HOUSE OF ASSEMBLY

Wednesday, October 3, 1973

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

SOUTH AUSTRALIAN MUSEUM BILL

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

PETITIONS: CASINO

Mr. SIMMONS presented a petition signed by 20 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.

Mr. ALLEN presented a similar petition signed by 134 citizens.

Mr. VENNING presented a similar petition signed by 113 citizens.

Petitions received.

PRICES ACT AMENDMENT BILL

At 2.5 p.m. the following recommendations of the conference were reported to the House:

As to amendments Nos. 1 *and* 2:

That the Legislative Council do not further insist on its amendments.

As to amendment No. 3:

That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The effect of this proposal is that the Legislative Council withdraws its proposal concerning the provision of regulation making in place of proclamation of declared goods and services but that the Legislative Council has sought that there should be an annual review of the decisions of the Prices and Consumer Affairs Branch. The conference agreed that, as to the constitution of the branch and as to the investigatory powers of the Commissioner and his work relating to other consumer protection legislation, that should be permanent, and that, as there was difficulty about splitting the Bill to achieve that result, the managers would recommend to the Legislative Council that, on the introduction by the Government of a Bill to make permanent those features of the Prices Act, that be agreed to by the Legislative Council.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

This afternoon I explained the effect of the recommendations.

Dr. EASTICK (Leader of the Opposition): What the Premier said this afternoon indicated that the tone of the meeting was one of reasonableness on both sides. I believe the decision reached is in the best interests of the South Australian community. The Premier has given a clear assurance that eventually a division of the legislation will take place, if not this session then next session.

Motion carried.

STATE BANK REPORT

The SPEAKER laid on the table the annual report of the State Bank for the year ended June 30, 1973, together with profit and loss account and balance sheets.

Ordered that report be printed.

GOVERNMENT OFFICE BUILDING

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Government Office Building (Flinders Street).

Ordered that report be printed.

QUESTIONS

PETRO-CHEMICAL PLANT

Dr. EASTICK: Will the Premier say whether he has sought an assurance from the Commonwealth Government, in particular from the Prime Minister and the Minister for Minerals and Energy (Mr. Connor), that the Commonwealth Government's policy of continuing nationalization, as evidenced by its entry into the oil and gas industry, will not jeopardize the proposed development of a petro-chemical plant at Redcliffs? Industry throughout Australia must view with concern the news that the Commonwealth Government will buy and market all of the oil and gas from the Woodside-Burmah field in north-west Australia. Industry is justified in its concern, because of the repercussions that this action could have in other fields, particularly Redcliffs. For instance, the action could have a severe effect on the future use of South Australia's natural gas, and particularly on the piping of wet gas from the fields to the proposed petro-chemical plant at Redcliffs. Obviously, the State Government has not the resources to finance the pipeline that will be needed to bring the wet gas from the field and will have to ask the Commonwealth Government for funds for it. Yesterday's announcement, which was made by the Commonwealth Government or concurred in by the Commonwealth Government after it was made by the company concerned, must cause everyone in the industry to ask whether the authoritative body in any agreement will be the Commonwealth Government or whether it will be the individual State. I suggest that such action would be clear interference with the State's responsibility, or more particularly with the State's opportunity to proceed to determine its own destiny. We could be blackmailed into subjugation by a Commonwealth Government that is set on centralizing power in the hands of as few people as possible. Therefore, I ask the Premier whether he has sought an assurance from the Commonwealth Government that the Redcliffs petro-chemical plant will not be put at risk by the Commonwealth Government and that any assurance given so far by the State Government to developers interested in the project can be relied on.

The Hon. D. A. DUNSTAN: I have not sought such an assurance, because it is completely unnecessary. A whole series of the Leader's premises in his question are wrong.

Dr. Eastick: Prove it!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I shall proceed to do so. If the Leader would consult his legal friends (although I realize he has none left in his Party now), he would find that the Commonwealth had no constitutional power in relation to the purchase of onshore gas in South Australia. It has only such power as is allowed to it by agreement in relation to the pipeline to Sydney. The Commonwealth Government has no intention (this has

been made clear, and I have assurances from the Minister for Minerals and Energy about the Commonwealth's intention in relation to the petro-chemical plant and about developments in South Australia) other than to assist—

Dr. Eastick: Until they change their mind.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —development in South Australia. The fact that the Commonwealth Government will have available to it natural gas from elsewhere in Australia gives force to the undertaking to me of the Minister for Minerals and Energy that the Commonwealth will back up supplies to South Australia for all purposes of natural gas. As to the contracts within South Australia, there is no difficulty about the development of the petro-chemical plant on the score of the announcement this morning: far from it, because the Commonwealth is co-operating with us in this venture. In addition, the Leader's premise concerning the financing of the gas pipeline is wrong. If it were necessary, we do have State resources to finance this project ourselves, and we could do it on our own if we chose to do so. However, I believe it will be done in co-operation with the Commonwealth Government, and fitting in to a national gas grid in the development of natural resources of this country for the benefit of the people of this country and not of some other country. I have no need to seek an assurance from the Commonwealth Minister. The announcement on policy this morning can do nothing but enhance the project at Redcliffs and also developments in this State, thus assuring us of adequate supplies of natural resources.

