

**HOUSE OF ASSEMBLY**

Tuesday, September 25, 1973

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

**PETITION: SURFING REGULATIONS**

Mr. MATHWIN presented a petition signed by 76 persons who stated that the Noarlunga District Council's proposed by-law to restrict certain types of surfboard on beaches under its control would create hardship to those wishing to enjoy the only suitable surfing area on the south coast between North Moana and the Onkaparinga mouth and would discriminate against those who participated in this sport and recreation. The petitioners prayed that the House of Assembly would disallow the regulations when they were laid before it.

Petition received and read.

**PETITION: CASINO**

Mr. WELLS presented a petition signed by 39 citizens who expressed concern at the probable harmful impact of a casino on the community at large and prayed that the House of Assembly would not permit a casino to be established in South Australia.

Petition received.

**MINISTERIAL STATEMENT: ESCAPED PRISONERS**

The Hon. L. J. KING (Attorney-General): I seek leave to make a statement.

Leave granted.

The Hon. L. J. KING: Following the escape of three prisoners from custody at the Royal Show, information was given to this House on the circumstances surrounding the escapes. This information was based on reports and statements furnished to the Chief Secretary by the Comptroller of Prisons. It now appears that the Police brief that was used in recent court proceedings in relation to the matter contained a statement purporting to be made by one of the prison officers in charge of the prisoners that is at variance in important respects with the information supplied to the Chief Secretary. In these circumstances, the Government considers that there should be an inquiry into the circumstances surrounding the escapes. The inquiry will be conducted by a senior law officer of the Crown, and his report will be tabled in the House as soon as it is available.

**QUESTIONS****ABSENCE OF MINISTER OF EDUCATION**

The SPEAKER: I desire to inform honourable members that, in the absence of the honourable Minister of Education, any questions that may have been directed to him may now be directed to the honourable Premier for his consideration.

**ESCAPED PRISONERS**

Dr. EASTICK: Following his Ministerial statement will the Attorney-General say why it has been decided to use the services of a senior law officer of the Government instead of giving the chance to hold a complete inquiry to a person with stipendiary magistrate experience, such as Mr. Reg Coombe? As this is an extremely important matter to the people of this State (and obviously, the Government believes the position is important for the Attorney-General to have made the statement he has made), I believe that it is extremely important that a person who is not in the direct employ of the Crown Law

Department, the Attorney-General's Department, or the Chief Secretary's Department (that is, a person who is independent of the Government) should be made responsible for the inquiry, which is now belatedly being made available to the people of this State. Can the Attorney-General explain why a member of the Government's staff and not a person independent of the Government will undertake this inquiry?

The Hon. L. J. KING: I assure the honourable member that the officer who will conduct the inquiry will not be in any way lower in status or standing than a special magistrate. The only reason the phrase "senior law officer of the Crown" has been used, rather than the nomination of a specific officer, is that at this stage inquiries have to be made about the commitments of the senior law officers of the Crown before a decision can be made about who is available to conduct the inquiry. The inquiry is one that is eminently suited to be conducted by the most senior law officer of the Crown available, as it would be at the expense of this vital export industry and in the any sense an inquiry of a judicial character.

Dr. Eastick: The inquiry should—

The SPEAKER: Order!

The Hon. L. J. KING: The law officers of the Crown are possessed of the integrity and independence to enable them to look objectively at the conduct, behaviour, and actions of other departments, as it is part of their constant function in the service of the Crown to look objectively at the actions of other departments, assess their legality, and report on them. This is eminently the sort of inquiry that is proper to be conducted by a senior law officer of the Crown, and I am at a loss to understand why the Leader of the Opposition should think that being in the employ of the Crown is in some way a disqualification for this purpose. The Government is primarily interested (and no-one has a greater interest in the truth of this matter than the Government has)—

Dr. Eastick: But why—

The SPEAKER: Order!

The Hon. L. J. KING: The Government is primarily concerned to ascertain the true facts surrounding the escape of these prisoners.

Dr. Eastick: Why not do it by independent—

The SPEAKER: Order!

The Hon. L. J. KING: Consequently, it is a surprising observation to suggest that a senior law officer of the Crown is in some way unsuited to conduct an inquiry simply because he is an officer of the Crown.

Dr. TONKIN: Can the Attorney-General say when it is intended to implement the proposals outlined by the Criminal Law and Penal Methods Reform Committee? I refer particularly to the proposals for weekend leave, work release, weekend detention and the need for classification which will now, as we have heard this afternoon, be the subject of inquiry, I presume, as part of the inquiry that the Attorney-General announced in his statement. These measures are in line with modern thinking about detention, and I think most people—

The SPEAKER: Order! The honourable member is giving a comment in explanation of his question.

Dr. TONKIN: Thank you, Mr. Speaker; I am sorry. It is generally agreed that these measures are in line with modern thinking, and it is also considered that the public must be carefully prepared for the introduction of such measures if they are to be successful.

The Hon. L. J. KING: The inquiry referred to in my Ministerial statement is not an inquiry into any of the matters referred to by the honourable member or into

penal methods and rehabilitation: it is an inquiry into the circumstances in which the three prisoners escaped at the Royal Show. It is not possible to say in a general way when the recommendations of the Criminal Law and Penal Methods Reform Committee will be implemented; its report has been referred to some Government departments and agencies for comment, with a view to having it examined in detail and having specific recommendations made for its implementation. Some recommendations will, I expect, be implemented quickly; others will be delayed somewhat; and it may not be possible to implement others for a matter of years, particularly where long-term building programmes are involved. The matters referred to by the honourable member (work release programmes and periodic detention) are currently being studied by the Chief Secretary and the Prisons Department. Of course, they were the subject of consideration even before the report of the committee became available. I agree that it is necessary to prepare the public for this type of development, and the honourable member may be assured that the Government will consider the recommendations sympathetically, make decisions as soon as possible, and do all in its power to prepare the public for their implementation in due course.

Mr. MILLHOUSE: When does the Attorney-General intend to announce the name of the senior law officer to conduct the inquiry and the precise terms of reference? As I understand the situation (and I must say that I sympathize with the Government over this matter, because obviously it has arisen only within the last 24 hours), Cabinet has not yet been able to make a decision as to the actual officer to conduct the inquiry. This matter will be awaited with much interest by the public. As I listened to the Attorney-General's statement, it seemed that the precise terms of reference of the inquiry had not yet been determined. Presumably, the inquiry will be concerned with the period of one hour which the prisoners had between the puppet show and their meal time. Will the Attorney-General supply these details as quickly as possible? I may say that I do not associate myself with the sentiments of the Leader of the Opposition with regard to the person who is to conduct the inquiry.

The Hon. L. J. KING: The honourable member may be assured that these matters will be attended to with the utmost expedition. As I have said, the only consideration that has precluded me from naming the officer who is to conduct the inquiry is that as yet it has not been possible to establish the precise commitments of the senior officers.

#### ENFIELD LAND

Mr. WELLS: Will the Minister of Local Government ascertain what the Enfield council intends to do about land at the corner of Brien Road and Grand Junction Road?

The SPEAKER: Order! If the honourable member's question is on the basis that he seeks information from the Enfield council about a matter under the jurisdiction of that council, I will have to rule it out of order.

#### MEAT EXPORTS

Mr. CHAPMAN: Will the Premier transmit urgently to the Commonwealth Cabinet this State's disapproval of the recommendation of the Government-controlled Commonwealth Parliamentary prices committee to introduce an export meat levy? I ask the question of the Premier, having due regard both to the statement of the State Minister of Agriculture as reported in Saturday's *Advertiser* and in the interests of the State's meat producers. Pro-

ducers in South Australia have informed me that they are aghast at the proposed levy on meat exports. These producers are aware that, over the last two decades at least, we in Australia have been trying to build up export markets on a long-term basis in the interests both of our foreign exchange situation and of ensuring the overall future of the Australian nation in this regard. Now, it has been suggested not only by the growers but also by the Commonwealth Minister for Primary Industry himself (and further supported, as I said earlier, by our Minister of Agriculture) that the proposed action is misguided. Our producers claim that we in Australia are not paying unreasonable prices for meat.

The SPEAKER: Order! The honourable member can explain the question he is asking but he cannot make comments or debate the issue.

Mr. CHAPMAN: Thank you, Mr. Speaker. I was only briefly supporting my question, which I ask on behalf of the growers who have made these reports to me. They have claimed that we in Australia are not paying unreasonable prices for meat and that the proposal would be at the expense of this vital export industry and in the interests of political expediency. The producers have reported their horror—

The SPEAKER: Order! I rule that the honourable member cannot comment on his question. The honourable member has persisted in quoting the opinion or comments of producers in furtherance of his question and, as those comments are not necessary to the question, I rule the honourable member's latter remarks out of order. The honourable Premier.

The Hon. D. A. DUNSTAN: No decision on this matter has been made, but we will examine the position.

#### 35-HOUR WEEK

Mr. COUMBE: Concerning South Australian conditions of employment in the future, does the Minister of Labour and Industry agree with the reported statement of the Commonwealth Minister of Labour (Mr. Cameron) that he thought it would be impossible to honour a firm undertaking given by the Prime Minister to introduce a 35-hour week? As this matter concerns the future conditions of employment in South Australia, and in view of the concern expressed at this statement by the President of the Australian Council of Trade Unions (Mr. Hawke), I ask the Minister which view he now supports: that of Mr. Cameron or that of Mr. Hawke.

The Hon. D. H. McKEE: I think I have told the honourable member and this House on other occasions that I support the proposal for a 35-hour week, but I would only support it provided, as Mr. Cameron said, it increased leisure hours. As the honourable member would well know, in almost every award and agreement there is a clause dealing with overtime.

Mr. Millhouse: You're at variance with the Prime Minister, then?

The SPEAKER: Order!

The Hon. D. H. McKEE: That clause states that a reasonable amount of overtime shall be worked. If a 35-hour week is implemented, as I believe it will be, I think that that clause should remain (that a reasonable amount of overtime should be worked), but in addition I believe that it should be an offence to work beyond what is a reasonable amount of overtime.

Mr. MILLHOUSE: Does the Premier intend to discuss with the Prime Minister the matter of a 35-hour working week? In his explanation of his question, the member for Torrens omitted to draw the attention of the Minister of Labour and Industry to the open difference of opinion

in. the House of Representatives this morning between the Prime Minister (who, I understand, is simply standing pat on the promise in his election speech) and the Commonwealth Minister for Labour (Mr. Cameron), who believes that the promise should be broken because of the economic situation in Australia. I gather from the reply given by the Minister of Labour and Industry that he is on the side of Mr. Cameron. So that there may be some clarification of this matter, at least in South Australia, I put the question to the Premier, as one would expect the Prime Minister to be the best person to speak on the subject, although one doubts that he is.

The Hon. D. A. DUNSTAN: The answer is "No".

#### **SHEOAK ROAD**

Mr. EVANS: Has the Minister of Environment and Conservation or any departmental officer given permission to the Highways Department to carry out survey work in Belair Recreation Park with a view to rerouting Sheoak Road?

The Hon. G. R. BROOMHILL: Although I do not know of any such arrangements, I shall be pleased to check on the matter and let the honourable member know.

#### **RECREATION FACILITIES**

Mr. KENEALLY: Has the Minister of Recreation and Sport any plans to set up a committee to survey the recreation and sporting facilities available in South Australia in order to determine the need that exists in this field and to make recommendations to the Government?

The Hon. G. R. BROOMHILL: One of my first tasks will be to seek a survey of the recreation facilities available throughout the State and the areas available in which such facilities can be provided. Following that survey it will be necessary to also closely examine the requirements of various sections of the community. I shall be establishing a committee at an early date to advise me on these matters.

#### **LAURA CROSSING**

Mr. VENNING: Can the Minister of Transport say why the hazard existing at the railway crossing where the Caltowie road enters Laura has not yet been rectified? About two years ago, following a serious accident I reported to the House the existence of this hazard. At that time I inspected the crossing with representatives of the Laura District Council, and I believe that it would not require much work to rectify the situation. Further, I understand that the Highways Department has prepared plans to alter the approach to this crossing and as recently as four months ago the department intended to proceed with this work, but plans were halted. It has been reported in the area that in one day two men could rectify the trouble. Why has this situation not been corrected?

The Hon. G. T. VIRGO: I cannot say, nor can I say whether the information the honourable member has given me is correct, but I will certainly ask for a report on the matter.

#### **CHAIN OF PONDS**

Mr. BECKER: Can the Minister of Works say whether the Government has changed its policy regarding the acquisition of property at Chain of Ponds? I understand that, following the Government's announcement to acquire the township of Chain of Ponds, compulsory acquisition notices were not to be issued unless so requested by property owners, and that a deadline for acquisition was set for 1980. However, I have been informed that six notices of

compulsory acquisition have been served since June 21, 1972, and that the acquisition of the properties concerned will continue as planned. Because of the compulsory acquisition of the local garage, which was demolished although it was considered an essential service, I ask whether the Government intends to carry out its programme of acquisition more rapidly and, of more importance, whether the Government has changed its policy in this regard?

The Hon. J. D. CORCORAN: No; there has been no change of policy. If the honourable member examines the Land Acquisition Act he will see that its provisions compel, where there is intention to purchase, the issue of a notice of intention to purchase. When we notified our intention to acquire properties at Chain of Ponds, I was not aware that the provisions of the Act compelled the issuing of notice of intention to acquire. In other words, where people indicated that they did want to sell to the Government, whether I wanted them to or not, I had to issue a notice of intention. This was misunderstood by some people. It is not the Government's intention to speed up acquisitions. Most of the transactions have been completed at the request of the property owners themselves, and I think there are only two or three properties not yet acquired. They will not be purchased, unless the owners so indicate otherwise, within the next seven or eight years. I want to complete the purchases within the 10-year period. I am not aware that the garage was purchased and demolished. We stated that, where services were required for residents who remained there, we would maintain them if that was at all possible. It may not have been possible, because of a lack of mechanics or something of that kind, to continue such services. I have left the hotel standing and I think a five-year lease has been issued to Mr. Banks, the former licensee, who is the licensee on the Minister of Works' behalf. I am not sure whether the store is operating, but it was to be maintained. Also, I am not sure about the garage, but I will inquire about that. There has been no change of policy, and I think the honourable member or the persons who spoke to him might have been confused about the difference between a notice of intention and a notice to acquire. It does not necessarily follow that a notice to acquire denotes compulsory acquisition.

#### **HERPETARIUM**

Mrs. BYRNE: Can the Minister of Environment and Conservation now say whether any firm decision has been made, or commitment entered into, regarding the establishment of a herpetarium and nocturnal house in this State? As the Minister knows, I raised this matter previously and on the most recent occasion I received a written reply dated July 12 this year, stating that discussions had taken place with the herpetology group of the Field Naturalists Society of South Australia Incorporated and, whilst it was generally agreed that there was much merit in establishing such a display of Australian native fauna, no decision had been made on the location of this type of facility, and the ultimate location of a herpetarium or nocturnal house would depend largely on further discussions between the herpetology group and the Environment and Conservation Department. I raise this matter again because the Field Naturalists Society of South Australia is once more conducting a wild life exhibition at the Wayville Showgrounds, featuring over 150 live species. Its purpose is to familiarize members of the public with native animals and plants that they rarely see. Newspaper reports state that about 6 000 schoolchildren attended the exhibition yesterday, so obviously there is much interest in it. However, a permanent

location would allow students, for educational purposes, and the general public to view the species at any time, and the display should also be a tourist attraction.

The Hon. G. R. BROOMHILL: I had the pleasure of attending the wild life display at the showgrounds during the weekend and I was extremely impressed by the amount of work that the Field Naturalists Society had done, in conjunction with the Commonwealth Scientific and Industrial Research Organization, the national parks and wildlife section of my department, and the Museum Department. Apparently, there have been recent discussions between the Education Department and the Field Naturalists Society regarding the provision of a permanent education centre that could be used mainly by the students in this State to provide, on a permanent basis, the sorts of facility that would be available at a wild life show. In that way, they would be able to study some of the State's nocturnal and other animals and reptiles. I understand that it is intended that the proceeds of this wild life show should go towards the cost of providing such a centre, with the possibility of the Government's also being involved by giving additional money. However, no final commitment has been made on this education centre. What the honourable member has said is correct: I understand that about 30 000 children will visit the show during the week. This indicates that there is interest in the display. When final decisions, which will be made in co-operation with the Minister of Education, have been made, I will let the honourable member know.

#### STALE FOOD

Mr. MATHWIN: Will the Attorney-General ask the Minister of Health when the findings of the South Australian Food and Drug Advisory Committee will be available, and whether they will be available to members of this House? A report in a recent issue of the *News* states:

Stale food "sold by some". Stale perishable food, particularly cream and other dairy products, was being sold in some South Australian stores, Housewives Association Secretary (Mrs. Margaret Gluche) said yesterday. The association received frequent complaints which were referred to the Metropolitan County Board or local boards of health. The solution is date-stamping of such products, Mrs. Gluche said. The association has been campaigning for this for 10 years. We want the actual date shown, not a code, which is useless to shoppers.

Later, the report states:

The Minister of Health (Mr. Banfield) said yesterday that the South Australian Food and Drug Advisory Committee was still investigating the matter.

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

#### HOUSING TRUST INTEREST

Mr. PAYNE: Will the Minister of Development and Mines, as Minister in charge of housing, say whether interest rates on Housing Trust first and second mortgages have been increased, effective from last Monday, affecting about 20 000 people? A report in the *Mail* last Sunday, headed "Up, up, up, go home costs", states:

Already trading banks, the State Housing Trust, and finance companies have boosted their loan interest charges . . . The Housing Trust increase on first and second mortgages, effective from last Monday, affects about 20 000 people.

I ask this question in the public interest.

The Hon. D. J. HOPGOOD: I thank the honourable member for asking the question, because I consider that there is confusion in the public mind and I should like to take this opportunity to clear it up. There has been no increase such as that indicated in the report from which the

honourable member has quoted. The facts are that the trust was told by the Under Treasurer on July 6, 1973, that the maximum rate for semi-Government borrowings had increased to 7.4 per cent a year. Consequently, the trust decided that from July 31, 1973, the interest rate on new loans would increase from 7 per cent to 7½ per cent for first mortgages (sales under agreement), and from 7½ per cent to 7¾ per cent for second mortgages. So far very few purchasers have received loans at the new rates. Confusion may have arisen from the fact that each quarter about 200 to 300 letters are forwarded to rental-purchase occupiers, whose agreements provide for a review increasing their rates to existing levels. However, since the article referred to the new interest rates affecting 20 000 people, this was probably not what the writer had in mind, and I am at a loss to know what he did have in mind.

#### NO-FAULT INSURANCE

Mr. McANANEY: Last year the Premier said that a committee was investigating a no-fault insurance system. Can he now say whether the committee has considered the plan introduced by the most progressive Government in Australia, the Victorian Government, concerning no-fault insurance? The Victorian Government has introduced such a system in which, although premiums are higher, compensation is also at a much higher level and covers more aspects of injury incurred in motor vehicle accidents.

The Hon. D. A. DUNSTAN: The State Government Insurance Commission has been constantly in touch with the Commonwealth Government committee inquiring into the establishment of a new form of no-fault insurance that will cover many aspects of insurance. It seems to us that, if a new insurance system is to be introduced throughout the Commonwealth, it is pointless to embark on an exercise that will possibly be a short-term one in South Australia.

Mr. Millhouse: It could be years before it is introduced.

The Hon. D. A. DUNSTAN: I do not know that that would be so: that is not what has been reported to me. I cannot promise that at this stage we intend to legislate for no-fault insurance in South Australia, but we are in consultation with the Commonwealth Government committee of inquiry on this matter.

#### TAILEM BEND RACING CLUB

Mr. WARDLE: Will the Attorney-General ask the Chief Secretary to ascertain why different conditions apply to the Tailem Bend Racing Club from those applying to at least one other club in South Australia? Apparently, at least 18 months or two years ago both the Tailem Bend and the Kadina clubs had their racing dates reduced from six to three, and since then the Kadina club has been asked to race at Balaklava and the Tailem Bend club has been asked to race at Murray Bridge. The Tailem Bend club has complied, but the Kadina club now apparently races at Gawler. The Tailem Bend club, although complying with the request, has had its three dates taken from it, but the Kadina club has retained its three dates and, to add insult to injury, has been allotted an extra date (making four) which is one of the Tailem Bend club's previous dates. As different rules seem to be applied to these clubs, I should like to know why the Tailem Bend club has been treated differently from any other club.

The Hon. L. J. KING: The honourable member will appreciate that racing dates are allocated by the South Australian Jockey Club, the body governing racing in this

State, and are not subject to governmental authority. However, I will ask the Chief Secretary to supply an explanation for the honourable member.

#### NATIONAL GALLERY

Dr. EASTICK: Has the Premier protested to either the Prime Minister or the Commonwealth Treasurer at the expenditure of \$1,340,000 on a single painting? I ask the Premier whether he has protested, having regard to the reduction in funds being made available by the Commonwealth Government (or the Australian Government as it would have itself called) to all States, including South Australia. The announcements made by the Premier, subsequent to the Premiers' Conference in June, that the State had been denied funds for its activities and for its social welfare programme, and the fact that we have seen in recent weeks very grave risks to both the citrus industry and the apple industry because of a reduction of the financial help that was available to them from the Commonwealth, have created a situation which, if allowed to continue, will have serious consequences for the people of this State and on the funds to be made available by the State Government to keep the social—

The SPEAKER: Order! The honourable member is debating the issue rather than explaining the question.

Dr. EASTICK: People in our community would benefit if part of the sum being squandered in this way were available. I ask the Premier whether he has told the Prime Minister or the Commonwealth Treasurer of this Government's concern in the matter. Referring to this afternoon's press, it seems that the Prime Minister decided on the expenditure without the matter being considered by Cabinet.

The Hon. D. A. DUNSTAN: No, I have not protested. I do not know the full circumstances of this matter. However, I point out to the Leader that the Commonwealth Government makes money available to the National Gallery on its Budget lines, and this amount, having regard to the overall Budget and what one would normally expect a country of this kind to spend in this way, is not to my mind great.

Dr. Eastick: What about the decision—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The Leader apparently does not realize that the decision and recommendation of the authority concerned, as to what is appropriate expenditure and whether one should buy a small quantity expensively or a large quantity of lesser quality inexpensively, is a matter of artistic judgment.

Dr. Eastick: Yes, but—

The Hon. D. A. DUNSTAN: If the Leader is suggesting that the Commonwealth Government should withhold its grant to the National Gallery and refuse to buy any art for this nation, he had better get up and say so.

Dr. Eastick: That wasn't the question.

The Hon. D. A. DUNSTAN: In that case, the Leader has substituted his own artistic views for those of the Director of the National Gallery, and I suggest that he should not do that.

#### GRASSHOPPERS

Mr. BLACKER: Will the Minister of Works ascertain whether the Minister of Agriculture is aware of the possibility of a grasshopper or locust plague and, if he is, what action the Government intends to take? A radio report this morning forecast a potential grasshopper plague on Eyre Peninsula and in the North of the State. From time to time Government representatives have verbally

suggested what might be done but, because of the potential threat now facing some areas of the State, I ask what action is planned for the immediate future.

The Hon. J. D. CORCORAN: Although I will forward the question to my colleague for a considered reply, I have no doubt that he is fully aware of the threat to which the honourable member has referred and, also, I have no doubt that action will be taken, as it has been taken in the past by the Agriculture Department, to help farmers and councils to combat any plague.

#### FLINDERS RANGES

Mr. ALLEN: Will the Premier say whether, when he was at the Tourist Ministers' conference in Sydney last week, he was able to obtain additional funds for a tourist study to be made of the Flinders Ranges? It was reported in the *News* last Thursday that at the conference the Premier would seek additional funds for several projects, including a tourist study of the Flinders Ranges. The Premier was reported to have said that a satisfactory survey of the Flinders Ranges had not been carried out, although this was one of the most important tourist regions in the State. When I visited this area yesterday, it was indicated to me that some of the people welcomed a survey, and it was claimed that much harm had recently been done to the tourist industry in this area through the shocking condition of some roads in the Flinders Ranges that were traversed by people during the school holidays. Even though this year the wild flowers in the ranges are the best in living memory, many people are hesitant to make the trip because of the condition of the roads.

The Hon. D. A. DUNSTAN: This is one of the projects that I submitted to the Ministers' conference on Friday. The other States did not submit specific projects but merely inquired of the Commonwealth Minister as to the basis on which allocations would be made. After a discussion on that matter, the submissions of South Australia on specific projects were noted and will be followed through. However, the Commonwealth Minister said that a survey of this kind would be the sort of survey that the Commonwealth Government visualized, and arrangements are being made to follow through the submission to the Commonwealth Government. We have offered it the services of officers of the South Australian Tourist Bureau to help in the survey, and the Minister, saying that he would want that to happen, was glad of the offer. I hope that the survey will proceed shortly with the benefit of Commonwealth Government assistance.

#### TEACHING BONDS

Mr. DEAN BROWN: In the absence of the Minister of Education, will the Premier say what is the Government's policy on the payment of bond money owed by former teachers and students, under breached agreements, to the Education Department? Further, will the Premier ascertain the number of students involved and say to what extent the payment of these debts may be behind the current schedule? It appears from the Auditor-General's Report that the current debt in relation to broken bonds is \$1,750,000. I believe that the Government has changed its policy on this matter, and I fully support that change, whereby the system involving these bonds will be dropped as from the beginning of next year. However, it is important that these debtors meet their obligation to the State and be required to make the payments owing under any broken bond.

The Hon. D. A. DUNSTAN: I will obtain a full reply from my colleague.

#### URBAN TRANSPORT

Mr. PAYNE: Does the Minister of Transport intend to seek further funds that may be available from the Australian Government for use in upgrading urban public transport? Members may recall that the Victorian Government has recently announced categorically that it will not accept funds for use in such areas with any use tags attached. In addition, the Australian Government has clearly announced that these funds will not be allocated where there is opposition to those use tags being so attached. Therefore, this State might benefit considerably if the Minister were able to seek funds rejected by another State.

The Hon. G. T. VIRGO: I shall be present next Friday week at a special meeting of the Australian Transport Advisory Council to deal with two matters, one being the matter of distributing funds for urban public transport. If the newspaper report is correct (that the Victorian Government has rejected completely the offer by the Commonwealth Government of funds for that State) and if the further newspaper report is correct that, in the event of Victoria's rejecting those funds, the Commonwealth Minister will make them available to the other States, I assure the House that South Australia will be the first candidate in the line with our hands out, because I have no objection (nor has the Government) to this requirement of the Commonwealth Government. The Commonwealth Government has merely required the States to submit to it, for scrutiny by the Bureau of Transport Economics, an economic evaluation of the various projects. I do not know how anyone can quarrel with that. The other tag (and I presume that this is the one that Victoria is reported to have opposed) is that the Commonwealth Government will require a representative on the board of control of the organizations that are spending Commonwealth money. I do not know how any reasonable person could object to that, either. The South Australian Government certainly does not object to it and, if further money is available because of pig-headedness on the part of the Victorian Liberal Government, we will be there to get what we can.

#### OUTER HARBOR

Mr. COUMBE: In view of the impending opening of the passenger terminal at Outer Harbor to which we are looking forward, can the Minister of Marine say what will be the frequency of passenger vessels berthing at Outer Harbor and whether action is being taken by the Government by means of an approach to shipping lines to encourage more vessels to berth there? If such an approach is being or has been made, have there been any further undertakings of increased patronage of the new terminal?

The Hon. J. D. CORCORAN: I cannot offhand give the information that the honourable member seeks. However, only last week I discussed this matter with the Director of Marine and Harbors. As the honourable member has said, the opening of the terminal is close at hand, and certain information was being gathered for the Premier, so that he could make appropriate statements on the day of the opening. Although I will obtain from the Director the information requested by the honourable member, I can only say that at this stage there seems to be a tendency on an international scale towards smaller passenger ships and more of them, and we are certainly confident that the terminal will be used by this type of vessel. In other words, this will involve short cruises and smaller vessels.

Mr. Coumbe: Instead of by-passing Outer Harbor?

The Hon. J. D. CORCORAN: Yes. The Director outlined to me in some detail the developments that are taking place, and we expect to get our share of that trade. Apart from that, the building of the new passenger terminal was absolutely necessary, anyway; if we were to continue to have even one ship calling here, we had to do something about it, and we think the new terminal will be used regularly. However, I will obtain more accurate information for the honourable member and also obtain a better prediction than I may have been able to give on the future use of the terminal.

#### WHEAT EXPORTS

Mr. McANANEY: Will the Minister of Works obtain from the Minister of Agriculture a report on the conditions under which the Australian Government will carry out its promise to make up any losses that wheatgrowers will be involved in because of the direction of sales to underdeveloped countries? The Canadian Government, after a period, takes over a situation of that nature, pays for all the wheat, makes a cash distribution, and finalizes the pools after 12 months or 18 months, whereas here the matter continues for three years or more.

The Hon. J. D. CORCORAN: I will obtain a report from my colleague.

#### PYRAMID SELLING

Mr. BECKER: Can the Attorney-General say when legislation will be introduced prohibiting pyramid selling in this State? Over the past three years I have requested that action be taken to control pyramid selling firms in this State. During the past fortnight, several of my constituents and I have received cards in our letter boxes and under the windscreen wipers of our cars. One of the cards says: "Phone P. Kotz, 96 1107, between 3 p.m. and 5 p.m." When a person sees this card, he wonders what has happened, and he telephones P. Kotz. An apology is then given that there are no details on the card. On further examination, one finds out that a multi-level marketing organization and a pyramid selling racket are involved. Another card says: "Highly paid full-time and part-time work available in our personnel department. Ring 78 5943, Mr. Bullick, between 4 p.m. and 6 p.m." When one telephones that number one is told that Mr. Bullick is not in, and a Mr. Hunt answers the call; it takes a fair amount of discussion with him to find out that the organization is also a pyramid selling organization. In view of the re-appearance of these cards in the metropolitan area and the methods adopted, could prompt action be taken to stamp out pyramid selling in this State?

The Hon. L. J. KING: Action will be taken in a week or so.

#### COAST PROTECTION

Mr. MATHWIN: Has the Minister of Environment and Conservation a reply to my question of September 11 about the expected beach protection work to be undertaken on part of the esplanade at Somerton?

The Hon. G. R. BROOMHILL: The honourable member would be aware that interim protection has already been provided for this area by the way of dumping 5 000 cubic yards (3 823 m<sup>3</sup>) of sand in order to "fatten" the existing embankment. The Coast Protection Board recognizes the need for further protection in this area but does not consider it to be as urgent as the situation in some other areas in the State. It is the board's opinion that the interim work that has now been provided will permit this area to be left for the time being. As soon as funds are available,

the board intends to improve this by further protection either in the way of beach replenishment or by the building of a rip-rap embankment. This is not likely to be until the end of the present financial year or some time at the beginning of the next financial year.

#### PARAMEDICAL STUDIES

Dr. TONKIN: Can the Premier, in the absence of the Minister of Education, say when the proposed college of paramedical studies will be established in South Australia? The inquiry I have received comes from nurses who believe that post-graduate training in nursing should be more freely available, particularly in South Australia. Excellent courses are available in Melbourne at the College of Nursing (Australia), but Adelaide nurses find it difficult to attend those courses. The shortage of nurses is still with us, and nurses believe that more adequately trained nurse educators and well trained administrators must be available if we are to relieve the shortage of nurses.

The Hon. D. A. DUNSTAN: I will ask my colleague for a report.

#### BUSH FIRES

Mr. EVANS: Will the Minister of Environment and Conservation have the firebreak on the southern side of Belair Recreation Park adjacent to the main Upper Sturt road made effective before the summer begins?

The Hon. G. R. BROOMHILL: I will certainly have the matter considered and let the honourable member know.

Mr. VENNING: Will the Minister of Environment and Conservation ensure that there are sufficient fire-breaks, of the ploughed type and the graded type, throughout the State? The Minister well knows that, because of the growth of vegetation, there may be only one bush fire, but it will be a very big one. Will the Minister, through his department, encourage people to take precautions and will he notify district councils of the urgent need to grade back roads as well as main roads, with a view to creating what may be very necessary firebreaks during the hot weather that we know we can experience in this State?

The Hon. G. R. BROOMHILL: From the point of view of national parks held by the Government, we are aware of the season we have had and the obvious fire risk. We will certainly give attention to this problem. I will refer the general question asked by the honourable member to the Minister of Local Government.

#### FOOTBALL

Mr. DEAN BROWN: Can the Minister of Recreation and Sport say whether his selection of Sturt as the winner of the preliminary final last Saturday is indicative of his performance as Minister of Recreation and Sport?

The SPEAKER: I think I must rule that question out of order: it is a personal one.

#### SWINE COMPENSATION

Mr. ALLEN: Can the Minister of Works, representing the Minister of Agriculture, say what was the nature of the payments of \$32,940 from the Swine Compensation Fund last financial year? Producers wish to know whether the total sum relates to claims for compensation or whether a portion relates to other expenditure.

The Hon. J. D. CORCORAN: I will get a report from my colleague and let the honourable member have it.

#### HOUSING APPENDIX

Dr. EASTICK: Can the Premier say why the appended list of Housing Trust houses in country areas which have

been completed, which are under construction, or which are to be commenced within a certain financial year has been excluded from Parliamentary Paper 11A? It has always been the practice for this list, which is an appendix to Parliamentary Paper 11A (otherwise referred to as the Loan Estimates), to set out the houses completed in the preceding financial year, the houses under construction at June 30 of the preceding financial year, and the houses to be commenced in the current financial year. This year the list does not appear in Parliamentary Paper 11A, and as far as I can determine this is the first time for many years that it has not appeared. What is the significance of its not appearing?

The Hon. D. A. DUNSTAN: Although I do not think there is any significance in it, I will inquire for the Leader.

#### INTAKES AND STORAGE

Mr. LANGLEY: Can the Minister of Works say what are the current holdings in the State's reservoirs?

The Hon. J. D. CORCORAN: As I expected that an astute member might be concerned about the state of our reservoirs, I have with me details of the holdings as at this morning. We have now 166 216 Ml (36 937 000 000gall.) in storage, and that is about 10 000 Ml (2 222 000 000gall.) better than the position last year, so things are improving. As members know, Mount Bold is full. Also full are Happy Valley, Clarendon Weir, Myponga, and Millbrook. The position with regard to other reservoirs is as follows:

	Capacity (Ml)	Present storage (Ml)	Present storage (gall.)
Kangaroo Creek . . . . .	24 000	19 578	4 351 000 000
Hope Valley . . . . .	3 470	2 949	655 000 000
Thorndon Park . . . . .	640	581	129 000 000
Barossa . . . . .	4 510	3 911	869 000 000
South Para . . . . .	51 300	34 759	7 724 000 000

The storage in the Murray River main is 74 Ml (16 000 000 gall.). Our present position is good indeed.

#### BOND RATE

Mr. COUMBE: Can the Treasurer yet give me the information I sought about the bond rate, which is an important matter, especially as it affects the public works programme in the State and the South Australian Loan Fund? If the Premier does not have this information, can he say when he will have it?

The Hon. D. A. DUNSTAN: At the end of last week the Under Treasurer attended a meeting in Canberra with Sir Frederick Wheeler, at which discussions were held as to the long-term bond rate. Although we have some projections on this, I have no announcement to make at present. I expect that later this week there will be announcements about housing interest rates.

#### COAST PROTECTION BOARD

Mr. MATHWIN: Can the Minister of Environment and Conservation say how many technical personnel are members of the Coast Protection Board, and what are their qualifications?

The Hon. G. R. BROOMHILL: Dr. Culver from the University of Adelaide is on the board, as well as the Coast Protection Engineer, the Director of the Marine and Harbours Department (Mr. Sainsbury), and a representative of local government. As I am a little uncertain as to their technical qualifications, I will check and let the honourable member know.

#### MINING OPERATIONS

Mr. BECKER: Has the Minister of Development and Mines a reply to the question I asked during the Budget

debate about the activities of the Mining Branch and the prospects existing for new mines or development in this State?

The Hon. D. J. HOPGOOD: Expenditures recorded under "prospecting and encouragement of mining, operating expenses, minor equipment and sundries" relate to maintenance of Government batteries at Mount Torrens, Peterborough and Tarcoola, of branch offices at Andamooka and Coober Pedy and of inspections of mining operations throughout the State. Encouragement to the mining industry in this State is given, more particularly, both directly and indirectly through the operations of the Geological Survey Branch. The preparation and publication of geological maps is fundamental to encouragement, planning and conduct of mineral exploration. Regional geological mapping and regional geophysical surveys have been conducted throughout the State to aid mineral, oil and gas search, and stratigraphic drilling has been recently undertaken in the Wallaroo-Moonta region, in the Lake Frome embayment and in the Lake Phillipson area. Basin studies are in progress over a wide area while there has been direct involvement in exploration by the survey to determine the mineral potential of areas which have not attracted the interest of companies.

A detailed account of these activities during the year ended June 30, 1973, is given in the report of the Director of Mines. There are good prospects of development of several new ventures and announcements have been made concerning the discovery of copper at Mount Gunson, coal at Lake Phillipson, uranium in the Frome embayment and zinc at Puttapa. The realization of their development and of the petro-chemical industry in the Port Augusta locality depend on markets and demands beyond the control of the Government.

#### PARKING OFFENCES

Mr. MILLHOUSE: Has the Minister of Local Government yet received from the Adelaide City Council a report about the activities, or lack of them, of parking inspectors?

The SPEAKER: Order! I—

Mr. MILLHOUSE: I asked this question a couple of weeks ago: I am only asking whether the Minister has a reply. It is nearly a fortnight since I asked this question, which was about a matter of public importance because of the disquiet caused by a segment in the *Newsbeat* programme.

The SPEAKER: Order! The honourable member cannot comment.

Mr. MILLHOUSE: I have been waiting for the reply to come, but it has not come. That is why I now ask whether the Minister has the reply and, if he does not have it, whether he will hurry it up.

The Hon. G. T. VIRGO: When I have the reply the honourable member will be informed, the same as he is informed in all other cases. If the honourable member is just patient, he will get the reply. If my memory serves me correctly, I merely told him that I would refer the matter to the Adelaide City Council to see whether it wished to comment on his comments concerning a programme.

#### SMALL CLAIMS COURTS

Mr. McANANEY: Can the Attorney-General give a report on the success or otherwise of the Queensland small claims courts? Has he considered instituting this system in South Australia and, if he has a report on it, will he say what he thinks of the idea?

