, if there are about 6,000 applications, more than 4,000 applicants will miss out, because the normal procedure is for any student leaving school to lodge several applications. Many students, when leaving school, apply for Commonwealth Scholarships, Education Department scholarships, and other awards. Depending on what they are offered, they make a choice. In some cases Education Department scholarships that we offer to people are refused because the people concerned can get something else with a higher priority. It would be incorrect to draw the conclusion that about 4,000 students will miss out, because many of these will have lodged other applications, as I have said. Nevertheless, it would be correct to say that the competition for Education Department scholarships will be much greater than it has been in the past and that these scholarships will consequently be more difficult to obtain. The minimum standards required to gain Education Department scholarships for entry to all the various fields are likely to be significantly higher at the beginning of next year.

MOUNT GAMBIER INTERSECTION

Mr. BURDON: Will the Minister of Roads and Transport take up with the Highways Department the desirability of improving visibility at the intersection of the Casterton and Portland roads, east of Mount Gambier? In the past few years this intersection has been the scene of several accidents, some of which were fatal. The biggest problem seems to be a high bank that obscures vehicles travelling west from Portland from the view of drivers travelling south on the Casterton road, especially when visibility is also affected by the afternoon sun. Action to overcome the dangerous hazard would be appreciated.

The Hon. G. T. VIRGO: I will take the matter up.

KIMBA MAIN

Mr. GUNN: Can the Minister of Works give details of the agreement that the State Government has reached with the Commonwealth Government about the Polda-Kimba main? I understand that the Minister stated in a press release yesterday that the Commonwealth Government had generously agreed to give the State $2,100,000 as financial assistance for this most important project in my district. I am pleased to be able again to commend the Commonwealth Government for its generous treatment of the people of this State.

The Hon. J. D. CORCORAN: Yesterday the Premier replied to a letter in which the Prime Minister had stated that $2,100,000 would be made available, under certain conditions, to the State Government for works in connection with the Polda-Kimba main to reticulate water in the area. I think that the two main conditions were identical to the conditions laid down in respect of the Tailem Bend to Keith main. The first of those is that for any works over the value of $500,000 the design and plans must be submitted to the Commonwealth Government for perusal and approval. Of course, reports on the progress of the work must be made from time to time, and similar reports have been made on that basis previously. Secondly, any problem that arose in connection with the economic viability of primary producers in the area as a result of the water being reticulated would have to be the responsibility of the State Government, and the Commonwealth Government would deny any liability in that respect. On both counts the State Government has agreed to the Commonwealth Government's proposal and we have told the Prime Minister that those conditions are acceptable to us.

I join the honourable member in saying that the State is grateful for being able to share in the money being made available to develop water resources in Australia. The honourable member knows that over a long period of time we have been placing before the Commonwealth Government new submissions in connection with this scheme. In fact, on the first occasion the submission was rejected on what I considered (and I know the honourable member shares my belief) was a false premise. That was that to agree to the request would aggravate the rural recession which then existed and which has receded slightly since. This was not the case. In fact, the scheme would allow people to diversify and get on better than they are getting on at present.

Mr. Gunn: I made representations, too.

The Hon. J. D. CORCORAN: I appreciate the representations that the honourable member made, as I appreciate representations made by members of the Commonwealth Parliament, particularly Mr. Laurie Wallis (Commonwealth member for Grey). I am not saying that the honourable member should be denied any kudos in this matter, because it is a State undertaking and it is of benefit to the State generally that it proceed. The scheme will now be completed much more quickly

than it would have been completed. The State had undertaken to do the work anyway but, because of the availability of Loan funds, it would have taken much longer to complete than will be the case now. I am sure the people that the main will serve will be extremely grateful for what has happened. I think it is hoped that we shall be able to complete the whole scheme by 1976, whereas previously it might have taken 10 years or longer. It is a much better arrangement, and it will serve the people of that area much better.

TELEVISION BOXING

Mr. WRIGHT: Will the Attorney-General request the Postmaster-General to investigate the effect television boxing programmes in Australia are having on the Australian public and, in particular, the Australian youth? I have received a booklet from Victoria entitled *Stop the Fight* which contains comments about the effects of boxing. Mr. Frank Browne of the Melbourne *Observer* is quoted as saying the following under the heading "The T.V. Slug Nutties":

If T.V. boxing continues for any length of time, Australia will have yet another claim to fame. On a per capita basis we will have the biggest collection of punch-drunks, stumblebums, and slug-nutties in the universe. These unkind terms are applied to people who, in search of glory, have absorbed more punishment around the head than they can stand. As matters are at present, there are too many fights and too few fighters. Quite apart from the T.V. fights, many of the big Sydney clubs are also staging bouts.

The daily newspaper in Vatican City is reported in the booklet as saying:

Evil is in the very nature of boxing. It cannot be acquitted of manslaughter. Some boxers have been really massacred in the ring. One sports writer says there is no moral problem since fighters know what the sport entails and nobody is forced to fight. It is truly a singular thesis for, on that logic, taking drugs is not immoral. The very rules of boxing demand opponents be demolished; be put out of action. Such savage disablement is contrary to Catholic teachings.

In boxing the name of the game is to maim, and I am interested to know what effects these telecasts are having on the public.

The Hon. L. J. KING: I will ask the Postmaster-General to comment on what the honourable member has asked.

GLENELG TRAMS

Mr. MATHWIN: Will the Minister of Roads and Transport make available one of our Glenelg trams to the Glenelg Traders Association, which has offered to paint the outside of one or two such trams? The idea of this organization is to stimulate the interest of tourists in the trams and in Glenelg. As the Glenelg tram service is unique, I suggest that the trams be painted in a bright colour. In Melbourne at the moment a specially decorated tram that is in operation was painted by Ansett Airlines of Australia and it is called the "Bright Tram", meaning bright in colour. The traders would paint the tram in bright colours to stimulate tourism, use of the tram service, and the transportation of people living in Adelaide.

The Hon. G. T. VIRGO: I think that the member for Glenelg is rather concerned about colours of late. I have an idea that purple is his favourite colour, and I understand that he has deserted the traditional blue colour under which he was elected. I have heard him at least twice talk about the Glenelg traders wanting to change the colour of the trams, and today he has gone a step further by saying that apparently the Glenelg traders are prepared to paint a tram. If the Glenelg traders are so enthusiastic about this, I cannot understand why they have not contacted someone who could get something done.

Mr. Mathwin: I've been trying for weeks.

The Hon. G. T. VIRGO: I do not think the fact that the member for Glenelg used a paint brush when he was in England and refused to join a union gives him the right to say he is an authority on painting in Australia. If he is speaking with the knowledge and authority of the Glenelg traders, I suggest that he go back to them and tell them that if they have a proposal to put up I shall be delighted to hear from them and to consider their proposal.

NORTH ADELAIDE TRAFFIC

Mr. COUMBE: Does the Minister of Roads and Transport recall that on several occasions I have asked for information on the co-operation between his department and the Adelaide City Council regarding road widening or improvement proposals in the city, especially in North Adelaide? In view of the report in today's *News* regarding the rehashing of an old scheme to take the main traffic flow from LeFevre Terrace through the park lands into King William Road around the Brougham Place Congregational Church, thus cutting off several substantial houses and a development scheme, can the Minister say what discussions took place between his department and the council and, if not, will he get a report on the matter?

The Hon. G. T. VIRGO: I will obtain the information for the honourable member.

LABELLING

Mr. RODDA: Will the Attorney-General say whether he is considering the labelling laws in this State? It has been brought to my notice that these laws leave much to be desired. I have been told of labels describing articles as "pure wool", yet under the label it is stated that the article is made from "pure Acrilan". This type of labelling is not only misleading the public but also doing a grave disservice to a vital industry. I do not wish to appear partisan when I say that. This question is exercising the minds of many consumers in this State.

The Hon. L. J. KING: I think the area of packaging and labelling requires legislative attention. It has exercised my mind and it is being considered at present. Of course, there are no plans for legislation to be introduced during the present session, but the Government is considering the matter.

WEEDS

Mr. EVANS: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about noxious weeds?

The Hon. J. D. CORCORAN: Some weeks ago, all Ministers controlling departments owning or occupying land in the Adelaide Hills districts were circularized and requested to take action to ensure that their departments undertake programmes to eradicate, as far as possible, infestations of African daisy on Crown lands under their jurisdiction. I think I referred to this yesterday in a reply to the honourable member. I have circularized the request to departments under my administration. Similar requests have been made in previous years, and I believe that, with the co-operation and assistance of officers of the Agriculture Department, a measure of control has been achieved. The difficulty remains, of course, that windborne seeds of the weed from untreated localities cause reinfestation of these lands each year.

TENANT'S COSTS

Mr. WARDLE: Will the Premier say whether decoration costs and loss of rent are normally applied to tenants who transfer from one Housing Trust house to another within the same town? I have a copy of a letter received by one of my constituents stating:

You are required to pay the following costs before your transfer can finally be approved . . .

The costs amount to $105.15, $10 being for a new deposit, $10 for transfer administration costs, $5 for one week's loss of rent on the present premises, and $59 for a proportion of decoration costs on the present premises. My constituent is a working man with, I think, five children and has been living in a little temporary prefabricated cottage for several years. In addition, he is required to pay excess water and legal costs of $21.15. Obviously, a working man with a family this size does not readily have $105.15 to meet such costs. I should be pleased if the Premier could tell me whether there is any possibility of this sum being paid over a period when my constituent is living in the new house or, better still, whether these costs are normally applied in these proportions to a worker living in this type of house.

The Hon. D. A. DUNSTAN: If the honourable member will give me the details of the case, I will have an inquiry made and obtain a report.

RURAL UNEMPLOYMENT

Mr. GUNN: Has the Minister of Works a reply from the Minister of Lands to my recent question about rural unemployment?

The Hon. J. D. CORCORAN: The Minister of Lands states that the Commonwealth Government has acknowledged a commitment for the scheme to operate for 18 months from inception, which was in December, 1971. A review was to be held in Canberra in late October to discuss further funds for the latter part of this financial year. This review has not eventuated. The matter is currently being taken up with the Commonwealth on a formal basis but at this point of time the Government has no knowledge of the extent of any future funds and, consequently, is unable to pre-advise councils so that they may make the necessary preparation for future works programmes.

PENINSULA FINANCE LIMITED

Mr. BECKER: Will the Attorney-General have investigations made into the affairs of a company known as Peninsula Finance Proprietary Limited? A constituent of mine is most concerned about the affairs of this company, which is apparently involved with a now insolvent company known as Southern Concrete Masonry Limited. In the former company's balance sheet as at May 31, 1971, total assets are $498,138, which includes assets in a document described as "Schedule C" totalling $47,984. This schedule contains the item

"94,713 Southern Concrete Masonry Limited ordinary 10c shares—market value on May 31, 1971, $37,884". Also in the schedule appears the item "Guarantee from T. Turner that sale of above shares will realize $105,513", and a value is placed on that of $10,000. In view of my constituent's concern in this matter, will the Attorney-General have it investigated?

The Hon. L. J. KING: Yes.

MORPHETT ROAD

Mr. MATHWIN: Can the Minister of Roads and Transport say whether work on the widening of Morphett Road is to be undertaken this financial year and, if it is, when it is expected that it will commence? The Minister will be well aware that this main through-road or highway carries a great volume of traffic.

The Hon. G. T. VIRGO: I regret that I do not have in front of me the work schedule that the Highways Department produces each year, showing the work that will be undertaken. However, I remind the honourable member that copies of that schedule are provided for Opposition members. If the honourable member merely wants to ask individual questions, presumably only to keep Question Time going, I do not mind, and I will obtain the specific information for him. However, conversely, I think that I should ask the Highways Department not to waste its time and money on producing this schedule for the information of members of the Opposition if they are not going to use it.

ELECTRICITY TRUST

Mr. COUMBE: Has the Minister of Works a reply to my recent question about the operations of the Electricity Trust in the first quarter of this financial year compared to those in the first quarter of last financial year?

The Hon. J. D. CORCORAN: There has been a slight improvement in the rate of increase of electricity sales during the first quarter of the current financial year. Because sales are affected by seasonal conditions, it is too early in the year to predict whether this trend will continue at a sufficient rate to offset increases in costs. The Electricity Trust is paying attention to operational expenditures, but some wage increases have already occurred this financial year, and other claims are pending.

SOUTH-EAST ELECTRICITY

Mr. RODDA: Will the Minister of Works investigate a complaint regarding earthing work and the erection of certain Electricity Trust lines in the Keith area? This question is really supplementary to a question which I asked, and to which the Minister replied last week, about the powerline and earthing in the Willalooka area. Officers of the Postmaster-General's Department, assisted by officers of the Electricity Trust, located the source of this interference to radio reception in the area. My constituent says that he believes the problems in this area stem from several factors related to types of material used in conductors and from the supervision of the erection of the lines. He says that his knowledge of the requirements of erection is based on the schedule for erection issued by the trust to the contractors. These requirements are not carried out fully, since where all terminal ends should have been secured by means of an alcan press some were in fact crimped with a utilux crimper which had proved unsatisfactory where conductors were aluminium. The reason why some were crimped would be that the line riggers and staff employed in pole earthing both needed the alcan press, and the contractors had only one such press.

He says that the reason for this may well be that the cost of the press and dies would be several hundred dollars. He suggests that the trenches containing the earthing connectors should not be filled in until the connectors have been inspected, so that someone who was qualified would first be able to say that the earthing and connections were satisfactory and had met inspection requirements. My constituent also says that he finds it strange that the Electricity Trust should have relied on the P.M.G. radio interference branch to find the trouble, which had gone on for several months, rather than have an investigating party of its own in the area. He says he was amazed that the P.M.G. technicians in Keith who eventually located this fault had not sought the help of the radio branch, even though the interference had been caused over some months to the carrier system to the Marcollat exchange.

The Hon. J. D. CORCORAN: It sounds to me as though the honourable member's constituent is a trouble-finder. I will have the matter investigated and bring down a report.

ABORIGINAL EDUCATION

Mr. GUNN: Has the Minister of Education a reply to my recent question about preschool education on Aboriginal reserves in the North-West of the State?

The Hon. HUGH HUDSON: The Education Department accepted the responsibility in July, 1969, for the pre-school education of Aboriginal children on reserves and in remote areas on the understanding that the Aboriginal Affairs Department (now Community Welfare Department) provided buildings, equipment and furniture. The Aboriginal Affairs Department sought and obtained funds for this purpose from the Commonwealth Office of Aboriginal Affairs. In 1969 funds were provided for a pre-school and teachers' quarters at Amata. The school became operative at the beginning of 1970. The Housing Trust is building currently pre-schools at Indulkana and Oodnadatta. At present, workmen are pouring the concrete for the pre-school at Indulkana. The Public Buildings Department will endeavour to get the Elmcon material to Indulkana by November 20, in which case the building will be completed before the team leaves Indulkana. If for some unforeseen reason the Public Buildings Department cannot get the Elmcon material to Indulkana by November 20, the team will return to Indulkana and complete the work not later than the end of April, 1973. Members of the Housing Trust team will proceed to Oodnadatta as soon as they complete their work at Indulkana. They do not expect to complete the Oodnadatta building before the end of April, 1973.

The Ernabella pre-school is funded by the Commonwealth and administered by the Australian Presbyterian Board of Missions. It is not the responsibility of the South Australian Education Department. The Australian Presbyterian Board of Missions has indicated that it would like to administer a pre-school at Fregon. The Marree pre-school class is at present housed in the old residence. No application for funds for a building will be made until the future of Marree is known following the rerouteing of the Adelaide to Alice Springs railway. The Nepabunna pre-school class is at present taken in conjunction with the infants classes. The Commonwealth has made funds available for the provision of a small pre-school building at Nepabunna by June, 1973. The planning of the building is now being considered. The Coober Pedy pre-school class became operative at the beginning of 1972. As an interim measure it is housed in a dual wooden building which became available when the new school was built. The Commonwealth has indicated that it will provide funds for half the cost of a pre-school building. A proposal for a new building has not yet been prepared.

INFLATION

Mr. BECKER: Can the Premier say what his Government is doing to control inflation in this State? An article on the "Business and Finance" page of this morning's *Advertiser*, headed "Government System Barrier to Inflation Control", states that the Chairman of Elder Smith Goldsbrough Mort Limited (Sir Norman Giles) has said that without doubt the major responsibility of all Governments is to have the political courage to tackle and control inflation.

The SPEAKER: Order! I hope that the honourable member is not reading from a newspaper.

Mr. BECKER: I am just quoting from Sir Norman's comments. I also refer to the statement of Consolidated Revenue Account for the month of October, 1972, which shows the excess of payments over receipts for the month of October, 1972, to be $2,864,000, and the excess of receipts over payments for the four months ended October 31, 1972, to be $3,247,000.

The Hon. D. A. DUNSTAN: I am at a loss to understand the last part of the honourable member's explanation when he referred to the statement of Consolidated Revenue Account. These figures are only in line with Budget estimates; there is nothing unusual about them; and they are not inflationary. These figures have no bearing whatever on the inflationary position in the Australian economy. The honourable member is citing matters which have as much to do with the case as have the flowers that bloom in the spring. Concerning inflation within South Australia, there are only limited things that this Government can do. Specifically, we can operate a prices justification system, and this Government alone amongst the Governments of Australia (until very recently) has been operating a prices justification system. In addition we have cited this matter at Premiers' Conferences every time a Labor Government has been in office. We could, however, do much better in controlling prices in the Australian economy if we could have control in the other States of manufacturers' and wholesalers' prices as we have control here. We would be able to do four times as well in containing increases in cost within manufacturers' and wholesalers' prices if Liberal Governments in Australia would apply the system that operates in this State.

Mr. Venning: It hasn't helped costs here.

Mr. McAnaney: Would that make it four times nothing?

The Hon. D. A. DUNSTAN: The honourable member apparently has not considered the general movement in prices in New South Wales and Victoria compared to the movement in South Australia, where we have been able to get a 4 per cent lower movement in prices than has been obtained in those States. Over a period, this has amounted to much money. Apparently, the honourable member has not listened to members of his own section of the Liberal Party who have cited these figures in the House previously. Time after time this Government has put the matter up at Premiers' Conferences only to have Liberal Premiers elsewhere in Australia refuse even to examine the material put forward by this State and even to consider the experience of Liberal Governments in this State with price control. That is what this Government has been doing about inflation.