Mr. BLACKER: Has the Premier received a report on the findings of the preliminary study made by the Fisheries Department into the environmental and ecological conditions applying at Redcliffs and, if he has, will it be made public?

The Hon. D. A. DUNSTAN: The report on environmental aspects of establishing a petro-chemical industry at Redcliffs is not a report of the Fisheries Department. It is an environmental impact study that has been undertaken by Imperial Chemical Industries Australia under the supervision of the working party from a branch of the Environment and Conservation Department, the Fisheries Department. Although I understand that the preliminary report has been completed, I have not seen it, but I expect that it will be made public in due course.

SHACKS

Mr. KENEALLY: Can the Minister of Works, representing the Minister of Lands, report on the Government's intentions concerning shacks fronting the sea and those fronting inland waters? The Minister would know that several hundred shacks are situated in my district, and I have been approached by shack owners who are, to a degree, unsure about the Government's plans.

Mr. Hall: I bet they are.

The SPEAKER: Order!

Mr. KENEALLY: Can the Minister give a full report to the House, particularly concerning shacks already existing or of instances where individuals may have spent large sums of money purchasing materials in order to build a shack?

The Hon. J. D. CORCORAN: I am able to give to the House—

Mr. Venning: That's unusual!

The Hon. J. D. CORCORAN: —details of the Government's policy in this matter. I do not know why members opposite are objecting to this, because I thought they might have been interested in it also.

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. CORCORAN: If the member for Stuart has pre-empted the member for Goyder's question, that is his business. The fundamental objective of the Government's policy is to prevent further development of Crown lands with water frontage, pending an investigation of the existing position in order to determine the future use of these areas. There is nothing strange about that. All sites licensed by the department for shack site purposes were inspected before September 21 this year. Notices of cancellation of licences for unimproved sites have been issued in accordance with the conditions of the licences. These conditions include, first, termination on one month's notice. This is nothing new. Ever since the initiation of responsible Government in 1857, such a condition has been allowed to develop under a system of annual licence. Successive Governments included in the annual licence provision for cancellation or termination of such licences with one month's notice. The second condition is that buildings shall be such as to be easily removed (that is made perfectly clear in the conditions of the licence). Thirdly, on termination the improvements are to be removed within one month, and this, too, has always been made perfectly clear. The rights of these people have been made known to them and were made clear when they took out a licence.

Local councils have been informed of the proposed investigation and have been requested to take action to prevent further development of those areas where, by arrangement with the Lands Department, councils relet sites for the construction of shacks. The investigation will also include areas where shacks have been erected on reserved lands where such use is not in accordance with the terms of the reservation. It is unlikely that shacks constructed on those areas dedicated for the specific purpose of shack site development will be affected.

The Government has appointed a committee comprising representatives of the Lands Department, Marine and Harbors Department, Tourist Bureau Division and the State Planning Office of the Environment and Conservation Department, and the Local Government Office of the Minister of Transport and Local Government Department. The terms of reference are as follows: (1) to define those areas along the sea coast, the banks of the Murray River and its associated lakes from which shacks should be removed; (2) to prepare a programme for the removal of existing shacks; (3) to consider the provision of alternative sites for holiday-home accommodation. The committee is to report to the Minister of Lands not later than June 30, 1974.

No action will be taken to phase out existing shacks until the investigation has been completed and the possibility of providing alternative areas for the establishment of holiday-home villages has been studied and the results analysed. It is expected that where shacks are to be removed the phasing out will not commence for some years, except where the present condition of the buildings or the type of construction warrants earlier removal. The inspection of those areas directly under the control of the Lands Department revealed a significant degree of unauthorized occupation both on foreshore areas and on abutting roads which may require earlier attention. This information makes perfectly clear the Government's policy on shack sites and what is to happen in the future.