The Hon. L. J. KING: I have received no specific report on the operation of the small claims tribunal in

Queensland. However, I have given much consideration to the proposition; indeed, only this morning I read a copy of the Bill recently introduced in the Victorian Parliament to provide for a small claims tribunal. I am satisfied that the tribunal provided for by that Bill and the tribunal operating in Queensland have no advantages over the system operating in South Australia. Several statutory provisions in South Australia, when taken together, give every advantage to the community that the small claims tribunal gives, as well as some further advantages. South Australia has a local court of limited jurisdiction, and by convention that court operates in the most simple and non-technical way. A citizen wishing to institute proceedings in that court has only to go to the local court office to be given every assistance to prepare a summons, which will then be issued on the payment of the appropriate fee. The citizen will then be notified of the date of hearing, and when he gets to court the magistrate will take an active part in the hearing and assist him in presenting his case to the court, if the citizen does not desire legal representation.

Regarding consumer matters, the honourable member will be aware that we have established a system under which a member of the public who has a claim arising from a consumer transaction can make his complaint to the Commissioner for Prices and Consumer Affairs. It is the responsibility of that functionary to consider all aspects of the matter, consider the validity of the claim and, if he is satisfied of its validity, endeavour to effect a settlement by negotiation. This corresponds to the jurisdiction which is conferred in Queensland, and which is about to be conferred in Victoria on the small claims tribunal, of considering matters in private in an informal way in an endeavour to reach a solution. I believe this is done ever so much more effectively by the officers of the Commissioner for Prices and Consumer Affairs. The South Australian system has another advantage: if the Commissioner for Prices and Consumer Affairs is unable to reach a solution of a matter and if the business house concerned desires to have a point tested (perhaps some matter of law is involved), the Commissioner has the power to institute legal proceedings on behalf of the consumer at public expense and to employ counsel for that purpose so that the matter can be tested in court without cost to the consumer.

If one combines all these factors one gets a system which has all the advantages of the small claims tribunal as it exists in Queensland and as is contemplated in Victoria yet which has the further advantage that it is much more effective from the public's point of view, because certain difficulties are involved in the small claims tribunal. Because no special rules are attached to it, there are considerable difficulties about how it is to be conducted and about how it is to reach a just conclusion. Another disadvantage is that the ordinary member of the public lacks any knowledge of these matters, and frequently he lacks even the education to enable him to hold his own before any sort of tribunal, whereas a commercial organization involved in a small claims case is represented always by an employee of the company who is experienced in these matters. In some cases his only job is to pursue these claims and represent the company before the tribunal. Therefore, the balance is not held equally between an experienced company officer trained in these matters and an ordinary member of the public who has no experience and no training in them. To deprive the ordinary citizen of the right to legal representation in such circumstances often does him a disservice. I have considered the small

claims tribunal and, as the honourable member will have gathered from my reply, I have concluded firmly that the system operating in South Australia is decidedly superior.

#### EMPLOYMENT

Mr. EVANS: Will the Premier instigate an advertising campaign to encourage those members of our society who are currently refusing to work to take a more active part in the work force of the community, thereby contributing to our economy instead of being parasites on it? The public's attention has recently been vividly drawn to a small minority in our community who are living on the rest of the society and who are not willing to work. Evidence clearly shows that there are employment vacancies for about 400 men at Chrysler Australia Limited at a minimum wage of about \$70. The work involved is unskilled work that any adult person could do. The most recent employment figures available indicate that in August more than 8 000 people were unemployed, that there were more than 6 000 vacancies and that about 3 300 people were receiving unemployment benefits. If we could encourage these people to work, more money would be available for those people who, for genuine reasons, could not obtain work. It is in the interest of the State that the Premier instigate a campaign to show such people the benefits that can be obtained from contributing to a society, especially if they wish to receive benefits from it.

The Hon. D. A. DUNSTAN: No, I will not do that. The honourable member suggests that we institute an advertising campaign in order to reach the people concerned, but the advertising campaign would exceed in cost the money the State contributes to the Community Welfare Department. The honourable member certainly cannot suggest that all or most of the people receiving unemployment benefits are in the category to which he refers. The people in the category publicized by a recent article in the *Advertiser* represent only a tiny minority. I suggest to the honourable member that, if he knows of individuals of this kind (and apparently he does), he counsel them.

#### MINISTER'S ADVICE

Mr. DEAN BROWN: Regarding the statement made by the Minister of Agriculture this morning, will the Minister of Works ask his colleague what specific items he expects primary producers to refrain from purchasing when spending the \$140,000,000 to be made available later this year to upgrade the efficiency of farms, to which the Minister referred? The Minister has said that about \$140,000,000 would be allocated to farmers as a first payment on wheat. In warning the farmers, the Minister said:

It would be a normal human reaction to spend much of this money on items, goods and services that have been so long denied . . .

In making this statement he warns farmers to be careful about how they spend the money, as it may have a harmful effect on the economy of the country. It is clear that the Minister is telling the farmers that they should not buy certain types of equipment or purchase certain items, in case it increases inflation in Australia. I ask the Minister to find out from his colleague what those items are, because I consider that the Minister of Agriculture is asking the farmers to do without for a longer period the items that they have had to do without for so long now.

The Hon. J. D. CORCORAN: I will ask my colleague to examine the honourable member's remarks. I think the honourable member is making a mountain out of a

molehill. I do not think for one minute that my colleague is suggesting that people who need items of equipment or farm machinery that they have done without for so long should not purchase such items. The Minister is merely issuing a note of caution that they do not spend the money unwisely (I suppose that is the term), that they do not unwisely buy machinery, etc. I think that that is all he is appealing to the farming community to do, and I also think that that is reasonable in present circumstances. I do not think the honourable member would disagree with that. I think the honourable member knows what the Minister means but he is trying to play on that or build on it to derive from the statement something that is not in it. I should imagine that one thing the Minister would advise farmers against doing would be joining the Liberal Party. The cost of that is fairly high these days, and that would be a waste of money. That is one thing that I can think of straightaway and it applies also to the Liberal Movement and the Country Party. I do not know whether the Country Party's fees are higher—

Mr. Coumbe: At least they are voluntary.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: Seriously speaking, I think the Minister knows that \$140,000,000 will go into the pockets of farmers. He is not being critical of that: he knows it is quite fair and he is pleased about it. I think he is issuing this note of caution or warning and, if the statement has had the effect on the honourable member that the Minister is trying to tell farmers how to run their farms, I point out that the Minister is not doing that. The honourable member's approach is stupid and ridiculous. The Minister is capable of looking at the remarks and putting the honourable member straight.

Mr. DEAN BROWN: Can the Minister say whether the Government intends to issue a similar caution to all wage and salary earners in this State who have an annual expenditure far greater than the \$140,000,000 referred to in his colleague's statement? In his statement the Minister of Agriculture issued a warning because of the demand-pull inflation, as he referred to it. If that is the case, it would be fair to issue a similar caution to those responsible for large expenditure in this State. I also refer the Government to the fact that income-price inflation is an important issue in this State, and the Government should pay attention to that aspect as well as to demand-pull inflation.

The Hon. I. D. CORCORAN: I am not aware that the work force in this State is about to receive a bonanza. I have not heard anything about that.

Mr. Dean Brown: Have you read the paper?

The Hon. J. D. CORCORAN: The Minister of Agriculture was referring to an additional \$140,000,000 that will soon be received by farmers.

Mr. Dean Brown: Farmers are not wage-earners.

The Hon. J. D. CORCORAN: Is the honourable member suggesting that they have received nothing in the past and are receiving nothing now? If he is, he is being ridiculous. The Minister of Agriculture said that farmers would be wise to use the money they would receive to improve their debt structure and to increase the equity in their farms, and that they must then assess very carefully the value of any proposed purchases, whether it was for machinery, stock or equipment. The Minister said that, like any good businessman, farmers must be aware of the waste that occurred from over-capitalization of equipment, materials, and plant. The honourable member has been on the staff of the Agriculture Department for several years, although I do not know what he did there. He must have been told by some of his colleagues that there are

many examples throughout the State in all types of farming to show where over-capitalization has occurred.

Mr. Dean Brown: I did not refer to that.

The Hon. J. D. CORCORAN: That is why the Minister has referred to this aspect, because a large sum of \$140,000,000 is to become available at the one time, and he is warning farmers not to spend money unwisely. He refers to over-capitalization, and that, in my opinion, is sound advice. Obviously, the honourable member is not able to say exactly what he is driving at: I do not know what he is talking about. Is he referring to wage-earners being told not to spend their wages? That ridiculous suggestion has no relationship to what the Minister is referring to. The Minister is referring to an additional \$140,000,000 that farmers will receive, and he is suggesting that they do not pour it into the economy or squander it by over-capitalizing their properties. That is a reasonable comment to make. For instance, if there were to be a large wage increase that would put about \$200,000,000 or \$400,000,000 into the pockets of workers for the first time, it would be reasonable to tell them that they should be careful how they spent it and they should not squander it and waste it on goods that were not needed. Perhaps the honourable member is trying to make something out of nothing. I cannot help him any more, and I do not think I will refer his question to my colleague.

Mr. McANANEY: Will the Minister ascertain whether his colleague was aware, when stating that \$140,000,000 would be made available to farmers at the end of the year, that this amount, as it is only a first advance, would not cover the cost of production? Further, will he ascertain how people can go on a money-spending splurge before they receive their later advance, which I admit will be considerable?

The Hon. J. D. CORCORAN: I will convey that penetrating question to my colleague.

#### **GAUGE STANDARDIZATION**

Mr. VENNING: Can the Minister of Transport give the House an up-to-date report on the progress made on standardizing the Adelaide to Port Pirie railway line? This may seem to you, Mr. Speaker, to be an almost fortnightly question, but it may have to become a daily question if we are to get some progress on the standardization of this important section of our railways.

The Hon. G. T. VIRGO: As far as I can recall, I gave the honourable member a report on this matter about a fortnight ago, and there have been no changes since then.

#### **INJURIES IN SPORT**

Mr. BECKER: Will the Minister of Recreation and Sport say what action he intends to take to control the incidence of injuries in sport? I understand that much concern has been expressed about the many severe injuries sustained in football and other team participation sports, and I ask the Minister whether any research or investigation will be undertaken in this area, with the objective of reducing the number of injuries.

The Hon. G. R. BROOMHILL: I will examine the matter. I expect that honourable members would appreciate that, on an issue as complex as the one that has been mentioned, I have not had time to determine policy, even though that seems to surprise the member for Mitcham.

Mr. Millhouse: No. I was thinking of the photograph of you: sportsman!

The SPEAKER: Order!

The Hon. G. R. BROOMHILL: I will consider the matter that the member for Hanson has raised.

#### **RUNDLE STREET MALL**

Mr. COUMBE: Can the Minister of Transport give me further information about the proposed mall in Rundle Street west, which was the subject of an official report that the Minister tabled last week? The report was extremely interesting and showed the various parts in Australia where malls had been introduced. I understand that it is now intended to investigate further the proposal for Rundle Street west and that this investigation will be undertaken by Adelaide City Council and Urban Systems Limited. Because this is an extremely important and topical matter at present, can the Minister say when it is expected that recommendations will be made, particularly whether the recommendations are expected before Christmas, because at Christmas time, especially on Christmas eve, Rundle Street often is closed and this time can be regarded as a test period when pedestrians may walk without fear of motor vehicles other than the buses that continue to run at that time?

The Hon. G. T. VIRGO: I cannot say when the report of the consultants will be brought down: I wish I could do that. I regard (and I think it has been reported adequately in the press) the mall development of Rundle Street as an extremely desirable adjunct to city living. Malls are operating in other parts of Australia, as shown in the report that I tabled in the House, and I hope to be able to show some photographs of malls that are operating in a highly successful way overseas, particularly on the continent. I think that Adelaide as a whole will benefit tremendously, and I consider that a mall should be established without further studies. I do not think that the studies are necessary or that they will achieve anything. I consider that all the studies necessary have been done and the results of the principal ones, which are contained in the report that I have tabled, show clearly that industry and commerce will be able to continue to receive the service required, given certain conditions. I consider that the next action taken should be to operate the mall for a trial period. I should be more than pleased if that were done. It could be done by using concrete tubs containing shrubs, as well as using portable furniture, portable enclosures for refreshments, and that sort of thing. If it could be introduced on this basis and if, after six months or 12 months trial, it was shown that it was not in the interests of the people (and I am speaking not of a small group but of all the people), there would be no objection to its being removed. However, I do not think it would be removed, because once people learn of and experience its value I suggest that the only complaint would be the same as has been made at places on the continent where those who have complained about the operation of the mall are those who control shops that are not directly situated on the mall. Those whose shops are a part of the mall are laughing all the way to the bank with their profits.

#### **SALES TAX**

Mr. WARDLE: Will the Attorney-General ask the Minister of Health to discuss with the Minister of Agriculture whether they will make a submission to the Commonwealth Government to lift the sales tax on unscented liquid toilet soap and paper hand towels as this tax applies to the processed poultry industry? The processed poultry industry, which is new, has developed in recent years. As both Government departments are interested in various aspects of this industry, I ask that this matter be jointly discussed by the Ministers and a submission made to the Commonwealth Government.

The Hon. L. J. KING: I will obtain a report for the honourable member.

#### COUNTRY WATER RATES

Mr. McANANEY: Would I be considered impatient if I asked the Minister of Works for an early reply to a question I asked on August 8?

The Hon. J. D. CORCORAN: I find it difficult to believe that a reply has not been forthcoming, as my department has always been efficient in providing replies to Parliamentary questions. Was the question asked during the Loan Estimates debate or during the Budget debate?

Mr. McAnaney: It was asked in the House on August 8.

The Hon. J. D. CORCORAN: What was the question?

Mr. McAnaney: It was about country water rates.

The Hon. J. D. CORCORAN: I will follow up this matter to ascertain where the reply is. I am surprised that it has taken so long.

#### QUEEN ELIZABETH HOSPITAL

Mr. MATHWIN: Will the Attorney-General ask the Chief Secretary to inquire into car-parking arrangements for visitors and out-patients at the Queen Elizabeth Hospital? Car-parking arrangements at this hospital have been brought to my attention again, although I first raised this matter about two years ago. It seems that the visitors' car park is full at about 9.30 a.m. The ancillary staff (I am not referring to nurses) and workmen engaged on the present project use this parking area, although the parking area provided for the staff has many vacancies.

The Hon. L. J. KING: I will obtain a report for the honourable member.

#### ACCOUNTING PROCEDURES

Mr. BECKER: Can the Treasurer say what action the Government and Treasury Department will take concerning accounting procedures referred to by the Auditor-General in his report? Paragraph 9 on page 1 of the report states:

Last year I remarked that accounting systems and procedures should be continually reviewed to assess their effectiveness in achieving defined objectives and providing information essential to management. I would now suggest that such a review should specifically include those areas in which the basic control of finance should be exercised. I am not satisfied that in all departments the principles of real budgeting are appreciated or practised.

Paragraph 11 of the same report states:

In view of the continuing growth in the amount of funds controlled and administered by the Government, a high level of efficiency is necessary in the utilization of financial resources. This can be achieved by use of appropriate modern accounting techniques designed to assist management in making decisions affecting public moneys.

The Hon. D. A. DUNSTAN: This is brought to the attention of all departments and the Public Service Board, and a series of recommendations is continually made concerning accounting facilities.

#### HEALTH FUNDS

Mr. McANANEY: Can the Premier say whether any checks are made of the reserve funds of medical and hospital benefit organizations in South Australia and, if they are, whether those funds are considered adequate, inadequate or excessive? I understand that the Commonwealth Minister for Health has claimed that these funds are excessive and should not have been accumulated.

The Hon. D. A. DUNSTAN: As I do not have a report on the matter, I will inquire of the Public Actuary.

#### GLENELG TRAM

Mr. MATHWIN: Will the Minister of Transport investigate the advantages that may be derived from attaching letter-boxes to Glenelg trams? Those Ministers who have been abroad, including the Minister of Transport as well as the Premier, will know that this practice is used with much success and to great advantage in many parts of the world, as it enables many people who live on a public transport route to have a letter-box virtually passing their house and to know when it may be passing. This provides a quick service for the posting of letters and, as the Minister and I know, this service is provided in countries such as the United Kingdom and also France, Switzerland, Sweden, Belgium and other European countries, to the advantage of the people in those countries. Will the Minister consider providing the same advantage for members of my district, whose football team will win the premiership next Saturday?

The SPEAKER: Order! The latter part of the question is out of order. The honourable Minister of Transport.

The Hon. G. T. VIRGO: I presume that the honourable member would like this matter examined on behalf of the residents not only of his own district but also of other districts served by the Glenelg tram. Indeed, the Glenelg tram serves a substantial part of my own district. I do not know whether all of the electors who are served by that tram have the same allegiance to the football club to which the honourable member refers, but I will not pursue that matter.

The SPEAKER: That would be out of order.

The Hon. G. T. VIRGO: I thought it would be. I shall be pleased to refer the matter to the Municipal Tramways Trust.

#### RENT CONTROL

Mr. BECKER: As I have been approached by a developer in the metropolitan area who is concerned about rumours that rent control is to be reintroduced in South Australia, I ask the Premier whether the Government intends to control rents in South Australia.

The Hon. D. A. DUNSTAN: The Government has taken no decision to extend our present rent control provisions.

#### FIRE PREVENTION

Mr. Coumbe, for Dr. EASTICK (on notice):

1. What was the total amount expended on fire-fighting equipment for parks and reserves under the control of the South Australian Government—

(a) last financial year;

(b) for the last three financial years?

2. What was the total amount spent on fire prevention, apart from I above, in the parks and reserves, for example, fire breaks, access tracks, controlled burning and similar—

(a) last financial year;

(b) for the last three financial years?

3. What was the total amount spent on fire protection, including fire-fighting equipment, in each individual park and reserve in the last three financial years?

4. What amount is proposed to be spent on fire prevention and equipment for the same areas for use in the coming fire season?

5. Has due regard been given to the extreme dangers likely to be involved this year having regard to the extraordinarily lush growth of vegetation?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. (a) \$8,800.

(b) \$11,300.

In addition to the latter figure, a network of base, mobile, and portable radios was provided for general park control, supervision and maintenance. This network is an invaluable asset in time of fire.

2. (a) \$1,150.

(b) The information requested cannot be readily obtained from the financial records of the Environment and Conservation Department, and the various organizations which existed prior to the passage of the National Parks and Wildlife Act, 1972.

Several miles of peripheral breaks were also installed as part of the joint departmental/private landholder boundary fencing programme.

	\$
3. Cleland Conservation Park.....	8,350
Belair Recreation Park.....	200
Para Wirra Recreation Park.....	100
Mount Remarkable National Park (including Mambray Creek and Alligator Gorge)	2,600
Flinders Ranges National Park.....	700
Innes National Park.....	500
Fairview Conservation Park.....	300
Padthaway Conservation Park.....	200
<b>Total for past three years.....</b>	<b>\$12,950</b>

As mentioned earlier, costs of radio equipment and peripheral fire breaks are in addition to the above itemized expenditure.

	\$
4. Belair Recreation Park.....	9,000
Mount Remarkable National Park (Mambray Creek).....	950
Flinders Ranges National Park.....	400
Innes National Park.....	400
Hincks Conservation Park, Hambidge Conservation Park.....	1,000
<b>Total allocation, 1973-1974 .....</b>	<b>\$11,750</b>

5. It is recognized that an extreme fire situation, the worst for several years, will exist in many reserves this summer, particularly in the reserves of the Flinders Ranges and Adelaide Hills. In an attempt to alleviate this situation, a great amount has been done over the past three years to build up a spirit of active co-operation with the various Emergency Fire Services units, and considerable effort has been expended in promoting a closer and more workable liaison between E.F.S. supervisors and senior field staff of the National Parks and Wild Life Division, particularly at fire-control level.

**RAILWAYS REPORT**

Mr. MILLHOUSE (on notice): What action, if any, has been taken concerning the recommendations made in the report of April, 1973, by the committee inquiring into the operations of the South Australian Railways?

The Hon. G. T. VIRGO: I have already replied to numerous questions concerning the report submitted by the committee inquiring into the operations of the South Australian Railways. The last occasion was on Wednesday, September 19, 1973, when I answered a question asked by the member for Hanson. This reply fully answers the question of the member for Mitcham and I therefore suggest that he refer to page 818 of *Hansard* and read that reply.

**HANSARD REPORT**

The SPEAKER: The honourable member for Goyder sought information concerning remarks made in committee

on Wednesday, September 19, 1973. I point out to the honourable member that the *Hansard* galley pull is merely a proof and is confidential and subject to revision, and this is published as a heading on each page of the pull. The official record of the debates of the House and Committee is included in the weekly and annual volumes of *Hansard*. At the time of the verbal exchange between the honourable Minister of Education and the honourable member for Bragg, the remarks were not clearly audible and, in the absence of a ruling from the Chairman, it was decided to omit from the proof both the point of order and the remarks of the honourable Minister leading to the point of order being taken, subject to verification. After the necessary verification had been carried out, it was recommended and approved that the remarks of the honourable Minister and the point of order should both be included in the official report. This action has been taken and the remarks now appear in the weekly volume of *Hansard*.

**PRICES ACT AMENDMENT BILL**

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1—After clause 1 insert new clause 1a as follows:

“1a. *Amendment of principal Act, s. 3—Interpretation—*Section 3 of the principal Act is amended—

- (a) by striking out from the definition of ‘declared goods’ in subsection (1) the word ‘proclamation’ and inserting in lieu thereof the word ‘regulation’;
- (b) by striking out from the definition of ‘declared service’ in subsection (1) the word ‘proclamation’ and inserting in lieu thereof the word ‘regulation.’”

No. 2. Page 1—After clause 2 insert new clauses 2a, 2b and 2c as follows:

“2a. *Amendment of principal Act, s. 19—Power to declare goods and services—*Section 19 of the principal Act is amended—

- (a) by striking out the word ‘proclamation’ and inserting in lieu thereof the word ‘regulation’;
- and
- (b) by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—
- (2) A proclamation in force under this section immediately before the commencement of the Prices Act Amendment Act, 1973, shall have the force and effect of a regulation under this section.

2b. *Amendment of principal Act, s. 43—Application of proclamations, regulations and notices—*Section 43 of the principal Act is amended by inserting after the word ‘proclamation’ in subsection (1) the word ‘, regulation,’.

2c. *Amendment of principal Act, s. 44—Commencement of proclamations, regulations and orders—*Section 44 of the principal Act is amended by inserting after the word ‘proclamation’ wherever it occurs the word ‘, regulation,’.

No. 3. Page 2, lines 1 to 5 (clause 3)—Leave out all words after “is” in line 1 and insert “amended by striking out the figures ‘1974’ and inserting in lieu thereof the figures ‘1975’.”

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the Legislative Council's amendments be disagreed to.

The Legislative Council proposes to make two substantive amendments. One is that the proclamation, to be made under the Act, of goods or services to be brought under the control of the Commissioner for Prices and Consumer Affairs, shall be made by regulation and not by proclamation. That would make the administration of the Prices Act completely unworkable. What is more, it would allow what is essentially a part of Executive Government in South Australia to become a subject of disallowance by a House in which the Government does not have a majority.

Mr. Millhouse: Why would that be unworkable?

The Hon. D. A. DUNSTAN: It would become completely unworkable simply because it is inappropriate to have declarations of this kind made by regulation. We could not, for instance, have the Commissioner for Prices and Consumer Affairs coming before the Subordinate Legislation Committee to discuss the basis of his recommendations to the Executive Government and of his investigations under the Prices Act, concerning which he is enjoined to secrecy.

Mr. Millhouse: Don't you want open government?

The Hon. D. A. DUNSTAN: Yes, but not in relation to the Prices Act. We cannot have open government of that kind, because it would involve revealing confidential information which has been obtained by the Commissioner for Prices and Consumer Affairs and which must remain confidential if the Prices Act is to work at all.

Mr. Becker: Then local government does not—

The Hon. D. A. DUNSTAN: The member for Hanson is hawering; he obviously does not know what he is talking about. I do not know whether he was one of those members who used to attack Sir Thomas Playford about price control; I know that the member for Mitcham was such a member. While Sir Thomas Playford was Premier there was never any question of the confidentiality of the prices administration being breached in this way. If it were so breached, how could it possibly be effective? It is essential that the Commissioner for Prices and Consumer Affairs should not have to reveal information publicly; if he did, the whole thing would fall apart. Obviously, there would be resistance to giving information which the Commissioner now obtains, simply because competitors of a firm would be able to get information about the firm's internal workings, its cost structure and profit levels. It is on the basis of the information that the Commissioner obtains that he makes declarations. It would be completely inappropriate that such information be revealed publicly, and I wonder about the sincerity of members in even suggesting that that should be the case.

Not long ago some members opposite bitterly attacked the obtaining of information by the Builders Licensing Board on the ground that the confidentiality of business information would be breached. Apparently openness did not matter then! Obviously, the reason for the Legislative Council's amendment (and this reason was stated) is that the Leader of the reactionary forces in another place wants to substitute himself and his own coterie for the Executive Government of this State.

Dr. Eastick: Nonsense!

The Hon. D. A. DUNSTAN: The Leader in another place wants to use the minority in that place to disallow what are essentially executive actions. He claims that the continuation of nearly 30 years of prices administration in South Australia in this way is an accretion of executive power to the present Government. Actually, the administration being continued has existed in South Australia for a long time, first under the Commonwealth Government and subsequently under State administration. So, there is no accretion of executive power. Under the amendment, an executive power that is appropriate under the Prices Act is taken away and given to another place. We will not in any circumstances accept the amendment: it destroys the Prices Act.

During an earlier debate on this Bill, some members opposite accepted the view (and it was a perfectly proper one) that there should no longer be annual renewals of price control, because the Commissioner now deals with consumer affairs as well as prices. A large body of

consumer protection legislation depends on the Commissioner's powers of investigation under the Prices Act. If, in fact, that Act were to fail and if its provisions were not made permanent, much of our consumer protection legislation would immediately fail, too. In fact, we have permanent administration of consumer protection legislation in South Australia, and it is essential to retain it. Since we have committed administration of the legislation to the Commissioner for Prices and Consumer Affairs, it is absurd that there should have to be annual renewal of this legislation. That view was accepted by this place, and it should be maintained.

Dr. EASTICK (Leader of the Opposition): It is obvious that the Premier has over-reacted (or, should I say over-acted) to the situation.

Mr. Keneally: The Premier was right.

Dr. EASTICK: No. The Premier said that there should be no bar to Executive Government, and he then tried to divorce one aspect of the Commissioner's responsibilities from the other. Clearly the two aspects are tied together. The Premier has asked this place and another place to amend the legislation, which in the past has provided for annual renewal of price control. The Premier rightly said that some members on this side (but, I stress, not all) said that they could accept the validity of his argument because it was tied to consumer protection. In abolishing the system of annual renewal of the legislation, the Premier is changing the long-standing practice of the Executive Government having to come face to face with the people of the State, through the Parliament, to seek annual renewal of the legislation.

If the Premier wants the Executive Government to take upon itself greater powers by having the continuing provision, which I personally support, it is necessary that there be a check somewhere in the system, and the check is obviously that which has been provided by members in another place by altering the word "proclamation" to "regulation". In his over-reaction, the Premier has suggested that there may be a breakdown in confidentiality and that the Commissioner for Prices and Consumer Affairs will be subject to the scrutiny of the Subordinate Legislation Committee. However, there was no need for the Premier to react in the way he did, by suggesting that the whole system of confidentiality would break down as a result of the scrutiny exercised by the Subordinate Legislation Committee following the adoption of the Legislative Council's amendment.

Mr. Keneally: Rubbish!

Dr. EASTICK: I believe that the Premier destroyed his own argument by suggesting that the Executive Government should take over all power and not be subject to the scrutiny of anyone.

The Hon. D. A. Dunstan: Rubbish! I did not say anything of the sort.

Dr. EASTICK: By asking us to defeat the amendment, the Premier implied that he did not want his Government to be subject to scrutiny by Parliament.

Mr. Keneally: Rubbish!

Dr. EASTICK: It is not rubbish at all. If the honourable member had been in the Chamber and heard the Premier, he would not say that I am talking rubbish: he would say that the Premier was talking rubbish. As I believe that the amendment of another place to change the word "proclamation" to "regulation" is perfectly proper, I support it.

Dr. TONKIN: Circumstances were such that I was unable to speak when the Bill was before the Chamber previously. I think that an important principle, which we must not

lose sight of, is involved in this matter. However, I am certain that, as the Premier wants us to lose sight of this principle, he is blaming members of another place and imputing motives to them that are not correct. He would like to use this occasion to smear those members once again. The principle involved is that if we are to have Government by proclamation on any matter in our society we must also have a set method of reviewing the legislation involved. Until now, we have been able to examine this legislation every 12 months, as it has had to be renewed annually. It is just and right that that should be done, as such procedure is a safeguard against the abuses of proclamation and of law-making without consulting Parliament.

I do not know how the Premier can explain away that principle. If this legislation is to become permanent, I believe that the provisions relating to proclamations must now relate to regulations. Somewhere along the line there must be a regular review of everything done under this legislation. I support what the Leader has said. Can the Premier say in what way South Australia's consumer protection legislation has suffered over the last two or three years as a result of this legislation's being reviewed annually? The principle is all-important. We should have either annual review and proclamation, or permanent legislation and regulation. In no circumstances will I support permanent legislation and proclamation.

Mr. MILLHOUSE: I have never liked price control, as I regard it as both unjust and ineffective. As a Liberal, I have always opposed price control. I wish I had had more support in doing so from my former colleagues (I do not include the member for Bragg, because he was not here), such as the member for Torrens. On this occasion I am torn two ways. As a member of this Chamber, I support the decisions made by it. As the Premier is not a powerful fighter when it comes to close-in negotiations, I point out to him that all he has to do if this matter comes to a conference with another place is give no ground at all because, as a matter of policy, the other place could not afford to have this legislation lost and price control disappear at the end of the year. In these circumstances, the Premier must win, and I hope he bears that in mind.

This afternoon, the Premier has said (and Sir Thomas Playford said this to me 10 or 15 years ago) that Parliament can have no oversight of price control, for this is an area of executive Government over which the legislature can have no scrutiny, because people are sensitive about giving confidential information, and so on. That could have been Playford talking. I have always disagreed with this, because I have believed that there should not be any activity in the State with regard to which Parliament is powerless, and this is one such area. I do not accept the reasons the Premier gave for rejecting the amendments, although there may be other reasons. I suggest to the Premier that, if he is not minded to stand pat on this matter, there is one way in which the major part of his objection to the amendment providing for regulation and not proclamation can be overcome. This method should appeal to members of this Chamber, although it will not be well received upstairs. I suggest as a compromise that disallowance of regulations take place only in this Chamber and not in another place. Although that would require an amendment and would be a departure from the general rule that a regulation can be disallowed in either Chamber, it would certainly meet the major part of the objections raised by the Premier in resisting the amendment. He could well look at my suggestion.

With regard to the question of annual scrutiny of the Bill or making it permanent legislation, I must admit (and I have not spoken on this legislation in the last couple of years) that the gradual conversion of the Prices Commissioner into the Commissioner for Prices and Consumer Affairs, a conversion which was started by the Playford Government in 1963-64, has to a great degree taken away the efficacy of the annual debate on price control and the annual extension of the legislation, because many of the functions of the Commissioner are now functions which we desire to be undertaken and which I certainly support. It is absurd to suggest that those functions should be brought to an end, as they could be in theory anyway, because of the annual review. To that extent, this has cut the ground from under my feet in opposing the legislation, as I used to do; that is why I do not do this now.

I suggest it would be wise for the Premier not to try to resist both of these amendments. He should either allow the annual scrutiny of the legislation, for what it is worth (at least it allows a debate in this and another place) or go some way towards accepting the amendment relating to the question of regulation, and I have suggested how that should be done. If the Premier decides not to stand firm altogether, as I believe politically he can, I think that the most satisfactory line to pursue would be to reject the amendment relating to annual review and to alter the amendment about regulation to give the power of disallowance only to this Chamber, where the Government has a majority and where it is able to have its way after a debate; and this is the Chamber to which, as the Executive, it is responsible.

Mr. DEAN BROWN: I accept at least one of the two alternative amendments put forward. Last week, after the other place amended the Bill, there was a great outcry by the Premier that price control in this State was being destroyed. An article in the *Advertiser* of September 19 states that the Premier said outside the Chamber that the amendments certainly were not acceptable. He said that the Council's amendments were obviously designed to destroy price control in this State. In saying that, is the Premier not claiming that for many years there has been no price control in South Australia? Is the Premier throwing a complete shadow over the sort of price control he has claimed on so many past occasions has worked? I believe the Premier is simply trying to raise a bogus issue that he hopes will be swallowed by the public. However, I believe the public is intelligent and reads the newspapers sufficiently well to understand that these amendments put forward in no way destroy the effectiveness of price control in South Australia. It must be appreciated that the Premier's comments outside this House are totally unrelated to the real issues raised here.

I support the amendments. In previously speaking on price control, I pointed out the failings of this Bill. I referred to the shortcomings of price control and the ineffectiveness of it in trying to control inflation. However, I am prepared to accept price control in the short term with the genuine hope that it will hold down the inflationary spiral currently affecting South Australia and Australia.

Mr. McANANEY: I support the amendments. If I had to decide to accept one or the other, I would prefer that which requires the legislation to be subject to annual review by Parliament. I believe a big mistake has been made either deliberately or through ignorance in trying to combine consumer protection legislation with price control measures and in bringing the guaranteed price for grapes under the Prices Act.

Mr. Millhouse: It was not a mistake: it was done deliberately.

Mr. McANANEY: These are three separate matters and should have been dealt with by separate Bills. I support consumer protection legislation in situations where it protects individuals on whom hardship has been inflicted by a firm. However, I will always oppose general price control. Nowhere in the world has it been successful, and the only excuse the Premier has in supporting price control is that he was not old enough in 1948 to know how ineffective it was when it upset the general economy of Australia and was, indeed, partly responsible for the then Labor Government being voted out of office. Experts in the Reserve Bank now say that price control cannot be effective, and that inflation must be tackled at its base so that demand is equal to the capacity to produce, thereby removing the need for price control. Price control causes a disruption to the economy.

The CHAIRMAN: I draw the attention of the honourable member to the fact that we are discussing amendments made by another place to this Bill. I will not allow further debate on price control. The honourable member for Heysen.

Mr. McANANEY: On this occasion, Mr. Chairman, I agree with you. I support the two amendments, because this matter should be reviewed annually by Parliament. I agree that practical difficulties would be raised if this matter were handled by regulation. However, if the legislation is not to be annually reviewed by Parliament, then I support the amendment relating to regulation.

The Committee divided on the motion:

Ayes (21)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Jennings, Keneally, King, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (15)—Messrs. Allen, Becker, Blacker, Brown, Chapman, Coumbe, Eastick (teller), Evans, Mathwin, McAnaney, Millhouse, Russack, Tonkin, Venning, and Wardle.

Majority of 6 for the Ayes.

Motion thus carried.

The following reason for disagreement was adopted:

Because the amendments create uncertainty as to the future of consumer protection in this State and make the administration of the Act unworkable.

#### UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 12. Page 725.)

Mr. COUMBE (Torrens): The Bill radically alters the administration of underground waters in South Australia, because it transfers the control of water above the ground and of underground water to the Minister of Works, who is in charge of the Engineering and Water Supply Department. Earlier, as Minister of Works I considered making this transfer, and I indicate my support for the principle contained in the Bill. If the Bill is passed that transfer will take place, whereas there is now a division of responsibility. At present, underground water comes under the control of the Minister of Development and Mines, whereas water above the ground comes under the control of the Minister of Works. If the Bill is passed, all this State's water resources will come under the control of the one Minister—the Minister of Works.

I agree with the provision in the Bill that, in future, the Mines Department will still be responsible technically and physically for all well sinking and bore sinking. I commend

the Mines Department for the work it has done in this area. What the department does, in regard to underground water, is that it carries out its boring activities on behalf of the E. and W.S. Department as client. When it is necessary that underground waters be examined and explored for the E. and W.S. Department, it is the Mines Department that does this work, and I believe that the Mines Department does an excellent job. I realize that some bores are successful whereas others are not, but this is in the way of things.

As I understand the Bill, the Mines Department will still be required to carry out all bore and well sinking for the E. and W.S. Department. To give an example of what I believe will happen, in the Adelaide Plains (where severe restrictions have been placed on the use of underground water, on the sinking of new bores, and on the installation of meters), the E. and W.S. Department will be responsible for the metering and control of the volume of water taken from the bores. Having had personal experience in the sinking of bores and having been down many wells to install pumping plant, I know what problems can arise. Precedent exists for the transfer of control of water resources to the one Minister. One has only to think of the Murray River, which is a peculiar example of the division of authority. Two departments are responsible for the Murray, but they both come under the Minister of Works, who is responsible for the volume of water that may be drawn from the river for irrigation and for the operation of the locks and barrages. The Minister of Works, as Minister of Marine, is also responsible for navigation, jetties, wharves and landings on the river. The Minister of Marine also has control over speed boats, I hope that his authority in this respect will be extended in the future.

We are considering the future water resources to be used for domestic and industrial purposes throughout the State, and all members realize the real need to conserve all possible sources of water in this State. Therefore, it is logical to assume that the control should be exercised by one Minister. Under the Bill, I am pleased to see that the Mines Department will still be responsible for the sinking of wells but, once a well has been sunk and tests have been conducted, the Engineering and Water Supply department will assume control. When I was a member of the Public Works Committee, the committee examined underground basins in this State, particularly those on the West Coast. Salinity problems and the volume of available water from underground aquifers have been ascertained. The water that feeds into the main near Lock is a good example of control by the E. and W.S. Department, and it is logical to me that this kind of control should continue.

The clauses of the Bill are formal and provide for the necessary machinery to implement these matters, and it is these principles which the Minister is asking us to accept. However, what we must realize is that South Australia has only a limited volume of water available to it.

The SPEAKER: Order! The honourable member is drifting away from the terms of the Bill, which deals not with underground waters but with the transfer of authority from one department to another. The honourable member must link his remarks with the Bill.

Mr. COUMBE: I will connect my remarks with the Bill. Because we have only a limited supply of water in South Australia, that is a further reason why one Minister should be responsible for the investigation of possible sources of water as well as for controls on the use of

water. I stress for the Minister's benefit the matter of investigation, which is part of the whole idea of preservation. If the Minister is to preserve the State's underground waters, he should pay attention to the Adelaide Plains and ascertain why the water level there has dropped so remarkably and disastrously during the past few years. This matter has been of concern to successive Ministers of Works, and I know that the present Minister is concerned that the underground water supplies on the Adelaide Plains are not being replenished. This subject may have some connection with the South Para reservoir. That is a matter of conjecture, but it is tragic that those waters are not being replenished.