If the honourable member looks at the Prices Commissioner's reports he will see that we have been able to do a significant amount in containing prices within the State, and we would do much better if the system could operate throughout Australia instead of being confined to this State, where in many matters we control retail margins rather than manufacturers' or wholesalers' prices. In addition to an Australia-wide matter of this kind, there are other things that need to be done by a Commonwealth Government in relation to inflation, particularly concerning the incidence of taxation, and in seeing to it that it does not force States to take action, because of the Commonwealth Budget, to place costs directly on industry. It has been the specific policy of the Gorton Government and subsequently of the McMahon Government to force State Governments into just that position, and it is a matter about which I have complained time and time again. In addition to a revision of the incidence of taxation, there needs to be a revision of tariff policies in Australia, but this again is a Commonwealth matter. These things need to be done in relation to inflation, and I suggest that the honourable member look at the material published by the Australian Industries Development Council on this subject.

DENTIST REGISTRATION

Mr. MILLHOUSE: Yesterday, whilst I was absent, I believe an anonymous note was delivered to my place and I found it when I returned. I think it must have come from the Attorney-General stating that he had a reply to a question I had asked of the Chief Secretary through him about the registration of a dentist. I ask the Attorney-General whether he will now give the reply, if in fact he sent the note.

The Hon. L. J. KING: On examining my folder I find that the honourable member's deduction has proved both shrewd and accurate. The Chief Secretary states that this matter was considered by the Dental Board at its meeting on October 30, and the facts of the case were referred to the board's legal adviser. It is to be reconsidered on November 13.

MOTOR CYCLES

Dr. TONKIN: Can the Minister of Roads and Transport say what is known about the relative incidence of accidents involving motor cycles with high, so-called "ape-hanger" handle bars, and the injuries resulting from such accidents, compared to injuries involving standard machines? Recent oversea reports indicate that accidents occur more frequently and that injuries are more severe when machines with these high handle bars are involved. I should be interested to know whether statistics on this matter have been compiled in South Australia.

The Hon. G. T. VIRGO: The Road Traffic Board continually analyses accidents, particularly the cause, involvement, and so on, and produces reports. I do not have the specific information requested by the honourable member, but I will obtain it for him.

DRAINAGE SALINITY

Dr. EASTICK: Will the Minister of Works ascertain whether there has been significant increase in the salinity of drainage from newly planted areas compared to the salinity of drainage from established areas? I have been told that the large new area of plantings in the Waikerie district is producing drainage with a higher salinity content than that produced by drainage in the established areas, and that probably it is being caused by the initial leaching of the soils that takes place during the early waterings. Will the Minister ascertain whether officers of his department know about this happening and, if they do not, will he obtain that information?

The Hon. J. D. CORCORAN: They have not discussed this matter with me, but the conclusion that the leaching of the soils may have some effect may be a reasonable one. I will obtain a report for the honourable member.

TARCOOLA MINE

Mr. GUNN: Has the Minister of Environment and Conservation a reply to my question of November 1 about future gold-mining operations at Tarcoola?

The Hon. G. R. BROOMHILL: At present 45 mineral claims and one mineral lease are held at the Tarcoola goldfield, all by Inland Mining Corporation (Australia) N.L. The future plans of this group are not known to this department, but it is understood that a winder is being erected and dewatering of the mine is being considered. The total recorded production from this area is 37,308oz. of bullion from 32,990 tons of ore. Several geological and mining reports up to 1949 on mines then existing have been published. No ore has been treated at the Tarcoola Government battery since the period ended June 30, 1954. It is considered that the area affords reasonable prospects of discovering new gold shoots, and that further exploration is warranted.

SERVICE PAY

Mr. MILLHOUSE: Yesterday, whilst I was away, I also received another note, but this time it was sent by the Premier stating that he had a reply to the question I had asked about service pay. I ask him now to give me that reply.

The Hon. D. A. DUNSTAN: I forwarded the following letter to the Trades and Labor Council, and it contains the information sought by the honourable member:

I refer to my letter of October 12, 1972, regarding a request of the United Trades and Labor Council for a review of service and over-award payments. As a result of subsequent discussions, I now confirm that the Government has decided that over-award and service payments payable to South Australian Government daily and weekly paid employees will be as follows:

	First Year	Second Year	Third and subsequent Years
	$	$	$
Tradesmen . . .	9.50	11.75	14.00
Non-tradesmen .	8.00	10.25	12.50

These new amounts will be payable for the first pay week period commencing on or after Sunday, October 29, 1972. I should also like to stress that the over-award and service payments above will be paid in addition to existing amounts contained in the various awards.

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

The SPEAKER: Call on the business of the day.

APPROPRIATION BILL (No. 3)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act for the further appropriation of the revenue of the State for the year ending June 30, 1973, and for other purposes. Read a first time.

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

That this Bill be now read a second time.

I place before the House for consideration Supplementary Estimates totalling $6,150,000. In the normal course, the Government would not need to submit Supplementary Estimates until much later in the year, and on previous occasions it has been customary at that later stage of the presentation for the Treasurer to provide Parliament with a summary of trends on Revenue Account and to indicate a possible result for the full year. In this instance, however, the need for additional appropriation authority has arisen from major decisions taken within two months of my presenting the main Budget for 1972-73 and, except in the matter of the increased costs arising specifically from the items covered in the Supplementary Estimates, it is as yet too early for significant variations and trends to have become clear.

I do not intend at this time to repeat the explanations given previously on the subject of the various appropriation authorities available to a Government, but I refer those members who would like to refresh their memories in this regard to my comment made in submitting Supplementary Estimates to the House during March of this year. This comment may be found at page 4045 of *Hansard*. Suffice to say that the proposals now being made could not be funded within the limits of the Estimates of Expenditure presented in August, as supplemented by the amount of about $4,000,000 of the Governor's Appropriation Fund, and difficulties in appropriation could arise before Parliament meets again late in the financial year. Accordingly, the Government has decided to introduce Supplementary Estimates now, designed to cover the excess expenditure in major areas of the Budget, leaving the Governor's Appropriation Fund to cover unforeseen expenditures and the excesses expected to arise from the present proposals in relation to departments where the impact will be relatively small.

I now deal with details of appropriations. Over-award and service payments for the Government's weekly-paid employees were first introduced in 1965. The extent of these payments was last reviewed in August, 1970, and, following a request from the United

Trades and Labor Council of South Australia, the Government recently agreed to a further review. After investigation, two alternatives were offered. The first contemplated payments which would be substantially in line with those granted recently to similar categories of employee by the Commonwealth and Victorian Governments and the New South Wales Railways, while the second, designed to cost about the same in total, would have the effect of narrowing the margin between tradesmen and non-tradesmen.

The latter alternative was accepted by the Trades and Labor Council and has resulted in increases ranging from $5.75 a week in the first year to $7.25 a week in the third year for tradesmen, and for non-tradesmen from $5.25 a week in the first year to $6.75 a week in the third year. The previously-operative fourth-year increase has now been absorbed into the third-year rate. The new rates, to operate from the first pay week commencing on or after October 29, 1972, are as follows:

	Tradesmen Amt. a week	Non-tradesmen Amt. a week
First year	$9.50	$8.00
Second year	$11.75	$10.25
Third and subsequent years	$14.00	$12.50

The cost of the increased payments to the Government in a full year is estimated to be about $8,000,000, inclusive of the effect on overtime and other penalty payments. In 1972-73 the cost is expected to be about two-thirds of a full year's cost; that is, about $5,300,000. Of this, about $4,000,000 will impact on Revenue Account and some $1,300,000 on other accounts, including Loan Account, the roads funds, the Forestry Fund, and various departmental reimbursement and working accounts. The provisions in the Supplementary Estimates for this purpose aggregate $3,850,000 for the 11 larger departments and authorities within Revenue Account, and the estimated costs are as follows:

	$
Departments:	
Hospitals	840,000
Lands	50,000
Engineering and Water Supply	515,000
Public Buildings	345,000
Education	65,000
Agriculture	27,000
Produce	48,000
Marine and Harbors	75,000
Railways	1,570,000
Community Welfare	75,000
Other authorities:	
Municipal Tramways Trust	240,000
Total	$3,850,000

The remaining amount of about $150,000 which may fall on Revenue Account this year for a large number of smaller departments will be covered as necessary by appropriations from the Governor's Appropriation Fund. The Government has been concerned for some time at the continued high level of unemployment in the metropolitan area. Although Commonwealth funds to the extent of $360,000 a month are being made available to relieve unemployment in non-metropolitan areas, no assistance has been forthcoming as yet from the Commonwealth for the metropolitan area.

The Government has decided therefore to provide $2,000,000 to promote employment opportunities in the Adelaide metropolitan area, and funds to this extent will be made available through local governing bodies and certain Government departments. Commitments estimated to cost about $1,440,000 have already been made. As is the case with non-metropolitan unemployment relief grants, the Government's intention is to concentrate as much of the available finance as possible on labour-intensive works. To this end the same objective of a minimum two-thirds labour cost component has been adopted for projects approved under this scheme. The Government has been especially concerned, as Commonwealth non-metropolitan unemployment relief funds, because of definitions of what is to be regarded as metropolitan, have been distributed on a basis particularly unfavourable to this State. In certain other States the more favourable distribution of Commonwealth moneys has naturally been more effective in reducing the proportion of unemployment than in this State. For example, the cities of Geelong, Wollongong and Newcastle are all considered to be areas where more effective relief can be given by reducing unemployment, whereas it is plain that they are as much urban areas of employment as is the Adelaide metropolitan area.

Dr. Eastick: What about Port Pirie, Port Augusta and Whyalla?

The Hon. D. A. DUNSTAN: They are much smaller than Geelong, Newcastle and Wollongong in proportion to the total employment position in the community. The Leader must know that our position regarding industrial employment is much different from the position in Victoria and New South Wales, where it is much more widely distributed. We have no such large non-metropolitan agglomerations of what is basically industrial employment in this State as those two States have. The Commonwealth is now drawing the unwarranted conclusion regarding unemployment

that the present proportion is higher in South Australia as a consequence of its Labor Administration.

Dr. Eastick: Isn't that the same as Tasmania and Western Australia?

The Hon. D. A. DUNSTAN: Western Australia is in the same position as South Australia. In Tasmania significant difficulties arise out of transport to and from that State. Further, Tasmania has been hit harder than any other State as the result of the entry of Great Britain into the European Common Market.

Regarding drought relief, $100,000 was included in the Estimates of Expenditure for 1972-73 to meet expenditures that it was thought might arise because of drought conditions. Seasonal conditions, particularly in the Murray Mallee and Murray Lands areas, have since deteriorated to such an extent that additional measures may need to be undertaken, and the Government proposes that a further $300,000 be provided for purposes such as subsidies on the cost of moving fodder and stock, together with support by way of grants for local employment works as may be found appropriate. These expenditures are separate from and will be additional to repayable advances towards carry-on expenses which may be made available under the provisions of the Primary Producers Emergency Assistance Act.

It is likely that the greater portion of drought relief provisions will be made available as advances, and these will be to farmers whose security or situation is such that they cannot secure adequate support through the normal banking channels but, nevertheless, given financial support, would have a reasonable chance of overcoming their difficulties. Advances will be made at the rate of interest normally charged by the State Bank for carry-on finance, but in appropriate cases where that rate may be shown to involve great hardship the Minister will be prepared to exercise his authority to grant some rebate of interest. To the extent that additional funds may be required to make advances pursuant to that Act, a special appropriation will be sought from the Governor from Loan Account under the provisions of section 32b of the Public Finance Act.

The clauses of the Bill give the same kind of authority as in the past. Clause 2 authorizes the issue of a further $6,150,000 from the general revenue. Clause 3 appropriates that sum for the purposes set out in the schedule. Clause 4 provides that the Treasurer shall have available to spend only such amounts as are authorized by a warrant from His Excellency the Governor and that the receipts of the payees shall be accepted as evidence that the payments have been duly made.

Clause 5 gives power to issue money out of Loan funds, other public funds or bank overdraft, if the moneys received from the Commonwealth Government and the general revenue of the State are insufficient to meet the payments authorized by this Bill. Clause 6 gives authority to make payments in respect of a period prior to July 1, 1972. Clause 7 provides that amounts appropriated by this Bill are in addition to other amounts properly appropriated.

Dr. EASTICK secured the adjournment of the debate.

LISTENING DEVICES BILL

Returned from the Legislative Council with amendments.

INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL

The Hon. D. H. McKEE (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to provide for the safety, health and welfare of persons employed or engaged in industry; for the safety of persons affected by industry; and for other purposes. Read a first time.

The Hon. D. H. McKEE: I move:

That this Bill be now read a second time.

It gives effect to the recommendations made by a Select Committee of the House of Assembly on Occupational Safety and Welfare in Industry and Commerce that was laid on the table on April 6, 1972. As the Select Committee indicated in its report, it was the first comprehensive inquiry of its kind in South Australia during this century. Although there are laws concerning the safety, health and welfare of persons employed in factories, shops, offices and warehouses, and in mines and on building sites, about one quarter of the South Australian work force is not at present subject to any legislation that regulates their safety, health and welfare during their employment. In other words, about 100,000 persons in South Australia do not have this protection.

The Select Committee recommended that one Act should contain general principles applicable to all persons employed in industry (primary as well as secondary) and in commerce, and in Government employment, and that the Act should authorize the making of detailed provisions by regulations. The Select Committee further recommended that the regulation-making power of the Act should

enable separate regulations to be made for different industries and different processes, and that the Act should be so framed that it could be proclaimed to come into operation with respect to different industries at different times as the regulations are prepared.

This has been done by so framing the definitions of industrial premises and construction work that it will be possible to bring all work places in the State within one of those definitions. The measure authorizes the making of regulations to give effect to the objectives of the Act, so in practice proclamations will not be made that have the effect of applying the Act to a particular industry until regulations have been prepared in respect of that industry.

In accordance with the recommendations of the Select Committee, the proposed Act, which is to be called the Industrial Safety, Health and Welfare Act, is to provide for the safety, health and welfare of persons employed or engaged in industry, for the safety of persons affected by industry and for other purposes. Although the committee recommended that it should regulate the safety, health and welfare of all employed persons in South Australia, the Bill excludes from its scope mines as defined in the Mining Act, which in simple terms means mines and quarries.

In paragraph 27 of its report the Select Committee recommended that the provisions of the Mines and Works Inspection Act relating to the safety, health and welfare of persons employed in mining, quarrying and smelting should be incorporated in the proposed legislation, but expressed the opinion that the inspection of mines and quarries, as distinct from treatment plants and other industries associated therewith, should continue to be undertaken by inspectors of the Mines Department, who have other inspectorial responsibilities under both the Mines Act and the Mines and Works Inspection Act.

When the Bill was being drafted it became clear that, because the Mines and Works Inspection Act, which was originally an Act concerned with the safety of persons employed in mines and works, is now so inter-related with matters concerning the environment, etc., it would be necessary to repeal that Act and re-enact a new Act dealing only with those matters that do not concern safety of workers. In view of the fact that, in accordance with the recommendation of the Select Committee, the inspectors of mines would still be making inspections to ensure compliance with those regulations under the Industrial Safety, Health and Welfare Act that related to mines and quarries, it appeared far simpler from a legislative and an administrative point of view to leave the provisions relating to safe working in mines as they are, and for the Industrial Safety, Health and Welfare Act to specifically not apply to, or in relation to, any mine (meaning a mine or quarry), and the Bill so provides. The Bill will enable works associated with a mine to be proclaimed as industrial premises, and for regulations to be made in respect thereof.

The other recommendations of the Select Committee are given effect to in the Bill, which will apply throughout the State and bind the Crown. The Bill authorizes the making of regulations, and in the schedule 40 subject matters for regulations are listed. This schedule does not include the making of regulations in respect of radioactive substances, as the Secretary for Labour and Industry and Director-General of Public Health have arranged that inspectors of the Labour and Industry Department, who normally make inspections of premises in secondary industry where any irradiating apparatus is used, will be appointed to be inspectors under the present radioactive substances and irradiating apparatus regulations. The Bill also provides for the repeal of the Construction Safety Act. Separate Bills will be introduced soon to repeal those parts of the Industrial Code that the provisions of this Bill will replace, and to make consequential amendments to the Lifts and Cranes Act.

I believe it is appropriate to refer to the fact that in May, 1970, the Hon. Barbara Castles (then Minister of Employment and Productivity in the United Kingdom) appointed an eight-member committee under the chairmanship of Lord Robens to review the provisions made in that country for the safety and health of persons in the course of their employment. The Robens committee presented its report in July of this year; that is, three months after the Select Committee of the House of Assembly had reported on a somewhat similar inquiry. Many of its recommendations were along the same lines as those of our Select Committee, although in some respects they went further. The Robens committee recommended the establishment of a national authority for safety and health at work, and that the present safety and health legislation dealing separately with factories, mines, agriculture, explosives, petroleum, nuclear installations, and alkali works should be revised, unified and administered by the new

authority, which should play a promotional and co-ordinating role in safety training.

The report of the Robens committee also recommended that the existing statutory provisions should be replaced by a comprehensive and orderly set of revised provisions of a new enabling Act. The new Act should contain a clear statement of the basic principles of safety responsibility and should be supported by regulations and codes of practice. A further recommendation was that the scope of the new legislation should extend to all employers and employees, except for a limited range of specific exclusions (for example, domestic workers) and should cover the self-employed in circumstances where their acts or omissions could endanger other workers and the general public. The existing separate inspectorates should be amalgamated to form a unified inspection service. Another important recommendation of the Robens committee was that there should be a general statutory obligation on employers to consult with their work people on measures for promoting safety and health.

South Australia is leading the way in this country by being the first Australian State to introduce legislation that concerns the safety and health of all employed persons and not just employees in selected industries. In doing so we have the unanimous recommendation of a Select Committee of the House of Assembly and now the support of similar recommendations from a committee of inquiry that has made an extremely thorough and comprehensive investigation in the United Kingdom.

Clauses 1 to 3 are formal. Clause 4 repeals the Construction Safety Act, as all provisions therein contained will be covered by this new Act and the regulations to be made under it. Clause 5 provides in effect that this Bill shall not apply to, or in relation to, any mine or quarry. Clause 6 provides that the Act binds the Crown. Clause 7 is the definitions clause. In some cases definitions at present contained in the Industrial Code or in the Construction Safety Act are repeated either in their present form or with some variation. As I mentioned earlier, the definitions of construction work and industrial premises have been so framed that it will be possible to bring all work places in the State within either one or the other of those definitions. This can be done by proclamation in accordance with the power given in subclause (2) of this clause.

Clauses 8 to 16 provide for the constitution of an Industrial Safety, Health and Welfare Board on a somewhat expanded basis when compared with the Industrial Welfare Board presently constituted under the Industrial Code. The purpose of the board is to investigate, report and make recommendations to the Minister on any matter which he refers to the board (including proposals for regulations to be made under this Act) relating to the prevention of work injuries or to the safety, health and welfare of workmen in any industry or of persons affected by any industry.