Mr. HALL: Will the Minister of Lands say whether the Government has plans to remove certain shacks from sites on which they are now built and make over some of those areas, or an area, to a large-scale developer? Secondly, is there any plan to assist the shack owners asked to move their shacks to relocate them in a desirable but officially approved area? Last Thursday I asked the Minister of Environment and Conservation a question, but he seemed to know nothing worth while about this matter, although at the weekend I have been told that a letter has been sent around my district to councils and that the Chairman of one council has forwarded a copy of that letter to many people in that council area who are affected. The letter apparently indicates a proposition put forward by the Minister of Lands today.

The Hon. J. D. Corcoran: I am not Minister of Lands.

Mr. HALL: Well, the Minister representing the Minister of Lands. A wide-scale unofficial report is circulating in my district that some of this action is being taken on behalf of a developer to whom some of this area is to be made over. I ask the Minister, if there is no foundation for this report, to make that known, because there is a widespread report from mouth to mouth all over Yorke Peninsula, which is widely affected from north to south by this measure. Some believe that this type of report has been generated because of the way the announcement has been made. Secondly, if shacks are to be relocated (and the Minister's statement this afternoon, it must be admitted, is vague) there could be involved in it the direct threat by the Minister of Lands, whom the Minister of Works represents in this House, that the shack owners will have to remove the shacks. Therefore, I ask the Minister whether assistance will be given to find new sites for those affected. In addition, to take up what has been said already in another question, I may say many people have incurred substantial expense in preparing materials with which they intended to erect shacks or holiday homes on sites that they had legally owned or possessed until this announcement. I have been told of one person who has prefabricated material for a whole shack, and one can gauge the expense already involved on his site. His predicament is not his fault, as obviously he was operating under the law at that stage. I ask the Minister for a more definitive attitude to let the people know what is in store for them.

The Hon. J. D. CORCORAN: It is a pity that the honourable member did not take the trouble to know something more about these unofficial reports to which he has rapidly given currency in the House this afternoon. It is rubbish to suggest that the Government's policy has been designed to remove shacks to allow some large-scale developer to develop something where the shacks have stood. The unofficial report to which the honourable member has referred is completely unofficial and unfounded. I hope the honourable member can accept that. The second thing the honourable member has requested is that the Minister of Lands consider assisting (I take it financially or in some other way) people who are required to move their shacks. I repeat for the honourable member's benefit the terms and conditions laid down in the annual licence that people accepted and paid for annually.

Mr. Jennings: They applied when he was Premier.

The Hon. J. D. CORCORAN: They applied not only when the honourable member was Premier, but also for a long time before then. There are three conditions. The first provides for termination on one month's notice, and the honourable member is aware of that. The second condition is that buildings be such that they can be removed easily. The third condition is that, on termination of the lease, the shacks must be removed within one month. There is no question or suggestion of assistance. The honourable member is saying that people should be able to enter into a contract with the Government on an annual licence and then ignore the licence. That is not the case so far as the Government is concerned. Regarding the third point that the honourable member has raised, I advise those people who have purchased equipment or material to contact the Lands Department, putting their case to the department, because the matter will be considered. The honourable member has referred particularly to a house or shack being prefabricated. Where that has happened, the specific problems involved will be considered, not as a result of the honourable member's representation but because the persons directly affected have contacted the department, asking for a decision. We ask these people to do that so that their application will be dealt with by the Lands Department. I hope that that satisfies the honourable member's inquiry.

NATURAL GAS

Mr. COUMBE: In view of statements made at a convention held in Adelaide over the last few days regarding future reserves of natural gas in South Australia, will the Minister of Development and Mines say what action, if any, has been taken by this Government to assist further exploration for natural gas in South Australia? The Premier has said that there appear to be further reserves in the Cooper Basin, but exploration to prove these reserves has slowed down in recent months. As this slowing down seems to coincide with the decision of the Commonwealth Government to withdraw the special incentives for exploration, and in view of the concern currently expressed about this matter, I ask the Minister whether the South Australian Government will request the Commonwealth Minister for Minerals and Energy (Mr. Connor) to reconsider his earlier decision and so provide, for the benefit of South Australia, incentives for exploration work to be stepped up on the Moomba field.

The Hon. D. J. HOPGOOD: Although I am in the process of establishing frequent consultations with Mr. Connor, I cannot say at this stage what will be taking place as a result. We will, of course, be telling the Commonwealth Government what we believe are the needs of this State concerning exploration. We as a Government are keeping in close touch with the mining companies, and we are aware of their needs in this regard. I will have, for the information of the House in a few days time, the annual report of the Mines Department, and I shall be interested in members' reactions to the contents of that report.