Dr. EASTICK (Leader of the Opposition): I support the Bill. The Minister has explained that it is one of a series of measures to give effect to certain of the Government's announcements. One gathers from the second reading explanation that several of the measures to be introduced by this Bill are transitional and that in due course, when Government departments have taken other action, amending legislation will be introduced to delete some of the provisions of the Bill before us and replace them with new provisions.

The Hon. J. D. Corcoran: Not as far as this Bill goes.

Dr. EASTICK: Several provisions seem to have a transitional phase and I consider that they will become superfluous when the other Bill is introduced to give effect to a new department or a change of administration. In particular, the Minister has said:

This transfer of responsibility is in keeping with the overall plan of, eventually, placing responsibility for the preservation and development of all water resources in this State in the hands of a single authority.

We have accepted that concept. Later, the Minister, referring to a section of the present Act, states:

This section contains a reference to the Director of Mines, and the amendments will provide that a reference in the Act to the Director can be read as a reference to the appropriate officer of the Mines Department or the Engineering and Water Supply Department, as the case requires.

In other words, there will be no clear definition of who is meant, although obviously, in the changing emphasis within the departmental system, provision will be made for the right person to be so defined. I ask the Minister when it is contemplated that the legislation will be introduced to give effect to the measures that the Government proposes to reorganize the whole water resources and water control administration.

We acknowledge that the Minister has said that the prime purpose of his visit overseas is to examine various methods of administration in this field, and we expect that the measure finally introduced will contain benefits similar to those enjoyed overseas and will disregard the disadvantages. I ask the Minister whether he will give the House an indication of the time table contemplated so that members will know whether they are considering provisions that will operate for a short to medium term or whether the difficulties that I foresee about not knowing who is responsible to whom under the provisions of the Bill before us will obtain for a long time.

The Hon. J. D. CORCORAN (Minister of Works): I thank those members who have spoken, for their support of the Bill. Regarding the specific queries raised by the Leader of the Opposition, first, this Bill is not a transitional move. The provisions will be a permanent feature; that is to say, this is really the first action in a chain of events. The main event to occur will be the introduction of a Bill for what we will call, for want of a better term, a Water Resources Act. This will not replace the Bill

before us but it will be a comprehensive measure designed to set out legislatively what is now contained in a series of Acts, such as the Waterworks Act.

I hope to have that measure drafted early next year. I want to achieve that because at present we are inquiring in several countries overseas and I want a base from which to work when we go to those countries. As I have said, I will take overseas with me the Parliamentary Counsel (Mr. Daugherty), and we shall be able to examine legislation in other countries, see what happens there in practice, and then adapt it to the South Australian scene, because we have in this State peculiarities that do not exist in other parts of the world.

Following that, I hope by the end of next year (that is the earliest time that I contemplate we could do so) to have the legislation passed and operating. In the meantime, administrative changes will be taking place within the department to gear it to take over this function when the legislation is passed. Those changes are beginning right now. We are examining a reorganization of the department so that the body responsible for the total water resources of the State will be built up gradually to handle its task.

As I have said, I think it is the most exciting thing that has happened in the E. and W.S. Department for many years. In addition, there is now a fragmentation of responsibility in this regard, as the Leader and the member for Torrens have said, and we are trying to remove this. I think it sound for the Government to have a single authority developing and administering policies, rather than to have the present position. That is not to say that we will operate in technical matters without the expertise of the officers of the Mines Department: they will continue to help in respect of those technical matters as they have done in the past.

Bill read a second time.

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

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to exemptions of wells from application of the principal Act.

Motion carried.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Powers of board."

The Hon. J. D. CORCORAN (Minister of Works): I move to insert the following new subclause:

(3) If in relation to a well being a well to or in relation to which, pursuant to the regulations, all or any of the provisions of this Act do not apply—

(a) any work is carried out;

or

(b) any change of use occurs,

and as a result of, or as a consequence of, that work or change of use any provision of this Act, that did not apply to or in relation to that well, will apply to or in relation to that well and that work or change of use was not carried out or did not occur in pursuance of a permit, the owner and occupier of the land on which that well is situated shall each be guilty of an offence.

Penalty: Two hundred dollars.

This amendment is consequential on a further amendment, which will have the effect of exempting certain wells from all or some of the provisions of the Act. The purpose of the amendment is to ensure that any work or change of use carried out or occurring in relation to an exempt well, the effect of which would cause the well to cease to be an exempt well, shall only be done under a permit. Under the Act, the Minister does not have power to exempt certain wells or bores. It appears that in the South-East, which is defined under the Act, there is

over-control regarding many shallow domestic and stock bores, which are constructed by the primary producers themselves. It is not the intention of the Government or of the departments involved to over-control the situation. Although it is advantageous to obtain geological data regarding these bores, it is not necessary for this information to be obtained in the manner in which it has been obtained in the past: it can be obtained in another way. However, the Government considers it desirable to have some flexibility. As Minister, I cannot vary the regulations as I wish without amending the Act, and this is the reason for the amendment.

Mr. COURCE: I realize that minimum interference with individuals is preferable, and I appreciate the Minister's point regarding statistical data that may be required. When I was a member of the Public Works Standing Committee, the committee had to investigate the proposed construction of the Tailem Bend to Keith main. Members saw on the maps supplied to them the number of wells that it was thought would be valuable. However, when evidence was taken, it was found that many of the wells that had been sunk south of the railway line were extremely saline. Some would not even support stock. As a result, there was little development in that area. I suppose the Minister is seeking control to provide geological and other statistical material regarding many wells, such as those to which I have referred, that are on private property. I hope that in the administration of the new clause the Minister is careful to ensure that a minimum of interference takes place in relation to taxpayers on whose properties wells are situated, because this provision is, after all, related merely to the seeking of information.

The Hon. J. D. CORCORAN: The amendment is, as the honourable member has said, designed to ensure a minimum of interference to primary producers. Initially, it was intended that every well beyond a certain depth would be controlled. However, because of the vast number of bores involved, many of which are fairly shallow, the situation has changed. I wish to widen that provision, so that, although they will be licensed, we can require well drillers to produce data that has in the past been sought from farmers. Indeed, the data that will be received in future will probably be more accurate than that which has been received in the past. It is not intended to over-control the farmer or private citizen.

Mr. COURCE: I take it that the restrictions imposed on wells on the Northern Adelaide Plains, which I believe are necessary, will continue to apply?

The Hon. J. D. CORCORAN: The amendment simply gives the Minister more flexibility than he has had in the past. I was surprised to learn that I had to amend the Act before I could amend the regulations. I suppose I could have done so by increasing the depth stated therein, but that could have caused problems because certain persons could be irrigating, and it is that aspect with which we are far more concerned.

Mr. COURCE: Will all persons engaged on drilling wells of a certain size have to be registered in future?

The Hon. J. D. CORCORAN: No bores can be sunk in a defined area other than by a licensed bore driller, as is the case at present. This is good policy because, as the honourable member would know, unless proper casing is installed and proper construction occurs, tremendous wastage of water can occur. The bores that will be released from control as a result of the amendment will not necessarily have to be constructed by a licensed bore driller. This was the main complaint of primary producers, who pointed out (and reasonably so) that, if a bore suddenly

sanded up and they had to go through the procedure of obtaining a permit and getting a licensed well driller to do the job, they would be in real trouble. Obviously, they would use their common sense and not do that. However, we could not tell them to break the law. So we have to cater for the situation and it must be a commonsense approach. If it is found in two or three years time that this is not working in practice, we still have the power to come back and vary the regulations. That is what I am seeking by this amendment.

Mr. EVANS: I support the Minister being given power to vary the regulations. There are examples in the Northern Adelaide Plains of gravel bed bores 80ft. (24 m) deep and the aquifer of the deep bores being down to about 250ft. (76 m). Some of the primary producers there argue that they have been unjustly restricted in the water they can use. In that area I hope the Minister takes into consideration in future, when he is bringing bores under his control in any area for watering services or for stopping the depletion of resources completely, a fairer system of assessing the amount of water to be made available than was used in the case of the Northern Adelaide Plains, where one primary producer told the truth about how much he had produced and how much water he had used in the previous five years and another primary producer told a pack of lies, but there was no way of checking and the former still has much more trouble today in getting water than other people do. It is a case of the honest suffering and the dishonest being privileged.

Amendment carried; clause as amended passed.

Clauses 5 to 7 passed.

New clause 8—"Regulations."

The Hon. I. D. CORCORAN: I move to insert the following new clause:

8. Section 61 of the principal Act is amended—

(a) by inserting in paragraph (d) after the passage "providing that" the passage "all or any of";

and

(b) by inserting immediately after paragraph (d), as so amended, the following paragraph—

(da) providing that all or any of the provisions of this Act shall not apply to or in relation to any prescribed well or any well of a prescribed class or kind and prescribing conditions, limitations or restrictions that shall be complied with in relation to any such well or any such well of a prescribed class or kind.

The purpose of this amendment I think I have already covered generally, but it is to provide greater flexibility in respect of the power to make regulations under section 61 of the Act. At present, if it is necessary to control wells of a certain type (for example, those over a certain depth used for irrigation purposes) it is necessary to control all wells in the defined control area which are over that depth even though the same control measures may be unnecessary as regards, say, wells used for stock and domestic purposes. The amendment contained in clause 8 will ensure that wells in respect of which control measures are not necessary can be exempted thus avoiding unnecessary restriction on landholders.

Dr. EASTICK (Leader of the Opposition): I seek from the Minister an indication of the present situation of people having a licence for a quantity of water (mainly in the Northern Adelaide Plains). The Premier announced in November, 1971, that the quantity of water to which they were entitled would be allowed them; and yet in subsequent licences they have been restricted to a percentage of the actual amount they had used previously. On many blocks the people to whom I refer recognized a responsibility for the water resources of the State and undertook voluntarily to

reduce their crop plantings so that they always had some water to use in times of drought or in unfavourable growing conditions. They kept a supply up their sleeves, so to speak, which was not subsequently required if the season was favourable.

Adjacent to them were people who not only used but also over-used their water entitlement and, when the next licences were issued, they were tied to the amount they had used, although I am led to believe that those persons who had over-used their supply were given the option of either using less water than their entitlement in the following year, and remaining within the amount permitted by the new licence, or suffering prosecution. It is important to realize that those people who have fulfilled an obligation to their fellow men have been placed in the invidious position of not being able to make adequate plantings in subsequent years to return them enough produce to maintain their standard of living. That may be an over-simplification of a complex matter but, nevertheless, it is unfortunate that some people are virtually being given an opportunity to act against regulations, with Government support, when there are people who have played the game all through and are being adversely affected by observing the regulations. Will the Minister comment on that? It is a recurring problem that is constantly being referred to my office from people in the Northern Adelaide Plains area and people who are constituents in my district and in adjacent areas.

The Hon. J. D. CORCORAN: The Leader will appreciate that I have little to do with the administration of the situation in the Northern Adelaide Plains, because I am not yet responsible for that. I know something of the problems, hardships, and difficulties that have arisen and I appreciate that the Leader is well aware of them because his interests lie in and adjacent to that area. It is a pity, but this unfortunately does occur from time to time because of lack of proper information coming to the department. That is why it is important to have the controls, to get the data we need to control the situation properly and to be fair if restrictions must be imposed. A similar situation exists in Padthaway, where there has been unrestricted irrigation. We have no data of the previous use of water there, yet we are facing a situation where we are almost at the limit of the water resources, and we shall soon have to say to those people, "We are sorry but, until we can ascertain the situation, we cannot let you carry on as you have done in the past." That would be a similar situation to what has occurred in the Northern Adelaide Plains.

We return to the fact that we have not in the past had the sort of control we needed. From now on, that sort of thing should not happen, because we shall have the required information. I do not really know the answer—there seems to be no answer. We have a serious problem, of which the Leader is fully aware. I think the draw-off is about four times as much as the intake (or recharge). I hope that the investigation will be completed in less than 12 months and will provide information that may partially or completely ease the present serious situation.

Dr. EASTICK: Does the Minister support the concept that persons who fulfil their obligations under the regulations and directions of the department will have their future position safeguarded, but that persons who transgress will receive the attention of the department and will not be at a greater advantage than those who have fulfilled their obligations?

The Hon. J. D. CORCORAN: Any breach of the regulations should be dealt with and, *prima facie*, I can

give that assurance. The regulations are designed to protect the assets of these people, but some people are not playing their part in preserving these assets.

New clause inserted.

Title passed.

Bill read a third time and passed.

#### LAND COMMISSION BILL

Adjourned debate on second reading.

(Continued from August 29. Page 608.)

Dr. EASTICK (Leader of the Opposition): I make no apology for the fact that members on this side will oppose the measure, and the previous Opposition speakers in the debate have stated that this would be the case. It does no credit to the Premier that he has seen fit to enter into a public debate in the press arguing with and accusing people in another place of holding an attitude that they have not yet been able to express on the floor of the House. A statement in the *Sunday Mail* of September 9, under the heading "Government facing battle", states:

South Australia's real estate building and commerce industries have joined to fight the State Government's proposed legislation on price control of housing and land.

That measure is somewhat different from the present legislation, but it is associated with its general aspects. Similar comments are contained in the *Australian* of September 14, and in the *Advertiser* of September 13 the Premier warned that the Government would not be pressured by profiteers over its land prices legislation. I accept that we are not dealing with that legislation, but the Premier has introduced two measures that tie closely together. The Premier then made some comments about the statement by the Leader of the Opposition in the Upper House (Hon. Mr. DeGaris), who accused the Premier of seeking to hide the real intention of the proposed legislation, a statement that had been made at Keith. On September 14, the Premier said that drivel was being talked about land prices, and he told the Master Builders Association that the Government had a mandate to implement the control of land prices. The Bill is an integral part of this legislation.

Members who have spoken in this debate, in using various terms to define their attitude to this measure, have indicated the effect it will have on the rights of individuals. It is destructive; it is certainly disruptive; and I believe it eliminates all those things we have sought for many years to preserve for people in the community. From its contents the measure clearly indicates that a person will have no rights, and his whole business, his living, his home, and any parcel of land can be taken from him without any right of appeal or without the chance to register his protest. An individual can protest by speaking to the press or by making announcements on street corners, or by some other means, but this measure allows no opportunity to take his case to a court and to obtain justice against a decision that can be shown to be against the interests of individuals and the community. It is a particularly dishonest piece of legislation, especially when the Minister, in his second reading explanation, said that similar legislation would pass all Houses of Parliament in Australia. At present not a House of Parliament has passed this legislation.

Introduced in Western Australia in May this year, it is still on the Notice Paper in the Upper House, and the Government is not willing to bring it on for debate, because it recognizes that this legislation is contrary to the best interests of the community and that the Bill will be defeated. In other States no action has been taken to introduce similar legislation. If the Premier and other members opposite were truthful about the present situation they would accept that the basic cause of our land

problems is high demand in a situation of short supply, and the Government is largely responsible for the position of short supply.

Quite recently Mr. Solomon, a Fellow of the Commonwealth Institute of Valuers, speaking at the A.N.Z.A.A.S. conference in Perth, made some very pertinent points, some of which have been mentioned already by my colleague the member for Fisher. However, I wish to restate one or two matters and to introduce others arising from the paper presented to the conference. Speaking on that occasion, Mr. Solomon said:

There has been little reference to the improved services and standards continually imposed by Government and semi-government instrumentalities, as a factor. Much of this improvement is warranted, and causes a justifiable increase in price. For instance, one would never suggest that we could sell lots today without roadways, water, and, where physically possible, sewerage.

No-one would deny this, but I make the point to the Premier and other members opposite that the requirement for these Government or semi-government services will cause the cost structure to increase. With wages escalating as they are at present, the cost of servicing such areas will become higher and higher, and it is a cost directly attributable to Government direction.

I do not believe that the increased standards required of subdividers are always related to the true needs of a new community. Some of the measures required of subdividers are greater than is necessary. It has been said in some places (and certainly by Mr. Solomon on the occasion to which I have referred) that some requirements relate to standards that may be of questionable validity. Surely this is not a logical rationalization of measures introduced by Government direction. Mr. Solomon also said:

We continue to find ourselves in a situation where Government and its planners continue to blame rising prices totally on so-called speculation and the private enterprise system, still unable to see the harmful effects of their own policies.

I refer Government members to the situation in this State which has unfolded to an increasing degree since December last and in which the services provided by the State have been inadequate and unable to process the necessary material. People who bought blocks of land in December last, who have been denied access to the land because there has been a hold-up in relation to the work of the State Planning Office or because the Lands Titles Office has been unable to make the title available, and who have thus been unable to commence building, as a result have suffered the effect of the inflationary trend of 18 per cent that exists in the building industry. In other cases, blocks have not been serviced, because the Engineering and Water Supply Department or other departments providing services have been unable to meet all the demands being made on them. As the services are provided the cost is considerably greater because of the escalation in the wages component in the cost of providing the services. Therefore, much of the blame for increasing land prices falls on the Premier and other Ministers, for they have been unable to provide a system for supplying services that can adequately meet the demand.

I suggest that at present in South Australia we are approaching this subject in isolation from the rest of Australia. In May, 1973, three Bills were introduced in Western Australia. First, there was the Land Control Bill which I suggest parallels our Urban Land (Price Control) Bill. Secondly, there was the Western Australian Land Commission Bill, which parallels and is similar to the Bill now before the House, although the Western Australian Bill is less destructive of human rights

than is our Bill. Members opposite, in the Bill before the House, subscribe to several provisions that are far more devastating in their effect on individuals than are the provisions subscribed to by Labor members in Western Australia in the Land Commission Bill there. In their Bill, which is still awaiting discussion, Western Australian Labor members gave more consideration to the requirements of individuals. The third Western Australian Bill was the Salvado Development Bill, which is somewhat similar to the Monarto Development Commission Bill that we will debate later. Mr. Solomon states:

The stated aims of these proposed laws—  
and that refers to the three Bills introduced in Western Australia—

are to provide a means of moderating urban land prices and improving the urban environment, most commendable aims in themselves and certainly provoke no criticism from me. What they do propose in reality is an enormous increase in Government power, both State and Commonwealth, and the possible total removal of individual land rights.

Again, in considering the statement by Mr. Solomon to A.N.Z.A.A.S., I submit that the provisions that he was describing as being repressive to the individual are not as repressive as those introduced by the Premier here. Mr. Solomon continues:

To fully understand the possibilities within these Bills in their present form, whilst maintaining a desire for democratic processes, is to wish their total destruction. Certainly, in those few words he expresses the attitude of members on this side. The Commonwealth Government has made announcements about the Commonwealth Department of Urban and Regional Development (D.U.R.D.), the monster which is to be created in the Commonwealth system. The department's proposals have been forced, by the directives of the Surfers Paradise conference, upon the Australian Government and certainly on State Labor Party Governments. Mr. Solomon continues:

Compare these soft-sell remarks with the following references to D.U.R.D. and its function.

The remarks he referred to relate to the appointment of a Royal Commission by the Commonwealth Government to inquire into land tenure, and this has been linked to the Government's proposal. The Premier of Western Australia said:

A rational study of the Bills will show that they are designed to operate under the existing conditions applicable to this State.

In connection with references to D.U.R.D., Mr. Solomon quotes the "supervision of Australian and State land commissions". That appears in an advertisement calling for personnel for the Department of Urban and Regional Development; in other words, there will be direction from Canberra in connection with State activities. The previous speaker has already pointed out instances where the appointment of members of the commission will be subject to the approval of the Prime Minister. The references cited by Mr. Solomon continue:

These commissions will acquire land.  
That means that the Commonwealth Government, together with the State Government, will acquire land. The references continue:

Development by development corporations with planning, programming and construction functions.  
This is what members of the Canberra monster will undertake. The references continue:

Disposal of such land on a leasehold basis except in exceptional circumstances.

A decision has already been made that disposal will be on a leasehold basis, even before the committee of inquiry, which is currently taking evidence in respect of land

tenures, has made a decision. After reading the reams of material put before the inquiry, it is not difficult to see a clear pattern unfolding; the evidence given to the inquiry comes down forcibly on the side of freeholding. It would not surprise me, judging by the evidence given to the inquiry, if the committee found in favour of a freehold system. This matter will be decided in the future but, before the committee has reported to the Commonwealth Government, that Government is seeking by way of advertisements in the national press a person who will be part of the system that disposes of such land on a leasehold basis except in exceptional circumstances.

Obviously, the Government, if it is going to follow the philosophy stated in the advertisement, has set up an inquiry only to pretend that it is interested in the people's views. Actually, it has already made a decision for leasehold tenure. The quotations that I have given were from the cities report presented to the thirtieth A.L.P. conference at Surfers Paradise last July; I have also referred to the content of the advertisement inserted by the Commonwealth Government.

The economic and trade committee of the same conference recommended the following addition to the economic platform:

In recognition of the need for more of the total finance to come from the Australian Government, the Australian Government should involve itself in planning of functions for which it provides finance.

This is a further extension of the octopus; another tentacle is going out—a clear indication by the A.L.P. conference that the Commonwealth Labor Government will be tied by this direction. We are being asked to pass a Bill that will give this State Government the authority to undertake that sort of policy. Is it any wonder that members on this side have indicated that they will oppose the Bill? Clearly, the statement made at Surfers Paradise and contained in the advertisement (now part and parcel of the Labor Party's platform) is a further move towards nationalization of the land and housing industry; not a word is coming forward from the other side to dispel that belief.

A commentator recently suggested that the people of Western Australia were being used as guinea pigs in connection with the introduction of land control, a land commission, and land development. Actually, South Australians are the guinea pigs now, and they were also the guinea pigs in relation to amendments to the conciliation and arbitration legislation which were brought forward in this House before they were brought forward anywhere else in Australia. A number of provisions from the A.L.P. and the Australian Council of Trade Unions have been brought forward for public airing in this House, and attempts have been made by members opposite to force them on the community. Western Australia may have been the guinea pig in one regard; the three Bills were introduced into the Western Australian Parliament last May but, clearly, the Premier of Western Australia and his colleagues have recognized that it is more than they can undertake.

They cannot accept the responsibility of being the guinea pigs in this area, because they saw in the Balcatta by-election a clear indication of what the community will accept from a Government that is out of step with public opinion. In that by-election there was a 30 per cent swing from the A.L.P., a swing brought about through recognition by the people of Western Australia of the type of measure that the Government was seeking to introduce. That guinea pig situation back-fired, because the Western Australian Government did not have the support of the people. It is therefore trying to back-pedal to save itself from a major defeat at the next State election.

I refer to several statements made by the Minister when introducing this Bill. His first words were:

It deals with an important aspect of the Government's policy of arresting spiralling land prices and of promoting orderly and efficient urban expansion and development.

Is this really the Government's policy, or is it a policy determined for it by Canberra? Does this Government really support this policy to the extent it claims, or is the Government willing to act as the guinea pig on this occasion and to hammer another place when it shows a responsibility to the community and either withholds support of the measure (and another place will make its decision when this Bill goes before it) or alters the Bill in keeping with the community's requirements? Time alone will tell what action is taken.

Mr. Chapman: The same thing may happen here as in Western Australia: they may leave it on the Notice Paper.

Dr. EASTICK: It will not surprise me if that is done, unless the Premier gives us a hysterical rendition, as we know he is so capable of doing, and tries to hammer members in another place.

Mr. Keneally: Are you saying you support minority rule?

Dr. EASTICK: The member for Stuart will have an opportunity to make his contribution shortly, and it will be interesting to see whether any member opposite has the right to stand up and make a contribution and indicate his opinion of the Bill or the effect it will have on the people members opposite claim to represent. The second reading explanation stated:

The South Australian Government will co-operate with the commission in the performance of its functions—

the commission in this instance being that set up by the legislation. We now find that the fears which I, as well as many people in the community, have expressed on this matter are fortified by the statement:

Only with substantial direct Government involvement in the land market can orderly and efficient development be achieved. The Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem.

What action is being taken by all State Governments to give effect to that claim? The explanation continues:

The Commonwealth Government has made undertakings to assist the establishment and development of land commissions in all States. In particular, technical assistance and substantial financial assistance will be made available to the South Australian Government to ensure that the vitally important aims of the Land Commission are realized.

At what cost is this assistance to be made available to the South Australian Government? At what sell-out figure has the Premier allowed the Commonwealth Government to intrude into the affairs of this State? We know what is involved in allowing the Prime Minister to have a say in who shall be members of the commission, but what other sell-out factors are involved? We are clearly seeing another example of the forced centralization, which is a feature of the Commonwealth Government and another example of the attitude adopted so frequently by members of the Commonwealth Government delegation at the recent Constitution Convention, at which those members were more concerned with playing politics than with getting down to realities and the need to change the Commonwealth Constitution. Indeed, on many occasions during, before and after that convention the people of Australia have clearly indicated that they want no part of a central organization's denying the rights of the individual or destroying the State.

The Hon. D. J. Hopgood: The people have contacted you?

Dr. EASTICK: I have been contacted both before the convention and subsequent to it. I refer to the press reports or to the *Hansard* reports of proceedings in other Parliaments which clearly reflect the public's attitude to the centralist activities of the Commonwealth Government. I ask the Premier when he closes this debate to say what States other than Western Australia have acted in relation to this matter.

I refer to a question asked of the Premier in the Western Australian Parliament last week and to the reply that the Bill on this matter might be introduced for debate the next week (not that it would be introduced but that it might be introduced: surely, a situation in which that State is backing away from this responsibility). In regard to the situation in Victoria, [I have most up-to-date information showing that there is no Bill of this kind before the Victorian Parliament. However, a Bill in a much amended form from the original will possibly be introduced in about three weeks. Further, I point out that a conference has been called by the appropriate Tasmanian Labor Minister for all responsible State Ministers to discuss the States' approach at a meeting to be held in Melbourne on Friday next week.

Mr. Coumbe: How does that square with the reference to "all States"?

Dr. EASTICK: True, it is most significant that this conference is called by a Labor Minister to discuss and sort out this matter before the States get themselves further into trouble. If the Commonwealth suggestion were accepted in its present form by all the States, would not the ultimate result be effective, although indirect, Commonwealth control of all urban land and prospective urban land in Australia? This possibility horrifies anyone who stops to consider it, but that is the real crunch in these provisions. One comes face to face with that reality. Will it not divert enormous sums of public funds into an area away from present State projects that currently enjoy and would continue to enjoy (but for legislation of this kind) funds from the private sector? Will it not have to be a Government-sponsored or Government-funded project that will deny the infusion of public sector funds currently being used in this area? Of course it will.

One could extend that situation further and ask: does it not also come face to face with the reality of the fact that the Commonwealth Government and State Labor Governments would like to control the total funds of the Commonwealth? That is the natural extension in the nationalization of resources which has been accepted and agreed to. If private funds are still required and are not taken over by the State, would it not introduce a new purchaser with unlimited funds, thereby causing a further increase in prices?

Would prices not escalate in this field through bringing in unlimited Commonwealth funds? Would not auctions also increase the cost, or are they to be Government-arranged auctions, the Government being the only buyer? Obviously, if we are to have a series of auctions, we will not be able to control prices. This fact, associated with unlimited Commonwealth funds, would cause a worsening of the situation. Would not leasehold lead to confusion where adjacent projects were being developed on either a freehold or a leasehold basis? Where existing projects were integrated and dove-tailed into projects to be undertaken on a leasehold basis, would there not be confusion? I suggest that there would be confusion, despite weak assurances that may be given now.

Mr. Keneally: Tell me how!

Dr. EASTICK: I suggest that the Australian people have shown clearly for a long time that they favour freehold. If the member for Stuart, who is making a play for recognition in this debate, refers to a press article dated August 25, he will find that, in a national opinion poll, 80 per cent of the Australian people indicated that they preferred freehold. Would not a reduction in the supply of freehold land, by replacement with leasehold, have an inflationary effect on freehold? Of course it would, for the same reason that 80 per cent of the Australian people prefer freehold. The introduction of a massive amount of leasehold land would result in a large increase in the value of freehold land because of the clamour of people in the community to obtain the freehold land that was left.

Would not the State Land Commission lead to a new bureaucracy paralleling the new Commonwealth bureaucracy in the same field? This would result in the introduction of a completely new area of Public Service activity, which I suggest is unnecessary and unwarranted. Would this not presuppose that Government instrumentalities function more efficiently and economically than does private enterprise in this area? Unfortunately, this has not happened in the past, and I cannot see that they will work more efficiently in the future without a real change in emphasis and the direction given. Would not the proposal to have a land-banking operation (and this is what the measure proposes), to be effective, necessitate the buying of raw land more cheaply? Would the commission not have to purchase land which currently has little or no urban component in it? Clearly, if the commission wanted to buy cheap land for future use it would have to go into an area in which there was no present urban component in the cost structure associated with that land. Would it not be natural, then, to expect that the commission (one that is so closely a part of a doctrinaire Government, such as we in South Australia now suffer in both the Commonwealth and State spheres) would exert heavy pressure on planning authorities release in the planning process to land purchased by the Government? Would not the commission be leaning on those areas it would be set up to serve (the Government sector) against the private sector?

It is all very well to say that public servants would not be a party to such a situation, but let us be frank and realistic: if pressures were applied at, say, Ministerial level, there would be competition which would favour the Government operation as opposed to the service that the private sector could expect. Would not the land-banking operation instead of a planning authority be determining the areas of future urban growth? Clearly, it is of no advantage to this State or to the other States to be implementing this oppressive piece of legislation, which has been introduced at the behest of the Premier. In conclusion (although it is on a slightly different subject), I shall read a letter that appeared in the *Advertiser* of July 18, under the heading "U.K. Health Scheme", as follows:

Sir, Mrs. Barbara Bray (14/7/73) asks why Conservative Governments of Britain have not revoked the British National Health Scheme.

The writer's letter answered the point by asking another question:

How do you undo rape?

(Howard Brown, North Adelaide.)

I believe that the situation here is clear: we are being asked to accept a piece of oppressive legislation against the best interests of the people of the community. Government

members know this, but they are being directed from Surfers Paradise and from the Australian Council of Trade Unions headquarters in Melbourne, and they are unable to speak for themselves. They are asking us to scramble an egg so that it cannot be unscrambled later. To paraphrase Mr. Brown, how do we undo the serious defects in this Bill once it has been passed?

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

Mr. KENEALLY (Stuart): I support the Bill. In a way, I suppose that the Leader of the Opposition has provoked me into speaking in this debate. Opposition members appear to be paranoid because Government backbenchers do not continually participate in debates on Bills that have been introduced. Of course, there is good reason for their not doing so. For Government members to be required to back up their Ministers in this House, they would need good argument from the Opposition, and that has not happened since the commencement of this Parliament. Another reason why members of the Government backbench would be called on to speak in debates would be if an Opposition member made more than an ordinary stupid remark. I cannot claim to be speaking in this debate because I want to answer any argument that has been put forward: no such argument has been put forward.

Mr. Coumbe: Are you going to make stupid remarks?

Mr. KENEALLY: As the member for Torrens has sensibly interjected, one or two rather stupid remarks have been made, and I should like to comment on them in due course. The main reason why this Bill has been introduced is that it will not only provide in South Australia a land tenure system that will benefit the people but also that it was part of the Labor Party's policy at the 1973 State election. Honourable members will recall that the Labor Party went to the people with this as part of its policy. In his policy speech, the Premier said:

Labor will keep the price of land down. We will not in South Australia allow metropolitan land prices to escalate as they have done in Sydney, Melbourne and Perth. In conjunction with the Commonwealth, land will be purchased, subdivided and placed on the market by Government authorities to ensure an adequate supply of land at a reasonable price. If this measure does not halt the escalation, price control of land will be introduced. We will peg prices at a specific date and allow thereafter only increases in value through development costs and changes in general monetary value.

In other words, we put to the people at that time a policy that would enable every citizen in this State to have land and a house at a reasonable price. I am sure every Opposition member agrees that that is a good policy and that it has not happened under the present system of freehold, where prices have escalated beyond all recognition. It is no good for members opposite to suggest that the leasehold system as applied to Canberra is a failure when we have the freehold system in Melbourne, Sydney, Perth, and now in Adelaide: this obviously is a failure. It is interesting that Opposition members suggest that the system of leasehold tenure in Canberra is a failure.

This point has been made not only by the member for Fisher but also by the member for Davenport. Strange though it may seem, the stupid remark made by Opposition members and repeated by the Leader this afternoon is what induced me to speak in this debate. One would have given him credit for having more common sense, but he may have thought that he needed to support one or two of the less intelligent members of his Party. Before commenting fully on what the member for Davenport has said about the leasehold system, I should like to read to the House two extracts from his speech, to show how inconsistent he has been. At page 605 of *Hansard* he was

dealing with two points in a policy to keep down prices of land, and he said:

The first point is that the general inflation at its present level will cause land prices to rise and people will put their money into land, so that the best way to control land prices is to control general inflation. The second point is that we should try to control the supply of land in relation to the demand for it.

He was invoking the old economic principle of supply and demand. He said:

The second factor that creates the inflationary spiral in connection with land prices is the short supply of land in relation to the demand.

Once again he suggests that we should have an adequate supply to satisfy the demand, so he suggests that the supply and demand principle will level out land prices, but then he quoted a report in the *Canberra Times* of August 3 of a statement by the Commonwealth Minister for the Capital Territory (Mr. Enderby). The report that the honourable member quoted states:

The Minister is quoted as stating that he saw "little chance" of a halt to rising land prices other than the hope that demand and supply might eventually be brought into balance.

One would have thought that the member for Davenport would support that and agree with it, because that honourable member had said twice that that policy might work. However, this is what the honourable member went on to say:

What a pitiful statement from a Minister trying to administer a proposal that the Government in South Australia is now trying to implement in this State!

Obviously, it is all right for the member for Davenport to say it, but it is no good for a Minister in the Australian Government to say it.

Dr. Tonkin: Where do you stand?

Mr. KENEALLY: The honourable gentleman will find that out soon. The worst feature is that the member for Davenport also said:

To say the least, it is a shame that the South Australian Government has not been able to learn from the mistakes made by its friends in Canberra. I quote from a book *Canberra in Crisis* by Mr. Frank Brennan. Referring to the situation in Canberra, to land values, and to the spiralling inflation that has taken place there, at page 181 he states:

Dark clouds are gathering over Australia's experiment in land nationalization. The rosy dawn predicted by its sponsors is beginning to look suspiciously like a sunset.

That is a quotation that the member for Davenport has taken from Mr. Frank Brennan's book *Canberra in Crisis*. The honourable member commented on that book and said:

What fitting words for the catastrophe that has taken place in Canberra and for the catastrophe the South Australian Government would like to see take place here! I hope the people of this State fully appreciate the disaster being brought on their heads. I think I have shown clearly that, under leasehold, land prices will spiral as great as (if not greater than) that experienced under the freehold system. The evidence from Canberra clearly supports this statement.

Other Opposition members have put forward that argument about Canberra, stating that the leasehold system there has been a failure. Because of this statement by the member for Davenport, the present Minister of Development and Mines took the trouble to write to Mr. Frank Brennan, the gentleman who had been quoted as an authority on the leasehold land system in Canberra. We thought that, if he was an authority, he might like to comment on what had been stated in this House, as his views would be of great interest to us all. Accordingly, I should like now to refer to the following letter we have received from Mr. Brennan, the expert on this matter who has already been quoted:

I refer to your letter of the 13th instant *re* the South Australian Parliament debate on legislation to *inter alia* control land prices. I acknowledge myself to be the author of the book *Canberra in Crisis* and of numerous newspaper articles and letters on the Canberra land debacle. My general campaign has been that the social evils of private property in land can be eliminated only by a change in land tenure from freehold to a universal state leasehold tenure. Such a change is, I submit, an immediate practical political objective in newly emerging urban areas. I was therefore astounded to read the speech by Mr. Dean Brown in which he made use of a very restricted quotation from my writings to bolster a rather weak argument against the principle of leasehold. Mr. Brown's assessment of the Canberra land situation was superficial and thus inadequate and misleading.

There is no need for me to repeat this, as the Leader can read it in *Hansard* later. The letter continues as follows:

Mr. Brown's statement that land prices in Canberra between 1962 and 1970 were stationary is correct. His statement that land prices in Canberra have risen dramatically since 1971 is also correct. However, his conclusion that this proves that under leasehold land prices will spiral at a rate as great as (if not greater than) that experienced under freehold is patently absurd. It ignores the fundamental changes made to Canberra land tenure as from January 1, 1971. As from January 1, 1971, land rent was abolished, a so-called reserve price scheme was instituted and thereafter Canberra land was being officially and popularly acclaimed as "virtual freehold". I condemned this fundamental change in chapter 11 of my book. I condemned it again and again in the newspaper war of words which broke out and continued until April, 1971, when the Senate finally approved the ordinance effecting the change. One of the most consistent of my warnings against the abolition of land rent and the reserve price scheme was that henceforth Canberra land would sell at freehold prices. In chapter 11, I wrote—

and this is prior to the amendment of the ordinance—

... all land has a rental value and if the Commonwealth does not get this value the lessees will and rent will be capitalized into land prices . . . inevitably land prices will rise and rise steeply. Here is a gift to the first 23 000 lessees in Canberra. But what of the next 23 000? Whereas the first 23 000 lessees were 46 years coming to Canberra, the second 23 000 will come within six years. They will have to pay . . . for their homes, shops and offices against the ever-rising barrier of high land cost . . .

Mr. Brown should have also read that part of chapter 11, which read:

The Canberra leasehold system may survive as a fiction but it will be meaningless . . . future generations will demand the freehold . . . they will certainly have paid for it . . . but whether they get it or not is really of little consequence. They will already have freehold in fact if not in law.

It is pertinent to note in this context that many large-scale land developers—including Lend Lease Investments' Chairman, Mr. G. Dusseldorf—ridicule any description of Canberra land tenure as being one of leasehold. The term "virtual freehold" is now well established as a description of Canberra land tenure. Mr. Brown was most ill-advised to refer to the Canberra experience as evidence that leasehold was a catastrophe. The very opposite is the truth. In so far as leasehold was allowed to operate in Canberra it was successful. However, leasehold was all but finished in Canberra on January 1, 1971. You are at liberty to publish or make use of the contents of this letter as you desire.

We received not one letter but two letters from Mr. Brennan, who made some other points in his first letter that could with some benefit be read to the House and indeed to the member for Davenport.

Mr. Coumbe: Is this all your own work?