Clauses 17 to 22 concern the appointment and powers of inspectors and are in general self-explanatory. However, I draw honourable members' particular attention to clause 20, which gives power to an inspector to give directions for the purposes of reducing the risk of injuries and of enhancing safety generally. Clause 23 continues the present requirement in the Industrial Code relating to factories by requiring that the plans and specifications of buildings intended for use as industrial premises will be approved before these buildings are constructed. The purpose of the clause, which will apply to industrial premises of classes declared by proclamation, is to ensure that new buildings comply with the prescribed safety requirements, and that the necessary amenities for employees required by regulation are provided.

Clauses 24 and 25 concern the registration of industrial premises of prescribed classes. This is necessary to ensure that premises conform to the prescribed requirements, and that premises that do not so comply are not registered. The Industrial Code at present only requires the registration of factories, shops and warehouses. Clause 26 repeats the present requirement in the Construction Safety Act requiring contractors to give notification prior to the commencement of construction work, so that the inspectorate can have notice of the commencement of that work. Clause 27 continues the requirement now contained in both the Industrial Code and the Construction Safety Act that employers must keep a record of industrial accidents now called "work injuries" suffered by their employees and for the more serious ones to be reported. Clause 28 repeats a requirement of the Construction Safety Act for the reporting of accidents that involve any load-bearing part of scaffolding or shoring being broken, distorted or damaged.

Clause 29 requires employers to take all reasonable precautions to ensure the safety and to protect the health of workers while they are engaged at work and to ensure that

the provisions of the Act are complied with. Clause 30 ensures that a worker shall not render less effective any action his employer has taken to ensure the safety of his employees. Clause 31 will enable a representative of the workers to be elected at any work place where more than 10 persons are employed so that the employees may have a recognized person who can act for them in discussions with the employer to ensure that the purposes of this Act are complied with. In a number of companies and Government departments there are already safety committees on which representatives of workers are members, and in these cases there will be no need for the appointment of a further workers' safety representative. Clause 32 repeats the present section of the Industrial Code requiring machinery to be adequately safeguarded at the point of manufacture; this conforms to an International Labour Convention.

Clause 33 provides that it shall not be possible for persons to contract out of the provisions of the Act and also ensures that no person shall be liable for any penalty under a contract for complying with the Act. Clause 34 provides for the submission of an annual report to Parliament. Clauses 35, 36 and 37 relate to offences against the Act, clause 37 setting out what, it is suggested, is a reasonable evidentiary provision. Clause 38 is really the operative clause of the Bill. It provides for the making of regulations to give effect to the provisions and objectives of the Act. The schedule to the Act sets out the specific subject matters in respect of which regulations may be made. It is the intention that this clause will enable the production of complete safety codes in relation to each industry. In the nature of things, regulations made under this provision will be subject to disallowance by this House.

Mr. COUMBE secured the adjournment of the debate.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from October 31. Page 2557).

Dr. EASTICK (Leader of Opposition): This legislation, which is both repressive and reprehensible, will increase costs markedly. Like so many other Bills considered recently by this House, this measure has certain provisions that can be fully supported, but it also contains provisions that cannot be supported by any thinking people and, indeed, those provisions will not be supported by members on this side. It can be said that this Bill is a mixed bag laced with arsenic: it is studded with intangibles, and it erodes local government authority. In addition, it is authoritarian, and in some cases it sets alarming precedents concerning the delegation of authority without apparent regard to the rights of organizations that have exercised authority in certain areas for a long time. Further, the Bill does not specify where such delegation of authority may end.

One of the provisions that can be supported relates to the concept of preventing further scattered development, especially where such development will involve councils and other bodies in cost in order to provide and maintain services. The Bill contains an advantageous provision of binding future owners of a property to the conditions that have previously applied to that property. The Minister explained that, where a stand of trees was required to be maintained, subsequent owners of a property could destroy those trees without observing the initial requirement, and the provision relating to this matter is one example of the benefits that will flow from the measure. However, I will return to that point directly, because the existing provision is wide and does not clearly specify how subsequent owners of a property will be made aware of their responsibilities.

The failings of this Bill are easily discernible. For instance, the Bill frees the Electricity Trust from the responsibility of compensating people whose property is adversely affected as a result of the erection of pylons. In addition, the Bill will result in markedly increased costs to be borne by purchasers of the property concerned, and it deals rather glibly with an "economic unit" in respect of a subdivided rural area. Reading the Bill, one can see the disastrous effect that certain provisions will have on the community at large if those provisions are not amended, and I hope that the Government will support certain amendments that will be moved in order to improve the measure. Explaining the Bill, the Minister said:

> It gives the Director of Planning power to refuse a plan if the land being divided does not form part of a compact extension to an existing township. Thus the measure will safeguard rural land against sporadic development.

I accept that, but the Minister went on to say:

> As the provision can create some hardship if it is rigidly administered, the Government intends that the Director, as a matter of policy, shall administer this new power in the following manner, pending the preparation of planning regulations.

In other words, the Director will not necessarily fulfil his obligations under the measure: in

some cases he will be directed by the Government as to how he will interpret a provision. I believe that that is wrong and that we should clearly provide how the Bill is to be interpreted. Further, the Minister said:

Owners of any allotment will be permitted to divide that allotment, provided that the applicant can prove to the satisfaction of the Director of Planning that each allotment proposed to be created will comprise, and be used for, an independent economic unit for the business of primary production.

It will be impossible to prove that certain small areas purchased by people wishing to retire and, say, to run a few stock on land next to a river or in or near the Hills is, in the words of the Minister, "an economic unit for the business of primary production". It is desirable that these people should be able to acquire such properties without having to observe the requirement that the area be an economic unit. Under the Bill, certain people will be denied an opportunity to live where they wish to live.

The Hon. G. R. Broomhill: Are you suggesting that haphazard development is desirable?

Dr. EASTICK: No, but we should be able to provide for a reasonable situation concerning those people to whom I am referring.

Dr. Tonkin: The Minister is going to ride roughshod over them.

Dr. EASTICK: He will prevent them from living where they desire to live, and the Director of Planning will not be allowed to permit subdivision in the interim period, prior to the preparation of the relevant planning regulations, unless the person concerned can prove that the property he desires is capable of being an "independent economic unit for the business of primary production". The Minister said that, notwithstanding these provisions, provision would be made for the creation of a block on a property in cases where a farmer wished to provide an area on which his son could erect a house, this area to be 1 ha (one hectare). This is a totally desirable feature. Some members of this House and people elsewhere are concerned that a person who has more than one son will not be able to offer to each son the same advantage. In other words, he will be able to provide for only one son. I have no doubt other members will refer to this point. In his explanation, the Minister also said:

Where an owner of any allotment wishes to obtain separate titles for houses already existing or under construction on the land at the date the amendment comes into operation, the Director will approve the creation of allotments of no greater than 1 ha provided that each allotment so created contains at least one such dwellinghouse.

We fully agree with that provision. The authoritarian aspect to which I have referred applies to several provisions in the Bill. Regarding roads, the Minister said:

As there has been public concern regarding the use of this discretion by the authority, the Government intends to make it mandatory that no allotment of less than those dimensions shall be created in future within the zone. It is also intended to put a stop to the increasing number of attempts to create allotments along private roads or thoroughfares within the hills face zone. There are many such roads in the zone and most of them are entirely unsuitable for development purposes. This new provision will to some extent lighten the burden of the Director in relation to hills face land. No appeal will be possible under this provision in the Act.

There are other instances in the Bill where no appeal can be made. The erosion of council authority, to which I have already referred, was obvious when the Minister said:

The Government therefore intends to give the State Planning Authority power to step in in such a case and to decide the application in lieu of the council.

In other words, the authority of the council is to be put aside, with the State Planning Authority having the final say. I fully appreciate that the State Planning Authority and the Director of Planning already have the power to refer back to a council again and again a certain subdivision in the metropolitan area which they believe is undesirable. However, I point out that the provisions of the Bill are designed to widen that power to give the authority and the Director an opportunity to exert an influence throughout the State. As the Director will not know details of all areas throughout the State, councils who have an intimate knowledge of the peculiarities of a certain area will be at a grave disadvantage if the Director, from a distance, attempts to prevent them from going ahead with what their own practical knowledge tells them is the right course. Although the Minister has said that the authority can be delegated in such a way that persons other than the Director may be sent to various places in the State to consider certain areas, the Director will still make the final decision, in consultation with other members of his organization. Therefore, people who are not conversant with all practical aspects of the matter could make recommendations that are contrary to the best interests of all the parties, and this applies particularly in the case I have referred to of a council

which has had practical experience over many years in a certain area.

I am also interested in the requirement that in the hills face zone allotments shall not have a lesser frontage than 100 m. This is desirable. The Minister has indicated the advantage that will accrue from this provision, particularly in areas adjacent to rivers, where narrow necks of land run down to the river. However, I wish to refer to the situation that will exist in cul-de-sacs, many of which are found in the hills face zone. In these cases, it is only possible to go a certain distance down the face of the hill before it becomes too steep to go much farther. In such cases, if allotments must have a frontage of 100 m the roadway will have to be extended into an almost inaccessible area; it will mean that the penetration of each subdivision will be determined by the topography. The gateway into an allotment can be at the point where the roadway first meets the allotment, but there will have to be 100 m of additional roadway developed because of this provision. In these circumstances, the council will be responsible for maintaining this extra area, which could be a fire hazard or a potential area to be used by dumpers. In many instances people now place their rubbish at the end of these cul-de-sacs.

Therefore, I suggest to the Minister that in the case of cul-de-sacs we should consider a smaller frontage than 100 m, and in due course I will suggest an appropriate figure to the Minister. In the case of cul-de-sacs, I suggest that no advantage is served by providing the extra length of roadway that would be required under the terms of this Bill, especially as this would involve extra maintenance, and would increase the fire hazard and potential dumping area. In due course, I hope that the Minister will consider the alternative that I will suggest.

The Minister seeks to increase the amount to go to the authority to obtain open-space areas from $100 to $300 an allotment, and this is a large increase that is not desired by many people. Also, with the amount going to the Government, particularly if a subdivider decides to make three, four, or five attempts at total subdivision in order to avoid the requirement of a 12½ per cent area for open space or recreational purposes, the council in the long term will be denied either the land or the finance with which to purchase it. It is desirable that councils should have funds with which to purchase open spaces, and about 50 per cent of the amount to be paid by this funding method should be paid to the council to be used to develop open spaces. Whilst the fee has been $100 an allotment there has been less incentive for the subdivider to find ways and means of reducing his commitment of land to the council, but, with a fee of $300, the council will lose in the long run.

The Bill allows for independent persons to object to the creation of certain subdivisions, and provides that the appellant and all objectors are to be informed of the result of the appeal. It seems that in these circumstances, where many people are canvassed to forward a letter of objection or sign a petition, or, in the instance cited by the member for Elizabeth yesterday in which people are worried because an abattoir is to be built near houses at Elizabeth West, the council or the person conducting the appeal can be held responsible for forwarding all documents to perhaps thousands of people. It does not indicate whether the objector has to live in the disputed area: it allows an objection from a person anywhere in the State. An almost untenable situation could develop in which, unless there was a financial responsibility on the objector or the appellant, the council could be grossly out of pocket in the long term by complying with the provisions of this Bill. I hope that this matter will be considered in Committee, because many advantages will be derived from such a discussion. I support the second reading, but beyond that stage my opinion will depend on the attitude shown to the matters that are to be discussed.

Mr. HOPGOOD (Mawson): The Leader of the Opposition seems to have let the cat out of the bag. I have always contended that, for a political Party to do what must be done in relation to the environment, it must act in a way that cannot fail to have it branded by Opposition members as socialistic.

Dr. Eastick: I never mentioned that word.

Mr. HOPGOOD: I am well aware of that, but I am also aware that many people in the community (and the member for Spence has been trading correspondence with one of them) regard any sort of control as something that should come under that label or in that category. If, as a Government, we have proper regard for the environment, we must be willing to control and prohibit where necessary. People who continue to think along the old *laissez faire* lines will be seen to be completely ineffective for the proper management of the environment. I refer to three aspects covered in this Bill in generally congratulating the Minister for introducing it. The first matter

is interim development control. Some councils have been slow in introducing zoning regulations, although in some instances the matter may have been beyond their control. It is important that, in those areas where there is no proper control over land use, some control can be obtained before the cumbersome machinery necessary for full control has been provided. Therefore, the chance of granting interim development control to councils seems to me to be one that we should grasp.

I know that the Noarlunga District Council is one of two councils which, for some years now, have operated interim development control before introducing zoning regulations, and this action has been beneficial to land management in the area. With the passing of this Bill, it will be possible for its sister council of Willunga to operate in this way, at least concerning its area that is part of the Adelaide Authorized Development Plan. With the introduction of the Outer Metropolitan Development Plan, the same action can be taken in the remainder of this council's area. The present power was described by someone in the planning office as a Dad-and-Dave situation. Those councils which up to now have been able to exercise only building controls will be able to exercise land-lease controls, although the exact dotting of every "i" and the crossing of every "t" regarding their zoning regulations is still incomplete. I want to return to the provision of third party appeals. This is a matter in which I have taken much interest since I first became a member of this House, because a group of people in my district first initiated a debate, at a practical level at any rate, regarding the rights of third party appeals.

I first learned about this matter when I was approached by a citizen from Christies Beach. I was on the back of a truck at the time (May, 1970) busily explaining why people should vote for me and the Labor Party, and this gentleman approached me to explain the problem that had arisen. This problem has since become public knowledge: I refer to the case of *C. R. Byrne and others v. the District Council of Noarlunga* (Planning Appeal Board case No. 16 of 1969) and a subsequent appeal to the Land and Valuation Court where, on the judgment of Mr. Justice Wells, the decision of the Planning Appeal Board not to grant the plea of Byrne and others was upheld. The story in that case was that in about August, 1969 (and I am guided by the judgment of the Planning Appeal Board), persons applied to the District Council of Noarlunga for permission to erect four two-storey blocks of flats in an area of Christies Beach, not far from the beach itself.

The respondent granted permission to the applicants to build the flats in question. On November 3, 1969, notice of appeal was lodged with the Planning Appeal Board from the respondent's decision by 15 appellants. The appellants were either landowners or land occupiers in the locality of the subject land. Among other things, it was contended by some of the appellants that the erection of the proposed flats would either deprive them of views from their premises over the waters of St. Vincent Gulf or in other directions or in at least one instance provide for the possibility of privacy that had been enjoyed in the occupation of a parcel of land being invaded by persons within the flats. The appellants based their appeal on section 41 (7) of the Planning and Development Act, and it is not necessary for me to now go through that. The matter first went before the Planning Appeal Board on December 11, 1969, and in its judgment the board cited section 26 (1) of the Planning and Development Act, which provides:

Any person aggrieved by a decision of the authority, the Director or any council under this Act to refuse any consent permission or approval or to grant any consent permission or approval subject to any condition or conditions may appeal to the board . . .

The board went on to say:

For an appeal to be properly before a board an appellant must be a person aggrieved. The board confirms its opinion expressed in *Jeffries v. the Council of the City of Salisbury*, that the section of the Planning and Development Act "grants a right of appeal only to a person who can show that some existing legal right of his has been infringed" including within the compass of such statement "a right in law to have a representation considered by an appropriate authority".

The judgment continues:

The board considers that it should follow those latter authorities and hold that the appellants are not persons aggrieved. In the opinion of the board they have shown no existing legal right in them or any of them which has been infringed.

One interesting comment further on in the judgment may be interpreted by some persons as being either a wink or a nod in the direction of this Parliament, because the judgment continued:

The board is consequently of the opinion that the appellants are not persons aggrieved. Accordingly the board has, in its understanding of the law, no jurisdiction to hear an appeal from them. Mr. Tucker—

he was the counsel for the respondent, the District Council of Noarlunga—

suggested that it would be a novel and perhaps dangerous situation if a right of appeal should exist in a case such as this.

The judgment continues (and this is a most interesting comment):

It is not for the board to suggest to the Legislature, except perhaps in very special circumstances, what the law should be. It can sympathize, if it wishes to, with the appellants: it may not wish to even if it can discern and appreciate their concern and dilemma.

As I have already explained, I was approached on this matter and subsequently the Premier was also approached on this matter when he appeared with me at the Morphett Vale Institute during that election campaign. As a result of those approaches, various negotiations have taken place in which the present Minister has been closely associated as a result of an interstate trip by the Director of Planning (Mr. S. B. Hart), and this section has been introduced into the Bill. There are certain limiting factors regarding the right of appeal and, after having considered this for some time, I believe this to be only right and proper.

There are many peculiar grounds on which people might be moved to appeal against activities by their neighbours, and many of these could become frivolous in the extreme. One of the problems is that, when many people think of the environment, they confuse many things. Sometimes they are merely talking about something they regard as a nuisance, although it in no way degrades the ecology of the area and is in no way unsightly. Sometimes the only thing that people are talking about when they raise such objections is land value, and I do not believe that this is an area where unfair consideration should be given to individuals as opposed to the community. However, I do agree that there should be the right of third party appeal against those developments that may lead to excessive deterioration of the amenity of any area, and I congratulate the Minister on having introduced this provision.

I now turn to that portion of the Bill that removes the restriction on the right of the authority to subdivide land held by it. I believe it to be extremely important that the Government should be able to enter this area. Indeed, this matter is highlighted by Mr. Hugh Stretton in his book *Ideas for Australian Cities*, from which I have previously quoted in this House. I now refer to page 95 in the chapter "Who is my neighbour?", as follows:

All new town experience suggests that some form of public land ownership, permanent or temporary, is vital for launching new cities. If the citizens find they can't trust the Government as landowner they will soon abolish its monopoly and, with it, any prospect of launching new cities. It is not enough to satisfy them that the new deal is no riskier than the old. When they deal with Government they may pretend to expect dreary inefficiencies, but in fact they demand many honesties and certainties and protections they never dream of expecting from their fellow-citizens in open markets.

He then refers to the situation applying in Canberra, as follows:

In most respects Canberra people use their leased land about as freely as they could use freeholds under the planning regulations of other cities—as long as they *use* it. But they cannot hold it out of use. This is hard on firms and individuals in occasional cases, but its social advantages are outstanding. The public investment in services is efficient, because predictable, compact development makes full use of them straight away. But the effects on private investment are the most important. Speculative building—a productive activity—is not hindered. But there are no opportunities for speculation in the rising value of vacant land.