Mr. KENEALLY: I do not stand up in this Chamber and profess to be an expert in the land tenure system as do some members of the Opposition. However, I am quoting to Opposition members the comments of an expert who has already been quoted by them. If they

want to criticize me for this, they can do so. He was quoted by the honourable member as an expert who was a critic of the leasehold system.

Mr. Dean Brown: I did not say that at all.

The Hon. D. A. Dunstan: You implied it. You said he was a critic of the leasehold system. You know how dishonest your comment was. It was utterly unethical and dishonest.

Mr. KENEALLY: Had I been as eloquent as the Premier, that is exactly what I would have said. When the member for Davenport referred to the remark "Dark clouds are gathering over Australia's experiment in land nationalization" and so on, he did not read the next sentence, and Mr. Brennan asks why it was ignored. It is as follows:

The leasehold system of land tenure has not failed in itself but its operation is being obstructed and destroyed by indifferent administration.

As I may be repeating points that have already been made, it is important that I read the following three paragraphs of Mr. Brennan's second letter:

The figures quoted by Mr. Brown accurately evidence the dramatic rise in Canberra land prices. It is, however, ridiculous to conclude that this rise proves that land prices will spiral under leasehold at a rate as great as (if not greater than) that experienced under the freehold system. Mr. Brown concedes that during the years 1962 to 1970 the price of land in Canberra was low and basically stationary. He did not mention, however, that during those years Canberra land was subject to an essential characteristic of leasehold, for example, land rent. When the rent was abolished and "virtual freehold" instituted land prices had to escalate.

During those years the leasehold system applied in Canberra. In 1970 an amendment to the ordinance in Canberra changed the system from a rental to a reserve price system and, indeed, changed the whole concept of leasehold, as Mr. Brennan has clearly said. He also said that it would be misleading for one to claim that land price increases in Canberra have coincided with inflation. I have already made that point, and it does not need repeating. The honourable gentleman read a book containing 219 pages, obviously trying desperately to find therein some argument to support his peculiar view on land tenure, and then he misquoted this author. This surprises me, because he should have known before he read to page 181 what Mr. Brennan's views were on land tenure. At page 78, for example, Mr. Brennan says:

The land struggles of the nineteenth century had receded into history and Australians of the commission era, reared with the idea of freehold land, had come to regard it as a birthright.

Obviously some people still regard this as being the case. Mr. Brennan continues:

Land ownership signified social status. It was the hallmark of success. A man's worth was assessed by his land and bullocks and whether he was a returned soldier. If the right of property ownership was an unconditional right, and it was so regarded, any reference to its obligations was dismissed as nonsense. For whether the obligations were fulfilled or neglected the right continued unchallenged and indefeasible. Urban leasehold land tenure with its multiple restrictions on ownership was an unwelcome if not frightening deviation from the norms of the free enterprise freehold society. It was a restriction on that basic liberty which entitled the economically strong to lawfully maim the weak in a civilized society.

I submit that this is the very argument that the honourable gentlemen opposite are advancing now. At page 98 of *Canberra in Crisis* Mr. Brennan says the following (which I am sure the member for Davenport would have read):

Freehold is simple, understandable and profitable for a few who will always warmly advocate it. It offers glittering prizes. Its evils are monstrous but condoned.

For members opposite supporting the freehold system to quote Mr. Frank Brennan in their arguments is ridiculous. This is typical of the honourable gentleman who, during his short time in this Chamber, has misquoted figures and misrepresented arguments, and even in Question Time today he was up to his old tricks in relation to the Minister of Agriculture. Obviously, the honourable member would be better served to stick strictly to the facts.

If in quoting Mr. Frank Brennan as a supporter of the leasehold system I have not quoted an expert who is sufficiently well accepted by the Opposition, I will quote from Mr. Hugh Stretton later. Hugh Stretton, of course, can well be regarded as an expert by the general consensus of opinion of this House but, before I quote from his book, I refer members opposite to a series of articles that have appeared in the *Canberra Times*, and in particular to an article that appeared on September 17, 1973, which is fairly recent and probably relevant to the situation that applies in Canberra. The *Canberra Times* is not a radical Socialist document dedicated to the downgrading of the private enterprise ethic. It has this to say in a leader article in this series:

The *Canberra Times* has advocated the policy that no real improvement will be made in the system unless and until there is a return to the pure leasehold system on which Canberra was founded.

That is the editorial policy of the *Canberra Times*. It may pay members opposite, and particularly the member for Bragg who is muttering so that no-one can hear him, to read these articles; if he read this, it might improve his knowledge of the land tenure system. I quote again from the article of September 17, 1973:

There will never be a land tenure system so perfect that it involves no difficulties and offers no opportunities for abuse but leasehold is the system most likely to benefit the community in the greatest measure, to prevent rank speculation and greed in land transactions, to exert a permanent and structurally inbuilt downward pressure on the costs of home ownership and, as a result, on all the other costs affected by land values, including those incurred by governments in the acquisition of land for public purposes.

I suggest that is quite clear, and I am sure members opposite understand what the *Canberra Times* is getting at there. It is saying that the freehold system of land tenure in Australia has led us to the position we are in now. I am surprised I have had no interjection from the rural rump: as I have had no interjection, I must make up one myself.

One of the reasons why Australia today is such an urbanized society is the freehold system that applied in the early days of Australia, when people came to this country and wanted a piece of land to farm or on which to run stock but could not get it; so they were forced to come into the city because the country was so taken up by people who had bought land freehold that they could not get their little piece of land. They are the people, as the Premier has pointed out, who are suffering as a result of the Wakefield system.

Members opposite say that they represent the aspirations of the ordinary person—as the member for Fisher would say, the average man in the street. Members opposite would suggest that they, and they alone, are supporting the aspirations of the little man, the average working man in the community, when in fact in supporting the freehold system, as they do, and in downgrading the leasehold system, as they attempt to do, they are achieving exactly the opposite result.

Mr. Dean Brown: The Gallup poll supported us.

Mr. KENEALLY: I should like again to quote the member for Davenport's contribution to the debate. He mentioned the Gallup poll. Let us look at the question that was put to the people. The member for Davenport said:

The following question was asked of 2 156 people in six States: In your opinion should houses and flats built by the State Governments always remain Government-owned or should the tenants be allowed to buy them at today's value on easy terms?

What sort of a reply would he expect to get? If the question asked had been, "In your opinion should houses and flats built by State Governments always remain Government-owned and leased at low-lease payments or should the tenants be able to buy them on easy terms?", that would have been more honest, but that question is completely dishonest. That question was put to get the required result. To suggest that 82 per cent of the people of whom the question was asked supported their argument is ridiculous. The other 18 per cent obviously did not understand the question at all. When speaking about not understanding a question or a contribution, I must confess I listened closely to the Leader's contribution to this debate. Apart from rhetorical questions and setting up and then trying to knock down straw men, I do not know what he was getting at. I should like the time to read his speech but I shall not be given that opportunity, not that I think I would be any the wiser afterwards. Some comments made during the Leader's speech interested me. He said he was quite sure that, if this Bill was passed in this House, the honourable gentlemen in the other place would knock it out or would let it lie on the table.

Dr. Eastick: No, I did not say that.

Mr. KENEALLY: He was supported by the member for Alexandra. They delighted in saying that this Government would be frustrated by the honourable gentlemen in another place.

Dr. Eastick: No, you should quote me truthfully.

Mr. KENEALLY: I asked by interjection, which was obviously out of order, whether the Leader supported the principle that the minority House should run the affairs of this State, and the Leader did not answer. However, one of the back-benchers felt it could be an acceptable situation. If that is the sort of argument members opposite are prepared to put up, there is no justification for it. It is the same sort of argument they are putting up on land tenure. There is no foundation for that argument.

Dr. Eastick: What will the honourable member say when the inquiry comes down on the side of freehold?

Mr. KENEALLY: It makes no difference to me what the result of the inquiry is. I support a leasehold system, and this Bill proposes to implement a leasehold system in South Australia that will work side by side with a freehold system. There is nothing in the Bill to suggest the Government will do away with the freehold system: there will still be freehold sales in South Australia.

Dr. Eastick: For how long?

Mr. KENEALLY: I suggest for as long as the people in South Australia are able to get sufficient blocks of land at reasonable prices, well serviced, which they will be able to get, I believe, under the Bill; it will pass and will have the general support of the people. So long as that system prevails, it will have that support, and it will continue to do so for the good of the people. I am sure that, rather than the dire situation that members opposite threaten us will be the result of this Bill, the opposite will be the case. Anyway, I am not on my feet to support, nor do I need to support,

the Minister in his second reading speech. No arguments have been put forward that would contradict the points made by the Minister or are sufficiently strong to require answering, but some stupid, not very intelligent, uninformed remarks have been made, and there has been a quoting out of context of experts. Before I sit down, I am sure members would be disappointed if I did not read from Hugh Stretton's book *Ideas for Australian Cities*.

Dr. Eastick: Who is he?

Mr. KENEALLY: I must apologize to the House generally that my speech seems to be made up almost entirely of quotations. I am quoting—

Dr. Eastick: I have asked who he is.

The Hon. D. A. Dunstan: You know who he is. If you don't, you are a strange Leader of the Opposition.

Mr. KENEALLY: As the Premier has said, if the Leader does not know who Mr. Hugh Stretton is, I would be surprised.

Dr. Eastick: I have met him, but I want you to tell me.

Mr. KENEALLY: Then the Leader's interjection indicates to me his level of intelligence. In his chapter on "Adelaide as an estate agent", Mr. Stretton was projecting a dream, but not the sort of dream that members opposite would suggest. He 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: 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.

The Leader needs to take his argument to Mr. Stretton, and if he could usefully interject on him. I would like to see him try. The chapter continues:

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.

This is the real problem faced by members opposite: they are concerned about that. The chapter continues:

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.

I do not think I need quote any more experts to make members aware of the fallacy of the arguments put forward against the Bill. If the member for Bragg follows me, I hope that he is more expert on matters concerning land tenure than he is about finance; otherwise, we are in for a boring time.

Dr. TONKIN (Bragg): I am grateful to the member for Stuart for his clear exposition of the concern the Government has about the passage of this Bill. He has made much play of the fact that he is making a speech made up of quotes. Unfortunately, he quoted so many quotes at such a speed that it was difficult to understand the tenor of them, except I gather from the fact that he used them that they were supposed to be contrary to the propositions put forward by this side. I thought it would

be a nice gesture by me if I said nothing about the honourable member's speech: then, I thought he might be upset because, if I did not take some notice of it, he might think that he had wasted 35 minutes of the time of the House. I believe he has, but it would be wrong of me to charge him with that. During this 35 minutes he has done all the things that he has accused the member for Davenport of doing: he has quoted out of context, not at second hand but at first hand, because he quoted the member for Davenport completely out of context.

It strikes me that, for a man who is convinced that his argument is correct, the honourable member has gone to much trouble, including obtaining two long letters from Mr. Brennan, to prove that he is correct. Nothing he has said about the leaseholding of land has convinced me, and I do not think anyone else in the State will be convinced that leaseholding will in any way decrease the rate of spiralling inflation in this country. I cannot see how it will stop the cost of land rising, and I am sure that a man whom I think is as intelligent as the member for Stuart could not possibly believe that. It was a great shame that the honourable member wasted the time of the House in the way he did. One point I must take up: he presumed to speak for the average man in the street, saying that, if the average man in the street were given the choice of freehold or leasehold, he would choose leasehold. I suggest in all kindness (and I am being constructively kind) that the honourable member conduct his own survey, and, if he believes that the questions were loaded, he should frame his own unloaded questions, and note the replies he receives. I think he will find that the average man in the street is well aware of the advantages of freehold, and would come down in favour of it every time.

Mr. Duncan: He can afford to.

Dr. TONKIN: That interjection demonstrates the honourable member's gross ignorance on this subject. Obviously, from what I have said I do not support the Bill. Its major purpose, as has been stated, is to arrest spiralling land prices, and it has been described as being an important aspect of the Government's policy to combat inflation. Well, you could have fooled me! I did not know that the Government had a policy to combat inflation: it has not been evident. Secondly, it has been said that this legislation will promote orderly and efficient urban expansion and development. I am prepared to accept that this could be the case; certainly, there is a need for orderly expansion and development, so that this second aim may have some merit. This legislation is to enable a rational provision of services for land development. At this stage, I am desperately upset, because the member for Stuart is leaving the Chamber: never mind.

I believe there is a great need for a body to co-ordinate State public utilities in land development, and I welcome this aspect of the Bill. However, it is the only part that I welcome. I am pleased to see that it is intended that private contractors and public utilities will both be concerned in relation to development, and I note that the Minister has said that this will provide maximum possible efficiency. I am pleased to see that, for a change, the Minister accepts the principle that involving private enterprise will lead to greater efficiency. However, I am still not pleased about the leasehold basis and about the fact that fee simple remains with the commission. To me this seems to be a method of permanent price control. The Minister has said that he is concerned about the fluctuation of land availability and the resulting fluctuation in prices. This is supply and demand, and it varies all the time. Life is a cycle that goes up and down: this concept applies

to individuals, and we know that at times some members can be wide awake and feeling on top of the world, but at other times they feel depressed and miserable.

This is an individual part of life and a process that applies to all aspects of life generally: it applies to supply and demand and to industrial development. Of course land availability will go up and down, and prices will tend to go up and down. By accusing individuals of artificially creating a shortage of allotments by purchasing and holding large parcels of land, the Minister is using that situation as an excuse for giving the commission the power of compulsory acquisition, but that is an absurd proposition. I have received the following letter from a member of the Real Estate Institute of South Australia:

Accusations have been made against the subdividers, rather than against speculators in vacant allotments. Peculiarly enough, the small number of allotments available had, even before various announcements' were made by the Premier, eliminated most speculators from the market. Certainly, if any remain, they were thoroughly scared off by the Premier's announcement of price control early in May.

And the Premier has made great capital of the success of his scare tactics in connection with making more land allotments available. If more allotments have been made available, why on earth is he proceeding with this Bill? In these circumstances what will the Land Commission do? I believe it has no real place in our legislation. Government departments have greatly contributed to the under-supply of land, as the Leader of the Opposition and the member for Davenport said. The Minister of Works may well sit back in his comfortable seat, but his department has contributed to this problem. The inability of Government departments and councils to handle the applications made to them by potential subdividers has significantly added to the problem. It is no good the Minister denying this; actually, I am sure he is far too honest to do that. The letter also says:

The Real Estate Institute believes that no amount of price control can produce more land. The answer to the current problem is simply to provide more serviced allotments and thereby give the public a greater range from which to choose. Statements over the past two to three years by the institute have warned the Government of the likelihood of the shortage of land and the consequent rapid rise in prices. One of the major problems has been the delays in obtaining consent from the State Planning Office, together with the high cost of the provision of services (up to \$2,600 per allotment) payable by the subdividers.

Shortage of staff in Government departments may be an excuse, but I believe that the better way of dealing with the problem is to give the State Planning Office and the Engineering and Water Supply Department and other departments more staff and more facilities to cope with the present demand; that is a much more sensible and practical way, and it will have fewer detrimental effects on our way of life than will legislating for leasehold allotments and compulsory acquisition of land for subdivision. Perhaps a further look at the Planning and Development Act should be considered, too; that Act should be brought up to date so that it is in a form that is easily understood. In his explanation of the Bill the Minister of Environment and Conservation said:

It is clear that where the development of land is left entirely in the hands of private operators, development occurs sporadically and in scattered areas. This leads to inefficiency in the provision of public resources.

Actually, development occurs where there is a need for it. People who develop land that is not required will not be able to sell it, and they will very soon learn where to

develop land and where not to develop it. The Minister's explanation continues:

It is obvious that there must be some central authority with power to initiate and carry through developmental projects. The existence and proper operation of such an authority should ensure that urban expansion occurs in the most economic manner possible.

I wonder whether "the most economic manner" is the most important thing; I doubt very much whether it is. However, if this is to be so, perhaps the State Planning Office should be responsible for ensuring that this sort of development occurs. Legislation could be introduced along these lines; the Act will certainly have to be changed. The Minister's explanation continues:

Only with substantial direct Government involvement in the land market can orderly and efficient development be achieved. The Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem.

I am interested to see that it is the Commonwealth Government again! This is another reason why the legislation is being introduced: that we need uniformity. We are told that legislation of this kind will undoubtedly be passed in Western Australia and in the Eastern States. I think the Leader of the Opposition has covered that problem very well. It is obvious that the legislation will not be passed at the snap of a finger; at least all those interested had an opportunity in Western Australia to consider the Bill before it was introduced in Parliament, and that is why it is not being proceeded with at present. It is typical of this Government to bring in legislation, give the minimum possible time for consideration by the community and by the Opposition, and then try to push it through in one sitting.

The Hon. D. A. Dunstan: There was an opportunity to consider the report, and you have had plenty of time to consider the Bill, and so has the public.

Dr. TONKIN: And the public does not like the Bill. It is a pity the Premier does not listen to the public a little more than he does; he listens to what he wants to hear, and he ignores what he does not want to hear.

Mr. Langley: What about the by-election?

Dr. TONKIN: I was hoping someone would mention that. I am not a bit surprised that members opposite are so quiet about the result of the Parramatta by-election. The Minister's second reading explanation continues:

The Commonwealth Government has made undertakings to assist the establishment and development of land commissions in all States.

Welcome or not, the Commonwealth Government will provide land commissions for us; it will inflict them on every State, regardless of whether the State Governments want them or not. Of course, the Commonwealth Government is only too anxious to make undertakings because it wants to exercise control over whatever portion of the States' powers it can get its hands on. It wants to add the control of land development to the powers it is endeavouring to acquire. Thank goodness that in this country we have Liberal Governments in three States because, without them, heaven help us! Of course, if Mr. Whitlam makes another error of judgment, there will be a Commonwealth Liberal Government again. The Commonwealth Minister for Labour (Mr. Cameron) and Mr. Hawke continually say that Mr. Whitlam is making an error of judgment.

The SPEAKER: Order! The honourable member must speak to the Bill under consideration.

Dr. TONKIN: I am doing so, Mr. Speaker. I am speaking of an episode that is relevant to this matter. The Prime Minister is referred to in clause 6, and I am referring to the sort of mess this State can get itself into

if it lets the Prime Minister take control of any aspect of its affairs. What worries me more than anything else is that the State Government is only too happy to hand him South Australia on a plate.

Mr. Venning: A sell out!

Dr. TONKIN: Yes. How can anyone doubt that this is what is happening? Members on this side have been saying this in relation to many matters, and what proof there is in this Bill of this! We see the Prime Minister himself named in clause 6 as exercising control. Two of the three members of the commission shall be persons nominated by the Premier, after consultation with the Prime Minister, and the other member shall be a person nominated by the Prime Minister after consultation with the Premier. What sort of consultation will that be? I do not think the Premier will have any opportunity to dominate the Commonwealth Government; indeed, I feel sorry for him, because I am sure the Prime Minister will continue to dominate him. This is all too familiar and I will not refer to all the instances that have arisen because, provided the Opposition does its job and keeps bringing these matters to the notice of the public, the public will eventually realize the true purpose of this Bill and other similar Bills. I refer to the Premier's statement in this House this session concerning the housing situation, as follows:

The present Australian Government wishes to influence in a direct way—

that is a euphemism—

the volume of funds going to house construction and finance, the conditions under which the funds are employed and the kinds of people to be assisted by these special funds.

The Commonwealth Government is looking for direct control, and that is what this Government is handing to it on a plate, piece by piece. It is about time that this State told the Commonwealth Labor Government just what it can do and where it can go; indeed, perhaps we should say, "Go home, Gough." I believe we are being sold out by this State Government, and there are no two ways about this. We are being asked to pass, in the interests of uniformity and regardless of any other consideration or other aspects which could be taken into account in this State, legislation regarding the Planning and Development Act. We are being asked to pass this legislation to hand control of land development to the Commonwealth Government. Instead, we should tell the Commonwealth Government to take its nose out of our affairs; but this State Labor Government is not willing to do that, and the people of South Australia are waking up to what are the aims of this Government. The public is beginning to realize just how little the State Government cares for the rights and for the welfare of South Australians.

I believe the States should co-operate in all reasonable ways with the Commonwealth, but inevitably when certain State considerations arise the States' interests must take precedence. If we pass this Bill we are virtually handing over all our discretionary powers concerning land development to the Commonwealth Government and this, I believe, is part of the overall plan: I believe this has been deliberately designed, as I have said many times before on other matters. I do not support this Bill and I expect all members of this House, regardless of Party affiliations (and honourable members opposite may have the guts at some time to buck the Party line), in the interests of the welfare of South Australia to oppose this Bill. I look forward to seeing whether this will happen, but I rather suspect that pigs are more likely to fly.

Mr. McANANEY (Heysen): In opposing this Bill, I refer to the introduction of the Planning and Development Act about seven years ago when land prices were much lower in South Australia than in any other State. I do not oppose town planning, but it is a responsibility of town planning to ensure that it does not hinder the development and supply of land blocks, so that there are sufficient blocks available to stop the creation of excessive demand. This is the situation that has taken place in the last seven years, especially in recent months when measures relating to the Planning and Development Act have been intensified and development has been restricted in certain areas to allow for the development of Monarto in three or four years time.

Requests for permission to subdivide have been held up for months, and in some cases for years, and it is this delay which has created an artificial shortage of building blocks and which has increased the price of such blocks. All members realize that blocks are becoming too expensive for young people to purchase, but if sufficient applications for subdivision were approved more blocks would become available.

I believe that action at local government level such as the application of a minimum \$50 rate on an unoccupied block is necessary. This will make more blocks available. If a block is serviced it should be rated to the same extent as a block on which a house is sited, thereby ensuring that land will not be kept unoccupied for such long periods. Also, further restrictions could be placed on the number of times a block changes hands. I refer to the situation in Hahndorf where, within a period of about six months, three transfers of ownership have taken place on the one block. The first owner sold the land without having even a title, and there are still two further transfers following that sale. I believe a person should not be able to sell land for a profit until he has the title.

It is the Government's obligation to see that sufficient land is available. The Government must create the conditions under which land can be made available, rather than placing hindrances on subdivision. Members opposite are Socialists who believe that a Government department can work more effectively than can private enterprise, but I believe this is not so. Although the Housing Trust has done a great job in South Australia, it builds only a proportion of the total number of houses and, despite the fact that the trust is a favoured citizen receiving cheaper money than that available to private enterprise, I question whether the trust is really competitive.

The trust has certain advantages because it does not have to comply with the same terms of the Building Act as does private enterprise, and that is a great advantage, yet the trust was bogged down at the end of June with \$12,000,000 unspent and with acres and acres of land in reserve. The Chairman of the trust exhibited a map in the Public Works Committee's office that showed the land the trust owned south of Adelaide. The trust's areas, marked in red, were of considerable size. These blocks were not available for people to build on; yet the trust has \$12,000,000 lying idle. At Mount Barker, a housing development of 21 houses has been commenced but not finished, yet another subdivision has already been started. Can members say that the trust has done a better job in providing houses than private enterprise has done?

Mr. Duncan: Of course it has.

Mr. McANANEY: Why? One can easily distinguish the trust's housing areas, because houses built by private enterprise are usually of a higher standard and must comply with the Building Act. I am not saying that the trust

has not done a good job, but has it done a better job or has it provided more houses than private enterprise has? I know that private enterprise suffers as a result of not being able to deliver the goods; but this is because of the actions of the Government of the day, resulting in a demand that is greater than the supply. What has really aggravated the present housing situation is the Prime Minister's financial policy, as a result of which people may have land on which to build their house but they cannot afford to build it. I have the foundations down for my new house, but I am not sure that I will ever be able to live in it. It is mainly because of the Government's actions that land is in short supply. The Bill empowers the Government to sell, lease or mortgage land and to charge encumbrances. As most speakers have already said, land will be mainly leasehold.

Mr. Keneally: Who will build your house?

Mr. McANANEY: If necessary, I will build it myself. I have not been apprenticed, but I am not a bad builder. I do not think that anyone has proved that any Socialist organization has done a better job than private enterprise has done, provided that private enterprise is given a free hand by the Government. The Bill is intended to stabilize land prices in certain areas. If a house is built on leasehold land in the middle of a good area, the person who buys a lease from the Government will pay more for his house than he would if he built a house in a less suitable area. His block of land, when sold a second time, will sell for a higher sum because of the area in which it is situated. Socialists do not believe that people should own their own homes. If a person cannot own a block of land but must lease it, this will mean that the land is owned by the Government.

Mr. Keneally: Land is a fixed asset.

Mr. McANANEY: How do we solve that problem, without socializing everything so that it is all owned by the Government? Do we want Socialism in Australia, most of whose people want to own their own homes? It was earlier claimed that, if it had not been for freehold land, there would be more small blocks of land in the country. What happened when areas in South Australia were first surveyed? Houses were built on blocks that were too small. Where I was living until recently are the ruins of about six houses that were built in the early days of the State, but the owners could not make a living. It is wrong to say that the freeholding of land prevented people from going on the land. The truth is that the original allotments were so small that they had to be amalgamated so that the owners could make a reasonable living. When the land was originally surveyed, it was thought a township would be established every five miles, and that support for the township would come from people living in the surrounding areas. When Macclesfield and Langhorne Creek were surveyed, the people living in the surrounding areas were unable to support the towns. So, to say that there would be more people on the land if it had not been for freeholding is not correct.

Queensland is a hill-billy State because of its leaseholding of land. I know of a large firm which developed considerable areas in Tasmania and which wanted to move its operations to Queensland. The firm wanted land, but the Queensland Government said that it could have only leasehold land. As a result of this, the company did not transfer to Queensland. Queensland is so backward because of its leaseholding of land. It has some of the richest country in Australia, but it suffers because of its leaseholding of land. I think that the Minister's second reading

explanation was one of the weakest I have ever read. The Bill provides that the commission will be responsible for the integration of public services. The Government decided that the Mount Barker area should have a common effluent scheme, whereas the drainage committee has come out in favour of deep drainage, and this conflict of opinion has delayed the provision of houses in the Mount Barker area. The Government should determine its future policy so that private enterprise can carry out its job, as it has done so well in the past. The Government must show that it is able to plan ahead and integrate the servicing of blocks so that the council will not do something that must be changed soon. In Mount Barker at present the planning and development people are holding up the development of blocks, saying that the land on which many houses have been built should be open-space area, but it would cost more than \$500,000 now to buy that area.

Mr. Venning: That doesn't bother them.

Mr. McANANEY: No. Most of the houses are surrounded by trees and cannot be seen from 50yds. (about 46 m) away. I do not know whether these houses are spoiling the environment. One of the top planners in South Australia went up there and asked, "What are you going to do about industry?" He did not know that there was industry there: there is a tannery employing 300 people, as well as a glass factory and the Jacobs smallgoods firm.

Mr. Duncan: When are you going to tell us about the Bill?

Mr. McANANEY: We are debating whether to have a Socialist system of developing land or a private enterprise system and I am pointing out the weaknesses that arise when too much planning is involved. An area should be developed along a certain line.

Mr. Duncan: What has this Bill got to do with the tannery at Mount Barker?

Mr. McANANEY: I think we should get back to the Bill; otherwise we must listen to the inane remarks of the member for Elizabeth. In his second reading explanation, the Minister also said:

In addition to the problems to which I have already referred, it is clear that, where the development of land is left entirely in the hands of private operators, development occurs sporadically and in scattered areas.

We have town planning legislation in operation now and I have admitted that difficulties arose before the legislation came into effect. However, there was the advantage that, if a person looked ahead and bought a block of land a year or two before he retired in an area where he could see that development would take place, he would get a block cheaply. The planning and development legislation has provisions dealing with sporadic development, but the problem would have been solved if the planning and development authority had not delayed subdivision and hindered natural development.

The Minister is saying that the present legislation is not being administered efficiently, because we still have this problem. The Minister is also saying that the Director of Planning has not done his job properly, because we are still allowing these difficulties to arise. We say that the difficulties are arising because the Director of Planning did not allow a sufficient area to be developed or subdivided. The Minister also said:

This leads to inefficiency in the provision of public resources.

At present, the private subdivider must provide most of the facilities in a subdivision. He will not build sporadically, because that would cost him more money. Once again, the Minister has said that the legislation has not operated

successfully, and surely we do not want a further development of something that is not operating properly now. As I have said, I oppose the Bill. If a land commission is established, it must have power to lease, but if the Government intends, as has been said not in the second reading explanation but by Government members in their speeches and interjections, that all this land will be leasehold, I am more firmly convinced that we must vote against the measure.

Surely a person should be able to make up his own mind whether to rent a house or buy one. We often talk about the basic rights of individuals, and the Prime Minister has said that we must protect those rights. A person will be deprived of the right to make up his own mind what to do if we tell him that, if he lives on a leasehold block, he will get finance from the Commonwealth Government, at a low interest rate. That money is provided by the taxpayers and to tell a person that if he lives in a house on leasehold land he will pay less than if he lives on freehold land is to deprive him of the right to decide for himself.

I am not opposed to a Government's taking action in absolutely fair competition with private enterprise, because I have sufficient faith in private enterprise to believe that it will do a better job than will a public authority. However, when the public authority is financed by public money to the disadvantage of the person who wants to decide for himself, I strongly oppose that. We are getting more and more cases in which people are told that, if they do certain things through the Government, they will get money at a lower interest rate and that, if they want to act on their own skills, they are bad eggs and cannot have the same privilege or competitive ability.

I strongly oppose the Prime Minister's having the right to nominate members of a State authority. Although I am only a bush lawyer, I doubt whether such an arrangement would comply with the Constitution. I submit that as something for members to knock down if they can. Surely this authority will be employed by the people, and the Commonwealth Government money that this State gets should not have tags on it, because the people of South Australia provide the money in the first place. The Commonwealth Government has not yet paid back any surplus money that it has had since the agreement was made and put in the Constitution in 1901. Surplus money paid by the people of South Australia should come back to this State to be spent for South Australians.

The Prime Minister is not going too well, as has been shown recently. He has said, "We represent the urban people and we will do everything for them. To heck with the rest of the people." However, the people of Parramatta told him that they did not think he was doing too well. They also told him that they did not want to pay 9 per cent interest on land that they bought, because in the long run they would be worse off. The Prime Minister has said that he may introduce an arrangement that will give people an income tax concession for interest paid on mortgages. He said this would cost the Commonwealth Government \$100,000,000, but those receiving these higher interest rates will soon be paying higher income tax and the Commonwealth Government probably will soon get an extra \$200,000,000 from them and therefore do fairly well out of the scheme.

However, this will not help the young man who must borrow money at high interest rates to purchase land. In the past six months I have had more young people come to me in difficulties through the actions and inefficiencies of Governments than has been the case in the whole 10 years

that I have been a member. This number will increase if we have this interference with the natural course of business by authorities for whom I have much respect as individuals but who collectively are becoming a drag and a burden on the community. They are paid far more than the rest of the community and they work under better conditions.

The Hon. D. H. McKee: Speak to the Bill, Bill.

Mr. McANANEY: The Minister of Labour and Industry should refer to me as the member for Heysen. Other speakers have emphasized certain points, which I think I have covered. I strongly oppose the setting up of an authority that will take charge of land, as this one will, and, indeed, I strongly oppose leasehold tenure, the introduction of which has not proved successful anywhere.

Mr. VENNING (Rocky River): I, too, oppose the Bill.

*Members interjecting:*

Mr. VENNING: Members opposite seem surprised that I should be taking this course. Despite that, I commend my colleagues who have spoken (and particularly the member for Heysen, who has just resumed his seat, for one of the best speeches he has made in this Chamber). He is a practical man on the land who has had much experience in an area to which this situation applies. It has been said in this country that Australia would never become a Communist country because its people like to own their own homes and some land. This State Government, with the help of its colleagues in the Commonwealth sphere, is certainly not fostering this situation. It became most evident to Opposition members when this Bill was introduced that it is part of a master plan of the centralist Commonwealth Government, which Government members opposite have been told to call the "Australian Government" but which Opposition members know as the Commonwealth Government of Australia. The Royal Commission which has been set up to take evidence regarding council boundaries is also a part of the master plan to which I have referred. In introducing this measure the Government is trying to foist on to the people of South Australia something that they neither want nor appreciate.

The member for Stuart said in this Chamber tonight that the young people of South Australia prefer to lease land on which to build their houses, but that is not so. It is only human nature that a person likes to own his home and take a pride in it rather than having the State Government as his landlord. In its policy speeches the Labor Government has talked about the leaseholding of land. Indeed, in 1965, when the Labor Government first assumed office in South Australia the first thing it did was to stop the freeholding of lease land. It is, therefore, a part of its policy (and it has been so for years) to abolish private ownership of land and for the Government to own everything. I can recall the Premier, prior to the last election, criticizing us and saying that we had let prices get out of control. He said that if the Labor Government was re-elected it would stop this trend. However, since then prices have continued to increase. In his policy speech, the Premier said:

We seek a State that gives its people security—a State in which everyone willing to work can find employment, and a State in which everyone can afford and find good housing.

One takes it from that comment that, if one is not willing to work, one does not have to do so and that the Government will, nevertheless, find accommodation for one. The situation has been covered fairly well by my Leader and colleagues, and therefore I do not intend to speak at length this evening. The Prime Minister has said that the

Commonwealth Government will establish these commissions throughout Australia, a situation that has been referred to frequently tonight. The Western Australian Parliament has had a similar Bill before it for some time. However, it received a warning in the by-election that was held there a few weeks ago, to the extent that it has decided not to proceed with the legislation. Also, I believe that last weekend's Commonwealth by-election could affect the attitude of the Commonwealth and State Labor Governments.

It has become apparent to me that, when the Prime Minister talks about various Socialist matters, and particularly when he refers to South Australia as the State which is going so well, he does so because South Australia is swallowing the Commonwealth Government's policy hook, line and sinker. Thank goodness for the Governments of New South Wales and Victoria, which are not browbeaten by such measures as those to which this Government has had to agree as a result of approaches by its Commonwealth colleagues. In introducing the Bill the Minister referred to the reason for doing so, and my colleagues have already referred to various aspects of it with which we totally disagree. The Bill will certainly increase costs considerably. I have watched the development of the Labor Government, particularly in this State, and its various activities, and I have seen how matters can get bogged down by red tape. It is difficult for one to get anywhere with anything, and I have compared the situation obtaining here to that which obtained previously with private enterprise, when people cared and when one could achieve something. But what happens when one tries to do that today?

The DEPUTY SPEAKER: The honourable member has been speaking for eight minutes, for very little of which he has spoken to the Bill. I therefore ask him to confine his remarks to the Bill.

Mr. VENNING: There seems to be a change of attitude tonight.

Mr. Simmons: Don't you think—

Mr. VENNING: As far as the setting up of this commission is concerned, it is all very well for the member for Peake to have something to say. He told us clearly when we were dealing with the Companies Act that this country would be better served by a Socialistic economic system, and he made no apology for saying that. That comes out from time to time in his attitude on various aspects of legislation that comes before this House. The setting up of this commission, where the Commonwealth Government has its nominee together with the State nominees, indicates how the Commonwealth is encroaching on our State rights, as has been previously stated. The Commonwealth is prepared to provide money to set up this commission in South Australia. Money never seems to be any problem to a Labor Government: it seems to buy its way by setting up commissions and paying them large salaries to get people on the side of the reports they issue. The Minister said in his second reading explanation:

The existence and proper operation of such an authority should ensure that urban expansion occurs in the most economic manner possible. Only with substantial direct Government involvement in the land market can orderly and efficient development be achieved.

My colleague, the member for Heysen, this evening has pointed out clearly the situation as he has found it in housing development in his own area. In its early days, the Housing Trust did a fairly good job, particularly under a Liberal and Country League Government in this State. Unfortunately, with the red tape produced by this Govern-

ment, the trust is being bogged down and, as has been stated by the member for Heysen this evening, it ended the last financial year with \$12,000,000 unspent. Usually, private enterprise can find a way of spending money quickly and getting houses built but, through being bogged down by regulations and because of the difficulties created by Socialistic set-ups, the trust is not able to carry on as efficiently as it should. The Minister went on to say:

The Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem. The Commonwealth Government has made undertakings to assist the establishment and development of land commissions in all States.

As I have stated previously, this is part of the master plan now unfolding before us to bring all States under the control of the Commonwealth Government and, eventually, to do away with State Governments and have a centralized Government.

Mr. MATHWIN (Gleneilg): I oppose the Bill. I have previously dealt with inflation and the way in which it should not be tackled.

Mr. Payne: How would you deal with inflation?

Mr. MATHWIN: I have told members opposite many times how to deal with inflation, and one of these days they will understand the real way to deal with it—by controlling wages and prices together, not just prices.

The Hon. D. J. Hopgood: What has that to do with land?

Mr. MATHWIN: The Minister's colleague asked me how to solve the inflation problem; I am trying to assist the junior Minister sitting at the end of the front bench. The member for Stuart tried to convince members on this side of the House—but Sturt got beaten last Saturday.

The DEPUTY SPEAKER: This Bill is nothing to do with football.

Mr. MATHWIN: The member for Stuart claimed that many people preferred the leasehold system. I suggest that the member get around his district to find out what his constituents really think about it, because I do not believe for one moment that the honourable member knows the first thing about it. I turn now to the second reading explanation, which states:

The existence and proper operation of such an authority should ensure that urban expansion occurs in the most economic manner possible. Only with substantial direct Government involvement in the land market can orderly and efficient development be achieved. The Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem. The Commonwealth Government has made undertakings to assist the establishment and development of land commissions in all States.

The Minister said that all States had agreed: I find it difficult to agree with that. I suggest the easier, better and cheaper method (if that is of any interest to the Government) of doing this would be to speed up the way in which the State Planning Office deals with applications. I understand the Housing Trust has a 27-month wait for business to go through its offices, and yet I understand also, from the facts given me, that the State Planning Authority cannot process the number of applications before it, the number being between 9 000 and 10 000 a year. In fact, I believe it processes about 6 000 a year, so obviously there is a shortage of planners, as has been stated in the newspapers. If that is so and if the Government believes that is so, why doesn't the Premier do something about it. Why doesn't he try to get some people; why doesn't he advertise for people if he has not the trained staff available? Why doesn't he bring them in from somewhere else to assist in this problem that he says he is faced with of getting applications through the State Planning Authority?

The poor old State Planning Authority has been criticized by the Chief Justice for its bad drafting of the Planning and Development Act. The authority was warned about what would happen because it would not accept any amendment to the legislation that was suggested by councils. If the Government really wants to be on the ball and tackle this problem, I suggest it enlarge the staff of the State Planning Authority. There is not one Parliament in Australia that has passed this type of legislation, although the Minister said that all States had agreed to it. The Western Australian Government, which is the closest ally of the South Australian Socialist Government, nearly lost a blue-ribbon Labor seat at the last by-election; it introduced legislation on this matter, but that is still on the Notice Paper. That Government is frightened to deal with it, and I can understand why. The reason is that the legislation is no good.

I refer to a letter that appeared in the *Australian* some time ago, written by Dr. Colin Clark, of the Faculty of Economics and Politics at Monash University. It had been suggested that there was no way to beat high land prices, and he said:

Mr. Uren is still talking about establishing land commissions, undeterred by the record of utter futility of the Land Commission established by the Labour Government in Britain.

In the fiasco in the United Kingdom, the present Government abolished the Land Commission because it was useless. It did more damage than it was worth. In the *Hansard* report in the United Kingdom on July 22, 1970, in the debate on the Land Commission (Abolition) Bill, the Minister of Housing and Local Government (Mr. Peter Walker) stated:

During the period of the Land Commission and the betterment levy, land prices have risen to both local authorities and private people. The commission has not succeeded in reducing land prices but, in my opinion, has added to them. The commission's staff of about 1 000 will be dispersed progressively over the coming months. The arrangements will be fully discussed with the national and departmental staff sides.

We can see the failure of the Land Commission in the United Kingdom, but the Premier is rushing as fast as he can into the same problems and situations that the Labour Government imposed on the people of the United Kingdom in the same matter.

Mr. Jennings: He would like to do the same thing as they did there, and export you.

Mr. MATHWIN: As a taxpayer of this country, the honourable member paid part of my fare so perhaps I should thank him. If we are to consider areas in which leaseholding of property operates, we must refer to Canberra. In an article in the *Canberra Times* of August 1, 1973, relating to restricted A auctions, it was reported that in three months residential leases had risen by over 50 per cent. That is a much greater increase than has occurred in this State under freehold, and even the member for Stuart must agree with that statement. The report stated that more than 500 people crowded into the Albert Hall in a bid for only 73 leases. In the area of Spence in Canberra the first leases offered at the restricted auction brought an average of \$6,406 a block, and this is controlled leasehold land.

Mr. Kenally: No, it is not.

Mr. MATHWIN: Obviously, this is not a solution. The only advantage of leasehold is that it gives the benefit of control to the Government and, in the case of a transfer, an individual would have to apply for a form to transfer his land and would have to give a reason for transferring it. These conditions would be most unpalatable to the general public. If the commission is set up, it will be able to

purchase any person's land, and this poses another threat to the community. Australians want houses on freehold property, and a public opinion poll indicated that, of persons of all ages, 82 per cent supported freehold land against leasehold land. In his second reading explanation the Minister said:

It deals with an important aspect of the Government's policy of arresting spiralling land prices, and of promoting orderly and efficient urban expansion and development. The establishment of a Land Commission to acquire and release land on a large scale reflects the principal recommendation of the Government's Working Party on the Stabilization of Land Prices. The basic object of the South Australian Land Commission will be to ensure that residential land is freely available at fair prices.

Let us consider what the Government believes is a fair price. In another debate last week I gave information that had been supplied to me by the Government. I have additional information as a result of a further question concerning the sale of land. A block of land at the corner of Oaklands Road and Melanto Terrace, Marion, was purchased by the Government for \$7,760, and was sold for \$22,650, a profit of 191.88 per cent. Another block at the corner of Airport Road and Burbridge Road was bought for \$7,000 and sold for \$43,000, a profit of 514 per cent. These are the actions of a Capitalist Socialist Government that suggests to the ordinary person that he must not sell his land at a profit of more than 7 per cent! In his second reading explanation the Minister said that we must control prices and have fair prices, yet the Minister's own Government has made 514 per cent profit on a block of land. Another block in Cross Road, Plympton, was bought for \$12,600 and sold in July this year for \$21,000, a profit of 66 per cent. The member for Peake will be pleased to know that the Government purchased a block of land in his district, at the corner of Burbridge Road and Marion Road, Brooklyn Park, for \$720, and sold it this month for \$8,500, a profit of 1 080 per cent. If these are fair prices, I will go he.

This is a new list, and I should like to give a few more illustrations of the "fair price Government". These details would look good in the *Herald*, edited by the member for Spence! The list shows that the Government purchased a block of land in Mount Gambier for \$5,600 and sold it for \$11,500, a profit of 105 per cent. The Government also purchased a block of land in Murray Street, Marion, for \$5,000 and sold it this month for \$9,204, a profit of 84 per cent. Government members must be proud of themselves! The Government has a policy of putting the public's dollars into its own pocket. The ordinary working man must be satisfied with a profit of 7 per cent, but the Government is making a profit of up to 105 per cent.

The Government purchased a block of land in Austral Terrace, Morphettville, for \$21,000 and sold it last July for \$90,000, a profit of 325 per cent. In the same street, which is in my district, the Government purchased another property for \$14,600 and sold it for \$26,000, a profit of 78 per cent. The Minister's second reading explanation states:

The basic object of the South Australian Land Commission will be to ensure that residential land is freely available at fair prices.

The Government is happy to rip off as much profit as it can get, yet it says to private enterprise, "You are naughty boys; you must not do this." I suggest that the member for Spence should publish the following in the *Herald*, of which he is Editor: "My Government is a shocking profiteer: it has a double standard, one for the Government and one for the man in the street."

The Hon. D. J. Hopgood: Annual percentages are the only basis for comparison.

Mr. MATHWIN: The junior Minister is very upset at my remarks. Perhaps it will do him good to analyse these figures, and if he is proud of them let him get up and say so! Clause 6 provides:

The commission shall consist of three members appointed by the Governor of whom—

- (a) two (one of whom shall be appointed by the Governor to be Chairman of the commission) shall be persons nominated by the Premier after consultation with the Prime Minister;
- (b) one shall be a person nominated by the Prime Minister after consultation with the Premier.

This is real matey. Why on earth should the Premier have to go to the Prime Minister and say, "I would like to nominate these people. Whom would you like to nominate?" This is the centralist hang-up again, and it is the whole basis of the Bill. The centralist octopus in Canberra is seeking control. Clause 7 (5) provides:

The office of a member of the commission shall become vacant if—

- (a) he dies—

a brilliant provision! Clause 14 (1) provides:

The Governor may, subject to and in accordance with the Public Service Act, 1967-1972, appoint such officers as he considers necessary or expedient for the proper administration of this Act.

This is a fairly wide provision. How many officers will be associated with the commission? Will it be another empire? It was recently found that 1 000 people were associated with a commission in the United Kingdom. Is this going to be another empire involving 1 000 people? Clause 20 provides:

(1) A person authorized in writing by the commission to do so may enter upon any land and conduct any survey, test or examination that the commission considers necessary or expedient for the purposes of this Act.

This means that members of the commission will have more power than the police have. I oppose the Bill because it is another means of control and, once people are involved in this leasehold system, there will be forms to fill out by the dozen and in triplicate, and reasons will be required when leaseholders want to do anything. AU this information will be there to be used against them, giving the Government complete control.

Mr. BECKER (Hanson): Inbuilt into the Australian way of life is the desire of people to own their own home. This is something we all wish to achieve, and this legislation will deny the Australian citizen and family man the initiative and incentive to work to that end and to provide for his family. I see no reason for this legislation being introduced at this time; indeed, it is the greatest bit of huffing and puffing we have seen for many years. Of course, we have been acclimatized and are becoming used to the centralist octopus and legislation emanating from Canberra.

The Hon. D. J. Hopgood: How does an octopus huff and puff?

Mr. BECKER: Gough Whitlam and his colleagues are experts at it, and I refer to the recent statement in the Queensland Parliament by the Country Party member for Surfers Paradise, who said, "If you drop the W and M from Whitlam, what do you have? Hitla!". This legislation will place a stranglehold over the people of this State. The Bill would not be necessary if the State Government were to assist the family man in this State to buy his own home at a fair and reasonable price. I go along with the principle of trying to house everyone, because that should be our ultimate aim. However, it should be achieved through the operations of the South

Australian Housing Trust. Why cannot the trust provide land at a reasonable price for this purpose?

*Members interjecting:*

Mr. BECKER: Why cannot the trust release land it is holding in reserve? The Government does not want that, because it has developed the trust into an agency that has capitalized on the inflated price of land in the metropolitan area. When the Labor Government was in power in this State in 1968-70 it changed the trust's policy to charge home owners the full price for blocks of land. When I purchased a trust house in 1959 the land was valued at the actual cost of the land to the trust plus the cost of additional services.

Mr. CHAPMAN: I draw your attention, Mr. Speaker, to the state of the House.

*A quorum having been formed:*

Mr. BECKER: When I purchased my house, the trust was selling houses to average citizens at a price considerably lower than that of houses on the open market. The trust was able to do this because it was not capitalizing on the price of land. Of course, things changed under the previous Labor Government, including the trust's policy, and today the trust charges almost the same price for its land as that being charged for land on the open market. It has continued to revalue the land it holds and has not contributed to reducing the price of land or houses in South Australia.

Mr. Payne: That is not true.

Mr. BECKER: I fail to see why the South Australian Housing Trust Act cannot be widened for the trust to release land without having to increase—

Mr. Payne: Why is there a \$3,000 difference between the price of a trust home at Morphett Vale and the price of a similar private home on the open market?

Mr. BECKER: The honourable member can make his own speech. Why does not the trust build more houses for the people in South Australia who need accommodation? There are several thousand people waiting to purchase houses. What is being done? I say that nothing is being done. What about the family in my district who had to camp in the back of a Kombi van, because they could not get trust accommodation? It took three days to obtain rental accommodation. True, I do not expect the trust to pluck accommodation out of the air, but we should have the necessary facilities.

Mr. Langley: What did your Government do about it?

Mr. BECKER: I am critical, too, of the previous Liberal Government under Steele Hall, who proved he was not capable, and that is why he is in his present position.

*Members interjecting:*

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I rise on a point of order, Mr. Speaker. I suggest that, as interesting as this may be to the House, we have a Bill on the Land Commission before the House. I ask that the honourable member pay attention to the Bill.

The SPEAKER: The point of order is upheld. The honourable member for Hanson must confine his remarks to the Bill under consideration, the Land Commission Bill. The honourable member for Hanson.

Mr. BECKER: The Minister, in his second reading explanation, referred to the reason for introducing the Bill and said:

It deals with an important aspect of the Government's policy of arresting spiralling land prices, and of promoting orderly and efficient urban expansion and development.

We will not get orderly and efficient urban expansion and development unless we can define the needs of the population living in the greater metropolitan area. That is one of the most important things required to resolve this matter. The Minister's second reading explanation refers to the Government's Working Party on the Stabilization of Land Prices. The second recommendation in that committee's report is that the Government should consider the ways in which the subdivision and construction programme of the trust could be increased and what areas of land the trust could immediately release to private developers. My remarks appertain to that report. The Minister's second reading explanation states:

In pursuance of that object, the commission will attempt to promote integration and economy in the development of land for urban expansion in both the public and private sector.

I believe that the trust could do this. The system is there, and the opportunities have been available to the trust to achieve what we are trying to achieve in a roundabout fashion by this legislation. However, what the legislation will do is drive the private developers out of the State, because they will lose their initiative to develop large tracts of land in the metropolitan area and in the outer fringe areas. The only way we can achieve anything is by making land available but, regrettably, as it takes about two years for subdivisional plans to be approved under the present arrangements, we have the situation that exists today. The State Planning Authority is capable of handling about 6 000 applications a year at a time when we need between 8 500 and 11 000 blocks a year. The problem is whether the demand will continue, and for how long there will be a demand for that number of blocks of land each year. I believe that the Government is panicking by introducing this legislation and that this demand will be whittled down within the next two or three years.

Therefore, we should not be forced into introducing this type of legislation, because no-one likes to be told that the Government has the right to control land. To acquire land compulsorily for developmental purposes is against the fundamental principle of free enterprise and initiative. We have been told that Australia is a free country, yet we are taking away a freedom here. I have not seen the like of clause 6 before in any legislation that has been introduced; it provides:

(1) The commission shall consist of three members appointed by the Governor of whom—

(a) two (one of whom shall be appointed by the Governor to be Chairman of the commission) shall be persons nominated by the Premier after consultation with the Prime Minister;

If that is to be the pattern for the future, and if we are to create the precedent that the Prime Minister shall tell the Premier who will be on the commission, where will it end? How long will it take? What negotiations will have to take place between the Prime Minister and the Premier? What will the situation be in the other States, where the Prime Minister can say that the Governments are hostile to his Government? He will use that as a political ploy, and we will see some great performances before these appointments are made. Clause 6 (1) (b) provides that one member shall be a person nominated by the Prime Minister after consultation with the Premier. This means that we will be running around in circles and that no-one will know what is going on. It will mean free jobs for the boys and, if they are good Party men, they will get the nod. The commission's powers and functions are extremely wide and dangerous, namely, to "acquire land for present or future expansion or development, for the establishment of new urban areas".

It is all very well to say that leasehold land will be one way of the Government's controlling land prices, but certain traps are involved. The average citizen in the community wants to own his own piece of real estate and have the right to pass it on to his heirs when he dies, but that is not guaranteed under the leasehold arrangement. What the Minister did not say and what the Bill does not explain is how a person will finance his house on leasehold land. Banks in this State do not cater for building on or development of leasehold land, and I challenge anyone to try to get a housing loan from a bank for this purpose. In Canberra building societies give the first mortgage, and the second mortgage is obtained through the Commonwealth Trading Bank under special arrangements.

So, the Government is trying to kid the people by saying that it will provide fair, reasonable and cheap housing. The Government will force the people to buy the land and, to build a house on it, they will have to go to building societies and other lending institutions to obtain housing loans. The Government is not doing the right thing in this respect, because it gives with the one hand and takes away with the other, and gives a person a slap across the face as he passes. The people of Australia are becoming utterly fed up.

Mr. Keneally: The reactionaries in the banking system—

Mr. BECKER: The banking system at all times is based on protecting and looking after the interests of its depositors. The leaseholding of land has built into it certain systems that people do not like. The people will become suspicious, because this Bill is tied up with another Bill. If white collar workers are forced to go from State to State or from town to town they will find out that the traps are spelt out in the other Bill.

Mr. Keneally: What are some of the traps?

Mr. BECKER: They are in the other Bill. Another aspect of the Bill I do not like is the power of entry. I oppose the compulsory acquisition of any property. If I were fortunate enough to own broad acres I would fight to the last drop of blood anyone who stepped in and took what was mine, particularly if I had worked hard to acquire it. What I have is mine. If the Bill is passed it will take away a basic right. The member for Glenelg said that the Government had benefited from spiralling land prices. He said that a block of land the Government had purchased for \$21,000 was sold for \$90,000, which represents a 324.53 per cent increase. As the Government purchased the land seven years ago it represents a 46 per cent annual increase.

That is not a bad gain for the Government, but the Government has been doing this for several years through the agency of the South Australian Housing Trust. Therefore, why is this legislation necessary? This is the opportunity that the Government has been waiting for and it is using it at an opportune time, when inflation is running at its highest level ever in this country and when interest rates are higher than at the time of the depression. No-one in this House would want to experience another depression: certainly, we would not want a repetition of what happened in 1961, but what we are doing may have worse results than any depression this country has had.

The Government is not helping the working man or the middle-aged man, and it is not doing anything to assist the future development of the State. It is driving out investors and developers and interfering with basic rights. We are now approaching what was promised some years ago by the man who is now the Prime Minister of the Australian nation, the bright, white man Whitlam, who said that, if Labor came into office in South Australia and he

became Prime Minister of Australia, South Australia would become the model Socialist State. I take this Bill as Socialist legislation and I oppose it.

Mr. RUSSACK (Gouger): I, too, oppose the Bill. Like other members on this side, I consider that it contributes to centralism and helps the centralist octopus in Canberra. In his second reading explanation of August 23, the Minister said:

The Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem. The Commonwealth Government has made undertakings to assist the establishment and development of land commissions in all States.

Doubt has been expressed earlier today that all State Governments have agreed. The Minister also said in his second reading explanation:

In particular, technical assistance and substantial financial assistance will be made available to the South Australian Government to ensure that the vitally important aims of the Land Commission are realized.

Special assistance has been given to the South Australian Government, because we are being used as an example or a guinea pig. The Minister also said:

The existence and proper operation of such an authority should ensure that urban expansion occurs in the most economic manner possible.

I doubt that this will be an economic procedure such as has been suggested in the second reading explanation. The Minister also said:

Serviced home sites will be made available to the public on a leasehold basis, the fee simple of the land remaining in the commission.

I oppose the policy of leasehold land as outlined in this Bill. Today we have heard the member for Stuart, a Government member, saying that the leasehold system in Canberra had not created an escalation in prices of land. If that was correct, he did not say that it had not prevented the prices from increasing. I say that the system will not prevent the price of land here from increasing as has been the case in Canberra, where the price has escalated rapidly in the past few years.

The system there has proved that leasehold land tenure does not stabilize the price of land in that city, and the same will result from the introduction of the system in South Australia if this Bill is passed, although I certainly hope that it will not be passed. I challenge members opposite and ask whether they would be willing to submit their blocks of freehold land, and I would say that most of them hold freehold land. This Bill makes provision and gives authority for the commission, if it is appointed, to acquire land anywhere. This power is open and very wide. I am sure members will be pleased to know that today I have received from London a letter from the member for Kavel. He did not mention the legislation, but a significant paragraph in his letter states:

After visiting quite a few countries in Europe, I think that Australia is still a land of great opportunity, if some of our more radical elements and malcontents do not mess it up. The possibility of home ownership, for instance, is quite remote for most young couples in Europe and Britain and in most places near capital cities.

The member for Kavel has learnt on his trip that this country is a land of opportunity, but legislation such as we have before us at present will deny the people those opportunities. To be able to possess something on a basis that will produce the potential of good citizenship creates an individual pride. Many members have mentioned the constitution of the Land Commission and I should like to comment again on the fact that there will be only three members on the commission, one being the Chairman.

The Premier will, in consultation with the Prime Minister, appoint two members, one of whom will be the Chairman. We know that the Prime Minister, in consultation with the Premier, would appoint the third member.

The Bill before the Western Australian Parliament provides that there are to be 11 members on the commission in that State, three to be chosen in consultation with the Prime Minister, but the real crunch there is that the Prime Minister will choose the one who is to be Chairman. It seems that the Commonwealth Government must have the authoritative say in the handling of this legislation, whether in South Australia or in Western Australia.

Mr. Keneally: What about Victoria and New South Wales?

Mr. RUSSACK: The Commonwealth Government would have a nice job to take it, and after the next Commonwealth election the Commonwealth Labour Government will have no opportunity.

Mr. Payne: If they did not want the Commonwealth funds—

Mr. RUSSACK: That is the financial carrot that they are holding in front of every State Parliament and, indeed, every other authority, including local government. They are coming in the back door instead of amending the Constitution. Clause 9 (3) provides:

The Chairman shall preside at any meeting of the commission at which he is present, and in the absence of the Chairman from a meeting of the commission the members present shall decide who is to preside at that meeting.

That would be an amusing meeting, with a quorum of only two members, who would have to decide which of them would act as Chairman. One of the more serious aspects of the legislation is the power that the commission will have if the Bill is passed. Clause 12 (1) (a) provides that one of the functions of the commission will be to acquire land for present or future urban expansion or development, for the establishment of new urban areas, or for other public purposes. The commission will, therefore, be able to acquire land for almost anything. Paragraph (f) provides:

... to perform such other functions—

- (i) as may be necessary or incidental to the foregoing;
- or
- (ii) as may be assigned to the commission by the Minister.

The Bill gives the Minister power that I believe should be beyond his realm. Subclause (2) (a) provides that, in the performance of its functions under this Act, the commission may, notwithstanding any enactment or law to the contrary, acquire in accordance with the provisions of the Land Acquisition Act, 1969-1972, such land as it considers necessary or expedient for the effective performance of its functions. Why should this commission, comprising only three men, decide what is necessary or expedient regarding the necessity to acquire land? Powers are already available in this respect under the Planning and Development Act. Why, therefore, should costly commissions, tribunals and committees be created when the necessary mechanics and procedure are already available to the Government? Why could not those who have expert knowledge and technological expertise and who understand a profession or an industry give their services willingly, as I know they would, to assist in this matter?

Mr. Payne: Who are you suggesting—Murray Hill?

Mr. RUSSACK: I suggest anyone who has the expertise, and there are many people in this State who are involved in this profession in other States and internationally and who would willingly offer their wide knowledge. I wonder

whether this is a Government attempt to obtain additional revenue. Clause 16 (e) provides:

. . . the rent derived from the leasing of land by the commission.

Paragraph (f) provides:

. . . any income derived from investment of the fund.

Therefore, the rent derived from the leasing of land by the commission and any income derived from investment of the fund shall be paid into a fund entitled the "South Australian Land Commission Fund". We do not know at this stage what the yearly rental will be. It is all very well for one to say that it will be much cheaper than freehold tenure, but has one any assurance that this will be so? The Bill gives the commission the right to collect rent from those who are renting leasehold land. Clause 19 (1) provides:

The commission shall as soon as practicable after the thirtieth day of June in each year submit a report to the Minister upon the conduct of the business of the commission during the financial year ending on that day together with the audited accounts of the commission for that financial year.

Parliament has therefore been ignored, as the report must be submitted to the Minister only. As I understand the position, it will not have to be tabled in Parliament. However, that is only half the matter. Subclause (2) provides:

The Minister shall, as soon as practicable after receipt of the report and audited accounts, cause copies of the report and accounts to be transmitted to the Prime Minister and to be laid before each House of Parliament.

I take it that that refers not to the Houses of Parliament in Adelaide but to those in Canberra. Only the Minister receives a report, which is then passed on to Canberra and laid on the table of both Houses of Parliament. This is a move toward centralism, which will result in the centralist octopus taking over South Australia as, indeed, it would like to take over every other State. Who is running this State: this Government or the Government in Canberra? I say that it is the latter or, at least, that it would like to do so. I oppose the Bill, which imposes stringent conditions on the people of this State and which refuses them rights which are theirs and which they have a right to retain.

Mr. COUMBE (Torrens): Many views have been expressed regarding this Bill but, so that no-one will be under any misapprehension regarding my stand, I immediately indicate my opposition to it. In his second reading explanation, the Minister used high-sounding phrases to set out the objects of the Bill. He was being high toned in his use of the English language in an attempt to lull into a false sense of security those who were not examining the matter objectively. What will happen if this Bill passes? I certainly do not intend to cover the many facets that have been dealt with by the speakers. However, the real effect of the legislation will be to set up a Government land bank which will be absolutely controlled by the Government of this State. How long will it take to set up and administer this land bank? The young people of this State should examine this matter closely, because they are the ones who will want to marry, purchase houses and raise families.

Several things spring to mind regarding the introduction of the Bill at this time. Already, mention has been made of the Commonwealth inquiry on land tenure. It is an important inquiry. I do not suppose any member of this House would disagree with me on that, because it is an inquiry that is looking at the future of land tenure in Australia, and it is to make recommendations to the Commonwealth Government on it. Being a naive and simple

person, I should have thought that the State Government, being aware of this inquiry, could at least have deferred the introduction of this Bill until the findings of that inquiry had been made public or at least a recommendation had been made, because I should have thought that this would have a great bearing on future land operations in this State. After all, it is the Commonwealth Government that is making funds available. The Hon. Mr. Uren would be interested in the outcome of that national inquiry. I suggest he may be a little embarrassed if it is opposite to what he expects. Therefore, I say first that the Government should have awaited the outcome of that national inquiry before introducing this Bill. I now make the other point touched on by the Minister of Environment and Conservation when introducing this Bill. In his second reading explanation he said:

The Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem.

That has been quoted already today, because not all States are agreed on this: they do not all agree that this is the most effective way to solve the land price problem. So, the Minister's statement contains a flaw. It has been announced today that there is to be a conference of Ministers later this week. Surely, this Bill could have been deferred until after that conference had been held. It sets up a land commission to deal with land prices and development in the urban areas of this State. Being somewhat familiar with town planning legislation, I should have thought that the Government could easily, if it wanted to, achieve its object by amendments to the town planning legislation, because, although that legislation is valuable and far-reaching, it was the subject of severe criticism by His Honour the Chief Justice recently in the Supreme Court when His Honour used some picturesque language to describe it; so we know it should be amended. By suitable amendments to the State town planning legislation the same effect could be achieved.

One big problem we are facing today in South Australia with urban land (and it is the reason why many young people who want to build houses cannot do so) is the severe bottleneck at the Town Planning Office. That is an administrative matter that the Government should take care of. Here, I want to be at pains not to criticize any officers of that department; my criticism is directed entirely at the Government and the Minister responsible. One immediate aim of the Government should be to overcome that severe bottleneck at the Town Planning Office.

Dr. Tonkin: The Government does not want to; it does not suit its purpose.

Mr. COUMBE: Nothing is being done at the moment that comes readily to mind. Not only individuals but surveyors, agents, local government authorities and all persons connected with land development are being held up. It is almost a scandal today that the bottleneck should exist at the Town Planning Office. Mention has been made of the involvement of the Commonwealth in this legislation, and the composition of the commission itself has been referred to. There is no doubt that it is just another instance of the growing control of State functions in South Australia (in fact, in every State of Australia). If this legislation is eventually passed by every State, it will mean growing control by the Commonwealth through its purse strings and its making funds available with tags, like section 96. In other words, it is a form of straight-out blackmail.

I do not know how many members have studied this aspect, but are they aware, apart from the fact that two or three members of the commission have to receive the consent of the Prime Minister of Australia, that reports of

the commission must go back to Canberra? What we do in this State in land subdivision and development under this Bill, in a sovereign State, must be reported to some bureaucrat in Canberra! Does that not pull up members opposite with a jolt, or does it suit their Socialist outlook that that should be so? So, in this State we cannot lift a finger regarding land development under this Bill unless we comply with the condition that we report not to the big building in Victoria Square but to Canberra. That is one further example of the intrusion of the Commonwealth into the functions of this State; and we shall be helpless to resist the growth of this Commonwealth octopus that we are now observing.

Other members have talked about leasehold and freehold, and Hugh Stretton's book on the development of Canberra was quoted from. The flaw in the argument used by the Minister, when speaking as the back bench member for Mawson, was that Hugh Stretton was talking about the development of new cities. We are not talking this evening about Monarto: we are talking about the environs of Adelaide—at least, I hope we are.

The Hon. D. J. Hopgood: Like Christies Beach.

Mr. COUMBE: The environs of Adelaide. It is certainly not a new city. We are not talking about the Minister's district, however selfish he may wish to appear, but about the surrounds of Adelaide and other areas of urban land that will come under this Bill. I hope this is not a Mawson protection Bill but that it is to protect the people of South Australia, wherever they may be.

The Hon. D. J. Hopgood: I had not realized there were other suburbs! You are instructing me!

Mr. COUMBE: The junior Minister is realizing there are some other parts of Adelaide than the grapegrowing areas to the south. I am interested in some of the northern and north-eastern areas where there is plenty of land to be subdivided. It is ironic that the Government should complain about increased land costs. After all, the Government has benefited most by the inflated land prices of recent years. It is the Government that has reaped the profit. I am referring not to land sales but to other facets. Is it not this Government that has received the enormous returns from land tax and stamp duties, which were at an all time record last year and are very high this year? What about increases in water rates? It seems that the Government is reaping huge benefits in this way. What will be the position of young people who wish to obtain a house soon, if this Bill operates? One immediate effect is that a young couple will no longer have a free choice of where they can build their house: they will have to go where they are told to go.

Mr. Venning: And when!

Mr. COUMBE: Of course. In future the State mini-octopus (if I can relate it to the major octopus in Canberra) will say to young couples, "We are going to develop this land and you cannot build over here where you would like to build in a place with a nice aspect. In future you will build where you are told to build." That is what the Bill indicates the Government will do. It is now almost the end of September, and how long after the Bill is assented to (if it is) will all this operate? The junior Minister will set up a huge staff, and Parkinson's law will really become rampant. This Bill, if it is enacted, will empower the Land Commission, as constituted, to acquire land compulsorily. One of the functions of the commission will be to acquire land for present or future urban expansion or development, for the establishment of new urban areas, or for other public purposes. What does that mean?

Mr. Evans: A casino!

Mr. COUMBE: Is that what it will be? It could be, because the provision states "or for other public purposes".

The SPEAKER: Order! The honourable member is on dangerous ground, and should confine his remarks to the Bill.

Mr. COUMBE: Some clauses, especially clause 12, contain wide powers. Is this power really limited to urban expansion? What do we understand by "urban" expansion? Normally one would understand it to refer to the environs of Adelaide, so perhaps one could consider it as the area defined in the Electoral Act, but perhaps it means something else. Nothing indicates whether or not the Government can introduce an amendment at any time to alter "urban". I am not referring to provincial cities, but there is nothing to stop the legislation from applying to them. Obviously, "urban" has a wide definition. Another function of the commission is to promote integration and economy in the development of land for urban purposes. What does that mean? It may be that all the houses will be built together on so many hectares, or there may be some other explanation, but it is a wide and specious provision. In addition to its other powers, the commission has the power compulsorily to acquire any land that it considers necessary or expedient to acquire for the effective performance of its function. What does this mean? By clause 12 we are placing tremendous powers (and responsibilities, I hope) in the hands of the commission, which comprises three people, two of whom have to be approved by the Prime Minister, and which has to report to Canberra.

Mr. Venning: They would probably be "Yes" men, wouldn't they?

Mr. COUMBE: Perhaps. They will be given some good riding instructions on how they should go about their functions.

Mr. Payne: Your members have had some good riding instructions this evening, one after the other.

Mr. COUMBE: Is that so? The opportunity is there for anyone to join in the race, but we have not seen much of that this evening. Some do not have the temerity to join in the race. By this Bill we are setting up an organization that will tell young people where they will have to live in future, and I do not know how long they will have to wait for a house. The Government is setting up a land bank in South Australia, and it will carve up the land as it wants to and dole it out. What will be the effect in urban areas that are already built up? What will happen to the price of houses in these areas? This aspect has not been referred to by the Government members who have spoken in the debate (I think three only), but it is an important aspect to be considered.

Some members who live in the metropolitan area may be worried about what will happen to the prices of their houses, but I am more concerned about young couples who want to buy houses in the metropolitan area. An inquiry into land tenure is being conducted on a national scale, and this Bill should have been held over until the recommendations of that inquiry have been made public. Also, there will be a conference later this week; surely the Bill could have been held over until next week. The Government should first put its own house in order and get rid of the scandalous bottleneck in the State Planning Office at present. I believe in the principle of freeholding. In his second reading explanation the Minister said:

Serviced home sites will be made available to the public on a leasehold basis, the fee simple of the land remaining in the commission.

There is no mention in the explanation of the word "sell". It occurs once in the Bill, in clause 12 (2) (6). So, one can only assume that the Government's policy is to go entirely for leaseholding.

The Hon. D. J. Hopgood: That's stretching it a little, isn't it?

Mr. COUMBE: I ask the Minister, who is now an instant expert on this subject, to refer to the second reading explanation. What the Premier says is always gospel truth!

The DEPUTY SPEAKER: Order! The Minister of Environment and Conservation, not the Premier, gave the second reading explanation of this Bill.

Mr. COUMBE: There is no doubt that the whole philosophy of this Bill is related to the question of leaseholding. I therefore oppose the principle of the Bill.

Mr. MILLHOUSE (Mitcham): One would expect that, after nearly four hours of debate, every possible point both for and against the Bill (and I gather from what has been said that most of the points made have been against the Bill) should by now have been canvassed. I have not been here to listen to those points and, as none of the members who have spoken speaks for me or my Party, I presume to delay the House for a few minutes to put my viewpoint. I am against the Bill, and I refer particularly to what one can indelicately describe as the guts of it, clauses 12 and 13. If those clauses go, the whole Bill goes but, if they remain, we are giving enormous power to the Land Commission. I heard the member for Torrens touch briefly on some of these points, but I should like to go over them again, because they are so important. Clause 12 (1) provides:

The functions of the commission are as follows:

- (a) to acquire land for present or future urban expansion or development, for the establishment of new urban areas, or for other public purposes.

"Land" does not mean only vacant land: it means any sort of land anywhere, whatever may be erected on it. It may be part of a town acre (hectare) in the city of Adelaide or it may be vacant land at Oodnadatta. The purposes for which it may be acquired are as wide as the world, as a result of the use of the dragnet term "other public purposes". Goodness knows what a public purpose is. It could be anything at all. Other placita follow, some of which are even more vague. Obviously, the object of the exercise is to define the functions of the commission as widely and vaguely as possible so that it can do literally whatever it wants to do with regard to the acquisition of land. Clause 12 (2) provides:

In the performance of its functions under this Act the commission may, notwithstanding any enactment or law to the contrary—

- (a) acquire in accordance with the provisions of the Land Acquisition Act, 1969-72—

and even that is qualified later in a way that I will mention—

such land as the commission considers necessary or expedient for the effective performance of its functions.

Again, it is left deliberately vague and, therefore, wide. So, we have the widest possible definition of "functions" and the widest possible definition of power to acquire to carry out those functions. The commission is given other powers, too. We then get a laugh. I am sure the draftsman had his tongue in his cheek when he prepared clause 12 (3), as follows:

(3) The commission shall conduct its business in accordance with established principles of financial management and economy.

What on earth does that mean? It is like Sir Thomas Playford's term "good old British justice", which Sir Thomas put in when someone wanted a compromise that meant nothing. The provision I have referred to means absolutely nothing; we have the widest possible powers of acquisition. Let me give one example, which may have been mentioned by other members tonight; I am not sure about that. The example occurred to me as soon as I looked at the Bill. There has been much controversy over Myer's Queenstown project on whether the project should go ahead and whether the Premier threatened something. Some weeks ago I asked whether any legislation was likely to be introduced to prevent the project going ahead, notwithstanding the court. I got a silly-willy answer; there was no denial. Certainly, with the power given in this clause, the Government could do that. Through the Land Commission, the Government would have the power to acquire Myer's Queenstown land, and it could bring the project to an end, just like that.

Mr. Evans: The Government could build a Hawke super-market there.

Mr. MILLHOUSE: Yes, and it could certainly deprive Myers of whatever rights that organization might have. One wonders whether this is a spin-off from the Bill. In clause 30, we find that the commission may delegate not only to any member of the commission but also to any employee (this could mean even an office boy or office girl) any of its powers or functions under this legislation. I can remember debates in this House in which the Labor Party bitterly opposed the principle of Ministerial delegation, yet here we have a delegation that is extraordinarily wide by the commission to an employee or an officer (I do not know the difference) or any member. I now turn to one of the practical results of that. Clause 20 provides:

(1) A person authorized in writing by the commission to do so may enter upon any land and conduct any survey, test, or examination that the commission considers necessary or expedient for the purposes of this Act.

This can mean the entry of any premises on the authorization of someone (we know not whom, and over whom it would be almost impossible for Parliament to have any control whatsoever). These are the matters I regard as utterly objectionable in this legislation. As there are many others, I should in all fairness, having earlier referred to the power of acquisition and the Land Acquisition Act, mention the power to make regulations. Clause 21 (2) (c) provides power to make regulations which may "lay down conditions upon which the commission may acquire, deal with or dispose of land or other property". What power is that? Does that lay down conditions contrary to those in the Land Acquisition Act? Are they conditions concerned with compensation for acquisition, or are they excluded? I cannot recall previously seeing a regulation-making power in these terms, and this is an undesirably wide power. I interrupted a very good dinner to come here tonight to speak on this Bill.

The Hon. D. J. Hopgood: They'll keep the dessert for you.

Mr. MILLHOUSE: I hope they will. I was describing the contents of this Bill to those sitting around me, and we decided that one or two phrases were applicable: either we can call it "centralized Socialism" or "socialized centralism". I believe the Bill is aptly described either way. For the first time we have introduced in legislation in this State direct participation by the Commonwealth Government. Amusingly enough, it is not described as the Australian Government, but the Prime Minister of the Commonwealth Government. Those descriptions are

apt and, although it is silly to hang an argument on a catch phrase, these phrases are powerfully against this Bill. I am against it and I intend to vote against the second reading. Although I do not believe that the Bill can be cured by amendment in Committee, I believe that the core of the Bill in clause 12 is so bad, because it is so far-reaching and dangerous, that it cannot be cured by amendment. I hope the Bill will be chucked out. Although it will not be chucked out here, let us hope for once that good sense and backbone will prevail in another place and that something effective is done about it there.

Mr. CHAPMAN (Alexandra): In opposing the Bill, I point out that I have listened to speakers from both sides debating the subject, and I will refer to several points made by the member for Stuart. I will do that shortly in the hope that he will return to the Chamber when I will quote him several comments and refer to several accusations made during the day concerning criticism of the extensive powers that are to be bestowed in the lap of the Canberra centralist Party.

Mr. Evans: The centralist octopus.

Mr. CHAPMAN: The honourable member reminds me of the centralist octopus, but this Bill is only one tentacle and, because I feel it creeping up the back of my neck and smothering me, I rise to speak against the Bill. Clauses 12 and 13 referred to by the member for Mitcham begin by describing the powers that will be bestowed on the Commonwealth Government—the central Government—and the powers that will be taken away from the State as a result of the passing of this Bill, if it does pass. I cannot imagine that the Bill will be passed, despite the support it may receive from members opposite, because I cannot foresee the Bill passing through another place.

This Government did not have a clear mandate on being elected on March 10 to introduce Bills with such wide powers: with powers being taken from the State and directed to the central Government. I should like the State Government to take this issue back to the people, to test them and to see whether the people of this State agree to have a leasehold system of land occupation in lieu of the freehold system currently in existence, which many of them now enjoy. I wish the member for Stuart were here, because he said earlier this evening that he would have a system of leasehold tenure in preference to freehold ownership. Does the honourable member really understand the encumbrances that go with leasehold tenure?

Mr. Mathwin: He wouldn't.

Mr. CHAPMAN: I do not know whether he does or not, and I was surprised to hear the member for Stuart refer to this matter today. For the sake of those who are not aware of the encumbrances involved with leasehold tenure, I refer to some of the stumbling blocks leaseholders must face before they can obtain finance to expand premises, raise funds or obtain bank loans to extend structural improvements and develop land. I refer to structural improvements and the development of land, because nowhere in this Bill is it suggested that the Bill's effect will be confined to the metropolitan or urban areas alone.