I can certainly emphasize the next part of Mr. Stretton's book. He states:

Of all the uses of private capital in the freehold cities, land speculation is probably the most worthless. It usually prevents coherent planning. It helps nobody except its profiteers. It adds nothing to social assets, or to any but the speculators' private assets. Its gains arise from the increase of population and from public developmental expenditures; they should naturally and properly be public, not private gains.

At page 169, Mr. Stretton deals with existing cities and their problems and states:

If our dreaming were even more radical, we could imagine one further fiction. The state is already an experienced converter of rural to urban land.

He is referring here to Adelaide and the Housing Trust. He goes on to state:

Let it now monopolize that business, so that the only way of converting rural to urban land is to pass it through the hands of the public developer. Most of the cumbersome effort to plan new development by statutory maps and complex ordinances and restrictive pressures on land prices can be dispensed with and statutory planning can revert to its useful function of protecting the already-established urban districts which the public developer has sold back to the citizens.

By this monopoly (not of land, but of the right to convert it to urban use) rural landowners and some estate agents and speculative developers would have their gains reduced. But everybody else's gains could include better designed neighbourhoods, and more equitable taxes and benefits within them; a fairer conciliation of the needs of drive-in and walk-in and public-transport-dependent shoppers; better chances for unsegregated neighbourhoods and

State schools, better sites and services for a great many institutions; pedestrian charms and safeties galore. The public would acquire the betterment value of incoming urban land by the simplest method. It could take a profit, or it could extinguish some of the betterment, keeping more of the city's land cheap, and thus indirectly financing some of the private city-building, especially housing.

This legislation does not go as far as Mr. Stretton goes in that statement. However, the provisions of this Bill are vital for planning Murray New Town. I said that I considered that the legislation regarding Murray New Town was the most significant and valuable that had come before this House, certainly since I became a member and probably for many years before then. It is important that that pioneering legislation be buttressed by supplementary legislation to enable us to plan and control development of this area properly. The provisions in the Bill before the House are vital in the proper planning and control of this experiment that the Minister has launched. I commend the measure, hoping that it will be given a speedy passage and that it will emerge substantially unamended so that we can make South Australia a better place in which to live.

Mr. McANANEY (Heysen): In general, I support what the Leader has said. The Bill contains many good provisions, but I find it difficult to reconcile the Minister's explanation. The Minister probably intended to link his explanation with the Bill, but I cannot find set out what he has said he will do. The Bill gives unlimited power and the Minister has told us how he will administer the measure.

I do not like the way the powers of counci's are being restricted. Council officers, particularly in country areas, know the areas and the problems well, and the powers of these officers should not be reduced. Some councils admittedly have not carried out their obligations under the Weeds Act, but the various Ministers of Agriculture, who have had power to ensure that councils did the job, have not fulfilled their functions. I prefer to have an overriding power so that, provided we have good Ministers, they will see that the councils carry out their obligations without having their authority reduced.

As the Leader has dealt with the clauses in detail, I will not repeat what he has said. Because I represent a watershed area, I have had experience in the matter of 20-acre allotments and the subdivision of land in the watershed area. Almost all dairy farmers will leave the area if blocks can be subdivided into 20-acre allotments. I do not consider that this is good. A person may take up such an allotment thinking that he will run a few horses or cows, and also thinking that keeping down noxious weeds and undergrowth will not entail much work. Perhaps he will think that spending half an hour to get some exercise will be sufficient to look after 20 acres.

However, I think that, unless the owners of these blocks are wealthy people who can employ other people to keep the land clean, the land will deteriorate. If we are concerned about the environment, we ought to be concerned about what will happen if we have 20-acre blocks in the Hills areas that are not looked after. I hope that the Minister will give his views on the Mount Barker area, where thousands of acres will be cut up in that way. I heard only last week that another 1,500 acres was to be cut up.

This is reasonable land, but there is no water on some 20-acre subdivisions. Even if water was present, it would be expensive to put down a bore. Further, some of the land has cape tulip growing on it and people who allowed horses on that land overnight would not have any horses next morning. We are giving the Minister tremendous power and we should have more detail about the interpretation. Some people have raised the objection that the town of Littlehampton may increase in size. It will be between the new town and Adelaide. I cannot see any objection to Mount Barker or Littlehampton increasing in size, provided that they are developed properly as towns and we do not have another town about half a mile away. We could have a domiciliary area, with a balance. If unemployment occurred in the new town the unemployed people would have somewhere else to go. I cannot see anything wrong with this.

I do not like authority being given to delegate power; that is a weakness in the legislation. Although one clause provides that a council can apply to the authority for permission to do something, the authority will be able to refuse that permission. It appears, therefore, that councils will have no say in the matter at all. I have referred to strips of land that could be developed in places like Littlehampton. Perhaps the Housing Trust is the worst offender in this respect because, if it owns land, a subdivision must occur farther away. This semi-governmental authority is therefore causing certain delays to occur in subdivisions.

I said when the planning and development legislation was first introduced that blocks of land in South Australia would be dearer. Until that time, land in South Australia was much

cheaper than it was in the other States. However, that difference in price is now narrowing because only a limited number of blocks, for which there is an excessive demand, is available. This aspect must be kept in mind in relation to town planning, to which I have no objection. Although we must plan, the Government has in every Bill it has introduced tried to go that little further than what I consider to be practicable.

Something along these lines is necessary in relation to the Electricity Trust and its easements. I do not know how it will apply, because, when I owned a property a few years ago, the trust constructed a line across my property without even approaching me. The Leader went into much detail regarding this Bill. In Committee, arguments can be developed on certain clauses and the Minister will be able to inform the House of his intentions and of the advantages of the various restrictions being placed on councils. I support the second reading of this Bill, which can be improved greatly in Committee.

Dr. TONKIN (Bragg): Although in his speech the member for Mawson continually congratulated the Minister on this and that, I do not congratulate the member for Mawson.

Mr. Ryan: He must have been right, because you never give credit where it is due.

Dr. TONKIN: The only credit that can be given to the member for Mawson is that he introduced politics into a matter that should be above politics. He accused someone of letting the cat out of the bag, saying that, if anyone was committed to the preservation of the environment, he would be branded a Socialist. I am tempted to say, "What a load of rubbish!" The member's remarks were completely misguided and unjustified. Further, it was arrogant, presumptuous, and perhaps simply petty, of the member for Mawson, because this subject is of concern to everyone in the community: it is not just Socialists that are concerned with this matter.

It was interesting later in the honourable member's contribution to hear him spend much time discussing the control that this legislation would provide: not emphasizing the planning that would result, but simply stressing the control that would result over any form of profit-making. He made his position clear: he is obviously not concerned with this matter on an apolitical basis but is intent on making political capital out of the legislation. I am sure that the Minister had no intention whatever of making political capital out of this measure when he introduced it, because that is not like him. Although this Bill is full of good intent, it illustrates a lack of a responsible attitude. Although its intentions will be supported by most people in the community, as it has been introduced the legislation lacks definition: it is full of holes and it tends to usurp the authority of councils without any thought apparently being given to the preservation of councils' rights.

Again, this legislation gives considerable authority to the Minister, either through his Director or directly to him. As I have said many times in this Chamber, we have over the last 2½ years seen more and more responsibility being placed in the Minister's hands. I approve of the aims in introducing the legislation: the prevention of widespread and haphazard ribbon development where it could be difficult to supply council services and other essential services. I approve, too, of the restrictions that may be placed on areas of land to preserve the environment, and I approve of these restrictions being imposed permanently.

The introduction of the legislation has probably been precipitated (as I believe the legislation is precipitate) and stimulated by the intended development of Murray New Town and because of the possibility that haphazard ribbon development could occur between Adelaide and Murray Bridge. The Leader of the Opposition dealt well with many features of the legislation, on which the Minister owes an explanation. If he does not owe an explanation at least he owes the community the responsibility of tidying up the legislation. If he is not willing to do so, the Opposition will at least try in the short time it has at its disposal to improve the Bill when it goes into Committee.

I am particularly concerned with that part of the legislation which gives the Director of Planning power to consider whether a property is a viable, economic unit. I cite the member for Goyder as someone who may well experience a problem in that, wishing to retire and to remain on the property that he has tended for so many years, he will probably find himself in difficulties under this legislation. I think the Director of Planning should have discretion in such circumstances.

I am disturbed by the Minister's apparent attitude that the prevention of haphazard development is more important than the well-being of people. I freely admit that there must be planned development but I believe, too, that we must consider the cases of people that need individual consideration. However, at present the Bill does not give the Director

of Planning power to exercise sufficient discretion. I am concerned, too, about the provision in the Bill that gives the Electricity Trust authority to use easements without providing compensation. This applies not only to easements that will be supplied in future: it applies to easements in existence now. As I think the Leader has already said, this applies to electricity lines, whether they be below or above the ground, and it could conceivably apply to a pylon or even a line of pylons. I think this is unfair.

Although I do not know whether this was the Government's original intention, I certainly believe that no-one has the right to string a line of electricity wires across a property without paying compensation for doing just that. The Government is obviously anxious to have this Bill passed, and I agree that the measure contains many necessary and vital provisions. However, some of the intangibles and the vagueness about the Bill should be considered more closely. I do not believe that any Government should become so authoritarian, or even totalitarian, that it should not consider the feelings and rights of individuals, as well as the environment in which they live.

Mr. EVANS (Fisher): I support some aspects of the Bill, but I am concerned about certain features, just as other speakers on this side are concerned about them. I wish to refer mainly to the Hills area, which forms part of my district and which naturally concerns me. In his explanation, the Minister placed great emphasis on the development likely to occur between Adelaide and Murray New Town, saying that some control was necessary (indeed, under the Bill they are extreme controls) in regard to development taking place along the freeway route. The Minister said:

Most important is the fact that, if allowed to continue between Adelaide and the proposed Murray New Town, such activity could destroy the open rural character of the beautiful Mount Lofty Range which lies between. One of the fundamental concepts of Murray New Town is that it will be physically separated from the built-up area of Adelaide. As a development plan covering this area will not be completed for quite some time, there is nothing to stop haphazard development adjoining the highway between Adelaide and Murray New Town.

I have never been completely satisfied that the proposed site is the correct site on which to establish a new town in South Australia, for I believe that that site is sufficiently close to Adelaide for people to be able to commute both ways. However, accepting that Murray New Town will be established (plans are already being prepared), I refer to surveys carried out by four civil engineering postgraduates, the first survey being that of Messrs. Burnside and Chappell, in 1971, in which they refer to the feasibility of constructing a tunnel through the Adelaide Hills. I believe that the work of these four people is the most up-to-date work on such a project. In the summary of the report prepared by Messrs. Burnside and Chappell, they state:

After examination of the feasibility of constructing a tunnel through the Adelaide Hills, it is found that it is physically possible to carry out such a project. Little difficulty is expected in dealing with the geological and constructional problems associated with a project of the size envisaged. Modern technology has shown in practice that a tunnelling operation of this scope can be carried out, provided sufficient financial backing is available.

I realize that that is a big qualification. The introduction states:

There are many factors favouring the construction of a tunnel motorway as a means of travelling between the Adelaide Plains and Murray Valley. These are—

(1) a straight-through flat-grade motorway offering considerable savings in vehicle running costs and journey time;
(2) the increased demand for all-weather rapid transport freeways;
(3) the increasingly prohibitive cost of acquisition of land for large-scale highway construction which is negated by the tunnel scheme;
(4) the creation of incentive for decentralization of light industries to the Murray Valley;
(5) considering the ecological factors accompanying freeway construction, there is much merit in a scheme that conserves the Hills' natural state;
(6) the high cost involved with the present system of pumping water from the Murray River over the Hills to the Adelaide Plains gives scope to a considerable saving in this region by using the tunnel route. Similarly in the service gallery, additional pipes could be placed to carry natural gas, as well as conduits for P.M.G. and E.T.S.A. services; and
(7) as a strategic feature of defence in case of war. It could provide cover for passage of troops and/or act as an air-raid shelter.

Those seven points are well worth considering. This Bill has been introduced mainly because of the freeway being constructed through the Hills, over the top of the range. At page 8 of their report, referring to the economic aspects of constructing a tunnel through the Hills, Burnside and Chappell state:

The prime reason for proposing a tunnel is to develop a more rapid and economic path of travel for interstate traffic through the Adelaide

Hills. The costs of such a project will be offset by the following factors:

(1) saving in time;
(2) saving in vehicle running costs;
(3) possibility of leasing part of the tunnel space;
(4) less land acquisition;
(5) possibility of land development; and
(6) fixing of a toll.

At page 10, referring to some of those aspects in more detail, the report states:

Leasing of tunnel space: In designing the tunnel dimensions, consideration was given to the possibility that Government utilities and private enterprises would possibly lease sections of the tunnel. Although primarily a vehicular tunnel, water pipes, power lines and communication cables could also be accommodated. The cost saved, for instance, in piping water from the Murray River along the level grade of the tunnel, rather than over the steeper grades of the Hills, would be quite considerable.

Natural gas and oil are both commodities which could be pumped via the tunnel to a ready market in the hinterland. Leasing arrangements would be carried out by the tunnel authority, taking into account the diameter of the pipe involved and the amount of money saved per annum by using the tunnel, in comparison with existing methods.

Land acquisition: One of the hidden assets of tunnel construction is that relatively small amounts of land have to be purchased for ventilation shaft outlets (see "ventilation"), costly reconstruction of roads and landscape which follows freeway construction will be non-existent.

Possibility of land development: With the possibility of the tunnel providing rapid transport, it does not seem too unreal to envisage a housing development taking place on the eastern slopes of the Adelaide Hills and the Murray Valley.

This report, which was given to a seminar in 1971, continues:

This would take place as a result of the prohibitive cost of land on the Adelaide Plain. Large industries will be forced to move to the east of the Hills where land prices are cheaper. These industries will need a large labour force which would provide further inducement for people to resettle in this region. The tunnel route would not only serve the Adelaide centre but also provide direct access to the Port for the shipment of goods from these industries.

The suggested inlet for the tunnel was near Anstey Hill. The report continues:

Real estate developers could therefore be induced to contribute towards the cost of the tunnel scheme in order to bring about the realization of this land development.

Fixing of a toll: An option to assist the developer of the scheme in making the project pay is to impose a toll on each motorist using the tunnel. Considering the length of the tunnel and the time saved by the motorist, a toll of 50c does not seem unreasonable. This, however, would mean the stopping of all motorists in both directions in order to extract the toll and thereby increase the travelling time of the tunnel users. This is only a minor point, though, since the increase in travelling time would be minimal. Allowing for 50,000 vehicles a day using the tunnel at 50c each, some idea of the annual toll can be gathered.

In a year, about $9,250,000 would be available at 50c a vehicle, and this could go towards the cost of maintaining the tunnel; that is worth considering. I do not wish to refer to the other two gentlemen who followed up the report given by Burnside and Chappell, except that the report by Messrs. Medd and Ide has just been completed and, in part, it states:

After examination of all the relevant facts, it is suggested that, for rapid transport under the Adelaide Hills, twin circular tunnels be adopted. These will be rail tunnels with rolling stock designed for rapid loading/unloading of vehicular traffic, as well as passengers and freight. It is suggested that construction be carried out with a tunnelling machine followed by the application of a shotcrete lining which will suffice for both tunnel lining and rock support.

It is possible, feasible and practicable to put a tunnel through the Adelaide Hills under present-day conditions with the knowledge we have. I believe that the four gentlemen who carried out the research at the institute are satisfied that, between the Government and the private sector, such a project could be completed. If it could, much of the concern we have about development along the freeway would not apply if the freeway were stopped at Mount Barker. It would serve the Hills area, Mount Barker and Littlehampton would develop, and under the zoning proposal the area would develop. Tunnelling through the Hills is one successful proposition. It would be expensive, but over the period of the country's lifetime we are going to pump water and cart all the goods and passengers over the range. This is absolutely ridiculous. I believe this is an area in which we could carry out more investigation before we go too far with developing other methods of transportation.

The member for Heysen referred to the catchment area in the Adelaide Hills and to the effect that the unnecessary subdivision into 20-acre allotments has had in the past, but this legislation is intended to stop some of that development. The problem we must consider all the time is the economics of the rural community in the Hills: through Government and semi-government taxes, it is virtually impossible for many of the small farms to survive. If they cannot survive on 100 or 140 acres, what can they do with the land? Do we

say, "Cut it into two 70-acre allotments"? Do we aggregate it with other land and say, "We will abolish land tax."? Do we admit that they are in an economic crisis and say that we will give them a rate reimbursement either directly or through the local council? Do we set out to eliminate the noxious weeds problem that has cost them possibly millions of dollars over the years—a problem that is not of their own doing? Many of them clean their own land each year, but they receive an influx of seeds from neighbouring Crown lands. As much as people argue that this does not happen, the Minister knows that it does happen, but the Government ignores the areas it finds most difficult to treat, as it is not bound by the Act. What will happen to that land? It is the easiest thing in the world for us to say that we will pass the legislation, but that does not solve the problem unless at the same time the Minister and his Cabinet colleagues, with the backing of Government members, admit that some economic consideration must be given to the rural community in those areas.

The Minister referred to this matter in his second reading explanation when he said that we would allow an allotment to be created if it could be proved that, when created, it would be a viable proposition in the primary producing business. But by what method will we judge that? It is just not possible: I think the Leader made that point. In many terms I suppose that very little of the Hills area is an economic proposition today in terms of a person working eight hours a day for five days a week, as the owner must work 16 hours a day for six days a week. Who will make the assessment? I know that many people would like to have four or five acres rather than 20 acres, because four or five acres would supply them with their pony paddock and give them the opportunity of having an area they could maintain and keep in a respectable condition regarding noxious weeds.

They would not create any real pollution problem in relation to the reservoirs. I refer, in particular, to one area, namely, the Stirling and Mount Lofty area with all its beauty. When people go to look at it in spring and summer they go to look not at the natural native trees in the main but at deciduous trees that have been brought from other lands. If one takes a friend to see for the first time the Belair Recreation Park, this person will find the most beautiful part of the park to be near the ovals, where trees from other countries have been mingled with the gums, whose white trunks show out. The Stirling and Mount Lofty areas were developed in large allotments of two acres to 10 acres. Over the years, because of economics, many of these properties have had to be cut up. During the last fortnight, a six-acre property was passed in at $100,000 to $110,000. Not even a fairly rich person can afford to buy that sort of property, on which council rates and water rates (and soon sewer rates) represent a heavy financial commitment each year. A property such as that has to be subdivided or, if the National Trust has its way, reserved with the old house intact.