Much reference is made to the acquisition of land in the metropolitan area and near-metropolitan areas, but nowhere is it suggested that the rights to be taken from people in this State may not be lost in the outer areas and in the rural sections of our community. Regarding the point T raised about the encumbrances to be encountered by leaseholders, the Crown Lands Act clearly spells out the conditions under which a lessee will occupy his land: he will enclose the land with a cattle-proof fence before the

end of the fifth year of his lease. He will keep in good repair all Crown improvements, if any, on the land. He will clear so as to render available for cultivation or so as to improve the grazing capacity thereof. The Minister will decide how much of the land he may clear and develop. Forthwith, he will commence to destroy and keep the land free from vermin to the Minister's satisfaction. The lessee, as occupier of a perpetual lease, must not sublet or sell the land without the Minister's written consent.

Mr. Mathwin: The Minister has complete control.

Mr. CHAPMAN: Yes. The lessee cannot even erect a fence with the native material on his own leased land without the Minister's permission. These are the kinds of encumbrance he must face as a leaseholder of rural land. Although I do not have sufficient information to enable me to give the actual encumbrances with which a leaseholder must comply if occupying or leasing urban land, I have been told that similar encumbrances apply. This is the kind of arrangement the Government is proposing that the people of this State enter into after having enjoyed the freedom of opportunity and choice of their own freehold land. I fail to understand how the member for Stuart can justify his claims that it would be in the interests of the State for leaseholders to occupy leased land in lieu of freehold land. We often hear about the selection of landlord and how the Crown might be a highly desirable landlord.

As an occupier of both leased and freehold land, I know what kind of land I would rather occupy. I have suffered the embarrassment of lack of finance when attempting to develop leased land, I have suffered the involvement of applying and continuing to apply for permission to carry out certain development on leased land, and I know the involvement and encumbrances that apply. On the other hand, having enjoyed only in recent times the opportunity of freedom of choice in the development and extension of freehold properties, it is clear to me what the benefits are of obtaining and, where possible, retaining total ownership and occupation of one's own area. I will have no part in supporting a Bill that takes away from the people of this State the opportunity of occupying and owning their own freehold allotment, property or rural holding.

Mr. WARDLE (Murray): I express horror at the possible passing of this Bill. I am sure that most people in the State would say much the same kinds of thing about the intentions of the Bill that have been said by Opposition members. I am certain that, if given the option of leased land or freehold land, most people would take title to freehold land. One often hears people who have rented Housing Trust houses or other properties say at the end of the rental period that they had no ownership of the land or property and that they always had the feeling of insecurity when one lacked title to a freehold property. The Minister of Development and Mines, who followed the member for Fisher in this debate, said that the member for Fisher referred to the Bill as a nasty Socialist plot.

Mr. Evans: I meant it, too.

Mr. WARDLE: Yes, but it is not so much a nasty Socialist plot as a nasty Socialist principle, and it is the principle with which I disagree. The member for Mawson (now the Minister of Development and Mines) withdrew quickly from the debate. He is noted for being verbose in most debates, but he made only a short speech on the Bill; so short, in fact, that I believe that he did not think that he was on firm ground. He did not have much to contribute to the debate. He knew that the Bill

would not meet with the approval of most people of the State. Many people have lived long enough to know what happens under tight controls on land, motor vehicles, or anything else in short supply. Those of us who remember the Second World War vividly know how much black marketing took place and how large sums of money passed under the lap for things in short supply, and I believe that this will happen again if stringent restrictions are placed on the development of land. I believe it was in 1959-60 that a large number of subdivisions were approved, resulting in about 16 000 blocks of land coming on to the market in that financial year.

I am sure that it could not be said that there was a shortage then, because there was a surplus. A surplus is the best way of ensuring reasonably priced blocks of land in areas scattered around the metropolitan area coming on to the market. During that time there were fluctuations in the supply of and demand for blocks. If a block of land were given to an individual at present, it would probably cost between \$2,500 and \$3,000 to provide it with the Government services that are required. I think that a block of land at Monarto could be purchased by the Government for about \$25 or less, whereas [ am sure that the people who will move into Monarto will be unable to buy similar blocks of land for less than \$2,500 or \$3,000. Possibly, by the time a block of land is available there, the cost will be more than that. It seems that many plans that have been submitted to the State Planning Office over the years have been delayed for an extremely long time and I consider that some subdividers have backed away from subdividing, because of the controls and the long time that it takes to have land subdivided, finally approved, and made ready for building.

I express my absolute opposition to the principle of leasehold land and the principle in the Bill. On my interpretation, the commission will be able to move to any part of the State on any land. Having been an inspector in local government and knowing the restrictions that several Acts place on an inspector, I am amazed to find such wide powers of entry as those in clause 20 (1), which provides:

A person authorized in writing by the commission to do so may enter upon any land and conduct any survey, test, or examination that the commission considers necessary or expedient for the purposes of this Act.

The measure is far-reaching in all its powers.

Mr. Evans: There's no reference to the owner.

Mr. WARDLE: As the honourable member has implied, it seems that the right of entry is absolute and that the owner has no option. I do not consider that the spiralling prices of land will be stabilized by this legislation. I am horrified that the measure has been introduced and I oppose it strongly.

Mr. BLACKER (Flinders): I oppose the Bill because I consider that it gives such wide powers that it can override and take over from anyone, including any landholder, at any time, with little excuse being given and with the landholder having no opportunity for compromise. I am a farmer who hopes to be able to say, in 15 years time, that I own some land. I have spent 15 years on the land and have another 15 years to go before I shall be able rightly to claim ownership of the land. That time has involved hard sweat and it will be hard-earned recognition of a vocation that not many people take on now.

The Bill does not single out just metropolitan areas. As has been said, it is wide open, relating to any part of South Australia, although many references have been made to residential and suburban areas, and so on. Most of the technicalities have been debated and, unfortunately,

I was not present for the whole debate, so doubtless in my speech I will overlap in some cases. One of my greatest criticisms is about the appointment of the commission, with two members, one of whom shall be appointed by the Governor to be Chairman, being persons nominated by the Premier after consultation with the Prime Minister, and one member being nominated by the Prime Minister after consultation with the Premier.

There is little doubt that the objective of the Bill is a complete centralist policy and the handing of control directly to the Commonwealth Government. I must oppose the Bill on this ground. It indicates to me that the South Australian Government almost considers itself inadequate to handle the situation and must call in the Commonwealth Government and give that Government such wide powers. The powers and functions of the commission are such that it may acquire any land and use it for any purpose. The provision is rounded off with the words "for any other public purpose". Undoubtedly, what it can do with land is unlimited and it need not give a reason for acquiring and using the land. The commission will be able to manage and develop or redevelop the land so acquired.

Will the commission set itself up as an enterprise and will it set itself up in capitalist arrangement? It will have power to sell, lease, mortgage, and do almost anything else. It will be able to make money on land and create a centralist and capitalist policy in so doing. Of the wide range of powers, one causing much concern is the power to enter land and conduct any survey, test, or examination that the commission considers necessary or expedient for the purposes of the measure. This provision will cause much unrest amongst landholders, as anyone will be able to walk on to a property and, even at the request of the owner not to proceed, the person may take no heed of the owner and carry out his duties, being protected to the extent that the owner can be fined \$200 if he objects or tries to hinder that person in the execution of his duty.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I have listened to what members opposite have said and I find a certain strangeness about the campaign that they have embarked upon in relation to this measure. I am indebted to analysis to find out what members opposite are trying to achieve for the people of South Australia.

Mr. Dean Brown: Freedom of choice.

The Hon. D. A. DUNSTAN: I will come to that soon. First, members opposite have referred to the problem of land titles but, frankly, they have dealt very little with that matter. Indeed, the need of people to be able to buy land at reasonable prices was scarcely mentioned in the speeches made by members opposite.

Dr. Eastick: That isn't in the Bill.

The Hon. D. A. DUNSTAN: It is in the Bill, and I realize from the speech he made today that the Leader obviously does not understand what the Bill is all about. I had great difficulty in understanding him, as did many Government members and anyone else who was listening to him.

Dr. Eastick: It was too close to the bone, was it!

The Hon. D. A. DUNSTAN: I will deal with such meaning as could be distilled from the honourable member's verbosity in a little while. However, let me return to what this measure is all about, because obviously members opposite care little about the ability of the people of this State to buy land at a reasonable price, which contrasts sharply with the situation that is now rife and notorious under Liberal Governments in other

States. Australia is now facing a crisis regarding the price of land in metropolitan areas. That crisis has already occurred in Melbourne and Sydney, where high land prices are notorious. Indeed, the position is so bad that they are an absolute disgrace to this country.

Mr. Dean Brown: What about Canberra?

The Hon. D. A. DUNSTAN: The honourable member should have listened to what had happened to Canberra land prices as a result of alterations by the Liberal Government to the leasehold system there. The situation that has overtaken land prices, and indeed the budgets of ordinary citizens in other States, is starting to occur here. Who benefits from what is happening now in South Australia, as is happening in the other States and as was happening here at the beginning of this year until we announced our proposals?

Mr. Mathwin: The Highways Department isn't making a bad cop.

The Hon. D. A. DUNSTAN: The honourable member did his usual bit of strange arithmetic today, when referring to the increases in prices, without relating it to prices. So, he goes on with his usual misuse of figures. I am not surprised that the member for Davenport smiles and finds this amusing, given the constant misuse and misquotation of material of which he has been guilty in his short time in this Chamber.

Dr. Tonkin: Then he has earned your respect.

The Hon. D. A. DUNSTAN: He has earned my utter disrespect for the dishonesty he has shown in advancing material in his House. He ought to have done better. I return now to the matter of who benefits from the escalation of land prices in Adelaide. Who have made the millions of dollars, and who have got their people in the gallery, to which members opposite have made so many trips today?

The SPEAKER: Order! No reference can be made to the gallery.

The Hon. D. A. DUNSTAN: Many millions of dollars have been made by land speculators in South Australia from land development. The expense to the average citizen is something that this State cannot, and I am certain will not, support.

Mr. Chapman: Unless it goes back to the Government coffers.

The Hon. D. A. DUNSTAN: It is not doing so, as I will illustrate shortly. I wish now to deal with the few things that were said by Opposition members about how to keep land prices down. First, it was stated that the present situation which led to the announcement of policy by the Government was caused by an artificial shortage of land which, according to members opposite, was created by two things: first, that the Housing Trust owned a considerable area of land in the metropolitan area; and, secondly, that as a result of planning legislation delays had occurred in the creation of land for subdivision.

Dr. Eastick: Don't tell me you're going to deny that.

The Hon. D. A. DUNSTAN: Perhaps members opposite might listen to me while I develop this argument, because I am trying to deal with what they said. When dealing with the shortage of land in the metropolitan area and the difficulty of keeping land prices down, they have said that two things needed to be done, and something is being done about both of them. The suggestion that the trust should release its land wholesale is absurd. Members opposite have suggested that there should be wholesale release of Housing Trust land, and in the next breath someone asks why we are not doing something with Housing Trust land. In fact, the Housing Trust, at prospective rates

of building as we can foresee under the provisions of the finance available to it, has not a 10-year supply.

Mr. Evans: Nor has the metropolitan area got a total supply.

The Hon. D. A. DUNSTAN: It will have, but we cannot simply release all Housing Trust land. However, we will be releasing some of it as, indeed, we have already done.

Dr. Eastick: Yes, land that was too difficult to develop yourself.

The Hon. D. A. DUNSTAN: That is not so.

Dr. Eastick: What about Salisbury Heights?

The Hon. D. A. DUNSTAN: That is not the only land we have released.

Dr. Eastick: What about—

The Hon. D. A. DUNSTAN: I suggest that the Leader restrain himself and return to the point I am at present discussing.

Dr. Eastick: I thought you were talking about the Land Commission Bill.

The Hon. D. A. DUNSTAN: If the Leader does not want me to answer the matters that Opposition members have raised in this debate, I will sit down and not bother to do so. However, if he wants to hear my answers, I will give them.

Dr. Eastick: We haven't heard them yet.

The Hon. D. A. DUNSTAN: If the Leader continues in this vein, he will not hear my reply. If I am unable, because of his constant interjections and attempts to turn me to a point other than that with which I am dealing in reply to what Opposition members have said, I will not bother to do so. Let me return to what I was saying: members opposite have raised two matters, the first of which related to Housing Trust land and the second of which involved delays in the creation of subdivisions. I am dealing with both those matters. The Housing Trust will release land, but not wholesale or in sufficient quantities to cope with the shortage. However, it will release land and provide a certain amount of it for the commission. Other land owned by the Government will also be provided for the commission as part of a total land bank to ensure that we do get land on to the market in sufficient quantity to affect that market. That will be done, and this Bill is the means of doing it. However, we need the finance to be able to do this adequately. I do not know where Opposition members think that finance will come from if it does not come from special Commonwealth grants.

Dr. Eastick: With great big ties.

The Hon. D. A. DUNSTAN: The only ties are that we will get the land on to the market at a sufficiently low price to enable people to buy it.

Dr. Eastick: And let the Commonwealth Government interfere with our commission.

The Hon. D. A. DUNSTAN: If the Leader continues in this vein, I will sit down.

Mr. Chapman: Is that a threat or a promise?

The Hon. D. A. DUNSTAN: Very well, I will sit down. That's the finish.

The House divided on the second reading:

Ayes (20)—Messrs. Max Brown and Burdon, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hoppood, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (14)—Messrs. Allen, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Mathwin, McAnaney, Russack, Tonkin, Venning, and Wardle.

Majority of 6 for the Ayes.

Second reading thus carried.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Constitution of the commission."

Dr. TONKIN: I move:

In subclause (1) to strike out paragraphs (a) and (b) and insert the following paragraphs:

- (a) one shall be a member of the State Planning Authority;
- (b) one shall be a person who has wide knowledge and experience of local government in this State; and
- (c) one shall be a person nominated by the Real Estate Institute of South Australia Incorporated;

and to insert the following new subclause:

- (2) The Governor shall appoint one of the members of the commission to be Chairman of the commission.

I move these amendments for a reason which, I think, became apparent during the second reading debate. I resent very much the intrusion of the Commonwealth into the affairs of this State and I take great exception to the terms of the clause as it has been introduced into this Chamber. Under those terms, three members shall constitute the commission, of whom two shall be persons nominated by the Premier after consultation with the Prime Minister and one shall be a person nominated by the Prime Minister. If this Government is not introducing this legislation specifically to allow the Commonwealth to intrude into State affairs, it has no reason for opposing these amendments.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The Government will not accept these amendments. It makes absolutely no apology for undertaking a joint operation with the Commonwealth Government in this area. The honourable member remains incurably provincial.

Dr. Tonkin: Why does the Premier say that?

The Hon. D. A. DUNSTAN: If the honourable member persists with these interjections, it will be completely impossible to discuss anything in this Chamber. These constant, irrelevant and stupid interjections make it impossible to carry on a proper debate. I say that advisedly. We have seen a disgraceful series of performances in this Chamber this afternoon and this evening and it is about time members got back to the business of doing something sensible for this House and the people of this State instead of carrying on in this childish way.

Let me return to the matter under discussion. It is the case in most federations in the world that there are joint undertakings between the federal and the local or provincial governments. It happens in the United States under the Housing and Urban Development Authority; it happens in Canada; it happens specifically under the joint undertakings law in West Germany; and it is done simply because it is vital that national money be used in major development activity or in service activity of this kind.

Dr. Eastick: But this sell-out is—

The Hon. D. A. DUNSTAN: This is not unusual, and it is not a sell-out. If anyone suggests that it is, he would be disregarding the whole nature of developing federations. This is not a Commonwealth take-over of State rights but the ensuring of the provision to South Australian citizens of large sums of Commonwealth money to be used for the specific purpose, approved by the Commonwealth, of acquiring a sufficient land bank to ensure that land is placed on the market at a price that the average citizen can afford to pay, under conditions that will ensure that speculators do not get hold of it and use it to escalate the

price of land. That is a proper national purpose, and is undertaken, following specific promises at an election, by the Commonwealth Government and following the campaign conducted by the Labor Party at the previous election that we won. It was completely endorsed by the people of South Australia, with a Gallup poll showing that 60 per cent of people favoured it.

Some members have altered the wording of this provision to indicate that all these are appointments by the Prime Minister: they are not. This is a joint operation in which the Commonwealth will provide all of the money, and the Commonwealth should at least be asked when the State proposed to nominate someone to the commission. I have discussed the proposed members of the commission with the Commonwealth Government, which was overjoyed at the nominations and thought they were extremely satisfactory and that the people concerned were extremely competent. The Prime Minister has no veto: the State decides on the nominations. Also, the State has no power of veto over the Commonwealth Commissioner. The provision to consult with an organization is not new in making nominations to boards. Did members opposite object and say that the nomination to the Builders Licensing Board of someone from the Institute of Builders should have occurred: after consultation with the Institute of Builders? That situation was accepted as a perfectly proper and normal procedure.

Mr. Mathwin: You didn't bring anyone from New South Wales.

The Hon. D. A. DUNSTAN: We did not have to. An officer of the Commonwealth department is to be a member of the commission. Where is the difficulty for the State when we have a majority on the commission? We will receive the benefit of millions of dollars, and the people of South Australia will be able to obtain land at a price that they can afford to pay. Members opposite, in opposing that system and in rejecting conditions under which Commonwealth money will be made available to the State, cannot accuse this Government of selling out to the Commonwealth. What they are doing is to sell out to land developers who want to take the public for a ride.

Mr. EVANS: Is the Premier suggesting that Canada, the United States, and Germany, in which the system of federation operates, are better countries than Australia, and that our Federation does not operate as well as they do? Is he saying that the United States system is better, after the condemnation his Party has made against that country for some time? The Premier has said that this will be Commonwealth money, but it is the people's money, and the State Government was elected to represent people of this State. If money is available it should be allocated by the Commonwealth Government in order to make land and houses available to the people of this State, and the State Government should have the power, authority, and capacity to administer that allocation of money. We have no need to be tied to the Commonwealth Government, and the Premier knows it. We know that the Commonwealth and State Labor Parties went to the people with this policy, but many people voted against it, and these Governments have no mandate for every proposal made in their policy speeches. No political Party could claim that.

*Members interjecting:*

The CHAIRMAN: Order! I ask the honourable member for Fisher to resume his seat. The point taken by the honourable member is far wide of the amendments being discussed, and I ask the honourable member to confine his remarks to these amendments. The honourable member for Fisher.

Mr. EVANS: I apologize to you, Sir, if when replying to the Premier's comments about the policies enunciated by his Party, I went wide of the mark. The Premier has said that millions of dollars will be available only if we are tied to the Commonwealth Government with the Prime Minister stating who will be members of the commission, which is a commission for this State. The commission will decide how and in what areas the money will be spent and what land will be acquired. That is, it will control the money. The concept of the Prime Minister having some say in who the members will be is totally unacceptable and unnecessary; I reject it and support the amendments.

Dr. TONKIN: The Premier's refusal to accept the amendments was, of course, entirely predictable. We have been told that, in return for the handing over of powers, an immense benefit will be offered, a benefit that the State may find impossible to refuse.

The CHAIRMAN: Order! We are discussing the membership of the commission, and I will not permit the honourable member to depart from that. The honourable member for Bragg.

Dr. TONKIN: I am referring to clause 6, which sets out clearly the Government's intention to hand over to a Commonwealth-nominated committee the disposal of large sums, which the Premier has told us will be available as a benefit to this State as a result of our agreeing to hand over powers. Why will the Commonwealth Government not give these large sums without strings attached? Why will it not give the money if we have a differently constituted commission? This is not a takeover: it is a sell-out. The Premier's refusal to accept the amendments shows up the true motives.

Dr. EASTICK: I will not resort to the tactics employed by the Premier in making personal attacks, under the privilege of Parliament, on people interested in this sphere of activity.

The CHAIRMAN: Order! We are discussing the membership of the commission, and I ask the Leader to confine his remarks to that.

Dr. EASTICK: Clause 6 (1) provides:

The commission shall consist of three members appointed by the Governor of whom—

- (a) two (one of whom shall be appointed by the Governor to be Chairman of the commission) shall be persons nominated by the Premier after consultation with the Prime Minister;

In other words, the Premier is not allowed to make a nomination before he has had a consultation with the Prime Minister. Clause 6 (1) continues:

- (b) one shall be a person nominated by the Prime Minister after consultation with the Premier.

Clearly, the Prime Minister and the Commonwealth Government will play the total part in the determination of the commission. The Premier has said that it is necessary for the Prime Minister to have this form of control because we will be spending a large sum of Commonwealth money; they are the specific words that the Premier used. The large sum of Commonwealth money which will be spent under the guidance of the commission members is nowhere near sums currently being spent by the State in other directions, which sums have been derived from the Commonwealth Government. The Prime Minister does not require the appointment of his nominees to all bodies concerned with spending money derived from the Commonwealth, so why is it necessary for the Prime Minister to intrude here, where a smaller sum is involved? We are being asked to accept a type of commission in which the Prime Minister will have a major say. The South Australian Parliament is the only Parliament currently implementing a measure of this type.

If other States can accept Commonwealth funds for this purpose without creating a commission involving this form of intrusion by the Prime Minister, why should we support clause 6? The amendments clearly indicate that we are able to accept our responsibilities, and I seek the Government's support for them.

Mr. MATHWIN: I support the amendments. I cannot see why we should be beholden to the Commonwealth Government. The Premier has said that plenty of finance is available. If we are to be beholden to the Commonwealth Government in such a way that we have to give it representation on the commission, it is a poor state of affairs. This is a South Australian matter, and I therefore ask the Premier to support the amendments.

The Hon. D. A. DUNSTAN moved:

That the question be now put.

Motion carried.

The Committee divided on the amendments:

Ayes (14)—Messrs. Allen, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Mathwin, McAnaney, Russack, Tonkin (teller), Venning, and Wardle.

Noes (19)—Mr. Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hoppood, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Majority of 5 for the Noes.

Amendments thus negatived.

The CHAIRMAN: I point out that this clause is shown in the Bill as having a subclause (1), but as that is an error I will correct it.

Clause passed.

Clause 7—"Terms and conditions upon which members hold office."

Mr. EVANS: The term of the Chairman is not defined by this clause, yet commission members are appointed for four years. As the appointment of the Chairman is made by the Government of the day, a person could be appointed for 25 or 30 years. I believe that a period should be set for this appointment.

The Hon. D. A. DUNSTAN: The intention is that the Chairman should be a full-time member of the commission, and the other members would not be. It is intended that the Chairman should come from one of the senior ranks of the Public Service in South Australia. He would be a senior public servant who already has tenure in a senior Public Service post. Therefore, it would be quite inappropriate to transfer him from such a post to one like this on a limited term. He would have to be appointed on a similar term and under similar conditions of security to those which he already has in his existing position.

Mr. EVANS: I accept that the Premier has currently a specific person in mind for the position of Chairman, but a later Chairman may be appointed from outside the Public Service. A period of five, six or seven years might be appropriate, and I point out that the person concerned could go back into the Public Service in a senior position. I believe the existing provision is too wide.

Clause passed.

Clause 8 passed.

Clause 9—"Quorum, etc."

Mr. EVANS: The commission will have such wide powers that if it ever came into reality it could acquire all of the State if it could raise the finance. We are going to leave the power to make the decisions to two people.

[Midnight]

It is a small commission compared to Western Australia's, which is expected to be an 11-member commission. Decisions should not be left to only two people. Although one cannot argue that each commissioner should be present at every meeting, why cannot a proxy commissioner be appointed?

The Hon. D. A. DUNSTAN: Because there are times when urgent matters will have to be presented. The Public Service Board, which is similarly constituted, has a similar provision to constitute a quorum.

Clause passed.

Clauses 10 and 11 passed.

Clause 12—"Powers and functions of the commission."

Mr. DEAN BROWN: I move:

In subclause (2) (b) after "lease" to insert "for a term not exceeding 10 years".

This clause, which is the most objectionable clause in the Bill, will not assist in holding land values in the metropolitan area at fairly constant prices. As has been found in Canberra, there is no proof that the leasing of land will contain the inflationary spiral. The member for Stuart misquoted what I had said: I did not say that Mr. Brennan was against the leasing of land: I merely mentioned a phrase he used and said how aptly it described the situation in Canberra. The member for Stuart should read *Hansard* to see what I said.

The CHAIRMAN: I point out that the Committee is dealing with the amendment. The honourable member for Davenport is not permitted to refer to the second reading debate.

Mr. DEAN BROWN: No evidence exists to suggest that South Australians want the leasing of land on a long-term basis. The results of opinion polls I have seen have shown that the people of South Australia are totally against the concept of the leasing of land for house building. My amendment, which is practical, will permit the Government to purchase land on which there may be a house. If the Government purchases adjacent land, it may be leased out. I hope the Government will accept my amendment, which I am sure has the support of many people in the State.

The Hon. D. A. DUNSTAN: The Government will not accept the amendment. There seems to be some strange view by the Opposition with regard to the nature of freehold and leasehold, both of which are tenures, not absolute rights to property. No such rights exist, or have ever existed, in this country. The commission must have sufficient flexibility in this matter. There will be one essential feature of the commission's operation in regard to whatever title it disposes of, namely, sufficient provision in the title to ensure that the commission can control resale values, which is an essential feature of any price-control activity. This could be done by a condition of the lease or the freehold title. It is six of one and half a dozen of the other, and it does not make much difference in law. The members of the Committee of Inquiry into Land Tenure were well aware of this, and the Chairman discussed it with me. The only difference is that an understanding of meanings of conditions in a title is usually greater to a leasehold purchaser than to a freehold purchaser. Although the conditions of title are frequently available in freehold, their effect is not as easily understood as in the case of a leasehold title.

Dr. Eastick: But bankers have a different view.

The Hon. D. A. DUNSTAN: I know it is sometimes suggested that bankers have problems with leasehold titles, but this is not the case with long-term leasehold. It has not proved to be the case in areas where leasehold title in

Australia has existed as the major form of title. The Government is not committing the commission to leasehold or freehold title. We are specifically making arrangements to give it due flexibility. The only question about leasehold that arises is from a question about my general view on how land would be let out, and it was a general view that I expressed, not with any great strength, to the inquiry into land tenure. We had a lengthy discussion about the alternative kinds of titles and conditions. The commission must find a way to ensure that title is given to people so that they have an asset for which they are paying and at the same time to ensure that the commission can control resale so that it is not giving the market a means of subsequent speculative sale.

Mr. EVANS: As the Premier knows, many complications will arise if we control the resale value of property by writing into a title or lease a provision that the commission must approve. If two houses in a street are for sale, an intending purchaser will want to purchase the better of them, and, if the commission has not put a fair price on the better property, the purchaser with cash will pay money behind the back door. The person who will miss out in these circumstances is the one who has not the cash to do that, such as a person on a fixed income, and that is the person we should try to protect. Greater demand is placed on properties that are nearer to the centre of activity, and so the price increases. I support the amendment reluctantly, only because I consider it to be the better of two bad things.

Mr. DEAN BROWN: The Premier has now revealed the Government's intentions regarding this clause, and every South Australian would be horrified at those intentions. Then we had the slip of the day, when the Premier admitted that these controls on resale—

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

Mr. DEAN BROWN: The Premier has said that the controls on the resale of land could also be implemented on freehold land, and I am comparing the two tenures. If what the Premier has said is correct, doubtless Government members will support the amendment. If they do not, one can only assume that they have lost their rationale.

Mr. BECKER: How can the Premier assure us that the banks will finance house development or improvement on leasehold land, when at present it is difficult to obtain that finance? I see a long-term problem here unless an arrangement is made with the banks.

The Hon. D. A. DUNSTAN: I am certain that the banking fraternity has a proper and reasonable understanding of the law relating to the land.

The Committee divided on the amendment:

Ayes (14)—Messrs. Allen, Becker, Blacker, Dean Brown (teller), Chapman, Coumbe, Eastick, Evans, Mathwin, McAnaney, Russack, Tonkin, Venning, and Wardle.

Noes (19)—Mr. Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

See other divisions.

Majority of 5 for the Noes.

Amendment thus negatived.

Dr. EASTICK: I move to insert the following new subclause:

(4) Where a notice of intention to acquire land has been served by or on behalf of the commission and agreement has not been reached by the commission and those entitled to compensation for the acquisition of the land within

three months after service of the notice then, notwithstanding the provisions of any other Act, any person presently or potentially entitled to compensation for the acquisition may apply to the Land and Valuation Court for an assessment of the compensation to which he is, or would be, entitled in the event of the acquisition of the land, and the court, upon receipt of any such application, shall make an assessment in accordance with the application.

At present, the Government can state that it intends to acquire certain land and then do nothing about it for many months. As a result, the person involved can have his market destroyed so that the value of the property is reduced or he is disadvantaged by not being able to fulfil his commitments. The Premier will realize that executors of a certain parcel of land south of Adelaide were responsible for the Commonwealth and State duties thereon, payment of which had not been made by the due date as a result of which interest was accruing on the unpaid duty. Because of statements attributed to the Premier and to various departmental officers, those involved were unable to sell the block of land, as a result of which the beneficiaries of the estate had their eventual benefit reduced in value by 10 per cent because of the interest that had to be paid.

After the payment of duty, the commissioner can be approached in an attempt to obtain dispensation of the interest payments. It is not automatic, however, that the interest to be charged against the estate is expiated. It is essential that, if the Government is able to state that certain action is to be taken regarding land, a time limit is set and that, if finality has not been reached within that time limit (the period of three months being referred to in my amendment), the person involved should be able to proceed with a normal market sale of the land. Although in future provision can be made for such a situation under another Act, at present there is no such provision in this Bill or in any other Act. I ask the Government to accept the amendment, which will benefit many people in the community.

The Hon. D. A. DUNSTAN: Although I appreciate the Leader's motives in seeking to speed up the procedures under the Land Acquisition Act, I cannot accept his amendment. I point out that, in the case to which the Leader has referred, the amendment would not apply, because no notice of intention was given by the Government: letters were exchanged discussing the future of land acquisition and the conditions under which it could occur. The amendment cuts across the present provisions of the Bill, and one could have proceedings under this amendment and proceedings under the Land Acquisition Act running concurrently. This is not the way in which to achieve what the Leader is seeking. I assure him that the Government is examining means of speeding up land acquisition proceedings under the Act and that a Bill seeking to accomplish his intention will be introduced.

Dr. EASTICK: I accept the explanation that a measure will be introduced to correct the situation that the Premier acknowledges is disadvantageous to some people. The Premier has said that there were letters in respect of a certain parcel of land, to which I have referred obliquely. I think he would accept that those letters contradicted one another.

The Hon. D. A. Dunstan: No; I do not accept that.

Dr. EASTICK: That will undoubtedly remain a matter of debate between the Premier and me. The community would also accept that those letters were contradictory. Having this assurance from the Premier that we will get another measure in this Chamber soon to give effect to the provisions I am seeking—

The Hon. D. A. Dunstan: I did not say that, but they will have the same aim.

Dr. EASTICK: The same aim and the same effect.

The Hon. D. A. Dunstan: No, not the same effect.

Dr. EASTICK: That being the case, I see no purpose in calling for a division but [ assure the Premier that we on this side shall be seeking that additional piece of legislation soon. I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Mr. COUMBE: Reference is made to future urban expansion and the establishment of new urban areas. When we speak of urban areas, we normally mean the immediate environs of Adelaide. Does this Bill provide for this to be restricted to the development plan of 1962 or the Electoral Act, as we understand it, or can the Premier explain whether the Bill proposes to extend development into other areas? Could urban areas be adjacent to what we now normally regard as urban or suburban areas? Would urban areas adjacent to provincial cities be affected?

The Hon. D. A. DUNSTAN: It is expected that the Land Commission will also operate in other major urban areas where there is pressure in respect of land prices. I expect it will act, for instance, in relation to Mount Gambier; in fact, it is necessary that it should do so. In Mount Gambier practically all the developable land in the city area has been purchased, and the price of land has escalated markedly, so it is necessary that the commission's operations extend to such places. They will certainly not be confined to the metropolitan area of Adelaide.

Mr. EVANS: This clause gives the monster terrific power to acquire any land. For instance, this monster can acquire all the land at Monarto; it has the power to buy land for any purpose, not merely for the development of housing estates. The commission could acquire land to set up a casino.

The Hon. D. A. Dunstan: That's ridiculous.

Mr. EVANS: I agree it sounds ridiculous, but it has the absolute power.

The Hon. D. A. Dunstan: How would it get a licence?

Mr. EVANS: We are giving it absolute power; if the Prime Minister and the Premier appointed the three commissioners, the licence would be a minor part of the issue. However, I use that only as an extreme case. Already, Government departments have power to acquire property for their own specific purposes. They can later transfer it to other departments for other purposes, even though originally the purpose for which the land was to be used was stated. In this case, the commission does not have to state a purpose. I have not accepted any part of the Bill, and this is the most frightening clause of all. The commission can take any piece of land from any one of us, for the power does not concern merely broad acres: it concerns "property".

How much land will be allowed to be available for urban development within the Adelaide metropolitan area? The Premier has been heard to say that the Housing Trust has enough land for 10 years, building about 1,400 houses a year. But what about other requirements within the Adelaide metropolitan area? Can the Premier say how much land or what length of time is likely to be available within the metropolitan area? The commission will be buying land only for housing development, we hope, within the urban areas at first. I do not want to see the commission operate at all, but I hope its activities are restricted to that area. How far shall we allow Adelaide to extend? Is there 10 years supply, as in the case of the Housing Trust, or is there a five years or 15 years supply? It is important for people to

know this so that, if a person wants to live within the Adelaide metropolitan area in the next 10 years and no building blocks will be available after that time, he can start buying now because he will not be able to buy later. I reject the clause.

Dr. EASTICK: No clear definition has been given of the words "for other public purposes". They are so wide as to permit of not only the normal public purposes of schools, recreation areas, national parks or hospitals but acquisition of land on which a person happens to have a house or a business: that may be required for some unstated other public purpose. This is an obnoxious clause, but it will pass because the Government has the numbers. Why has not "for public purposes" been clearly defined? An organization that has acquired property in excess of its immediate needs in order to allow for future expansion may find its land compulsorily acquired by the Government, and the breadth of these provisions has caused concern to many people. This clause could well be the reason for any company negotiating to establish in South Australia deciding to establish elsewhere, because such an organization may wish to have some security of tenure. This security could be upset by a decision of the commission and, because of the provisions of this Bill, no right of appeal is available. Can the Premier say what is intended by "for public purposes"?

The Hon. D. A. DUNSTAN: A rule of interpretation applying in this case is called the *ejusdem generis* rule. Where general words follow words of specific intent, the words of general intent are intended to relate to the class of words with specific intent that precede them. Therefore, in paragraphs (a) and (c) "other public purposes" are public purposes of the like that appeared earlier in the paragraphs. This is a generally accepted drafting form to ensure that words in the first part are not interpreted too narrowly. That is the only reason for their inclusion.

Dr. Eastick: What about security of tenure?

The Hon. D. A. DUNSTAN: All firms negotiating know that it is in the interests of this State to provide them with security of tenure, and that has been done in every instance. So far from there being difficulties of expansion, many companies in South Australia have received considerable help.

Dr. Eastick: That is in the past. What of the future, if this Bill passes?

The Hon. D. A. DUNSTAN: The purpose of the commission is to buy land to form a land bank and, for the most part, it will be buying broad acres. However, in order to obtain a satisfactory balance of development it may need to buy other land, but its planning will be no different from what has always been the case.

Dr. TONKIN: The powers conferred on the commission by this clause are widespread, sweeping, and too great, and I totally oppose it.

Mr. EVANS: What maximum size will Adelaide be allowed to grow to, and how many years will it take to reach that stage?

The Hon. D. A. DUNSTAN: The physical size Adelaide will reach will be the present Metropolitan Development Plan area plus Gawler, which may well be brought into this planning area, in effect, for all purposes. We have placed considerable clamps on any close development of the hinterland beyond that area. The Government has stated that the maximum population of Adelaide should be 1 300 000, but we are aiming for a lower figure in accordance with the recommendations of the Jordan committee report.

Mr. Evans: Will we be at that point in about 10 years?

The Hon. D. A. DUNSTAN: At present, it is difficult to make accurate population predictions. I would expect that we would reach that position in the 1980's.

Dr. EASTICK: As I understand the Premier's explanation of the term "public purposes", subclause (2) is affected by the same interpretation. Are the commission's functions to be those clearly defined in the Bill, or will the commission be able to determine for itself that it will acquire functions beyond the scope originally intended?

The Hon. D. A. DUNSTAN: The commission's functions are as stated in the previous paragraph.

Dr. EASTICK: The provisions in this clause are so embracing as to be oppressive to the normal activities of the community. There is only one form of justice that can be meted out to such a clause—rejection.

Mr. BECKER: Regarding subclause (2) (b), can the Premier say what kinds of lease will apply in relation to leasehold properties?

The Hon. D. A. DUNSTAN: There has been no determination of that matter.

The Committee divided on the clause:

Ayes (19)—Mr. Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (14)—Messrs. Allen, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Mathwin, McAnaney, Russack, Tonkin, Venning, and Wardle.

Majority of 5 for the Ayes.

Clause thus passed.

Clause 13 passed.

Clause 14—"Officers and employees."

Mr. MATHWIN: Regarding subclause (1), can the Premier say how many people will be appointed to the staff of the commission?

The Hon. D. A. DUNSTAN: I cannot state a figure at this stage but, since the staff must be appointed in accordance with the Public Service Act, the matter is in the hands of the Public Service Board, not in the hands of the Government.

Clause passed.

Clauses 15 to 19 passed.

Clause 20—"Powers of entry, etc."

Mr. EVANS: I refer to activities of other Government instrumentalities with similar powers, whose employees can venture on to a person's land without telling the owner. I refer to a recent case when the Engineering and Water Supply Department installed a small treatment works at Stirling. The department's surveyors actually put pegs on the land without telling the owner they were working there, and in another case survey pegs were put on a front lawn and the person involved did not know of this until he went to mow his lawn.

Clause 20 provides:

(1) A person authorized in writing by the commission to do so may enter upon any land and conduct any survey, test, or examination that the commission considers necessary or expedient for the purposes of this Act.

Although the power needs to be there, I seek the Premier's assurance that all possible action will be taken to inform owners or tenants of a property when representatives of the commission will venture on to land.

The Hon. D. A. DUNSTAN: I can give the honourable member that assurance.

Clause passed.

Clause 21—"Regulations."

Mr. EVANS: I refer to the comments of the member for Mitcham concerning the regulation-making power being very wide. The regulations under this Act will add to the overall power of the commission and provide the authority with power for almost anything to be done. I object to the clause.

Clause passed.

Title passed.

Bill reported without amendment.

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

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

Dr. EASTICK (Leader of the Opposition): I again say that this is an oppressive form of legislation that will not benefit the people of South Australia. I believe that several emotional issues have been raised by the histrionic attitude of the Premier on several occasions, and that this attitude clouds the true centralist purposes of this Bill, which has been steam-rollered through in advance of Ministerial discussion which is to be undertaken on the subject at the insistence of the Premier's Tasmanian colleagues.

The SPEAKER: Order! The honourable Leader in discussing the third reading can only discuss the Bill as it came into the third reading.

Dr. EASTICK: The Bill as it is introduced to the third reading is not in the best interests of the people of South Australia, and I go on record as having made that statement.

Dr. TONKIN (Bragg): I support the remarks of the Leader. I believe this Government should have had the guts to tell the Commonwealth Government to get out and keep its nose out of State affairs. I believe that, with the passage of this Bill as it has come to us, we have seen the first of what will be a procession of Bills with this sort of provision.

The SPEAKER: Order! I ruled during the honourable Leader's remarks that discussion on the third reading can only be on the Bill itself as it came to the third reading, and discussion can only be on that basis.

Dr. TONKIN: I am sorry that I refer to the Bill as it comes out of Committee, because I thought it might come out in a different form. It has come out in an unchanged form and it was predicted that it would do so, because this is obviously one of the conditions that has been laid down for its agreement. True, this State will get large sums of money, but it has paid a long-term price which we will always regret.

Mr. BECKER (Hanson): I support the remarks of my Leader, simply because I find this to be the most obnoxious legislation we have had to deal with so far this session. I believe this legislation will not achieve the aim that has been explained to us. I refer to clause 6, which we were unable to alter, and especially to clause 12.

Mr. EVANS (Fisher): I opposed the Bill at its introduction and I expressed my views as strongly as it was possible to express them in the second reading debate. I have a fear of the central octopus, and this Bill tends to give it greater power and authority over our State activities than it has had in the past. Although the Government accepts that as fair and reasonable dealing, I do not accept it at all. I totally reject the concept of the Commonwealth Government telling the State what to do with its allocation. This Bill does move into that area more so than any Bill previously. I am disappointed and disgusted and I do not believe that this is the right way to overcome the problems referred to in the debate. I believe that, because there is a problem within society concerning the price of land and houses and other emotional factors associated with land, this is an opportunity to introduce this measure which has

a political philosophy attached to it and which is the main aim rather than solving the problem that we set out to rectify.

I believe the Bill does not have that as its main purpose, nor will it have it as its main effect. I oppose the Bill as I did at the beginning, because it has not been altered in any shape or form, and we have only become more enlightened as to the exact motives of the present Government in this State and in Canberra.

Mr. MATHWIN (Gleneelg): I oppose the Bill and support the Leader's remarks and those of my colleagues. I am opposed to the Bill because it does not do what the Government intended it to do, as I understand the Government's intentions. All it will do is to bring the Commonwealth Government into this State's sphere. No doubt there will be further legislation of this kind.

The SPEAKER: Order! I have already ruled that discussion of further legislation is out of order. As we are discussing the third reading of this Bill, that is the only subject matter the honourable member can discuss.

Mr. MATHWIN: I obey your ruling, Mr. Speaker. I am utterly opposed to this kind of legislation and I am surprised that the Government did not accept any Opposition amendments.

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

That the question be now put.

The House divided on the motion:

Ayes (20)—Messrs. Max Brown and Burdon, Mrs. Byrne, Messrs. Corcoran (teller), Duncan, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (14)—Messrs. Allen, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Mathwin, McAnaney, Russack, Tonkin, Venning, and Wardle.

Majority of 6 for the Ayes.

Motion thus carried.

The House divided on the third reading:

Ayes (20)—Messrs. Max Brown and Burdon, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (14)—Messrs. Allen, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Mathwin, McAnaney, Russack, Tonkin, Venning, and Wardle.

Majority of 6 for the Ayes.

Third reading thus carried.

Bill passed.

#### **MOTOR FUEL DISTRIBUTION BILL**

Adjourned debate on second reading.

(Continued from August 29. Page 595.)

Mr. COUMBE (Torrens): I support the Bill in principle. It is a most peculiar measure. On the one hand, the Government states that, if the oil companies are "good boys" and observe a voluntary scheme, the Government will not proclaim the Bill. On the other hand (and we are talking of two-arm lawyers here) we tell the companies that, if they misbehave or do not co-operate, the Bill will be brought into operation quickly. I understand that from the second reading explanation. The Premier has also said that it may be possible for all the companies to agree and, if so, there may not be any need to enforce the Bill, so we can see some real conflicts of interest in the legislation. The

Government seems indecisive on one aspect, yet on another it seems to be wielding the big stick. The oil companies involved seem rather reluctant to accept the measure and, on the other hand, the motor trade generally wants it proclaimed at once.

Whom shall we consider? We should consider members of the motoring public and their views. Obviously, they are also vitally concerned and I suggest that they want to receive the best and most economic service that they can get. I suppose all honourable members are motorists, and I think they would agree with what I have said. Undoubtedly, the real problem today and the reason for the introduction of this Bill is the proliferation of service stations, and anyone who has studied this aspect realizes that this stems from the introduction, more than 20 years ago, of the one-brand station, or the solo station, as it is sometimes called. The major distributors of petrol introduced this system and it has led to many of the present problems associated with petrol reselling and outletting. Efforts have been made for some time to try to solve this problem, which is not new. I have examined the results of inquiries in various parts of the world and I refer members to the inquiries held in parts of Canada (particularly in Ontario), in Tasmania and in Western Australia, where a Royal Commission was held. The net result was nil.

Although many worthwhile recommendations were made, nothing seemed to have been done. As a result the trade, particularly in South Australia, has been in a somewhat chaotic position. In Canada the findings were that the proliferation similar to that which we have complained about here was extremely marked and far in excess of our present experience. I should like to make several points regarding aspects of the Bill, and I say that for the benefit of the Minister in charge of the House at present. Later I should like to move some amendments that I think would improve the measure. At this hour, I think it inappropriate to deal with those aspects at the length that I think they deserve, because the Bill is important and departs from the practice in this State. As these matters really should be treated with some seriousness because many people are involved, I seek leave to continue my remarks.

The Hon. D. A. Dunstan: No.

The SPEAKER: There being a dissentient voice, the debate must continue.

Mr. COUMBE: If that is the attitude being adopted regarding this Bill, I will proceed. I have said that I support the measure in principle, but certain matters should be dealt with to improve its operation. We are establishing a board which will control the distribution of motor fuel in this State and which will have power to issue permits to a certain class of operator and licences to another type of operator. If and when the Bill is proclaimed, the existing outlets as at December last will continue to operate. No-one who was operating last December will be deprived of his business but any new applications made will be subject to scrutiny by the board to be established. Regarding these new applications, we are talking of applications in connection with stations or outlets within a radius of 3 km (about five miles) of each other.

Are we talking about the total number of outlets, or about the number selling a particular brand of petrol? This is not spelt out and I suppose that the board will have to consider this matter. I appreciate that each company selling a particular brand would want to ensure that it was represented in certain areas. This may or may not be fair. I believe in considering the total number of outlets provided, otherwise perhaps some operators will be forced out of business.

The lessees of many of these outlets are in a most unenviable position. To make even a meagre living they must work extraordinarily long hours, in many cases in uncongenial conditions. I have seen stations close to each other, and the loss of the sale of only a few hundred litres of petrol a week makes a big difference to many of these operators. The owner is referred to in the permit and licence. This aspect needs to be clarified, because petrol retailers who are the tenants of companies that own the petrol stations believe they are getting a rough deal if their names do not appear on the permit or licence. As I understand the Bill, the board will issue to the owner of a property a permit or licence, on which the owner's name will appear. If a company owns the premises, what will happen regarding the tenant or lessee? His name should appear on the permit or licence, no matter how many times occupation of the premises changes in a year, because I firmly believe that the lessee needs protection. It is all right for the person who owns a petrol station himself, but in many cases the oil companies own the stations. I therefore suggest that in Committee an amendment should be moved providing that the name of the tenant or lessee shall be placed on the application.

Another bone of contention is the matter of industrial pumps, which has always been a problem. The Bill provides that on or after the expiration of the third month next following the appointed day a person shall not sell motor fuel by retail from any premises unless those premises are the subject of a licence or permit. Also, for the purposes of that provision, a sale by retail "will not include such a sale of motor fuel by or on behalf of a person to his employee or to a person who is engaged under a contract of service with that first-mentioned person" and "where a delivery in consequence of such a sale is in quantities of 200 l or more", which, for the benefit of members, is about 44gall.

Many companies with industrial pumps sell at a discount to their employees petrol for their own use, to the detriment of the normal retailer. I know that there are complications regarding this matter. For instance, there are owner-drivers in the quarrying, cartage and taxi industries, and I can cite two large taxi companies in my district that work under this scheme. This aspect has caused much concern amongst members of the industry, especially petrol resellers. The repair and maintenance of motor vehicles is referred to in the Bill in relation to the person who obtains a permit. A licence is to be given to one whose principal business is the selling of petrol, and a permit is to be given to persons who sell petrol but whose main business is that of motor repairs. The two categories are therefore spelt out.

I turn now to the implementation of the legislation. I realize that undesirable arrangements exist. However, how these undesirable arrangements will be policed is vague, probably because of the difficulties that faced the Minister in having the legislation drafted. I am referring to arrangements made between lessees and distributors, and I suppose this has been the backbone of all the trouble over the last 20 years. Some people have suffered badly under this type of arrangement and I understand that the board will consider any undesirable arrangements when applications for permits or licences are made to it. I understand, too, that this provision will be policed fairly strictly.

I do not know how many inspectors will be required to implement the provisions of the Bill, but I should think many would be needed initially. However, the position should settle down a year or so after the Bill is proclaimed and has been operating. In the country (and I am referring

not to major towns but to the more isolated ones), we must watch the interests of motorists who may be running out of petrol and, indeed, those of petrol stations that are not open at all hours of the day. This aspect must be considered. Indeed, questions on this matter were asked last week in another place regarding storekeepers who had petrol bowsers outside their premises and who were selling petrol as a sideline. One can see here the possibility of an undesirable arrangement. Any hope of curbing this sort of practice is covered in the regulations.

It is interesting to see how the board is to be constituted. It shall comprise three members appointed by the Governor, one of whom shall be Chairman. There is no stipulation regarding the sources from which members shall be drawn. I should like to know how it is likely that the board, which will have to examine the matter of licences and permits and inquire into the conduct of persons engaged in the industry, will be constituted. In other words, if it considers that an operator is not carrying out certain functions in a fit and proper way, it can take action: it can either reprimand a person or revoke his licence or permit, which is a drastic remedy. It can also examine any arrangement. I have no objection to that: it is correct and proper.

We now come to the matter of what will happen to some of the outlet operators in the future. Undoubtedly, some smaller operators may be forced out of business; we cannot ignore that possibility. True, when this legislation comes into force, that will be the position because undoubtedly there are more petrol stations in certain localities than there should be. It may well be that a person will be able to transfer from one locality to another, but it is also possible that some operators will be forced out of business. I know several places in my own electoral district and in various parts of the metropolitan area where there are service stations on at least two corners, and in some cases three corners, of an intersection. The only merit in that is that at least it opens up the intersection so that the traffic has better visibility. It is too silly for words to have clusters of stations like that. The board must use great discretion with the 3 km (1.9 miles) mentioned.

Having said all that in a few halting remarks, because a few minutes ago I sought leave to continue my remarks, I wanted to prepare one or two amendments. That I am afraid I cannot do at the moment so I will confine my remarks to saying that I support the principle of the Bill which, when passed, will be held in limbo, as I understand it. If in the view of the Government the companies adhere to the gentleman's agreement to which they have come, it will see whether this works. If it does not work, the Government will then proclaim the Act and put it into operation. So we have the odd position that the Government is bringing in a Bill which, when passed, will be held in limbo perhaps as a threat to those people who do not abide by the voluntary agreement that has now been made.

Mr. EVANS (Fisher): I, too, support the principle of the Bill, with some knowledge of the operation of industrial pumps and some strong views on what has happened to the petrol reseller—the operator, in the case of the owner of the past, and the owner of today. Most of us can recall that most petrol stations were multi-brand stations owned by individuals and not by the petrol companies. Then, in the early 1950's, there was a move by the petrol companies to go to one-brand stations, to acquire those stations and then say to those people wishing to lease them (in many cases, the original owners), "These are the conditions on which you will lease these premises." That was one of the most ruthless clauses in the contract that people signed. I know they signed them willingly. The clause stated that

annually the petrol company could review the rent in the light of the sales that had been made.

They were never reviewed with a view to the rent being reduced for the lessee. If his sales happened to decrease or remain the same and he went broke, he was told "Bad luck", and another person took over. If a person increased his sales, his rent was increased. I always thought strongly that the lessees were fools for signing that type of contract; they would have been wiser to keep out of that business operation. Also, it was an unscrupulous act by the petrol companies. The politicians would have been wise to say; "We do not believe the petrol companies should move into the reseller field. They should stay in the wholesale field, supplying the resellers, the wholesale pumps and the primary producers", whether by drum or by bulk tank on the farm. If that had happened, we would not be in the position we are in today.

The Hon. D. A. Dunstan: I agree with that. I said that in 1955.

Mr. EVANS: I accept that. I have never personally accepted the situation that occurred. I would have supported the Premier had I been here then, whether or not it was the Party to which I now belong that allowed that lousy operation to go on as it did. An error of judgment was made. That is where the problem started. Early this evening we discussed a similar sort of occasion in respect of which we will find it hard to reverse the clock and go back to past practice once an error of judgment has been made. I know the Bill allows for industrial pumps to remain and they are expected to dispense at least about 1 500gall. (6 819 l) a month. In particular, where there is a new application that will be the provision; the industrial pump operator will still be allowed the opportunity to sell to his employee, whether by arrangement in the business the employee gets it for nothing on top of his salary or whether he buys it at a reduced rate because he takes it from his boss's pump. That will be allowed for in the Bill. I see that the South Australian Automobile Chamber of Commerce does not accept this because of some of the problems that have occurred in the past. I understand its reasoning and concern.

I took up one case where a constituent complained about two business enterprises that had industrial pumps and were supplying not only their employees but the public. That operator would be hard to detect and stop, but he should be stopped. I support whatever action is taken to prevent that sort of operation. There is also the case that I brought to the notice of the Government when two years ago a certain taxi company made fuel available to the public after normal trading hours. That type of operation, too, should be discontinued, and this Bill provides for that. It is only the unscrupulous or inconsiderate taxi company or business operator that will break the law in that regard.

However, I do not think that, because one or two people refuse to abide by the law and it is difficult to apprehend them, we should eliminate the opportunity for an employer to make fuel available to his employees. If the pump is on business premises, the employee can fill the tank of his vehicle either at lunchtime or after he has finished work, and that is the type of operation that should be allowed to continue. I appreciate the chamber's concern, but we should accept that industrial pumps should still operate. I have operated such a pump in the past, so I have some experience in this matter. Figures have been taken out to show that if a flat fee for a licence is imposed (and the Government has stated that, if this legislation

operates, it wishes to recoup the cost of policing it) it would be about \$100 a year for each service station.

A major station selling about 36 000gall. (164 000 *l*) to 45 000gall. (104 500 *l*) a month would find \$100 relatively easy to pay, but a small station in a country town selling about 8 000 gall. (36 000 *l*) would find it difficult. Perhaps a flat rate should be further considered, although petrol companies will not complain, because most of their stations are large and can accept this fee. Many of the small country stations sell petrol as a sideline in order to provide a service to the community. Sometimes the operation is attached to the general store, and I hope that some leniency will be shown towards the permit rather than the licence system. I think that is what is intended by the Bill, but some assurance should be given about it.

Mr. Allen: I know that some may have to close by the end of this month.

Mr. EVANS: Surely that is not what is intended by the Bill. I understood that this legislation was to regulate the operations in the city, where there has been a multiplicity of the number of stations, but it seems that the small country operator may suffer. We all know that petrol and other goods are made available after hours in country areas without harming the community and this service should be maintained. The main complaints have not been made by petrol companies concerning the question of licensing the owner and premises, but by licensees who at present operate under the thumb of the power of mighty petrol companies. It seems that the Bill does not protect that licensee, as he is not referred to on the licence. The licence operates for the premises as it does, to a degree, for a hotel.

Mr. Langley: Who took over the Lion Brewing Company?

Mr. EVANS: I do not know, but I believe that brewing companies should not own hotels. I am concerned that the operator lessee is being left out and, in Committee, this matter should be further considered. If the Bill passes I will make representations in another place, either to a member of my Party or to a Government member, for the Bill to be amended. I believe that the possibility of this type of legislation operating will have a quietening effect on the industry, but the petrol companies must realize that, generally, the cause for its introduction has been the exploiting of operators by some companies. Three people in my district have virtually become insolvent: they were honest citizens who tried to make a success of a small business, but were not given the flexibility to do so.

One method that has been practised in the past by companies of assessing the capacity of a station is to take a traffic count of the number of vehicles passing the station. The operator would be told that about 6 000 motor cars had passed the station each day and that the operator should serve at least 100 or perhaps 500 (or a specific figure), and sell so much fuel a day or a week. It is totally unacceptable as a method of assessing the rental for a property. If an operator is determined to succeed and increases sales, the company says, "You are a very good operator, and we want to bleed a bit off you, because of your own efforts, even though you are working 24 hours a day to achieve success." I support the concept of this Bill because over the years people have been exploited, sometimes through their own foolishness. Some people who want to operate their own business will sign any piece of paper. I believe in the freedom of the individual and in the private enterprise system, but there comes a time when problems are created by the foolishness and greed of the parties involved. I support the principle

of the legislation and hope we will get an opportunity to debate the clauses at a more opportune time than now. Yesterday I received the following letter from the South Australian Automobile Chamber of Commerce:

As a member of Parliament you will during the next few days be debating the Bill for the above referenced Act. This is a most important piece of legislation and one which is, in the view of petrol retailers throughout South Australia, long overdue. There is much information available to assist you in your consideration of this legislation but, rather than inundate you with masses of material, we would prefer to advise that members and staff of the chamber will be most willing to discuss with you or your colleagues at any stage matters relating to it.

There are several matters of concern to the chamber in the actual legislation and the attached note sheet sets these out. I am also enclosing a copy of the latest issue of the S.A.A.C.C. newsletter as well as a copy of an article which appeared in the *National Times* of September 3.8, 1973. Please feel free to contact me or other members of the chamber staff for any information required in this matter.

I know that members of the chamber will read *Hansard*. I did not have the opportunity to contact them to ascertain their views, because I received the letter only yesterday and it would have been impossible to telephone the members at 12.5 this morning to obtain their views. I support the second reading.

Mr. BECKER (Hanson): I support the principle of the Bill. Although I was brought up through the free enterprise system, I believe that there is a need to introduce this type of legislation. In his explanation the Premier said:

The Government is willing to permit such a voluntary arrangement to operate while all oil companies agree to observe it. However, the Government considers that this Bill should be proceeded with so that it will be on the Statutes, and should the voluntary scheme prove ineffective can be quickly brought into operation.

It is a pity that there appears to be distrust between the major oil companies in relation to arriving at satisfactory arrangements for the rationalization of service stations in this State. I can fully understand members of the South Australian Automobile Chamber of Commerce wanting this Bill pushed through Parliament as soon as possible. At one stage of my banking career I had seven clients who owned service stations. One of the clients obtained a service station site through the company with which he was previously employed; the client obtained the site after the previous operator had become bankrupt. As an inducement to the person to take the service station, the rental was considerably reduced. During the first month he was given considerable assistance through various promotional gimmicks. The man worked extremely hard; he worked for more than 90 hours a week to try to make the service station pay, but he found that the only way he could build up the business was to undertake general motor repairs and to carry a wide range of motor accessories. As he developed the business he was informed by the company that, unless he sold X brand tyres, he would be given 24 hours notice.

He decided to challenge the organization, and he said, "If you do that, it will be the end of the station." He continued to carry various brands of battery and other accessories, and for two years he and the company were at loggerheads. On two occasions he walked out, but the company was able to induce him to return and keep the station going, because he had increased the monthly gallonage from 2 000 gall. (9 092 *l*) to 10 000 gall. (45 460 *l*). The rental of the service station was almost doubled. So, at the end of almost two

years of slaving his heart out, he was the one who walked out; he went to an opposition company and was allowed to do what he liked, and today he is in a far better financial position.

Competition can be ruthless, but it seems to be more ruthless in the service station business than it is anywhere else. Many men have built up service station sites, only to be given the axe, simply because they wanted to provide a service for their customers. I believe the oil companies themselves have defeated the whole purpose of free trade within the service station system. It is disappointing that they have been unable to come to an arrangement in this matter. Under the terms of the lease, many service station proprietors must engage the services of an accounting firm nominated by the oil companies. Although this has saved many proprietors from going bankrupt, it has meant a considerable impost on the running cost of service stations, because there is no choice about this or about other matters concerned with how proprietors operate their stations.

Unfortunately all this reflects on the private motorist, who has been kicked in many areas. The greatest freedom we have is to be independent and to have wheels, but, if the cost of petrol and the cost of servicing is forced up through over-competition, this legislation will achieve what we want to achieve. Indeed, I hope it will assist the private motorist in getting better service as well as assisting service station operators to obtain a fair and reasonable return on capital and for the effort they put in. The South Australian Automobile Chamber of Commerce has provided certain information which, under the heading "Implementation of legislation", states:

It is quite clearly the view of petrol retailers generally that there should be no delay in the implementation of the legislation.

I shall be interested to hear the Premier say whether he intends to implement this legislation as soon as it has passed. The fourth paragraph of the information provided by the South Australian Automobile Chamber of Commerce states:

In country areas of the State it seems certain that an arbitrary reduction in the number of petrol reselling outlets will impose severe hardship on many small retailers without any significant benefit by way of increased volume to remaining retailers. All that will be achieved is a reduction in the distribution costs of oil companies, none of which will, on past performance, be passed on to motorists. The reduction in costs will in fact be achieved at the expense of motorists who will lose in some cases ready access to fuel supplies.

It is hoped that some arrangement can be made to ensure that this will not happen in the country areas. The situation applying to industrial pumps has been referred to by the member for Torrens, and I point out that certain small business men will be affected by the legislation. Although the oil companies have been gradually reducing these facilities, it is unfortunate that these people will be affected, because people who have had industrial pumps should still be given the opportunity to retain them despite the size of their gallonage. There are many questions I should like to ask in Committee to ensure that the motorists of this State will continue to receive a fair and reasonable deal.

Mr. DEAN BROWN (Davenport): The Bill before us this morning is most important, as it relates to the lives of many service station owners and their employees in this State. There are about 2 300 service stations in South Australia, of which about 750 are in the metropolitan area and 1 500 are in the country areas. It is a shame that the Government saw fit at this late hour (and it is now 2.15 a.m.) to force through this legislation without allowing

the representatives of the service station proprietors to express their point of view. Further, it is unfortunate when looking at the Government benches to find no member opposite supporting the case for implementing this legislation. I see members opposite asleep or reading newspapers, those few members present—

The Hon. J. D. Corcoran: You wouldn't give them any incentive to do otherwise, either.

The SPEAKER: Order!

Mr. DEAN BROWN: I am sorry if I disturbed members opposite who have been sleeping.

The SPEAKER: Order! The honourable member for Davenport cannot make personal reflections on honourable members.

Mr. DEAN BROWN: It is important to consider the continued safeguarding of the lives and the assets of the people involved in this industry. Earlier in this session I asked several questions of the Premier regarding the rationalization of service stations. There are far too many service stations in the metropolitan area as well as throughout the State, and I am pleased that the Government is taking some action to rationalize the industry.

Other States have taken, or are in the process of taking, similar action, and the Premier has suggested that he is looking for a 10 per cent reduction in the number of service stations by the beginning of the next year. That means that about 230 outlets will have to close down, but consideration should be given to the well-being of the owners and employees of those petrol outlets. In many cases more than one person is employed at a petrol outlet.

In asking the questions of the Premier I sought certain assurances, and I now refer to those questions. First, I sought an assurance that a petrol outlet owner wishing to transfer or sell his outlet could do so without being penalized and without the threat of the next owner being unable to obtain a licence to continue to sell petrol. Secondly, I sought an assurance about service station owners wishing to transfer from one oil company to the other without any threat from the oil companies and without the threat of losing a licence. Finally, I sought an assurance from the Premier regarding future Australian-owned oil companies supplying and refining petrol, a situation I hope to see, and their access to a reasonable number of service stations if they moved into this field.

The Premier gave me that assurance. I believe it is extremely important in considering any rationalization of service stations that these three assurances be taken into account. However, the Bill leaves these assurances up to the board; unfortunately it does not spell out that the board will carry out these proposals and the Premier's assurances. Again, we see another of these rather common commissions or boards being set up, comprising three members. We dealt with the provision for a similar body late last evening.

The SPEAKER: Order! The honourable member must not refer to any Bill other than the one being debated.

Mr. DEAN BROWN: Only two of the three board members are required to make decisions on behalf of the board. This is unfortunate, because I would rather see a much broader cross-section of people on the board so that they could make the kinds of decision that would take into account the industry's wishes and the problems it is likely to face. I asked for the Premier's assurances for a good reason: in the United States of America the large oil companies have started to gang up against the small independent service stations, and I should hate to see a similar situation develop here.

Mr. Keneally: They will have to get rid of you! You must be a Socialist.

Mr. DEAN BROWN: It is strange how the member for Stuart does not seem to be able to make up his mind. Last evening he accused me of other things, whereas now he is accusing me of being a Socialist because I am concerned about the welfare of the average South Australian, the man in the street, the person we have tried to protect in other legislation. An article in the Melbourne *Herald* of July 18 states:

The United States Federal Trade Commission announced today that it is issuing a complaint against America's eight largest petroleum companies alleging "anti-competitive practices".

Although the article names the eight large companies, I will not mention them. The article continues:

The F.T.C. claims that the eight companies have monopolized refining and maintained a non-competitive market structure in refining in the eastern and Gulf Coast States and parts of the mid-continent area. It alleges that the eight refused to sell petrol and other refined products to independent marketers, which have been closing large numbers of petrol stations during the recent shortage. The complaint is the result of a two-year study of the oil industry by the F.T.C.

The study concluded that the oil companies, through their structure, had prevented new companies from getting into the refining business, and so limited the amount of petrol available to independent stations. There has been a marked increase this year in the number of independent petrol stations going out of business. Other stations have had to restrict their hours and, in some cases, ration their customers. The F.T.C. said: "The burden of shortages has been forced to fall with particular severity on those sections of the U.S. east of the Rockies, where independent refiners and marketers are concentrated."

It said this had weakened the most significant source of price competition in the marketing of petroleum products, and threatened the competitive viability and existence of the independents. The oil companies, it claimed, had been reaping "substantially higher profits and returns on investment" than they would have in a competitive situation. The result was that consumers had been forced to pay substantially higher prices than they would in a competitive market. The eight companies were given 30 days to reply to the complaint. If they deny the charges, the matter may be taken before the Commission, and then the F.T.C. may take them to court.

The eight largest American oil companies have virtually forced the independent service stations out of the market.

The Hon. J. D. Corcoran: Shame!

Mr. DEAN BROWN: I am surprised that the Deputy Premier should say "shame" in such a sarcastic manner, because I believe that his Party should defend the rights of Australians and the independent service stations. It appears that the Minister is supporting the oil companies, instead of supporting Australians and the independent service stations. I am pleased to see a provision in the Bill which will, in all probability, prevent a similar situation occurring in South Australia. I compliment the Government for introducing this measure and hope that it will ensure that the assurances the Premier gave me will be carried out. The Premier said that the legislation would not be put into effect until the oil companies had failed to reduce voluntarily the number of service stations by 10 per cent. I hope that the oil companies will effect this 10 per cent reduction, without being forced to do so by the Government but, if the oil companies fail to do this, the legislation will ensure that the 10 per cent reduction will be made. Although certain clauses of the Bill require a closer scrutiny, I support the second reading, but it is most unfortunate that the Government is forcing this legislation through at this hour of the morning.

Mr. ALLEN (Frome): I support the Bill. In the second reading explanation, the Premier said:

During the discussions with representatives of the oil companies concerning the preparation of this Bill, it seemed that it still might be possible for all the companies to agree amongst themselves as to an effective voluntary arrangement that would achieve substantially the same objects as proposed by this measure. The Government is willing to permit such a voluntary arrangement to operate while all oil companies agreed to observe it. However, the Government considers that this Bill should be proceeded with so that it will be on the Statute Book, and should the voluntary scheme prove ineffective can be quickly brought into operation. If this Bill serves no other purpose, it will ensure that those companies that co-operate in the voluntary scheme will not in the future be disadvantaged by their co-operation.

I wonder whether it would not be wise if this legislation was brought into operation immediately. It seems that at present the oil companies are putting into operation a voluntary scheme to reduce by 10 per cent the number of petrol stations in this State, and there is discontent in the country areas now over this action. In some cases that I know of (and I expect to receive more representations), people have been told that their petrol supplies will be stopped at the end of this month, so these people have only four days on which to operate before their petrol outlets are closed.

In one case, the proprietor of a small hotel on a main highway also operates a petrol pump and he has been told that his petrol supply will cease. It is arguable whether the petrol business assists the hotel business or vice versa, but both facilities combined provide a modest living for this person and, if he is compelled to close the petrol outlet, the hotel also may close soon after. The petrol bowser is the only one within about 15 miles (24 km) to the east, about nine miles (15 km) to the west, hundreds of miles to the north, and about 30 miles (48 km) to the south.

The hotelkeeper claims that, as the hotel is open until 10 o'clock on week nights, anyone travelling on that highway can obtain petrol from him until that hour, whereas most other service stations on the highway close at 8 o'clock. In the city area one can always patronize another service station not far distant if one service station is closed. However, in the country areas there may be a distance of 40 miles (64 km) between an outlet that is closed and one that is open. People do run out of petrol on these isolated roads and there are no farm houses near the highway to which I have referred. I hope that the oil companies will consider the matter along these lines.

Mr. Evans: It won't help tourism.

Mr. ALLEN: It will not, because the road to which I have referred is one of the main highways in the State. I have written to the Premier about the matter and hope that the Government can help. I expect to receive many similar representations from the Far North of the State, and I shall be interested to know what policy the oil companies intend to adopt for these outlying areas. If they adopt the same policy as has been adopted in the case of this hotelkeeper, there will be much discontent in that area.

The member for Davenport has stated that there are 1 300 petrol outlets in the country areas. If that number is reduced by 10 per cent, 130 outlets in the country area will be closed, and the oil companies seem to be concentrating on closing outlets that have a small throughput. Doubtless, sales would not drop much. It is argued that, if the business of a petrol outlet with a low throughput is directed to the nearest service station, the few gallons

of sales lost would not make much difference to the adjoining station. However, I claim that the community would receive far better service if the small outlets were left as at present, because they help to supplement a living, whether obtained from conducting a hotel, a general store, or a small roadside garage.

Dr. EASTICK (Leader of the Opposition): I support the Bill in principle, and what I shall say is somewhat supplementary to what the member for Frome has said. I have received a copy of a letter sent to the Premier by a person who has been for many years conducting a post office store on a main highway. Part of the service provided is a 24-hour petrol service, particularly for persons travelling between Broken Hill and Adelaide. The station is the only one providing such a service between Burra and Elizabeth. The action already taken by the petrol company that supplies this outlet not only indicates that the petrol business will cease by the end of this month but also adds another burden to this service organization in maintaining its service to the community.

No-one can deny that there is a proliferation of service stations, and this cannot be in the best interests of the industry. I accept the comment that has been made by the industry organizations but, when action by the oil companies is directed specifically at areas where only a single outlet is available, that action will have an unfortunate effect on the community served and also on passing traffic. Proclamation of this Bill will be held in abeyance, subject to rapid proclamation if the need arises. In introducing the Bill, the Premier said that the Government would be less than fair if it did not acknowledge that certain arrangements entered into pursuant to such a voluntary scheme had gone a long way towards overcoming some of the more undesirable features of the present situation. This is an indication of the co-operation which the Government has received and which flowed on from discussions that were held 13 or 14 months ago, when we were in the precarious position of having insufficient fuel to supply South Australia's needs. The co-operation that was forthcoming then and the discussions that took place thereafter regarding access to the then limited fuel supplies illustrates the willingness of companies to get together in the best interest of the community.

I make the point now, as I did previously when I forwarded a letter from one of my constituents to the Premier, that, if the total effect of closing retail outlets is to be directed against the one-pump and two-pump operators, the community spirit in the best interests of those involved will be defeated. If the service these people provide is recognized and rationalization occurs in areas in which there are many service stations, I shall be able to accept the Premier's undertaking and the decisions that have been taken by the industry in its own best interests. It is important that we do not deny the travelling public reasonable access to fuel so that they do not have to carry cans of petrol with them. On this basis I will in due course seek from the Premier some comments regarding the attitude to be adopted by the oil companies to these country outlets.

Mr. MATHWIN (Glenelg): I support the Bill in principle. I have always been concerned regarding the number of service stations in large country towns and, more particularly, in the metropolitan area. Many years ago I was instrumental in promulgating a by-law giving the council of which I was a member power to control the number of service stations in its district. This worked satisfactorily and, had other councils followed suit, control would have been better than it is now. However, this did not happen and many petrol

stations were opened in the metropolitan area. The people who work in or run these stations must work long hours. Many of the stations are run by a family and these people, some of whom have gone bankrupt, have suffered great hardship. It is hard for some service stations if they do not have a repair section. If one looks at *National Times* of September 3 to 8, 1973, one will see the following report under the headings "Barely afloat despite 90-hour, 6½ day week" and "Life gets tougher for service stations":

There is money to be made in it if you are a good manager, prepared to work 90 hours, 6½ days a week, 52 weeks a year.

That just about sums up some of the problems with which these people are confronted. Like other members, I received a newsletter from the Automobile Chamber of Commerce, part of which states:

The chamber is completely in support of the legislation, although it considers that some amendments should be made in order to strengthen it and assist it in achieving the objects set out by the Premier when he introduced the legislation.

I imagine the Premier has received this same newsletter and that he will no doubt read it and take notice of it, because it is indeed a good publication dealing with all points of the Bill. One sees in the legislation that yet another board is to be set up. One wonders just how many boards are to be set up. So many have been established since I have been a member of this House and, indeed, this is the second one that has been set up tonight. We must be running short of people to constitute these boards. However, someone has to be responsible in this respect and, if it is not a department, I suppose it must be a board.

In any matters relating to the sale of petrol, the board will have power to impose fines and suspend licences. It is interesting to see that no licence fee is referred to. The member for Fisher suggested that the fee for a service station licence or permit could be about \$100 a year. The fee is to be stipulated in the regulations which are to be promulgated later, and it will apply for only one year. An annual licence fee of \$100 could cause hardship to some of the smaller organizations that run service stations, some of which are working on a low profit margin. Now, they will have this additional worry.

One wonders why the licence is to apply for one year only. Why should it not last for three years or even more? Indeed, it would be easier for those who are running these businesses. Licences will be granted to premises that have been selling motor fuel on and from December, 1972. That means that those people who are in business now, or have been since last December, will all automatically get their licences; but what will happen if they want to sell out? That is another problem they will be faced with. All the major service stations and roadhouses will be required to hold a licence. The repair shops, country garages, new vehicle outlets and other stations that have retailing facilities would require a permit. I refer again to page 4 of the newsletter of the South Australian Automobile Chamber of Commerce which states:

The proposed legislation whilst it imposes no controls on existing industrial pumps does provide that no pumps may in the future be installed without the written approval of the board. It prevents the board from granting such approval where the monthly usage is less than 6 800 l (1 500 gall.) a month.

So we have the matter before us, too. Clause 30 (2) (b) provides:

The number of premises the subject of a licence within the distance of three kilometres of the premises proposed to be the subject of the licence.

That will mean that, when the Bill is in operation, there will be a radius of 3 km (1.9 miles) so those there now

will be all right; but what happens when someone wants to transfer, to sell out or to move? He could then lose his licence and it probably would not be transferable if the board decided there were too many petrol stations within the district; also, a person might have to vacate a station because of ill health or some family problem. He would be faced with a loss, because the board might see fit to say that the station should close down. That would impose immense hardship on the man's family. That matter, too, should be looked at closely because of what could happen.

In an area there might be two stations where the proprietors would want to move out—perhaps supplying different brands of petrol. Then there might be two stations in a district each supplying the same brand of petrol. What would happen then? The board would have to control the closing down of the two stations in each of those two cases. It would be most unfair if it closed down one of the stations supplying a particular brand of fuel in the same area. The matter needs clarification by the Government. In his second reading explanation, the Premier said, at page 594 of *Hansard*, on August 29:

During the discussions with representatives of the oil companies concerning the preparation of this Bill, it seemed that it still might be possible for all the companies to agree amongst themselves as to an effective voluntary arrangement to operate while all oil companies agree to observe it. However, the Government considers that this Bill should be proceeded with so that it will be on the Statute Book, and should the voluntary scheme prove ineffective can be quickly brought into operation. If this Bill serves no other purpose, it will ensure that those companies that co-operate in the voluntary scheme will not in future be disadvantaged by their co-operation.

I entirely agree with those sentiments and hope that the companies will be successful voluntarily, because here in Australia it is important to have the type of service station where we get excellent service and attention. A person can go into a service station and ask for his car to be filled with only \$1 worth of petrol, but the attendant will pump up the tyres of his car, supply water if necessary, check the battery and clean the windscreen. That is very good service, a service that is not experienced in many other countries. For instance, in the United Kingdom there are many automatic service stations. (There are some here, of course: there is one at Reynella.) At these automatic service stations overseas a motorist gets no service at all. He has to fill up his car with petrol himself, if he knows how to handle the machine, check under the bonnet and clean his windscreen. In fact, he is lucky if he finds facilities available for doing it. He has to do everything himself. He does not even see the proprietor or the attendant: they sit inside an office at an instrument panel and check the amount of fuel that is taken.

The SPEAKER: Order! The honourable member is going a little outside the ambit of the Bill.

Mr. MATHWIN: I am indeed. I am merely relating this part to the part of the Premier's second reading explanation where he said he was hoping for full co-operation from the companies, with which I agree. To get back to what I was saying, how fortunate we are with our service stations in Australia! In many other places the motorist gets nothing at all. He fills up his own car with petrol and goes to a little office and asks, "How much do I owe you?"

The Hon. D. A. Dunstan: This has nothing to do with the Bill.

Mr. MATHWIN: If the Premier wants to put these Bills through in a night sitting, when I have something to say on a Bill I ask him to extend me the courtesy

of letting me say what I want to say. It is not my fault that we are still sitting here.