However, the financial aspect of the matter must be considered. It is no good our saying one thing and meaning another. We all know that merely by passing this legislation and giving complete power to the State Planning Authority we will not solve the problem for the individual. We must go further than this. The Minister also said that an allotment of not greater than 1 ha can be taken from the original title for one member of a family. To a degree, that is acceptable. However, I do not accept the next part of the Minister's explanation, when he said:

> Such allotment will be approved, provided that the remaining area of land in the original title can be proved to be an economic unit for the business of primary production and that such an allotment is created prior to any further subdivision or resubdivision of the land.

It is possible for a property owner to have more than one title. The first title may be for a property of 40 acres, with an adjoining property of 100 acres under a separate title. This person may wish to take from the 40 acres one allotment for one member of his family. The Minister says that where one title is involved it has to be proved that it can be a viable proposition. In this case, the farmer would want to use the adjoining land as well. Will the Minister ask that the two titles be aggregated? Will consideration be given to the fact that the farmer would use the adjoining property to help him to obtain his livelihood? That point, which has not been dealt with, should be considered. The Bill also gives power to the authority to acquire land and subdivide it. Without doubt the biggest speculator in this State is the South Australian Housing Trust. One of the main reasons why land prices are so high has been the Housing Trust policy in relation to land.

Mrs. Byrne: I don't think that is right.

Mr. EVANS: The honourable member can speak in this debate later, if she wishes to do so. The Housing Trust owns thousands of

acres of land in this State. It has sat on this land for years without subdividing it or making other use of it. However, it has benefited from the escalating price of the land.

Mr. Hopgood: That's commendable foresight.

Mr. EVANS: That may be so. However, by buying large tracts of land and not developing them, the trust has encouraged other subdividers and speculators in the private sector to buy land and provide allotments where the demand has been created, and where the trust could have made many allotments available to young couples at a much lower price. Today, the trust is sitting on thousands of acres that it bought at a reasonable price, and it is still acquiring land.

Mr. Hopgood: This Government has allowed it to sell some land to the private sector, and that's a departure.

Mr. EVANS: I agree, but prices have increased. With regard to the cost of allotments (and I blame some of my colleagues in past Governments for this), the day we made the subdivider put in all the services before we allowed a subdivision was the day we increased the average cost of an allotment. The reason why this provision was originally introduced was to try to slow down subdivision by making private developers pay these extra costs, but this object has not been achieved. The developers have merely added the cost of the services to the cost of a block. Injustice occurs since in the past, when services were supplied by the State, people bought land at a much lower price than people can now buy land in newer areas. Because of the high cost of land now in newer areas, a person who has a block on which he is waiting to build his house must pay much higher rates than he would have had to pay if the provision of these services had not caused the cost of the block to be increased. Private developers are still marching ahead, and unless they can make something out of a project they will not enter the field. By interjection, the member for Mawson said that the Housing Trust had sold land to the private sector. Perhaps Government instrumentalities cannot carry out this work as cheaply as can the private sector.

Mr. Hopgood: That's not why it was done.

Mr. EVANS: Perhaps that is the reason why it was done. I make the point strongly that, if it wanted to, the trust could make available many more allotments. Supply and demand are two of the key governing factors in the price of any article. If plenty of blocks are available, the price of blocks will tend to even out. Speculators will not move into the field unless there is a chance of their making more than the return that they can get on their money at the average bank interest rate. Although the trust has operated satisfactorily in many areas, I believe it could have improved its performances in this field. Another provision of the Bill deals with the Electricity Trust's wanting the right of easement on properties. By interjection, the Minister said that this was only in relation to underground wiring.

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

Mr. EVANS: If these Electricity Trust easements are needed for underground services I do not object, but the intention is not clearly defined. In the Hills, pylons stretch for miles, and some people object to their having been built, but the trust purchased the rights to build these pylons on private property or they were built on Government land. The 33,000-volt lines are along easements that have been acquired from private owners. The high-voltage lines do not pass over densely populated areas, because the trust has avoided those areas.

The increase from $100 to $300 a block for subdivision of 20 allotments or less seems to be justified, but we need details about how the money is to be handled. It may be cheaper for the subdivider to make land available in the outer areas than to pay $300, because the overall cost of the land is less. At present more open space is available in fringe areas than is available in the inner areas, and we must reverse this position. Perhaps the amount of the fee may be amended in Committee, but I do not object to some money being paid for the chance to obtain open-space areas. Another provision refers to a third party having the right of appeal. This type of provision has caused concern in the past, in cases where people believed that they had a genuine objection but could not object, because they had no tangible interest in the property.

How does one define "trivial"? This is a problem that may cause embarrassment to councils and individuals and may cause trouble for Government departments, although such departments will be exempt from the provisions of this Bill. I believe that John Citizen must be continually aware of a situation in which all power becomes centred at one point, and that could be Canberra. Gradually the control by the individual is being taken from him and, in this case, control is being taken from councils that represent individuals in an area.

The power may be assumed by the State Government, and eventually it may go to a central Government in Canberra, so that before long we have some form of dictatorship. John Citizen is losing many of his freedoms. I believe that councils have taken care of citizens extremely well. Another problem may arise when the authority buys property, subdivides it, and then erects the type of housing that has an adverse effect on the value of houses that are already built. The local people could be over-ridden.

The Hon. G. R. Broomhill: They can sell the land.

Mr. EVANS: The State Planning Authority can sell to the Housing Trust, and the trust could build box-type houses that could have an adverse effect on the value of houses already erected. We must consider local people who are losing some form of control, and councils also are being over-ridden by this legislation. Because I agree that we need good planning and control, I support the second reading, but we must consider how individuals are affected by these provisions.

Mr. GUNN (Eyre): I, too, support the second reading. I have been concerned at what seems to be the irresponsible subdivision that has taken place in the metropolitan area. Some people in the community would subdivide the parklands if they had the chance. As I fly into the city at least once a week in order to carry out my Parliamentary duties, I am concerned at what seems to be the gradual erosion of the few remaining open spaces in the metropolitan area. In the Fulham area (represented by the member for Peake or perhaps the Minister of Environment and Conservation) small market gardens still remain, but subdivisions seem to be creeping up on them. We should not allow all these areas to be subdivided, because this will not be in the best interests of future generations.

I endorse the provisions of this Bill to control subdivision along the route to Murray New Town. If subdivision were permitted along the freeway to this new town, the purpose of establishing the town would be defeated. We should decentralize, and I am pleased with the move that has been made. That applies particularly on Eyre Peninsula. When one sees the difficulties that people have had in getting assistance for new industries, or even in maintaining existing industries, and when one sees what is happening in the metropolitan area, it is rather disheartening. An area such as Ceduna will, in the future, be a great centre and it could equal Port Lincoln. That will depend, of course, on its being given the necessary assistance by this Government. The action by the Government regarding the Government Produce Department at Port Lincoln is a classic example of the Government's attitude. The Government talks of decentralization, but does nothing about it until the situation is completely out of hand. The Government's involvement in this action was nothing short of irresponsible.

Members interjecting:

The SPEAKER: The honourable member must link his remarks to the Bill before the House.

Mr. GUNN: Thank your, Sir. I am always pleased to abide by your impartial rulings. The honourable member who interjected—

The SPEAKER: The honourable member who interjected is out of order and the member for Eyre must confine his remarks to the Bill.

Mr. GUNN: Like the member for Fisher, I am concerned about the erosion of the powers of local government. This is another example of the Labor Party putting into practice its policy of centralization. The Bill is another effort to erode the rights of local government. I have always been of the opinion that local government is the government closest to the people and therefore its power should be strengthened and not eroded, but it is obviously the policy of this Government to erode the power of local government. There are areas in this legislation which cause concern to members on this side. I shall have more to say in Committee, but I, too, am concerned to see the subdivision taking place, particularly in the metropolitan area. I believe we should concentrate, in many areas, on redevelopment.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I intend to speak only briefly on the points raised during the second reading debate. I have been astounded at the statements made about this legislation. The member for Eyre made a useful contribution to the debate, as did the member for Fisher and the member for Mawson, who also spoke on this measure. I cannot agree with all the points made by the member for Eyre or the member for Fisher, but nevertheless they attempted to make an honest contribution to the debate and showed clearly, by comparison, where the Leader of the Opposition and the member for Bragg made the most astounding charges against this Bill. The Leader used such words as "restrictive", "reprehensible", and "authoritarian" in referring to the Bill and immediately received the support of two of his colleagues. Obviously,

the Leader has spent time on this matter, because in recent weeks his attempts to criticize the Government have received no publicity. Therefore, he is adopting the attitude that unless he uses such phrases he will not be reported.

Apart from these strong words, the remainder of his speech, broadly speaking, was in support of what had been done. I think the Leader should be ashamed of himself for using the language he did about legislation which I have found has received complete and total public support. If he read the editorial in yesterday's *Advertiser*, a newspaper which is not prone to giving Government legislation the credit it deserves, the Leader would find that that editorial fairly expressed the views of the community. The Government, faced with a situation in the Adelaide Hills and the area between Adelaide and Murray New Town, required dramatic action to prevent the sort of development that has occurred previously. I was at a loss to understand the basic points the Leader tried to make. He talked of the Government's action in preventing people from buying a block of land where they could retire and walk their dog. I stand to be corrected, but I believe that is one of the terms he used. As a result of this, he said, people would not be able to undertake this activity and depart from the metropolitan area to live in the Adelaide Hills or the near Adelaide Hills unless they were able to establish a property that could sustain itself as a farming property.

This is not correct. Certainly, this argument applies, and one of the main objects of the Bill is to ensure that we do not have haphazard subdivision, in the manner the member for Fisher mentioned, where people simply subdivide land, sell it to other people in the metropolitan area who buy it as an investment, paying no attention to the land itself or to the accumulating problems of weeds, bush fire risk, and so on, not for the purpose of going there to live, but for the purpose of development. The Government says quite firmly that this situation is undesirable. The community agrees that it is undesirable, and I shall be amazed if the Leader of the Opposition does not share this view. In this legislation we are trying to see that development takes place in these areas, and that it will take place on an orderly basis so that people who wish to live in a country area away from metropolitan Adelaide can purchase land and a home within the surrounds of an existing township. In this way we have development taking place, but not in the haphazard way we have had in the past. I have made this quite clear in my explanation. I do not know whether the Leader of the Opposition deliberately wanted to misunderstand or whether he just did not know.

I did not note down all the matters on which members said they wanted additional information, because I assumed that those matters would be raised in Committee. I thank the two Opposition members who tried to make a contribution to the debate in a sincere way and I condemn those members who tried to make politics out of an important State issue.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement."

Mr. BECKER: Can the Minister assure me that all applications lodged with the Lands Titles Office before the prescribed date will be approved? A constituent is waiting for four applications to be approved.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I cannot give that assurance, although I expect that that is likely to occur. The Director of Planning has discretion about whether approval should be given and there may be an avalanche of applications between now and the date of proclamation, requiring special attention. I expect that applications now being processed will be accepted but I cannot given an unequivocal assurance. We shall be able to proclaim the Act as quickly as possible.

Mr. MATHWIN: Surely the Minister can give better information and say whether the applications will or will not be approved.

Mr. BECKER: A constituent claims that, under section 3 of the Act, there is provision for approval to be given before the proclamation of the Planning and Development Act, 1966-67. I seek an assurance that that policy will continue.

The Hon. G. R. BROOMHILL: We would intend to do that. However, because there may be the major complication to which I have referred, applications to subdivide may be made so as to defeat the object of the legislation. The Government must be free to act. We expect to act as fairly as we possibly can, because there is no real advantage to us in doing otherwise, without good reason.

Clause passed.

Clause 3 passed.

Clause 4—"Interpretation."

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

In paragraph (*c*) to strike out "30" and insert "15"; in paragraph (*e*) to strike out "30" and insert "15"; and in paragraph (*f*) to strike out "30" and insert "15".

No indication has been given why the new size of allotments should be almost four times the present size. If the Minister has no good reason for adopting the figure of 30 ha, the Committee may want to resist such an increase and provide for 15 ha, which is about 37 acres.

The Hon. G. R. BROOMHILL: I cannot accept the amendments. The change has been made not for any specific mathematical reason but merely because we consider that a property larger than 74 acres can be subdivided without creating any problem. At present a person may subdivide his property into allotments of 20 acres or more without reference to the State Planning Authority. The provision does not create a particularly restrictive situation for anyone. It merely provides that a person who wants to subdivide to a size less than 74 acres must have the subdivision approved by the State Planning Authority so that the authority will have some control over the form of development to take place. That is the only difference, whether it be 74 acres or 147 acres.

Mr. Coumbe: That's quite a jump.

The Hon. G. R. BROOMHILL: True, but any person with a large property could subdivide it into areas of, say, 37 acres. If a property consists of 370 acres and is then subdivided into 37-acre blocks, the owner would subdivide the area at his own discretion, with no oversight or examination from the State Planning Authority applying what are reasonable tests. We say that anything over 74 acres cannot create much of a problem at all, but any area less than that could create difficulties. That is the reason why that figure was determined.

Mr. GOLDSWORTHY: Is the Minister aware of the problems occurring in the water catchment area where 20-acre subdivisions have been made? In such cases the original property has become unprofitable as a primary-producing unit and the landholder has no alternative but to subdivide his property. There appears to be a conflict of interest between the Minister's department and the Engineering and Water Supply Department. The Minister said he did not intend to alter the 20-acre limit of subdivision, but it is completely unrealistic to force people to stay on larger properties that are unprofitable. The substitution of the figure "15" will not result in a mode of living that is similar to metropolitan living. In the areas referred to, many landholders wish to subdivide their land into smaller lots.

The Hon. G. R. BROOMHILL: Although I cannot speak for the Minister of Works on this matter, it is the Government's view and my view that we are required at this time to prevent the type of development that the honourable member is apparently advocating. He wants us to permit people to sell blocks in a scattered way throughout water catchment areas of the State, or wherever it may be, in a haphazard form of development. The whole basis of our view regarding this sort of development is that we have to take action to prevent this occurring. Many complaints have been made in recent months about the problems experienced by those who have subdivided their land into small allotments and who have sold them to city dwellers or others who see them as a useful form of investment or perhaps as a place to settle on retirement, but such purchasers find when they get there that the problems of water supply and sewerage make the situation too uneconomic to continue. I believe it is undesirable for us to create subdivisions in a scattered way and, by so doing, to encourage the community to scatter themselves in this manner.

Dr. EASTICK: The Minister introduced the concept of a "scattered way" in talking about subdivisions but, in the area referred to by the member for Kavel, they are not scattered: they are adjacent to each other. The person responsible for the total area has found it unprofitable to continue in primary production. Although I agree that selling smaller blocks has an adverse effect on neighbouring private properties because of the price that is paid for the smaller blocks, a person should not be forced to maintain his hold on his property after it has ceased to be a viable proposition and he has ceased to obtain a living from it. This is increasingly a problem year by year in the watershed areas. Such blocks are not usually scattered: they are part of a system of subdivision that has been going on for some time.

In reply to my question the Minister said that a subdivision of 74 acres would produce no problem, but such a subdivision would be a major problem except in a high-rainfall area. The Minister said the matter would be looked at and a reasonable test would apply. How does one make a reasonable decision on a series of intangible factors regarding production? The Minister said that only if the property was to be a viable proposition in a rural setting would it be permitted, but I point out that many

people wish to live on such a block in their desire to breed dogs, have a horse, plant a few trees, and the like, and it is impossible for such a person to make a small block an economic unit. It is merely a matter of the way in which he wishes to live.

Mr. McANANEY: In the Mount Barker area where much subdivision is taking place at present is it the Government's policy at this stage to stop development involving 20-acre properties? What is the position regarding a 74-acre property?

The Hon. G. R. BROOMHILL: If an area of land is subdivided into 20-acre allotments, the lay-out of the subdivision has to be approved by the State Planning Authority, but if the allotments are, say, 21 acres there is no need for that approval. An undesirable situation may develop whereby subdivided blocks of land may be 20 acres or more but the layout of the subdivision may be such that, in order to take advantage of a river frontage, the houses are situated too close to each other. If an area is larger than 74 acres, the position is the same as that in respect of an area of over 20 acres, but if it is split up into blocks, some of which are, say, 20 acres it will be necessary to have the approval of the State Planning Authority.

Mr. EVANS: I believe that there is possibly some area of manoeuvre between the Minister's department and the department of the Minister of Works. The Minister should encourage his colleague to allow subdivisions of two acres or three acres on land adjoining townships in the watershed areas, implementing a more selective policy in respect of the outer areas. A person having spent all his working life on a property may not have sufficient funds on which to retire. Over the years he has paid the various rates and taxes levied on his property, and I believe that the Government should consider introducing some form of compensation, perhaps through rate reimbursement or reducing land tax, etc., on such a property.

The Hon. G. R. BROOMHILL: Although I am not unsympathetic towards the problem of the man on the land, I point out that it is not confined only to people living in the Adelaide Hills. The Leader suggests that people in the Adelaide Hills who are having difficulties making a living on their farming properties should be permitted to sell them in order to get out of a financial difficulty. It may well be that the Government needs to examine the problems of the rural community not only because of areas to which this proposal relates, where land might be sold on speculation and result in undesirable subdivisions, but also because of financial hardship. I believe that, faced with the present problem, the action being taken under this provision is the only possible action.

Mr. GOLDSWORTHY: Problems have been caused largely as a result of regulations introduced by the Minister of Works, who is in charge of the Engineering and Water Supply Department, and it is pleasing to hear from a Government Minister that perhaps we should examine those problems. Indeed, the Minister is not speaking for the Minister of Works, who recently assured members that, as far as he was concerned, the present situation would continue.

Mr. McANANEY: It seems to me that an 80-acre dairy farm could be sold to four people as 20-acre allotments, irrespective of the relationship of those people to the vendor, and the land in question might be used to breed horses, goats or whatever one wished to breed. However, if a dairy farmer with 80 acres wants to divide that property amongst four members of his family, giving 20 acres to each, he cannot do this, for under the Bill he is permitted to give not more than one half to only one member of his family. How can this situation be justified?

Dr. EASTICK: We accept that properties should not be scattered about. However, what does the Minister mean by the term "compact extension"? Does it mean an area within a radius of a mile or three miles, or what does it mean?

The Hon. G. R. BROOMHILL: I am afraid that I cannot give a definite figure of, say, a mile radius from the heart of a town or township as being considered to be a compact extension. The Director of Planning and his officers will determine this on the basis of the specific town in question. It could be that a town has developed in such a way that all the houses are concentrated in one spot, or there may have been a sprawl of houses. Obviously the Director must use his discretion in determining what he considers to be a compact extension of the town. The Director and his officers are best able to decide where a town should be developed and within what radius the development should take place.

Dr. EASTICK: The Minister has now referred to a town or township. Earlier, we have talked about regional development as distinct from specific township development. What is the difference between township development and regional living development?