The SPEAKER: Order! What the honourable member says must conform to what is in the Bill.

Mr. MATHWIN: We should be pleased with the type of service we get in Australia and should do all we can to assist the proprietors of the service stations. I fully agree with what the Premier said in his second reading explanation about trying to encourage the companies voluntarily to agree to the scheme. If that does not work out, the legislation will be ready to operate when necessary. I received a letter from the South Australian Automobile Chamber of Commerce concerning this Bill: no doubt other members have received a similar letter which, in part, states:

As a member of Parliament you will during the next few days be debating the Bill for the above referenced Act.

The SPEAKER: Order! I draw the attention of the honourable member to Standing Order 156 regarding repetition. The contents of this letter have been read previously by other honourable members.

Mr. MATHWIN: I accept your ruling, Mr. Speaker. The letter continues:

This is a most important piece of legislation and one which is, in the view of petrol retailers throughout South Australia, long overdue.

In principle, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I ask that progress be reported and the Committee have leave to sit again; this is at the request of the Deputy Leader of the Opposition.

Progress reported; Committee to sit again.

#### MONARTO DEVELOPMENT COMMISSION BILL

Adjourned debate on second reading.

(Continued from September 11. Page 666.)

Dr. EASTICK (Leader of the Opposition): It was expected that a Bill embracing the Monarto development should be introduced, as it is a natural follow on from the measures that have been debated concerning Murray New Town. The provisions of this Bill are somewhat similar to those in the Salvado Bill introduced in the West Australian Parliament, and it forms one of a trio of Bills referring to cost, a land commission, and the development organization. Some differences are pertinent to the requirements of Monarto, but I refer to two aspects of the Bill. The first relates to clause 18, and in his second reading explanation the Premier said:

Clause 18 suggests a reason why a large staff should not be necessary, since, under this clause, the commission will be empowered to make arrangements with Government departments and statutory authorities for the use of at least some technical and professional officers as may be necessary for the development of the city.

If this statement indicates there is to be a small empire only, it must receive the support of all members, but history has shown that in many instances what has been suggested as a small empire, like Alice, grows and grows, and it is conceivable that the staff will increase out of all proportion to the indications of the second reading explanation. The use of at least some technical and professional officers is commendable, and I have no doubt there will be some recompense to the department from which the officers have been drawn. There will be a financial arrangement that will not create a situation in which the department

from which the officer is drawn is subsidizing the development of Monarto. Previously, provision has been made for some sort of *ex gratia* payment to the original department for such officers. When officers are called upon to provide assistance to the State Planning Authority, it is at the expense of the department to which they belong.

If officers of the Agriculture Department are used to determine whether a block of land can be accepted as a block with sufficient potential to be agriculturally viable, the work undertaken by the members of that department means that these officers are denied the chance to proceed with their normal departmental work. A number of Agriculture Department projects have been held up because departmental officers have been deployed elsewhere at the request of the State Planning Office, with the result that the department has not been able to complete its investigations in some important fields. A similar situation has occurred in other departments.

In his second reading explanation the Premier said:

Clause 39 is a most important provision and is proposed only after the most careful consideration by the Government: I draw members' special attention to it. It is a considerable dispensing power and again is intended to ensure that the approach of the commission to its great task is not inhibited by what in ordinary circumstances may be regarded as technically legal difficulties. Again Parliament will be forthwith informed of the use of this dispensing power.

The provision virtually puts the commission above the law in some respects. It gives it authority to take action in regard to the development of Monarto without having to comply with other Acts. Whilst the general purpose may be to advance the development of Monarto, one must question whether the proposal is in the best interests of the State as a whole. When the original Murray New Town Bill was debated in this House it was said that, if the new city was to be viable and develop a character of its own and provide community facilities, the Government would have to consider making funds available on terms different from those that normally apply. If it is intended that community facilities will be made available, general support will be forthcoming.

It is evidently intended that the development of the area will be outside the control of local government. Whilst this is a new departure in the South Australian scene, I believe it is reasonable and can be supported, because the local council in the area, the Mobilong district council, would not be able to undertake the type of financing and development that would be necessary for the rapid growth of Monarto. Many of the problems associated with the Salisbury-Elizabeth area arose because the resources of the Salisbury council were strained at a vital time in the development of the area. I commend the Salisbury council and the Elizabeth council for the efforts they made to make that area viable. Even today we find examples where the degree of development and the provision of community facilities still lag behind what might be expected of a council. Certainly, the Elizabeth area has had many advantages over the Salisbury area, because of the amount of money made available to Elizabeth by the Housing Trust.

The new approach, with a clear recognition that the opportunity will be given later for the emergence of local government, can be supported. Whenever members on this side have debated the general concept of Murray New Town, they have said that it is extremely important that a satisfactory industrial base be provided as soon as possible for the area, but there has been no clear indication that any satisfactory industrial base will be provided for Monarto.

Indeed, the information I have obtained through questioning is that, whilst some organizations have looked at the general idea of the Monarto scheme, there are no forward commitments for the establishment of industry of any significance there.

The Government has given some directions to various Government departments, particularly the Agriculture Department, that they should create establishments in the area. How effective those directions will be, in view of the resistance of some public servants who have been informed of their forced transfer to Monarto, will be unfolded in the months ahead. I suggest that the best results for the Monarto area will require more than the forced removal of public servants to the area, because it will need the integration of both State and Commonwealth Public Services, as well as industry. In discussing the general concept of Monarto last week I sought to ascertain from the Minister of Transport what action was being taken to ensure an adequate transport system for Monarto, because that system will be an integral part of the project.

I have had the opportunity of having a brief discussion on Monarto with Mr. Richardson, the new Government officer involved in the project who has indicated his willingness to get on with the job. He has indicated his recognition of the challenge, and he brings with him to his position a wealth of experience gained in Perth, Darwin and Canberra. I look forward to his contribution to this development. The work he undertakes will be supported by the activities of Mr. Taylor, South Australia's retiring Agent-General, whose nomination to the Monarto development scheme has already been indicated by the Premier, this appointment to be taken up after January next year. Many questions concerning this matter will be asked during the Committee stages and I give my general support to the Bill, but there is a need to spell out the limitations applying to several of the somewhat radical provisions.

Mr. WARDLE (Murray): In supporting this Bill, I point out that it is the second Bill in a series that will implement the Monarto project. This measure is welcomed by the people living in the area, because it clears the air regarding the project's ever getting off the ground. There is still much scepticism in the local community about this, for two or three reasons. People in the area felt that the Government's announcement about this project was a gimmick associated with the Commonwealth election last December. It was also felt that little time and effort had been put into the investigations concerning the area and the many other factors that the local people believed should have been examined and reported on.

The Leader referred to the lack of commitment by the Government regarding the clean-air industries it will establish in the area, as well as the industries it may attract to the area, the land tenure to be provided, and when the plan for the area will be available. It is also uncertain when it will be possible to subdivide land and to move into the area, especially as the subdivision of land near Murray Bridge has been refused on the basis that it would be detrimental to the development of Monarto. I have been amazed to learn that a lady wanting to subdivide her half acre into two lots, so that a person seeking to build a house could build on the second block, was refused permission to subdivide because it was prejudicial to the development of Monarto. A person could say to the Commissioner, "Please give me a block at Monarto," and the Commissioner might well say, "It will take three years before I can do that." What about a person wishing to marry in a month's time? Apparently that is of no

relevance, and I consider it idiotic that subdivisions have been refused on the basis of being detrimental to the development of Monarto.

As the Leader has stated, several questions will be raised in the Committee stage. The Bill provides for a commission to be responsible for the development of the area until it has a population of 60 000 people. However, as country towns obtain city status with a population of 10 000, I should have thought it possible for people to accept the responsibility of local government in this area long before the population reached that size. Reference is made in the second reading explanation to groups and individuals having a proper say in the development of the project, yet authority is given to the commission, comprising three members, to operate until 60 000 people reside in the area. Surely it is possible for people to accept the responsibility of local government before such a large population is in residence.

Much satisfaction and contentment would be provided to people in surrounding areas, especially in Mannum and Murray Bridge, if the Government could indicate what the basic development was likely to be. The next stage of legislation deals with the nature of land tenure and the types of landholding that will be permitted. It will be an education and an assurance to the residents of the area to know that development will take place quickly and on a firm basis once that additional information is given to the House through the third measure to be considered. Part III of the Bill disturbs me: it deals with planning and development, and I fail to see why it is necessary to give the commission authority over applied Acts, why it is necessary that the Building Act will not apply (as it does in all other parts of the State), and why it is unnecessary for the Public Works Committee to review any expenditure exceeding \$300,000 in the Monarto area, whereas this does not apply in other parts of the State. Surely it would be in the best interests of Parliament to have its own appointed committee examine the expenditure of taxpayers' money, instead of having the whole of the authority placed in the three Commissioners who will be appointed to be responsible for developing the area.

The District Council of Mobilong will be disappointed at losing the rate revenue on this 40 000 acres (16 188 ha). I do not know whether the Premier has any intention of assisting the council by reimbursing it for this lost rate revenue or whether the commission itself will, during the time it will take Monarto to attain a population of 60 000 and establish local government itself, pay a substantial sum to the council. Although I support the Bill, I look forward to its passage through Committee and to the third phase of the legislative programme, dealing with land tenures, yet to be introduced.

Dr. TONKIN (Bragg): I support the Bill in much the same terms as the Leader and the member for Murray have done, and I am pleased that there will be a commission to oversee the organized development of Monarto. The Leader dealt in detail with the general overall effects of the Bill and the member for Murray dealt with the effects of the legislation in regard to his own area, particularly Murray Bridge. In his second reading explanation the Premier said:

... it is sufficient here to say that the site selected is, from all points of view, quite the best one .... The site is well chosen. The proposed new city is near enough to Adelaide to draw on its industrial base.

I am not sure whether the Premier expects some difficulty in attracting industry to Monarto or whether we will have to depend on industry in Adelaide. If so, it may well be

that Monarto will become little more than a dormitory city: certainly, there will be a good deal of commuting. The Premier continued:

It will be separated from Adelaide by the Mount Lofty Range.

We all know that. The Premier continued:

It is on the main transport corridor to the Eastern States.

Ribbon development must be reduced, but there is already a good deal of ribbon development in the area. Great care must be taken in planning, and one of the major factors relates to water supply and water resources. I presume that the commission will control these matters; I hope so, but great care must be taken in planning water and effluent purification plants. Adelaide is becoming more and more dependent on the Murray River for its water supply, and the quality of water is extremely important to the well-being of the people of Adelaide. No source of water other than the Murray River is available for Monarto. Undoubtedly as Monarto's population increases the quality of the water in the Murray may be seriously affected. Monarto, which is in a low-rainfall area, averages 12in. (304.8 mm) of rain a year and has a hot dry climate, so obviously there will need to be a wide use of irrigation. The salinity problem will be accentuated, but more particularly the disposal of effluent, sewage and garbage will be difficult in Monarto.

Far from being the best possible site, it would have been difficult to find another site in South Australia that had a more direct significant effect on Adelaide and, therefore, on the main existing areas of population. I doubt whether it is the best possible site. However, that does not matter, because I believe that the disadvantages can be overcome by controlled development, and I hope that this is what the commission is for. In his second reading explanation the Premier also said:

At this stage it might be appropriate to mention that, by reason of the most significant financial assistance expected to be provided by the Commonwealth Government, it is likely that one of the Commissioners will represent the interests of that Government.

Here we go again! The same old story: once again the Commonwealth will be intruding, because one of the commissioners is likely to be a direct Commonwealth Government representative. This view has been well enough developed during this sitting for people to know what we are talking about, although it is not spelt out in this legislation as it was in another measure we debated earlier. It is heartening to find that only one commissioner will be responsible for the Commonwealth Government's interests, although we could have found ourselves with two people having to be approved by the Prime Minister. I believe that the Commonwealth Government should make money available to the States for these purposes without attaching strings. It should make money available, because it is our right as a State, and as the people of the State, to receive Commonwealth funds for these purposes, but the Commonwealth should keep its nose out of our administrative affairs.

Mr. EVANS (Fisher): I have never been over-thrilled about the concept of a city at Monarto. I do not consider that all the necessary investigations were carried out before the announcement was made but, once it was made, the project had to proceed. The proposal before us is part of the total project, and the member for Murray has said that already people are being told that they shall not create allotments here or there, that they must be at Monarto. In another debate, Government members have said that there is a shortage of allotments and an escalation in price.

If we must wait for two or three years before allotments are available at Monarto through this commission, we will allow the speculator to push up the cost of the few allotments available to the intending house builder.

Further, the major part of the District of Fisher lies between the Adelaide metropolitan area proper and Monarto. The Minister of Transport has said that there will be commuters between the two areas, and we will need roads for this purpose. A problem is to provide the roads to carry this traffic, and the commission will have power to develop all aspects of Monarto. I do not know whether that applies only to operations within the bounds of Monarto but I think the commission would have power to ask the Commonwealth Government for money to upgrade the roads between the Adelaide metropolitan area and Monarto.

The South-Eastern Freeway at peak periods carries about 75 per cent of its total capacity, so soon that freeway will be overcrowded, with more traffic jams and major accidents than occur at present. The alternative is to develop roads to take the traffic away from that route, and I hope that the Premier, the Minister of Transport, and the commission will realize the importance of developing a route from the Elizabeth area to Monarto and also a route in the southern area from the Christies Beach, Hackham, and Morphett Vale area to Monarto.

Some of my colleagues have referred to Part III, saying that the commission will have power to avoid the controls in the Planning and Development Act and the Building Act. At least two colleagues have said that they consider that the commission will be able to disregard those Acts. I do not think that that is so, although clause 28 gives the commission power to act by proclamation regarding the provisions of those Acts as they may apply to Monarto. The proclamation must be placed before Parliament and members of Parliament or the Parliament itself can take the Minister to task, or the commission, through the Minister, can be taken to task if it goes too far in bending an Act to suit its own purpose.

I am not sure that I totally accept that an authority should be able to depart from two Acts of Parliament to suit its own cause without Parliament being able to reject the action. We are really giving the commission the power of Parliament. I appreciate that there will be opportunity to debate the proclamation, but there will be no power to reject or alter it. I ask leave to continue my remarks.

The Hon. D. A. Dunstan: No.

The SPEAKER: As there is a dissentient voice, the debate must continue.

Mr. EVANS: I have referred previously to other Government departments or authorities that have departed from the Building Act to suit their own purpose. The Housing Trust offended by building houses with an 8ft. 9in. (about 2.6 m) ceiling when the Building Act provision stood at 9ft. (about 2.7 m). When the Building Act provision was 8ft. 9in., the trust built to a height of 8ft. 6in. (about 2.5 m). Recently, the trust has adopted a more responsible approach and has stayed within the bounds of the Act. My other concern is that the Public Works Committee will have no power over any project in the Monarto area. Any individual project or major construction that normally would be the subject of investigation by the committee should still be investigated by it. The commission should not be able to walk away from that responsibility because, as it is still public money that is being spent, the public has a right to see that the committee has jurisdiction over the larger-scale projects that may be commenced.

Tied up with the legislation is the other matter of which Opposition members are fearful: that of leasing. A provision is hidden in the Bill under which land can be made available on lease, an aspect to which much reference was made earlier. It is not worth my while repeating what has been said regarding objections to the leasehold as opposed to the freehold system. Suffice to say that I recognize that that provision is included in the Bill. When the establishment of Monarto was announced by the Government, some meteorological and other experts raised doubts about the total project as, indeed, I did on one of the issues to which my Leader referred earlier, concerning what type of industry we would encourage to the area and what hope we would have of so encouraging it other than by offering incentives. Of course, it would have to be monetary incentives granted over an extended period. The commission may find itself in the same position as the State Government now finds itself regarding water that was supplied at an agreed rate under a former Government to a large industry in Whyalla.

We may be heading for the same type of thing now. I refer, for instance, to the sort of arrangement we have with the Port Stanvac oil refinery regarding council rates. We offered that industry an incentive to get it to establish in the area. However, in due course the community begins to ask why such an industry should receive a benefit now that it is showing a profit, and one can only reply that the previous Government offered it an incentive to get it to establish there. I can see this problem arising in relation to Monarto, as the major industries will go to Monarto not because of choice but because of an incentive given to them or because no industrial land is available elsewhere.

If development is to occur on this basis, the fact that no industrial land is available elsewhere in the State will not mean much, because industries always have the choice of establishing in other States. I refer particularly to the consumer industries which have land available and to which other Governments will offer incentives that are equal to ours. Also, these industries have the incentive of having the consumer market virtually at their back door. I realize the difficulties involved in encouraging industries to establish in Monarto. This must be one of the first things for which we should fight, even if it means that commuters must travel from Adelaide to Monarto to keep the industries going. The industries, and not the workers, will have to be considered first.

I can see the merit in public servants being encouraged to live and work in this area. However, not all Government employees who will be forced to go to the area will appreciate the change of environment and the effect it will have on their lives and property values. I can visualize the case of a young man who is transferred to Monarto and whose wife has to leave her job in the city as a result. It will be difficult for the commission to offer work to such a couple. I would not like to be responsible for finding the right type of work for a total community.

[ should like briefly to refer to the establishment of towns in dry climates, where there will be a heavy demand on water, one of our most important natural resources. Water will be an important commodity for the development of this area, as most Parliamentarians realize. The commission plans to construct at Monarto a lake, which will contain much water and which will be connected to two channels, one going into and the other coming out of the Murray River. Once a lake is created in an area like this, where high temperatures are recorded, much water will

evaporate. Public and school playing fields place heavy demands on water resources, and for this reason people coming to Australia in future will probably think, when they examine the whole project, that unwise decisions have been taken. Indeed, some of our sons and daughters may well be saying this soon.

This is a little monster compared to the big monster we started to create earlier this evening. We have started to set up three commissions, the operation of which will cost much money. Therefore, the activities of not only the commission but also those in the Public Service who will be involved in this work will place a burden on this State's financial resources. The project can survive only if we force people to live in the area and factories to be built there. The commission does not have an easy task in establishing this type of town, which needs a "heart" before it can grow. So I have doubts about Monarto. I have always believed that the wrong spot has been chosen, but I hope I am proved to be wrong in the future, because I should like it to succeed for the benefit of South Australia. I support the Bill with reservations.

Mr. DEAN BROWN (Davenport): I support the Bill with the same sort of grave reservations that members on this side have already expressed. Decentralization of large cities within Australia is essential, and it is particularly important if we are to maintain the quality of life that we in the Western society are starting to expect. Failure to decentralize will simply lead to larger and larger cities with greater transport problems and move farther and farther away the desirable life that people would like to enjoy in our cities in Australia. Therefore, decentralizing of the population centres is important, and perhaps particularly so in Australia as such a high proportion of our people is now living in the capital cities.

But it is important to decentralize on a carefully planned and rational basis. It is important to carry out feasibility studies to determine which industries and which sections of the Public Service are best suited to be decentralized. Then, having worked this out, we have to decide which is the best area to which to shift these industries and these sections of the Public Service. In other words, we need a detailed comprehensive feasibility study to be carried out. I understand that for Monarto a detailed feasibility study is still being made; and yet this morning, as I imagine the sun's rays are now starting to shine across the plains of Monarto, we are currently pushing through some legislation to set up and develop the area of Monarto.

I take the Agriculture Department as an example of this lack of careful planning. I have spoken previously at great length on this matter, but will not repeat that speech now. Suffice it to say that it has been strongly suggested that much of the research centre at Northfield would be shifted to Monarto. I put forward a case regarding the impact that this would have on the granting of further research funds from various industry boards. Such a move would immediately destroy the confidence of those industry boards in the research at present being carried on by the Agriculture Department. This lack of confidence that the industry boards would then have if such a move took place would affect the funds allocated to research from those independent bodies, first from now until the move took place and then from after the move had taken place until the new centre had been fully established to the same level as the Agriculture Department is established at Northfield.

In no way would I blame the industry boards for their attitude in this regard. It would also immediately

have an impact on the morale of the officers working at Northfield. It would interrupt some important research, particularly in the field of horticulture, but not only in that field. The dairying industry would be affected, and so would the agronomic and soil science research now being carried on. I take that as one example of the lack of careful planning in deciding which Public Service departments and which industries should be shifted to Monarto. I should have thought it was reasonable first, before trying to rush ahead and establish the city, to announce to the people involved exactly which Government departments would be shifted.

Mr. Payne: You want to move Government departments and then work out afterwards where you would move them to.

Mr. DEAN BROWN: I am not suggesting that at all; I am suggesting that we decide which Government departments should be shifted; we should then find suitable areas and inform those people that they will be shifted and where we would put them in planning the moves and the future activities of those Government departments involved. The Commonwealth Government has obviously also had some grave doubts about the feasibility studies and the lack of planning for Monarto. I understand that we were expecting a grant this year of \$15,000,000 for the development of Monarto, and in fact we have received from it less than \$2,000,000.

Mr. Duncan: Then you misunderstand the position.

Mr. DEAN BROWN: If that is not a vote of what I may call no confidence in the planning that has gone into Monarto so far, I am not sure what is. I support the principle of decentralization but not the introduction of this type of legislation now without suitable feasibility studies being carried out and presented to this House so that we can discuss the plans and decide whether they are reasonable and adequate and whether firm work should be done. I should have thought that that was the normal way to go about this. Then, if the Government is satisfied with the feasibility study, it can go ahead, form the commission and start to develop Monarto. But, somehow, in deciding to rush into the issue, we have got our techniques back to front and therefore are making an unfortunate mistake. I hope that in future the mistakes now being made will not affect the industries and lives of South Australians to too great an extent. It would be unfortunate if this morning we took steps that we would later regret and that future generations of South Australians would regret for a long time. It is with these reservations that I support this Bill, in the hope that at least in the development that takes place the Government will look at the results of the feasibility studies and that we, too, will have a chance to see them and: critically examine them.

Mr. MATHWIN (Glenelg): I, too, support the Bill, but I have some doubts about whether Monarto has been situated in the correct place. Some experts have argued that the new city should have been situated near Port Pirie. However, the Government will have a political advantage because the new city of Monarto will be near Murray Bridge. As much more industry has been established at Port Pirie, this would have given the new city the chance to use the available facilities. The Minister of Transport has said that people will commute between the new city and Adelaide. Although the freeway is an excellent route through the hills, problems may be associated with its construction away from the metropolitan area. The present rail journey from Murray Bridge to Adelaide takes too long, and I hope there will be an improvement in that service.

The member for Fisher emphasized the problem facing the Government concerning a water supply to the new city. It is imperative that we preserve as much water as possible in this State. People who are established in the new city will wish to beautify their houses by growing vegetables and flowers, and these activities will be a drain on the water supply. No doubt the commission will try to beautify the city with trees and lawns, and again large quantities of water would be required. The water supply problem is one that will have to be faced by the Government. The soil has good drainage, but the summer is hot and there will be considerable evaporation.

This is the third Bill to have been debated today that provides for a commission of three members to be appointed. Perhaps it will be difficult to find sufficient competent people to appoint to these commissions. I compliment the Premier for appointing Mr. Taylor a member of this commission. He has done an excellent job for South Australia as Agent-General in London, is an excellent choice, and will do a fine job. He is keen to start his work and has said he wants to be the first to take up residence in the new city. Setting up the new city will require a large staff, and so the building of another empire is to be commenced, and it will grow larger. I am concerned that the commission will be outside the provisions of the Planning and Development Act and the Building Act. Although the Planning and Development Act is clumsy and sometimes difficult to understand (even by the Chief Justice), it has established controls for the benefit of the community, and the commission to be appointed should have come within its scope.

The Government may have a problem in taking people from the Adelaide city area and placing them in the new city because, at present, the Government also wishes people to live in the city area of Adelaide. If people are taken from the city, they will not return to it: that fact has been proved in many cities in Europe and in other parts of the world. During the debate on another Bill the Premier said that more allotments were to be provided for people in the city area, but now we are trying to encourage them to go to a new city. I support the Bill, because I believe it is a good idea to decentralize Adelaide's population.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"The Commission."

Dr. EASTICK (Leader of the Opposition): Will either of the present appointees be a Commissioner? If not, what will be their relationship to the Commissioners?

The Hon. D. A. DUNSTAN (Premier and Treasurer): Mr. Taylor will be the Chairman of the commission: he will be one of the Commissioners. Mr. Richardson will be the General Manager of the commission; he will not be a member of the commission, although he will normally attend meetings of the commission.

Clause passed.

Clause 6—"Period of appointment of Commissioners."

Mr. EVANS: The term of office of each Commissioner is to be not more than six years, with the opportunity for a Commissioner to be reappointed. This period is two years longer than the period applying to two members of the Land Commission.

Clause passed.

Clauses 7 and 8 passed.

Clause 9—"Acting Commissioner."

Dr. EASTICK: There is no clear indication whether a Commissioner who is absent on an overseas tour may be replaced or whether the absence of a person who is ill for a week or 10 days may be covered by the appointment of an Acting Commissioner. It seems unreasonable that the Governor should make an appointment for a period that is less than, say, six weeks to eight weeks.

The Hon. D. A. DUNSTAN: The whole thing has to be done on a pragmatic basis, and with good reason. There may be some cases where the appointment of an Acting Commissioner may be necessary within a shorter period than the period referred to by the Leader, depending on all the circumstances of the case. Obviously, an Acting Commissioner will not be appointed if there is not a good reason to appoint him.

Clause passed.

Clause 10—"Acceptance of office as a Commissioner not to be a bar to the holding of any other office."

Mr. WARDLE: Does the Premier know what the salaries of the Chairman and the other Commissioners will be?

The Hon. D. A. DUNSTAN: The salary of the Chairman of the commission will be commensurate with the salary and emoluments that he received as Agent-General. The fees of the other Commissioners have not been fixed, but they will be recommended to the Government by the Public Service Board.

Clause passed.

Clause 11—"Meetings, quorum, etc., of the Commission."

Mr. MATHWIN: Why has it been decided that any two Commissioners shall constitute a quorum at any meeting of the commission? Because the Chairman has a deliberative and a casting vote, in some cases he could rule the business and he would be the commission. Why should the quorum not be three Commissioners?

The Hon. D. A. DUNSTAN: I explained earlier the reason for the necessity of a quorum.

Clause passed.

Clause 12 passed.

Clause 13—"Functions of the commission."

Mr. WARDLE: Will architects throughout the world be given the opportunity to make submissions concerning the design and plans for the city?

The Hon. D. A. DUNSTAN: No. An announcement will be made shortly about the basis of the design team. We examined the possibility of bringing architects of note from other parts of the world. We were advised against running a competition, because competitions have not worked particularly well in the past. Rather than bring in someone who is a great name, we want someone who has associations with South Australia, proven experience here and overseas, and the necessary flexibility. We have been able to obtain people with that expertise together with a local planning team that will be most satisfactory. The planning team will be such that we will be able to do in Monarto the same kind of functional job as a local team of architects was able to do in connection with the Festival Centre. The plan will have to proceed from the outset with constant public appraisal of what is being proposed.

Mr. WARDLE: Does that mean that the technical people will be from South Australia only, or will they be from other parts of Australia, too?

The Hon. D. A. DUNSTAN: It is likely that for certain aspects of the plan consultants will be brought in from Australia as well as overseas. The people doing the local work on the ground here will be a South Australian team.

Mr. EVANS: As the environment of Monarto is just as important as that elsewhere in this State, before total approval for projects is given will the plans be available for public scrutiny, and will an opportunity be given to the public to comment and appeal if it is considered that errors exist?

The Hon. D. A. DUNSTAN: Yes.

Mr. DEAN BROWN: Do the feasibility studies and initial development studies that have been undertaken include consideration of the transport link between Adelaide and Monarto and the transport system to be set up in the new city?

The Hon. D. A. DUNSTAN: I cannot tell the honourable member about all the feasibility studies carried out, because there has been a series of studies. There was a general feasibility study on the city by Pak-Poy and Associates for the Commonwealth Government before it accepted the concept of Monarto. An earlier study was done by the State Planning Authority, and this has been published. Since that time there has been a series of separate studies covering almost every aspect of life in the city. This provides the ground work on which further planning investigation will proceed. Constant study is proceeding. If the honourable member wishes, I will get for him a list of all the studies that have been undertaken. Certainly, studies have been undertaken regarding transport links between Monarto and Adelaide.

Mr. WARDLE: Because of the vast sums expended, why has provision not been made for scrutiny of this project by the Public Works Committee?

The Hon. D. A. DUNSTAN: These projects are part of a whole planning process which will be subject to public scrutiny. If we are to have the Public Works Committee and the Commissioners dealing with the matter, as well as having the total planning processes subject to public scrutiny, how will we get anything done? As this whole project will be subject to the whole concept of proper planning, I do not think it appropriate for separate individual items to be the subject of investigation by the Public Works Committee.

Mr. DEAN BROWN: I appreciate the Premier's offer to get a list of the feasibility studies so far carried out. Will the Premier also obtain a list of further studies being carried out at this stage? Also, will the Premier provide information regarding the sort of secondary industry that may move into the area?

The CHAIRMAN: I draw the honourable member's attention to the fact that this clause refers to physical planning and development only.

Mr. DEAN BROWN: I appreciate that, and that is why I believe the type of industry attracted will have a significant bearing on the physical planning and development of the area.

Mr. WARDLE: What is meant by "public scrutiny"?

The Hon. D. A. DUNSTAN: I tried earlier to establish that the plans would be on display and subject to public comment and constant emendation. The people in the city are to be taken into consideration and their views obtained by the commission, and they will be consulted from the outset. The original concept plan will be on display in the commission's headquarters, published in the press, and subject to comment and criticism from planners and anyone else who involves himself in the matter. The whole planning process is to be on this basis of constant public information and constant emendation of what will be an organic and growing thing. It is in this way that we will proceed. It will mean the maximum participation by everyone who has an interest.

Mr. BECKER: Does the Premier foresee briefings of future residents to obtain their points of view so that when they move into the city many problems will be resolved before they get there?

The Hon. D. A. DUNSTAN: I certainly foresee such sessions.

Dr. EASTICK: Regarding the scrutiny, I accept the breadth of the representation and the promotion to the public. The Public Works Committee is empowered to call for papers and to interrogate people who have information relative to a project. However, it is unlikely that the public will have the same rights or ability to question or to obtain background information, which will surely be the responsibility of someone to obtain if the scrutiny is to be meaningful. An organization or group of people with some professional expertise may be able to obtain a basic appreciation of what is proposed by virtue of the Premier's public announcements, but without being able to get the technical detail or to question the personnel who have prepared the detail; so, the result could be of little avail. Will the Premier reconsider this matter in the light of the need of experienced appreciation of the matters, instead of the casual scrutiny which, I suspect, will be a follow-on from the type of opportunity that will be granted as a result of what he has said?

Mr. DEAN BROWN: The Premier said that a feasibility study had been sent to the Commonwealth Government when he asked it for funds. Can he make copies of the feasibility study available to members? Can he also say what types of industry will be developed?

The CHAIRMAN: Order! The member for Davenport is out of order, because the clause we are discussing deals only with the commission's functions.

Mr. DEAN BROWN: Subclause (2) (b) deals with the economic development of the area. Surely it is fair and proper for me to know the kinds of economic development that will take place?

The CHAIRMAN: As the clause we are discussing deals only with the commission's functions, I rule that the member for Davenport is out of order.

Clause passed.

Clause 14 passed.

Clause 15—"Appointment of committees."

Mr. BECKER: Does the Premier envisage that community sporting and recreation bodies will be established, before people move to Monarto, so as to assist with the overall planning requirements of the city?

The Hon. D. A. DUNSTAN: I do not know that bodies will be established beforehand, but certainly the commission, in planning, will seek advice from experts on the recreational facilities that will be established.

Clause passed.

Clause 16 passed.

Clause 17—"Employment of persons."

Mr. BECKER: Can the Premier say whether a commission employee may enter into a supplementary arrangement, of the kind contemplated by section 6 of the Superannuation Act, with the South Australian Superannuation Board and whether an employee transferring from another organization to the commission will be able to transfer his existing superannuation to the board? This would mean portability of superannuation.

The Hon. D. A. DUNSTAN: I am advised that this will be possible under section 6 of the Superannuation Act.

Clause passed.

Clause 18—"Commission may make use of services of employees of Public Service."

Dr. EASTICK: Because of the pressures that have been placed on the State Planning Office and the Lands Titles Office as a result of amendments to legislation and the inability of those bodies to fulfil their responsibilities under the amended legislation, can the Premier assure me that the staff to be made available for Monarto will be adequate and that, if there is a growing demand on the services of other departments, provision will be made for an increase in the staffing of those other departments so that existing projects will not be delayed and so that the normal activities of those other departments will not be jeopardized? I have in mind demands that have been made on the Public Health Department, some of whose officers were suddenly shifted from working on effluent systems to working on sewerage systems. These instances occurred in the Williamstown area, where officers were taken away to make a study at Mount Barker. Can the Premier assure me that the necessary staffing will be undertaken so that no Government department will suffer any further embarrassment?

The Hon. D. A. DUNSTAN: When staff members are scarce we must make the most economic use of them, and I will try to do just that.

Clause passed.

Clauses 19 to 22 passed.

Clause 23—"Programme."

Mr. DEAN BROWN: Mr. Chairman, I was seeking information about what interest rates—

The CHAIRMAN: I rule the honourable member out of order. That related to clause 21, and that clause and clause 22 have been passed. Now I have put clause 23.

Dr. EASTICK: What receipts does the Premier contemplate will be part of the programme, particularly in the early stages? Will they be only the \$1,200,000 or \$1,600,000 expected from the Commonwealth Government? Sub-clause (2) gives the Minister power to veto a programme if the commission is not fulfilling the role he thinks it should be fulfilling and he can direct that the commission alter the programme.

The Hon. D. A. DUNSTAN: The commission will have receipts from several sources. Money will come from both the Commonwealth Government and the State Government. At present the Government receives from the Commonwealth Government money to purchase land and it has received a large amount for the initial planning process and the establishment of a tree and plant nursery.

Dr. Eastick: Is this in the \$1,200,000 or \$1,600,000?

The Hon. D. A. DUNSTAN: Yes, and that is not all that we expect to get this year.

Dr. Eastick: That is what has been announced.

The Hon. D. A. DUNSTAN: I know that. This is money for which the State Treasury will be responsible and we cannot have an authority presenting a budget without the Treasurer's approving it. It is wrong to say that the budget of an autonomous authority is not under surveillance by the Minister. All the authorities that we have established in the past three years, such as the South Australian Film Corporation, and the Adelaide Festival Trust, must have their budgets approved.

Clause passed.

Clause 24—"The applied Acts."

Mr. WARDLE: I should like to know whether all building works throughout the State will have to fall into line with what the commission does regarding the Planning and Development Act and the Building Act.

The Hon. D. A. DUNSTAN: No. We hope to have at Monarto some new designs, and we will do much at Monarto with new building technologies. Architects have

said that it is important that we be not kept strictly to a building code which in many respects is outmoded and which the Commonwealth Government is seeking to have amended to bring it into line with the uniform building code, thus enabling us to build more cheaply throughout Australia. We consider it proper that the commission should have power to depart from building regulations in proper cases.

Clause passed.

Clauses 25 to 27 passed.

Clause 28—"Modification of the applied Acts."

Dr. EASTICK: I ask the Premier what is the scope of the variation from the norm that is contemplated in this clause.

The Hon. D. A. DUNSTAN: Obviously, I could not designate that at this stage.

Clause passed.

Clauses 29 and 30 passed.

Clause 31—"Acts to apply to Commission as if corporation and council of municipality."

Mr. DEAN BROWN: I seek an assurance that the people in the designated area will receive from the commission the same standard of service as they are now receiving from councils and a further assurance that rates in the new designated area will not be increased.

The Hon. D. A. DUNSTAN: I cannot give the honourable member an assurance about the future in relation to rates, but it is contemplated that, on the setting up of the commission, the Mobilong council will continue to provide services, under contract with the commission. This has been discussed already.

Mr. WARDLE: Can the Premier give some idea of when the designated day is likely to be and whether outstanding rates will be paid to the Mobilong council?

The Hon. D. A. DUNSTAN: I cannot tell the honourable member when the appointed day will be. I imagine that the necessary adjustments will be made with the council regarding outstanding rates to that date.

Dr. EASTICK: The Premier has said that an opportunity is to be given to the Mobilong council to provide services, thereby enabling it to recoup costs. However, it is not stated that supplementary grants are to be made available to it to recoup the loss of rates from a large area. The words "in or related to that part of the district" suggest that advantages accruing to the council will relate only to action taken and to any outstanding accounts for that part of the district being taken over. Many councils have a running commitment in respect of equipment, and in many cases the recreational facilities that have been provided for the community may not specifically refer to that part of the district. Will the Premier say whether, in considering the funds to be made available to the council, heed will be taken of the percentage of Loan funds that relate to future commitments for district facilities?

The Hon. D. A. DUNSTAN: I am not aware of any arrangement of this kind, and I do not remember its being raised with me or with the Minister of Environment and Conservation by the Mobilong council. However, I will inquire for the Leader.

Clause passed.

Clauses 32 and 33 passed.

Clause 34—"Constitution of designated site as municipality."

Mr. DEAN BROWN: Will the Premier say when it is likely that the population of this area will reach the stipulated 60 000? It is reasonable for one to expect that some sort of estimate in this respect has been made in the feasibility study.

The Hon. D. A. DUNSTAN: At this stage the prediction is too indefinite.

Mr. WARDLE: Why was a population of 60 000 chosen as the stage of development at which local government would be established?

The Hon. D. A. DUNSTAN: This was the take-off point at which it was considered that the municipality could take over from the commission. Prior to this, a representative committee, comprising local residents who will work in consultation with the commission, will be established.

Clause passed.

Clauses 35 to 37 passed.

Clause 38—"Works not to be 'Public Works'."

Dr. EASTICK: Will the Premier say whether the powers of the commission will be such that an arrangement between the commission and the Education Department, or the Minister of Works acting on its behalf, will be regarded as a commission transaction or one of the Minister

of Works? I refer specifically to the building of schools and other facilities undertaken by the Minister of Works, in relation to which the commission will be able to effect the contract with the Minister and, therefore, by-pass the normal scrutiny procedures relating to major Government works and school buildings?

The Hon. D. A. DUNSTAN: I do not expect that the normal public works of the State such as school buildings will be provided for out of the commission's funds. As I understand it, the perfectly normal procedure will apply, namely, that schools will be constructed as part of the normal schools programme.

Clause passed.

Remaining clauses (39 to 41) and title passed.

Bill read a third time and passed.

#### ADJOURNMENT

At 5.8 a.m. the House adjourned until Wednesday, September 26, at 2 p.m.