The Hon. G. R. BROOMHILL: I am certain that I referred to a town or township in my second reading explanation. The point is that, where some development has taken place already in an area, that area should be the area developed. This is the sort of development we want, rather than the disorderly development that can take place at present. Where there is a town of any significant size, obviously this will be considered as the area where development will be permitted to take place.

Mr. McANANEY: What is a town of a significant size?

The Hon. G. R. BROOMHILL: That judgment will be left in the hands of the Director of Planning and his officers, who are best able to make such a judgment.

Mr. McANANEY: I move:

That progress be reported.

I do this so that the Minister can get further information.

The CHAIRMAN: Order! The honourable member is not permitted to speak to that motion.

The Committee divided on the motion:

Ayes (17)—Messrs. Becker, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney (teller), Millhouse, Nankivell, Rodda, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan, Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pair—Aye—Mrs. Steele. No—Mr. Corcoran.

Majority of 6 for the Noes.

Motion thus negatived.

Mr. McANANEY: If this Bill is passed, what does the Minister expect a dairy farmer on an 80-acre farm near Mount Barker will be allowed to do?

The Hon. G. R. BROOMHILL: If it forms a compact part of the town, he will be able to subdivide: if not, and it is rural land, he will have to apply to the State Planning Office to subdivide the 80 acres into 20-acre allotments. If it is established that these allotments can be economical, he will be able to subdivide: if they are not, he will not be able to subdivide.

Mr. McANANEY: If a person buys the property and does not intend to use it as a dairy, can he subdivide it into 40-acre blocks and run goats or horses?

The Hon. G. R. BROOMHILL: No.

Mr. McANANEY: Does that mean a 1,500-acre property cannot be subdivided under 75 acres?

The Hon. G. R. BROOMHILL: If the land is subdivided into areas of more than 74 acres, State Planning Authority approval to subdivide is not needed: for 20 acres or less than 74 acres approval is required. An allotment of 74 acres would form an economic farming unit.

Mr. McANANEY: What about 73 acres? There seems to be a discrimination when a dairy farmer buys land, subdivides it, and uses it for a different purpose.

The Hon. G. R. BROOMHILL: No.

Amendments negatived.

Dr. EASTICK: I do not wish to proceed with my further amendments.

Clause passed.

Clause 5—"Delegation."

Dr. EASTICK: This clause provides a delegation of power to a delegate, and I believe that this is contrary to all previous legislation in this or any other Chamber. Can the Minister say why he has sought to have this double delegation, and what advice has he received that makes this a relevant action although it has not been relevant in the past?

The Hon. G. R. BROOMHILL: Obviously, this provision has been necessary in the past but the matter has not been considered. Members would appreciate that a tremendous increase in work has occurred for all planning authorities in this State. The work of the authority is being bogged down with matters that could be dealt with by other officers. The safeguard is that the authority must decide to delegate these powers and it is not likely to do so loosely. Further, the authority does not lose power, because a report on the finding of what we may call the subcommittee must be submitted to the authority.

Dr. EASTICK: Is it intended that the Minister will be told of the extent of the delegation of powers and to whom power will be given?

The Hon. G. R. BROOMHILL: I am told of any decisions made by the State Planning Authority. When the areas of delegation are known, I will get the information and, if the Leader likes to ask me a question later, I shall be pleased to give him a report.

Clause passed.

Clause 6 passed.

Clause 7—"Provisions as to appeals to the board."

Mr. EVANS: We must consider the amenity of an area but, if common sense is not used, almost any type of subdivision could be prevented. Once anything is done to an area where human beings are involved, the environment is changed.

The Hon. G. R. BROOMHILL: In the original Act the words "or arising from that locality" were omitted and all that could be considered was the prevention of pollution in that area. We are now providing that the test should be also whether someone, say, downstream from development, where the water may be polluted, should also be considered. We thought it proper to express firmly the provision about the environment being considered.

Clause passed.

Clause 8—"Examination of planning area by the Authority."

Dr. EASTICK: Councils already have, by regulation, the power given to the authority in new paragraph (*g*). Can the Minister say whether the power is now being given to the authority because of a breakdown in the past or whether the authority will become more powerful in this matter, to the point where councils may have no long-term function under the Act?

The Hon. G. R. BROOMHILL: This new paragraph applies to the examination of a planning area, of which we have 11. Where a total planning area affects natural significance, such as the planning area of Kangaroo Island or of Flinders Range, it is necessary to spell out these factors.

Mr. GOLDSWORTHY: An attempt is made to retain certain areas, and I think particularly of the hills face zone. Some areas are becoming overrun with weeds, such as an area near Anstey Hill. Land that is not being used for primary production is becoming overgrown with unwanted vegetation.

The Hon. G. R. BROOMHILL: The Government and I accept that this is a real problem and there is not an easy solution to it. Solving the problem involves substantial funds and manpower at the expense of other vital activities, but I assure the honourable member that the matter is causing me concern.

Clause passed.

Clause 9 passed.

Clause 10—"Planning regulations."

Dr. EASTICK: I move:

To strike out paragraph (*b*).

This provision simply expands the authority currently available to councils. In explaining the Bill the Minister said:

Clause 10 ensures that consent must be sought for resubdivision, as well as subdivision, of any zone defined for that purpose by a planning regulation. The authority is given power to delegate its powers and functions under a planning regulation in relation to a council area to any person or group of persons. Thus, for example, a single person can be set to remote areas on behalf of the authority. The authority will also be able to set up committees to investigate and deal with various problems.

The meaning of "delegation" has previously been explained, but it allows for delegated authority to supplant the authority and views of local people (and I refer especially to a remote situation which the Minister has outlined). The wisdom of local knowledge held by local groups will be overridden by authority delegated to a person who comes to that area. I believe that provisions already exist to give effect to the necessary interest in this matter and that this clause is superfluous to the aims of the Bill. On that basis I ask members to vote for the deletion of this paragraph.

The Hon. G. R. BROOMHILL: I ask the House not to support this amendment, because the position has been seemingly misunderstood by the Leader.

Dr. Eastick: Not only by me.

The Hon. G. R. BROOMHILL: The State Planning Authority has already started to increase the number of planning areas throughout the State. I refer again to Flinders Range, where regulations will soon be completed for that area and where there is no local government authority to direct attention to problems and administer the area on behalf of the people in it. It is likely that people who live in the area will be called on to assist with development and control in the area, but it may be necessary, rather than the State Planning Authority dealing with matters, for a person with delegated authority to go to the area and advise on certain matters.

Dr. Eastick: Is that to override?

The Hon. G. R. BROOMHILL: It is to make the decisions that would normally be made by the authority in its jurisdiction of administering zoning regulations for the area. The same situation could apply in places such as Kangaroo Island where, under its zoning regulations, the zoning authority has various responsibilities. Although the local community would have a deep interest in such matters, rather than the regulations being dealt with far away in Adelaide, we believe that it is better to send a person to look at the matter and to have the delegated authority to implement a decision on the spot. True, this will

not be the case on every occasion, but we prefer to see the situation applying where matters are looked at first hand by an officer with delegated authority because, even if action is taken, that situation could be preferable to a situation where suggestions are made to local government from Adelaide but which, because they lack first hand insight, do not have the proper consideration.

Dr. Eastick: Is it to use "considerable discretion"?

The Hon. G. R. BROOMHILL: Yes. We believe it is preferable for a person to have delegated authority to look into a matter in a way that is not otherwise done at community level.

Mr. GOLDSWORTHY: I take it from what the Minister has said that the person has the power and authority vested in the State Planning Authority. Would the decisions of such a person be final?

The Hon. G. R. BROOMHILL: Obviously, if a problem was created by such a decision, so that the State Planning Authority could fairly claim that the decision made was not one it would normally make (and it would normally delegate only matters of administration, not important decisions), the person making the decision would soon have his power of delegation withdrawn.

Mr. GOLDSWORTHY: My only experience of such delegation of authority is the delegation of authority to inspectors in the Adelaide Hills. They have made decisions on the spot in watershed areas, and such decisions have sometimes caused considerable ill feeling. In such circumstances this provision could lead to more difficulties than the Minister apparently foresees.

The Committee divided on the amendment:

Ayes (16)—Messrs. Becker, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Mathwin, McAnaney, Millhouse, Nankivell, Rodda, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill (teller), Brown and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan, Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pair—Aye—Mrs. Steele. No—Mr. Corcoran.

Majority of 7 for the Noes.

Amendment thus negatived.

Dr. EASTICK: Paragraph (*c*) relates to any decision reached concerning a property, that decision being binding on a future owner, and I agree with this provision. Although I do not wish to move an amendment here (I believe it would be difficult to do so), I ask the Minister how it is intended that a person shall become aware of his responsibility concerning a previous agreement reached in respect of the property in question, unless there is a central body that records such agreements.

The Hon. G. R. BROOMHILL: Having had this matter examined, I understand that discussions were being held between the State Planning Authority and the Lands Titles Office with a view to ensuring that such agreements, etc., were recorded, so that the person concerned would know of his obligations. Indeed, I agree that such knowledge is essential.

Dr. EASTICK: A decision taken by a council or Government department would be relatively simple for a central body to record. However, I should like to know what is the position concerning semi-private arrangements under which it is agreed, for example, that a house shall be built to a certain standard, involving a minimum cost. I wonder whether the Minister has considered the registering of such semi-private arrangements at the time of the original purchase of a property.

The Hon. G. R. BROOMHILL: This involves another area, and I acknowledge the problem to which the Leader refers. This matter has not been drawn to my attention, as it is within the jurisdiction of the Premier, as Minister in charge of housing. I have told the Leader that, at the earliest opportunity, I will get details of how people can best be informed of their obligations, and I will have the matter that the Leader now raises considered with the other matters.

Clause passed.

Clause 11—"Enactment of ss. 36a and 36b of principal Act."

Dr. EASTICK: I move:

In new section 36a (1), after "notice" third occurring, insert "and upon payment of the prescribed fee".

Many people may object to a subdivision, with the result that, when a council has to give notice of the decision on the appeal, it will be involved in much expense in postage. The fee provided for in my amendment will cover such costs, and save the council from this burden.

The Hon. G. R. BROOMHILL: I do not think it is desirable that people should be possibly discouraged from appealing by our providing that a fee must accompany the appeal. Nevertheless, I agree that a council should not have to bear a heavy financial

burden in this respect. As an alternative to the Leader's amendment, I suggest that, instead of the council's having to provide each appellant with a notice of the decision, we could provide that notice of the decision be published in a newspaper that circulated generally throughout the State. This could then be considered due notification to the objectors, and it would overcome the cost factor.

Dr. Eastick: Not totally.

The Hon. G. R. BROOMHILL: No, but to some extent. When people lodged their appeal, they could be informed that the result would be published in the daily newspaper. Therefore, I oppose the Leader's amendment and foreshadow an alternative amendment to solve this problem.

Dr. EASTICK: I do not think the amendment foreshadowed by the Minister will solve the problem completely.

The CHAIRMAN: Order! There is no foreshadowed amendment before the Committee; we are considering the honourable Leader's amendment.

Dr. EASTICK: Whether the decision is made known by one means or another, there will be a financial responsibility on the council. We do not desire that any bar should be placed in the way of a person who wishes to make a legitimate appeal. A small prescribed fee would not be unrealistic for a valid appeal. This provision may not apply to about 125 councils in the State, but in council areas where much development is taking place there will be a potentially increasing number of objections with increasing financial commitments for ratepayers, but not for people who are being engineered into an appeal on some emotive or unrealistic basis.

The Hon. G. R. BROOMHILL: Because of the eloquence and sound reasons advanced by the Leader, I accept the amendment.

Amendment carried.

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

In new section 36a (3) to strike out all words after "shall" and insert—

(*a*) notify the applicant, in writing, of that decision and of his right of appeal against the decision under this Act; and

(*b*) notify the objector or objectors, in writing, of that decision and of his right of appeal against the decision under this Act.

(3a) The publication of written notice of the decision, and of the relevant right of appeal, in a newspaper circulating generally throughout the State shall be considered to constitute due notification to any objector or objectors to the application under subsection (3) of this section.

This provides for the publication of a written notice of a decision and of a right of appeal in newspapers throughout the State, and it shall be considered due notice to any objector. By giving councils this choice, they will not be faced with problems if they receive many objections, and the council may be able to comply with these provisions without charging a fee.

Amendment carried.

Dr. EASTICK: I move:

To strike out new section 36b.

This provision is totally unacceptable to councils, because it cuts across their previous authority and takes from them a responsibility that is theirs locally, financially and socially. I believe that this provision is contrary to the best interests of the previous relationship between the authority and councils. This Chamber should uphold the principle that the third tier of Government should maintain its just responsibility.

Mr. EVANS: I support the amendment, because it is important that we do not take away too much responsibility from councils. In the past, objections have been overcome by negotiation, and councils object to this provision.

The Hon. G. R. BROOMHILL: On this matter of principle the Opposition does not agree with the Government. The Government is reluctant to interfere with the role of councils, unless it becomes necessary or councils request Government assistance. However, this proposal has stemmed from the problems that arose at Queenstown, where the council considered that the project would be a useful development for the community in the area. However, the development was on the boundary of two council areas, and the impact it would have had on future development in those areas caused the Government and my department much concern.

Mr. Evans: Would the other council have a right of appeal?

The Hon. G. R. BROOMHILL: No. Whilst the Government does not wish to use this machinery, there may be another Queenstown shopping complex problem in which the development may not be in the best interests of the community.

Dr. Eastick: Don't you think you are using a steamroller to squash an ant?

The Hon. G. R. BROOMHILL: We may never have to use these provisions. The problems at Queenstown showed the Government that many undesirable problems could arise. We are providing for a proclamation to

be issued, so the powers would not be used lightly. The effect on the various conditions outside the area would have to be of major significance.

Dr. Eastick: Isn't "major significance" intangible?

The Hon. G. R. BROOMHILL: No. More than a normal community problem would have to be involved and the problem would have to have significance for conditions outside the area. The power could not be invoked if it affected only that one area. The authority ought to have the power to involve those people in the areas of dispute.

Mr. EVANS: The Queenstown situation will not arise again, because the neighbouring council will not have the right of appeal. Queenstown can be covered by a separate Act, and I am sure the Opposition would consider that favourably. It is wrong to give any future Government power to take over from a council. I ask the Minister whether a third party would not have the right of appeal.

The Hon. G. R. BROOMHILL: If what the honourable member suggested was correct, his argument would be valid. However, that is not so. We have not provided a total third party appeal against any planning decision: we have provided only a limited right. If we did what the honourable member assumed, we would be swamped with appeals.

Mr. Evans: The only ones you're leaving out are trivial.

The Hon. G. R. BROOMHILL: No. When a council advertises that it will consider an application to permit, say, a doctor's surgery to be established in an area, a person has the right to object to the council and he also has the right to take the next step in relation to appeal. Queenstown would not come into that category. I hope the system works so well that we can extend it, but at present the power would not permit one council to appeal against the Port Adelaide council's action in providing a shopping centre at Queenstown.

Dr. EASTICK: If a council is adamant enough in its views about a development outside its area, it can invoke this provision, even though the Minister says that is not intended. We need further consideration of this matter by the Minister. We can ask the Minister to delete the provision and he can have it reintroduced in another place if what we are proposing is incorrect.

The Hon. G. R. BROOMHILL: No council could take any action on this matter, because it is clear that the authority can consider such a matter only when the Governor has made a proclamation directing the authority's attention to it. No council has power to do other than make a submission that an activity by another council will have a significant effect, and it would be for the Government to consider the case. The Government would not become involved unless it was in the public interest to do so.

Mr. EVANS: I am still not satisfied about the Minister's interpretation. It depends on how the notice is directed and to whom it is given. If the notice was directed to the public, any council would have the opportunity. Organizations such as conservation groups and progress associations would respect some members of the public. I would appreciate it if the Minister would say whether he believes that, if the notice is directed to the public, neighbouring councils would have the right of appeal. I believe that they would.

The Hon. G. R. BROOMHILL: No. I thought I made clear that in this instance the right of appeal would not lie.

The Committee divided on the amendment:

Ayes (17)—Messrs. Becker, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, and Nankivell, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (22)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan, Groth, Harrison, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pairs—Ayes—Messrs. Allen and Brookman. Noes—Messrs. Corcoran and Hudson.

Majority of 5 for the Noes.

Amendment thus negatived.

Dr. EASTICK: A person may make an objection in writing within 10 days of the first publication of notice and the objector can appeal to the Planning Appeal Board. Under new section 36a (4), the time limit allowed is 14 days from the date specified in subsection (3) of this section. However, subsection (3) does not refer to any date. Is there a special reason why there is no date in subsection (3)?

The Hon. G. R. BROOMHILL: As the Leader's point is valid and as I need time to consider whether or not it is necessary to insert a time period, I seek to have this clause reconsidered subsequently.

Clause as amended passed.

Clauses 12 to 17 passed.

Clause 18—"Enactment of ss. 45a and 45b of principal Act."

Dr. EASTICK: I move:

In new section 45b before "No" to insert "(1) Subject to subsection (2) of this section"; and to insert the following new subsection:

(2) This section shall not apply to a plan referred to in subsection (1) of this section if the allotment—

(*a*) has an area of not less than four hectares and a frontage of not less than fifteen metres to a part of a public road that constitutes a cul-de-sac and lies within sixty metres of the end of the cul-de-sac; or

(*b*) constitutes a reserve.

That part of the amendment previously circulated is hereby substituted. Although I appreciate the reason to require an allotment frontage of 100 m (about 320ft.), I cite the case where, because of the topography of the area, it is necessary, in the case of an allotment that is the last of a series of allotments along a road leading down a spur, to provide an entrance gate close to the boundary between that allotment and the second-to-last allotment in the road. As a result, the subdivider is forced to provide about 300ft. of road which may not be used but which the local council will be required to maintain. This section of road may well become a fire hazard, as well as being used by people to dump rubbish. This suggestion involves the creation of a cul-de-sac. If a further subdivision is created, the road may be extended, if the topography allows.

In addition to seeking to reduce the frontage in these circumstances, I refer to the provision at the end of the road of a small open-space area that may be contiguous to an area which is not in the hills face zone and which is therefore not being considered here. If a subdivider had to provide a 100 m frontage to a reserve, part of which was outside the hills face zone, it would result in an imposition ultimately to be borne by a purchaser. I do not think that this provision of 100 m should apply in the case of properties fronting reserves.

The Hon. G. R. BROOMHILL: Although I can see merit in new subsection (2) (*b*) in the Leader's amendments, I must oppose new subsection (2) (*a*). The State Planning Authority has constantly had problems with regard to subdivisions in the hills face zone. There has been much public pressure on the Government to guarantee to the community that irregularities in relation to subdivision in this area will be removed. If we provided for 15 m frontages in the case of cul-de-sacs, some people would use this as a means of fanning out, say, five blocks, providing each with a frontage of only 15 m. This happened with river frontage blocks, where narrow frontages applied. Because of the financial motive involved, people are likely to take advantage of any loophole that we leave in this legislation. We are trying to remove weaknesses in the legislation with regard to subdivision in the hills face zone. The Government is determined to cut out the loopholes, and we do not want to include any in this Bill. I am willing to accept the Leader's new subsection (2) (*b*).

Dr. EASTICK: I think that any attempt to fan out allotments in a cul-de-sac could be dealt with by the authority under the powers provided in the Bill.

The Hon. G. R. Broomhill: Not in the hills face zone.

Dr. EASTICK: If a series of allotments fanning out from narrow frontages in a cul-de-sac were planned, this would not be accepted. Will the Minister consider a greater frontage than 15 m in this case, but something less than 100 m? Perhaps 30 m would be acceptable. A smaller frontage would not present such a problem with regard to fire hazards and rubbish dumping. In view of what the Minister has said, if my current amendments with regard to new subsection (2) (*b*) is defeated I will certainly press ahead with my original amendment on the subject of the frontage to a reserve.

The Hon. G. R. BROOMHILL: Unfortunately, I cannot accept any frontage less than 100 m. What we seek to apply in this case is a clear indication that allotments smaller than the accepted standard will not be accepted. I would rather have to deal with the problems referred to by the Leader than continue to have the problem we now face in relation to subdivision in the hills face zone. I oppose the amendments, and, assuming that they are defeated, I point out to the Leader that I will be willing to include a new subsection (2) to provide that the section shall not apply to an allotment that constitutes a reserve.

Mr. MATHWIN: I support the amendments, because a frontage of 100 m is unreasonable in present circumstances. It seems to me that the Minister has to make the final decision but he is being adamant instead of reconsidering this matter.

The Committee divided on the amendments:

Ayes (18)—Messrs. Becker, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda,

Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (22)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan, Groth, Harrison, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pairs—Ayes—Messrs. Allen and Brookman. Noes—Messrs. Corcoran and Hudson.

Majority of 4 for the Noes.

Amendments thus negatived.

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

In new section 45b to insert the following new subsection:

(2) This section shall not apply to an allotment that constitutes a reserve.

Amendment carried; clause as amended passed.

Clause 19 passed.

Clause 20—"Further grounds for refusal by the Director."

The CHAIRMAN: The Leader of the Opposition has an amendment to strike out "three hundred" in paragraph (*b*) and insert "one hundred and fifty". The member for Kavel has an amendment to strike out "three hundred" and insert "two hundred". Standing Orders provide that, where questions involve a greater and lesser sum, the question involving the lesser sum shall be put first. Therefore the Leader's amendment will be considered first.

Dr. EASTICK: I move:

In paragraph (*b*) to strike out "three hundred" and insert "one hundred and fifty".

The effects of the amendments are different. The purpose of my amendment is to divide the $300, so that $150 will go to the authority and $150 to the council. If the member for Kavel is successful with his amendment, the figures would need to be changed to $200 and $100. At present the authority is the only body that will benefit from the increased sum. Many councils would benefit by receiving a parcel of land, having regard to the 12½ per cent that applies to subdivisions. With the increased sum, particularly where there is a high individual block value, the subdivider may seek to pay money instead of giving the land.

Of course, the position would vary, having regard to values. If the land is vested in the council, the council will receive the total benefit from this clause. If the subdivider pays a sum, under the provisions of the Bill the council will receive neither land nor funds to purchase open-space areas. I ask the Minister to accept the equal division of the $300. The council could put the money into a fund to purchase or develop open spaces.

The Hon. G. R. BROOMHILL: I cannot accept the amendment, for a good reason. The object of the fund is to provide money that is spent entirely on general open-space programmes. Members know that, until two years ago, although these open-space areas had been reserved since the 1962 development plan, no purchase in this area had been made.

Dr. Eastick: Until when?

The Hon. G. R. BROOMHILL: Until two years ago. It was only two years ago that the State Planning Authority started to buy up open spaces.

Dr. Eastick: Some were purchased before then.

The Hon. G. R. BROOMHILL: We have spent about $2,500,000 on this in the past two years.

Dr. Eastick: The Premier made a mistake when he said no money had been paid out.

The Hon. G. R. BROOMHILL: I will inquire and tell the Leader what expenditure had been made until two years ago and what the expenditure has been since then. It has certainly been $2,500,000 in the last two years, because I have been responsible for that expenditure. We have still much open space to purchase, and it is necessary for us to purchase it as quickly as possible, because it is increasing in value all the time and, until we have purchased in total the large parts adjacent to areas we currently have, we cannot develop those areas fully so that the community can get the full value from that open space. It is imperative that we do what we can to spend money in that area as quickly as possible. It is important that any additional finance we can arrange is directed towards that fund.

Councils most certainly get advantage from the open spaces provided under the open-space programme. The 1962 Metropolitan Development Plan made provision for strategic open-space areas to serve the community and indirectly councils get money back, because the State Planning Authority acts as an agent for councils generally. Additionally, councils are entitled to a 50 per cent subsidy for the purchase of open spaces for public parks and a 50 per cent subsidy to develop them. Councils have no reason to complain about this. One reason why this provision was included in the Bill (and I point this out especially to the member for Kavel) is that many councils approached me asking the Government to update the sum to be paid in respect of the

subdivision of allotments of less than 20 acres, because many subdividers were acting on the economics of creating allotments of less than 20 acres. For example, on a 60-allotment area they seek to subdivide only 15 of them, thereby paying the minimum amount to the Planning and Development Fund. The council concerned suffers because it is not getting 12½ per cent of the open space for that 60 blocks of land.

Dr. Eastick: Don't you think that will still happen?

The Hon. G. R. BROOMHILL: It will still happen because of the economics of it. However, in the future it will happen only where a person has a genuine desire to subdivide only 15 allotments or where there are only 15 allotments in existence. The present encouragement to pay the money and not to provide the open space will not be continued. This matter has been of much concern to councils and to me. I therefore ask members to support the clause as it stands.

Mr. EVANS: I support the Leader. I cannot support the provision of $300 unless part of it goes to the council. Where the subdivider or the person selling the land is a local identity, he is more likely to accept this provision if, say, $150 of the $300 goes to the local council. Otherwise there is no guarantee that the land will be made available in the area where the subdivision takes place. The Minister has said that land will eventually be available for people in all sections of the community, but that may not necessarily be the case. It is preferable for areas to be within a quarter of a mile rather than three miles away. The increase to $300 is too great. As land is cheaper in the outer metropolitan area, subdividers there are more likely to make land available, but we already have large open-space areas there, and money and not open space will be provided by subdividers in inner more densely populated areas. The sum of $300 is too great.

The Committee divided on the amendment:

Ayes (17)—Messrs. Becker, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

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

Pairs—Ayes—Messrs. Allen, Brookman, and Hall. Noes—Mrs. Byrne, Messrs. Corcoran and Hudson.

Majority of 4 for the Noes.

Amendment thus negatived.

Mr. GOLDSWORTHY: I move:

In paragraph (*b*) to strike out "three" and insert "two".

I do not foresee any consequential amendment here or a sharing of the money between the authority and local government. I simply believe that the three-fold increase sought here is too severe. I have had complaints from people wishing simply to create one new allotment as a gift to one of their children so that a house can be built on it later. Those people have had to pay $100 to the authority for doing that. That is a complaint that occurs in the foothills area, and it could be made in the suburbs of Adelaide, too. If a block has a tennis court and that block is divided to make a new allotment, the charge for doing that would now be $300. The increase is far too great. Since the original legislation was introduced, there have been increases in real estate prices, but nothing approaching a three-fold increase.

The Minister said that $2,500,000 had been spent on acquiring open spaces, but this charge of $300 is unrealistic for people creating small allotments. Even $200 is too great. My figure is a compromise, but I should like there to be no increase at all. The Leader has said that the money should be shared between the authority and local government, but that is not the motive behind this amendment. I am concerned primarily with those people making new allotments. I do not oppose the Leader's idea that, whatever fee is charged, it should be shared equally between the authority and local government.

The Hon. G. R. BROOMHILL: The argument I used on the last amendment applies equally to this one. True, the increase is 200 per cent. The problem is that, when the amount was first set, it was unrealistic, because of the actions of another place, which did not accept a realistic figure then. There have been substantial increases since then in property values. The person developing more than 20 allotments in a subdivisional project does not pay anything: he provides 12½ per cent of the land. With a proportional figure of $300 for each allotment in a subdivision of fewer than 20 allotments, a valuation of about $3,000 a block would have to be looked at to see whether or not it was reasonable. This provision applies only in the metropolitan area.

It is only $40 an allotment in the country but for the sale of land in the metropolitan area we are being more than realistic by setting a rate of $300 an allotment for fewer than 20 allotments.

If we reduce the $300, less money will go to the Planning and Development Fund and we shall still be faced with the situation referred to by the member for Glenelg and the member for Fisher—that it is better, where possible, to provide the 12½ per cent as open space to the local community as the development occurs. One object of setting a realistic rate is to discourage people from deliberately creating fewer than 20 allotments to avoid providing 12½ per cent of their land as open-space areas. The figure we have set is realistic.

Mr. MATHWIN: I support the amendment. The member for Kavel has advanced a valid argument. At every opportunity, the Government slugs the public. The Minister will not be flexible: he is most dictatorial in his manner.

The CHAIRMAN: Order! During this debate personalities will not enter into it. The honourable member for Glenelg.

Mr. MATHWIN: The Minister said that the previous figure that was set was most unrealistic, but I suggest that this figure of $300 is unrealistic.

Mr. McANANEY: Since it was my Party that moved that 12½ per cent instead of 10 per cent of an area be made available for recreational purposes, I would be inconsistent if I voted against a figure of $300. The only point that would make me vote against it, is that I believe the fee should go to local government instead of to a central authority. I believe that the Minister has advanced a pretty reasonable argument. I realize that the Labor Party has not been very just in the legislation it has introduced this year.

The CHAIRMAN: Order! If the honourable member continues along those lines, he will be out of order. The amendment is the only matter under discussion.

Mr. McANANEY: We have to decide whether this provision is just, and I believe there is merit in the Government's proposal.

Mr. GUNN: I support the amendment, which is realistic. The Minister has displayed an iron-fisted attitude. This provision will result in another impost on the people of this State, and it is another example of the Government's desire to tax the people to the hilt. Further, it could be classed as another example of Socialism.

The CHAIRMAN: Order! The honourable member rose to speak to the amendment; that is the only matter before the Committee.

Mr. GUNN: I would not wish to contravene Standing Orders. I am pleased to support the realistic approach of the member for Kavel. I am sure that many people would accept a realistic compromise, but it appears that the Minister is seeking to force this Bill through the Committee stage without taking into account the opinions expressed by members on this side. I support the amendment.

Mr. GOLDSWORTHY: The Minister said that his purpose was to encourage people to make subdivisions with a greater number of allotments.

The CHAIRMAN: Order! The Chair cannot hear the remarks of the honourable member for Kavel, so I do not know whether he is in order or not.

Mr. GOLDSWORTHY: The Minister made no attempt to explain the situation. I have mentioned cases of people who wish to create one new allotment, and they have to pay $300 for the privilege. Let us take the case of a man in the metropolitan area who has a large block of land and who wishes to create a new allotment for a son or daughter; he has to pay $300 for doing that. This is the sort of case that has been brought to my attention. This Bill is all-embracing, and no allowance is made for the situation I have described. The increase in the fee is completely unrealistic, and the Minister has not answered this point.

Mr. BECKER: I should like to know whether this clause means that, if a person transfers portion of his property (say, 10ft. of it) to a neighbour, he will be liable to pay the fee provided. I support the amendment, but I do so reluctantly because I believe it is a weak compromise. I could not justify a 300 per cent increase in anything. We talk so much about consumer protection.

Mr. Langley: It will hurt you.

Mr. BECKER: Yes, and it will hurt the typical man in the street, the type of person whom the Government says it wants to protect. If someone is fortunate enough to have a piece of property and if he wants to transfer portion of it to a member of his family, why should he have to pay a fee of $300 to the Government?

Amendment negatived.

Dr. EASTICK: The effect of the amendment I intended to move at this stage is lost as a result of the previous decision.

Clause passed.

Clause 21 passed.

Clause 22—"Easements."

Dr. EASTICK: I oppose the clause. The opportunity is given for the Electricity Trust of South Australia to have easements registered in its name, and the easement registered under this provision will deny the right of the subdivider or the owner of the property to receive compensation. Compensation has been payable previously, and it has been of considerable importance in cases of large pylons or high tension wires passing a property, affecting the aesthetics of the area and the outlook from the home built on the area. In the past this has been held to be just reason for payment of compensation. In one recent instance, the trust offered $950 by way of compensation for the easement required, yet a professional valuer called in to give an independent valuation suggested that the compensation value was near $6,600.

Mr. Langley: But it provides a connection.

Dr. EASTICK: Not necessarily. If the easement was to be used for the passage of underground wires, where the aesthetic disturbance would be minimal, there could be no argument about making the easement available to the trust. The decision to make the easement available to the trust without the responsibility to pay compensation is not in the public interest. I believe this clause, because it denies compensation, should be defeated by the Committee.

The Hon. G. R. BROOMHILL: Earlier this year regulations were enacted under the Planning and Development Act which would have met with the total approval of this Parliament. As from the beginning of this year, we have had a provision whereby councils have had the opportunity in any new subdivision taking place to prescribe that the electricity services should be placed underground. We all agree that it is a pity that electricity services were not placed underground years ago, so that we would not be faced with the problem of the stobie pole. Where a subdivision is created and the council has provided that the electricity services shall be placed underground, it is necessary for a provision to enable the proper administration of the underground services.

The Leader should bear in mind that comparable services, such as those provided by the Engineering and Water Supply Department, are covered by the existing Act, and the provision for easements in connection with new subdivisions would be in similar terms and under similar conditions. Perhaps the Leader has been referring to easements through properties that are already established. However, this provision applies where a plan of subdivision has been deposited, in which case an easement in favour of the Electricity Trust will give the trust the right to construct and lay under the surface of the land ducts, pipes, conductors, cables, wires, and other works. That is the principal purpose of this clause.

Mr. EVANS: Provided that this clause will not give the trust an easement for the purpose of constructing overhead transmission lines on new subdivisions, I will support it. The Minister has said that it is only to give the trust an easement in relation to underground transmission lines. However, if the trust ever seeks, under this provision, to erect overhead transmission lines, Parliament must take action to stop this happening. I accept the Minister's interpretation of the clause.

Mr. LANGLEY: I point out to members opposite that their own former Premier (Sir Thomas Playford) established the Electricity Trust, which has since provided services in areas and of a standard that would never have been provided by private electricity companies. I support the clause.

Clause passed.

Remaining clauses (23 to 26) and title passed.

Clause 11—"Enactment of ss. 36a and 36b of principal Act"—reconsidered.

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

In new section 36a (4) to strike out "the date specified in the notice referred to in subsection (3) of this section" and insert "notification of the decision is given under subsection (3) of this section".

This amendment is in the terms of the undertaking I previously gave the Leader.

Amendment carried; clause as amended passed.

Bill read a third time and passed.

PRICES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

LONG SERVICE LEAVE ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

LOCAL GOVERNMENT ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1972. Read a first time.

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

That this Bill be now read a second time.

It makes several unconnected, but important, amendments to the Local Government Act, all of which are designed to improve the operations of local government and the employment of its resources. Clauses 1 and 2 are formal provisions relating to the title and commencement of the Act. Clause 3 amends section 57a of the principal Act by deleting the reference to the licence of the council being required for the resignation of a member. In 1971, other sections were amended to permit a member to resign without obtaining his council's consent. A consequential amendment to section 57a was omitted at that time. Clause 4 amends section 84 to empower a council to appoint the Auditor-General as its auditor if it desires to do so. Provision is also made to provide that the Auditor-General is not subject to requirements regarding the possession of a local government auditor's certificate. This amendment has been recommended by the Auditor-General and is due to concern which has arisen that some audits have not been of desired standard. One large council has also sought the amendment and others are known to be anxious to take advantage of it.

The principal reason for clause 7 is a consequential amendment to section 100 following proposals in later clauses relating to the use of both systems of assessment in an area. However, advantage has been taken to alter to decimal currency the amounts shown in the old currency. Clause 8 amends section 105 by striking out paragraph IV of subsection (1) and inserting a new provision. The present provision generally prohibits a person from nominating for more than one office of member of a council. The Act, however, did not contemplate a person's nominating for two vacancies in the one ward. Such vacancies can occur when there is a normal annual election and also a supplementary election at the same time. In the last council elections a person did nominate for two such offices. The new provision will prevent this.

Clause 8 also amends section 105 by inserting new paragraph Va, which provides for the checking of nominations when received and for the persons lodging nominations to be given an opportunity to correct errors. Unfortunately, instances have occurred where some persons have been given an opportunity to correct errors whilst others (even in the same council area) have not received the same treatment. This has caused considerable discontent. As in clause 7, the main reason for clause 9 is a consequential amendment to section 115, but advantage has been taken to change the references to the old currency. Clause 10 amends section 129 to provide that a Returning Officer when exercising his casting vote in an election shall do so in favour of a retiring councillor when he is one of the candidates and in other cases shall draw lots. The Act at present does not direct a Returning Officer to exercise his casting vote in any particular manner, as is, of course, the case in other elections. However, in local government elections, the Returning Officer is, in most cases, the clerk, and if he exercises his casting vote in favour of someone other than a retiring councillor, as did happen this year, considerable repercussions can be caused. First, it can be said that a retiring councillor is not defeated, and second, the clerk could find himself in an untenable situation if the offended person subsequently gained office.

Clause 11 amends section 153, which at present permits councils to appoint committees and to delegate to them powers and duties under the Local Government Act. The amendment extends this provision to include the Planning and Development Act. With the increasing activity of councils under the latter Act it is desirable that the committee system be extended to provide for delegation of functions under that Act. Clause 12 amends section 156 to apply the provisions therein to all councils. At present the provisions apply only to metropolitan councils and permits them to resolve to suspend the operation of by-law making powers relating to the procedures to be observed at meetings. These provisions could be beneficial to other councils and no reason exists for the present limitation.

Clause 13 inserts new subsections in section 157 and relates to superannuation for employees. The new provisions provide for councils to submit to the Minister schemes for provision of superannuation benefits. The Minister has the right to approve such schemes with or without changes, and, where a council has not submitted a scheme, he has the right to determine a scheme. Unfortunately, some councils do not provide such benefits and others provide very little. It is considered that all should have a right to enjoy these privileges. Clause 13 also provides, in section 157, for service of an employee with different councils to be continuous for long service leave purposes. Both this provision and the previous provision will promote the career of the local government officer. Provision is made for a determination to be made that one council shall contribute to another council.

Clause 17 repeals section 179 and inserts a new section. At present councils are empowered to use one of the two systems of valuation. It is considered that the use of both systems in the one area will be of considerable benefit to many areas and provide for a more equitable distribution of the rate burden. New section 179 will permit a council to use the land values system in the whole area or part of its area, for example, in a ward, township or zone, whilst annual values operate elsewhere. This is not new in Australia as it applies successfully in Western Australia. Clause 20 repeals section 189 and provides by a new section that the use of the land values system in an area or part shall be by proclamation following a petition by the council. Clause 21 repeals section 190 and provides by a new section that a council shall give public notice of a proposal to use the land values system in its area or part. Rights are given for ratepayers to demand a poll on the question.

The Bill has been prepared on the basis that only ratepayers who are owners of ratable property shall be entitled to vote at a poll relating to the rating system to be used in the area, or part of the area. This is the present basis on which polls are conducted on this matter under the principal Act. I believe that there are persuasive arguments in favour of the proposition that all ratepayers should vote at the poll. In view of the pressures on officers of the Parliamentary Counsel's office it has not been possible to include this principle in the Bill as presented to Parliament. However, I will have the matter examined and it may be possible for amendments to be moved in Committee.

Clauses 6, 14 to 16, 18 and 19, 22 to 29, 34 to 39 and 60 make consequential amendments to sections 88, 169, 173, 178b, 180, 184, 192, 193, 196, 197, 198, 199, 202 to 211, 235, 241, 245, 248, 249, 253 and 816, due to the proposal for the use of both systems of valuation. Clause 30 repeals section 214 and inserts a new section concerning declaration of differential general rates. The change from the present provisions is that councils may declare differential general rates in wards, townships or zoned areas. It is considered that this will permit greater flexibility in rating powers.

Clause 30 also inserts new section 214a, which will empower a council to grant rate rebates or concessions for securing proper development of any portion of the area or of preserving buildings or places of historical value. The provision is particularly desirable within the city of Adelaide, but also in other areas. The exercise of the power requires approval of the Minister. Clause 31 amends section 228 to empower municipal councils to declare differential minimum amounts payable by way of rates. Clause 32 makes similar amendments to section 233a in respect of district councils. At present a council can declare one minimum amount which is payable over the whole of the area. Many instances have occurred, particularly in country areas, where a minimum in one part of an area is appropriate but most harsh in another part. Clause 33 amends section 234 principally to cover consequential amendments as a result of the new provisions to permit the use of both systems of valuation in an area, but also to change the references to the old currency.

Clause 40 amends section 267a, which empowers a council to defer rates in respect of needy people. If a council defers the payment of rates the recipient loses the right to vote because rates are still outstanding. Yet when a council completely remits rates under other powers, the recipient does not lose the right to vote as rates are no longer outstanding. This anomaly is corrected by clause 40. Clause 41 amends section 287 to empower a council to spend revenue in repaying any amounts wrongly paid by a ratepayer. Instances have occurred where errors have resulted in ratepayers wrongly paying amounts to a council. At present, councils have no power to make such refunds except in the financial year in which the error occurred. This is considered to be too harsh. Clause 42 amends section 287a, which at present empowers a metropolitan council to pay up to $70,000 in a financial year to the South Australian Housing Trust for development purposes; this amount is increased to $250,000. The existing amount can be too low in some desirable instances, for example, in the Hackney redevelopment proposals, involving the corporation of St. Peters.

Clause 43 amends section 338 regarding reinstatement of roads. The amendment includes the Electricity Trust of South Australia in the bodies to which the provisions are not applicable. The Electricity Trust has its own arrangements with councils. Clause 44 makes similar amendments to section 339. Clause 45 amends section 425 regarding the issue by a council of a notice to borrow money. At present, councils are required to prepare plans and specifications and estimates of works involving borrowing for inspection by ratepayers. In many cases, considerable costs can be

involved in preparing detailed plans and specifications and such costs can be wasted if a resultant poll of ratepayers on the borrowing is lost. It is considered that councils should supply particulars of the work and an estimate rather than full plans and specifications. This would be sufficient to enable ratepayers to determine their attitudes to borrowing. Clause 46 makes a similar amendment to section 426.

Clause 47 amends section 434 to permit a council to borrow money to discharge an overdraft. A recent instance has occurred where a council has created large overdrafts through revenue expenditure of a capital nature (somewhat unwisely) and it is necessary that the council borrow to overcome its current difficulties. The consent of the Minister is required for such borrowing. Clause 48 amends section 449aa to increase a council's overdraft power in connection with electricity undertakings. The present power has been found to be insufficient for the operation of these undertakings. The present overdraft is restricted to not more than one-quarter of the gross revenue from the undertaking; this is increased to one-half. Clause 49 makes consequential amendments caused by the amendments proposed in clause 61 explained later. A new section 449a is inserted. Clause 50 makes a minor amendment to section 475 to change the reference to Adelaide Electric Supply Company Limited to the Electricity Trust of South Australia. Clause 51 repeals section 509, which sets out the clearances of aerial conductors from roadways, buildings and other erections. The section is applicable to those councils which conduct electricity undertakings. The present clearances are out of date and it is proposed by regulation that the clearances used by the Electricity Trust in its own works be applicable. Section 517 is amended by clause 52 by inserting power to make regulations.

Clause 53 amends section 530c, which sets out the procedures to be followed by a council when it installs a sewerage effluent disposal scheme. When a council borrows for such work it is required to do so under its normal borrowing powers, which includes a possible poll being demanded by the ratepayers of the whole area. As the provisions provide for ratepayers affected by the scheme to be advised of the proposals and for those ratepayers to lodge objections, it is considered undesirable for the borrowing to be subject to the consent of all ratepayers, many of whom are not affected by the proposals; clause 53 achieves this.

Clause 54 amends section 536, which enables a council to exercise control on the keeping of cattle and swine in a township. The amendment extends this power to an area within 100 m of the township. It is desirable that control be possible in areas close to and surrounding the township.

Clause 55 repeals section 666b regarding unsightly structures or objects. The present provisions have been found to be somewhat ineffective due, principally, to difficulties in the definitions of chattels. A new section is inserted that will enable a council to require any structure or object which it considers to be unsightly to be removed, or that such action be taken as will ameliorate the condition. In default, a council may take the necessary action. Appeal rights are retained. Clause 56 amends section 669 (16) II, which enables a council to make by-laws to license sellers of newspapers, who must be males of not less than 13 years of age. No adequate reason can be seen for the restriction on females, and clause 56 corrects this.

Clause 57 repeals section 776 regarding the interests of an officer with his council. At present the provisions are extremely severe, and automatic disqualification results if an officer has any interest in a dealing with his council. A new section is inserted which retains severe sanctions against malpractice, but enables the Minister to exempt certain cases in which an officer has dealings with the council. There are certain interests which should not result in disqualification. Examples of these are (1) the officer paying money due to the council, (2) receiving compensation when a council uses compulsory powers to take material from his land, (3) being a member of a committee of management, (4) rental of a hall or other facility for entertainment purposes, (5) membership of a local club having dealings with the council, (6) being a member of a council's superannuation scheme (7), receiving a fee as a member of a body under any statute, and (8) his spouse being employed by the council.

Clause 58 repeals section 777. This section is inoperable, as section 99 to which it refers was withdrawn from the Act several years ago. Clause 59 amends section 779a which empowers a council to erect signs restricting traffic on unsafe roads or bridges. It has been suggested that a council could be liable for damages because of the erection of such signs. This is unreasonable and clause 59 prevents this. Clause 61 amends section 835 regarding postal voting. This amendment will provide

that the ballot-paper used in postal voting shall be indistinguishable from other papers. This is desirable because of complaints that differences in postal ballot-papers destroy the secrecy of a vote. Clause 62 amends section 856 concerning borrowing powers of the City of Adelaide. The effect of this amendment is to contain all the borrowing powers of the City of Adelaide within the one Part. Clause 49, to which I have already referred, prevents the use by the city of the normal powers in the Act. This is necessary as all the powers will now be in the one Part.

Clause 62 also provides for the City of Adelaide to be able to borrow in connection with an approved development scheme. In 1969, section 855b was inserted in the Act to give the city power to enter into development schemes, but no power was provided for the council to borrow for such schemes. Clause 63 makes a consequential amendment to section 858, as a result of the proposals contained in clause 61. Clause 64 amends section 863, which affects the City of Adelaide and concerns the creation of sinking funds in connection with borrowing. The present provisions regarding the payment of money into the fund are out of date, and clause 64 brings these up to present-day requirements.

Clause 65 repeals section 864. This is necessary and consequential as a result of the amendments which provide for the inclusion of the City of Adelaide's borrowing powers in one part of the Act. Clause 66 repeals section 884, which refers to the bridge at Port Augusta. As a new bridge is now in use and the old bridge is to be demolished, the section is not needed. Clause 67 inserts new section 886c in the Act and provides for Beaumont Common to be vested in the City of Burnside as a park. Beaumont Common was left to the people of Beaumont for their enjoyment by the late Samuel Davenport in the 1800's. The common is in the ownership of trustees. However, the trustees do not have finance to meet the costs of maintenance or to meet rates and taxes. The council will look after it as a park, but will be restricted, under the provisions, to retaining it as an open space and cannot permit organized sporting activity thereon.

Mr. WARDLE secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (ALCOHOL)

Adjourned debate on second reading.

(Continued from November 7. Page 2792.)

Mr. CARNIE (Flinders): I support the Bill, because it represents a move to improve the statistical knowledge of the cause of road accidents in this State. This is something that I have advocated since becoming a member of this House, and I introduced a private member's Bill in the last session that would have provided for a compulsory inquest to be held when a death occurred as a result of a road accident. I introduced the Bill in order to gain statistical knowledge but, unfortunately, the Government would not accept it, although it was supported by many sections of the community, including the Australian Medical Association, churches, and the press. For some unknown reason the Government would not accept it. Such a move would have brought many factors to light: the blood alcohol level of the deceased, and road conditions and the condition of the motor vehicle at the time of the accident, and all possible causes of the accident would have been investigated.

The present Bill falls short of what I should have liked, which was a full public inquiry into road accidents. This Bill deals with blood alcohol only, whereas the requirements I wanted would have dealt with many more factors. However, in another respect this Bill goes much further than my Bill would have gone, because mine operated when a death resulted from a road accident. This Government Bill applies to all accidents, and therefore it has my full support. At the same time I express my regret that compulsory inquests into all road accidents is not included in the law of this State, as it is in Victoria. Deaths from road accidents this year are again at a high level, and this is a record of which the State cannot be proud. If it continues at the same rate for the remainder of the year this will be a disastrous year. Undoubtedly, alcohol is one of the major causes of road accidents, but exactly how much a cause is not known with any degree of accuracy.

Most people, however, consider it is a major contributing cause. Some people in the community say that this attitude is largely emotional, that alcohol is blamed far too much, and that it is not as great a cause as it is made out to be. The provisions of this Bill will enable us to find out, because statistics will become available. I have no doubt that alcohol will be found to be a major cause of road accidents, and therefore this is a good Bill. Statistics that will be obtained as a result of this measure will have many uses. Educational programmes on road safety will be backed up with facts

and, as a result, must be much more authoritative and therefore more effective.

If alcohol is proved to be a road killer second to none (as I believe it will), Parliament can introduce heavier penalties for drinking-driving offences, and with more accurate facts available the public will see that these moves are justified. The statistics may show that .08 per cent blood alcohol is too high a figure and may indicate that .05 per cent is more acceptable, although I doubt this. Having indicated my support, I comment on one or two aspects of the Bill. Clause 5 deals with penalties imposed upon people who refuse to take a blood alcohol test when requested either by a policeman or by a doctor, and new section 47e (3) (*a*) provides:

> Penalty—
>
> (*a*) for a first offence, not more than one hundred dollars and in addition to that penalty, the court shall by order disqualify the person convicted of the offence from holding or obtaining a driver's licence for a period of not less than six months and not more than twelve months;

Section 47b (1) of the principal Act deals with the penalties for people driving with a blood alcohol content in excess of 0.08. The penalty is not more than $100 for a first offence of driving a motor vehicle or attempting to put a motor vehicle in motion when the blood alcohol is as prescribed. I also wish to deal with the penalty for a first offence under this Bill. It lays down that, for a first offence, the penalty shall be not more than $100 and that the court shall, by order, disqualify the person convicted of the offence from holding or obtaining a driver's licence for a period of not less than six months and not more than 12 months.

These penalties seem to me to be the wrong way around. One person is not guilty of anything except, perhaps, through stubbornness or for any other reason (which may be a good reason), refusing to take a test. He must lose his driving licence for not less than six months. On the other hand, the principal Act does not provide that a person convicted of driving a motor vehicle or attempting to put a motor vehicle in motion while there is in his blood the prescribed concentration of alcohol (in other words, a man guilty of a definitely dangerous offence) shall lose his licence. Whether he loses it is at the discretion of the court.

Similarly, by paragraph (*b*) of clause 5 of the Bill, for a second or subsequent offence of refusing to take a test, the penalty is a fine of not more than $250 or imprisonment for not more than six months. They are fairly heavy penalties but, in addition, the court shall, by order, disqualify the person from holding or obtaining a driver's licence for not less than 12 months and not more than two years. There may be some reason for this that the Minister is able to explain, but it seems to me to be wrong that, when a person is not guilty of any crime other than refusing to take a test, he must suffer a much harsher penalty than a person who may have been involved in a motor vehicle accident and certainly has been convicted of having a blood alcohol concentration in excess of that laid down.

I hope that the Minister will tell the House why this has been done, because the situation seems arbitrary. The member for Bragg has said that there must be a reason for this. I got the impression from what that honourable member was saying that he agreed with this penalty and agreed that a person who refused to take a test when reasonably requested by a policeman or a doctor should be subjected to a severe penalty. However, I cannot agree that the penalty should be as severe as this.

Clause 9 of the Bill provides for compulsory blood tests for a person who is apparently of or above the age of 14 years, who suffered injury in an accident, and who attends at a hospital. It is the duty of any legally-qualified medical practitioner by whom that patient is attended to take a sample of the patient's blood. I am sure that all honourable members agree that the first duty of any doctor is to his patient and that, if it is a question of saving a person's life, that is far more important than taking a blood sample.

New section 47i (1) lays down that, as soon as practicable, the medical practitioner shall take a sample of the patient's blood. New subsection 47i (2) provides that a medical practitioner shall not take a sample of blood under this section where, in his opinion, it would be injurious to the medical condition of his patient to do so. I concede that this gives the doctor certain latitude if he considers that it is not in the best interests of the patient to take the sample. New section 47i (3) will, I think, cause concern to many medical practitioners. It provides:

> A medical practitioner shall not be obliged to take a sample of blood under this section where the patient objects to the taking of the sample of blood and persists in that objection after the medical practitioner has informed him that unless his objection is made upon genuine medical grounds, it may constitute an offence against this section.

The member for Bragg has dealt with the case of a patient who pretends, but the overall effect of this new provision is to make the doctor a kind of policeman. The doctor must warn the patient of the penalty that he may suffer if he does not do as he is told. I am sure many doctors will object to being placed in this position. I hope that the official medical bodies, whilst perhaps not liking this provision, will accept it, because they will be able to see how the statistics that will be obtained from this sort of examination will help to reduce the carnage on our roads. However, some doctors will not see it in this light and will object. I understand the reason for this provision and for the penalty provided for a doctor who does not take a blood sample in a reasonable time. I regret that such an infringement of the liberty of an honoured profession is necessary. With those reservations, I support the Bill, because I consider that it is a step in the right direction to obtain necessary statistics.

Mr. WARDLE (Murray): I support the Bill. I have already applied a test to what I intended to say and have reduced my speech considerably: I think that is the right spirit in this debate. Because the hour is late, I shall refer to only a few clauses. I had in mind that perhaps the Minister and I ought to be the first two volunteers to undergo the alcotest to prove whether it was effective. I support the Bill and would have been pleased to support if it has gone further. I would have been willing to support random tests and a lowering of the prescribed alcohol content.

The Hon. G. T. Virgo: You're a bit of a wowser!

Mr. WARDLE: I do not disagree with the Minister for a moment, because I consider that one day we will reach a point where the prescribed alcohol content must be lowered and when it will be necessary to take random breath tests. However, that will be in the future. I have had some experience in this field, having been involved with patients from accident cases in an ambulance vehicle and having seen about 1,050 patients in seven years. This Bill will pin down something that has been much talked about but we have not known much about—the part, statistically, that alcohol plays in road accidents. We have presumed, suggested, surmised and thought that alcohol has played a considerable part, but we have been uncertain about the detailed statistics. So my first point is that statistics will come from this Bill telling us just what influence alcohol has in road accidents.

An important side effect of it will concern not only vehicular accidents but also pedestrian accidents, accidents to motor cyclists and accidents to passengers inside vehicles as well as to the drivers. It will be important to be able to establish those statistics. From my experience, I think we shall find that accidents in which alcohol is a contributing factor are far more numerous than statistics have led us to believe. My second point is that it is obvious that medical practitioners have not been prepared to stand up in a court of law, after a person has been involved in an accident, and say that the thickness of his speech or unsteadiness on his feet was due to alcohol, when that person has been involved in an accident producing head injuries. It is obvious that, with the side effect of concussion in an accident, it is difficult to prove in a court of law that the victim was in any way influenced by alcohol and that the symptoms were not caused by the head injuries sustained. If tests had been carried out on all these persons who were more than 14 years of age, the statistics would have recorded the amount of alcohol involved.

My third point is that one of the committee's recommendations was that all accident victims when admitted to hospital be given an alcotest. This will also be statistical evidence producing facts and figures to prove the part played by alcohol in accidents. There is also the ability of a police officer to make an alcotest if he suspects that a person is driving a vehicle when he is under the influence of liquor. The police officer might then make a more comprehensive test with a machine if that test proved to be positive. This is the first leg in conducting random breath tests; this is halfway to making it possible for a police officer to intercept a vehicle and make certain tests to prove that the driver is incapable of effectively controlling his vehicle. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Progress reported; Committee to sit again.

ADJOURNMENT

At 11.58 p.m. the House adjourned until Thursday, November 9, at 2 p.m.