LAND SALES

Mr. JENNINGS: Has the Premier a report on the rather peculiar article appearing on the front page of the *Advertiser* this morning, headed "Government Accused of Profiteering", in relation to what I would call the Islington sewage farm but what is apparently now called Regency Park? The press report states:

> An Adelaide industrialist said yesterday that the Department of Lands had released 84 acres of serviced industrial land at Regency Park, four miles north of the G.P.O. at the weekend for more than $40 000 an acre. He said prime serviced industrial land within three-quarters of a mile of the site had been sold by developers last week for $17 500 an acre. A check with industrial developers yesterday confirmed the claim.

As member for the district and as one who has taken much interest in the area, I notice many discrepancies in the

article. For example it is stated that land on Hanson Road, Wingfield, was sold at auction last week for $17 500 and $21 500 an acre, and that a site half a mile north of Regency Park was sold for $14 000 an acre, unserviced. As the areas north of Hanson Road are not serviced at all, they are completely different from the area to be sold by the department, because the latter has been greatly improved by the provision of roads and services throughout. Indeed, parts of the area have been reserved for the building of schools and other amenities. Has the Premier an answer to this general question in relation to this misleading article?

The Hon. D. A. DUNSTAN: Yes. The price of $40 000 an acre quoted in the newspaper has been checked and it is wrong. It is out by about $10 000. The land has been priced at Regency Park and is available for purchase. The price was fixed by the Land Board. In fixing the prices the board had regard to the market value of industrial land in metropolitan Adelaide, taking into account the superior services provided at Regency Park which are as follows: heavy duty industrial roads throughout the subdivision with easy access to established highways; industrial type sewerage and water connections to each section; underground stormwater drainage connected to each section; availability of natural gas and three-phase electricity to each section; and the situation of the subdivision in proximity to the centre of Adelaide, the rail services available, established intense industrial development and the adjoining proposed Islington Highway.

Direct comparisons were made with recent vacant land sales at Cavan, Dry Creek, Wingfield, Dudley Park, Ferryden Park, Torrensville, West Lakes and Plympton North where prices ranged from $8 000 an acre for unserviced land at Wingfield to $35 000 an acre for partly serviced land at North Plympton. I find it extraordinary that the press report compares serviced land of the kind I have described with unserviced land in a noxious trades area in Wingfield. Further, the price of $35 000 an acre for land at North Plympton was paid for partly serviced land: that is, land not nearly as well serviced as this. Considering the foregoing aspects, the average price for the general industrial area was fixed at $30 000 an acre. The prices fixed for each section are tempered by the terms of sale where 20 per cent deposit is required with the balance being paid over five years. The *Advertiser* report refers to sales for industrial lands which are not as conveniently located and which do not enjoy the same facilities and standard of services as provided for the land at Regency Park. The range in the brochure published by the Lands Department for the Government project was from $29 400 to $32 800 (as a maximum price) an acre and not $40 000 as quoted in the newspaper (or $44 000 as announced during the day on radio and television), as a result of a statement by an unnamed industrialist. The situation regarding the market for industrial development land in Adelaide is that the market is well serviced; there is not a shortage of industrial development land in Adelaide. The Government policy over a long period has been to provide land in industrial estates within the metropolitan Adelaide planning area, at such a rate that we are normally able to supply an industrial site in Adelaide at about 10 per cent of the cost of a comparable piece of land for industrial development in Melbourne, Sydney or Perth, and that remains the case. With regard to land here, the market is governing the situation. There is not a shortage of industrial development land as there is in relation to serviced blocks for housing development. Consequently, there is not the same increase in the price of land shown for industrial land as was shown in the first three months of this year or in the previous two years for house sites within the metropolitan Adelaide development area.

Mr. McAnaney: You're talking against yourself.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The market will determine the price of land available here. There is no suggestion that there is a shortage of industrial development land. If the price was not reached one would expect that the Land Board had fixed the price too high, but I do not believe the price will not be reached for this type of development land. In Australian industrial development terms, this is the cheapest land available anywhere in the Commonwealth.

LIBRARY HOURS

Mr. OLSON: Will the Minister of Education consider extending the present library hours at the School of Art, Stanley Street, North Adelaide? Students who attend evening art classes complain that the library hours are too restricted, library facilities apparently being available on only two evenings a week for one hour each evening. It has been suggested that the library facilities be made available each evening from Monday to Friday.

The Hon. HUGH HUDSON: The matter of library hours at the School of Art, North Adelaide (which is part of the Torrens College of Advanced Education) is not for me to determine, since this Parliament established the Torrens College of Advanced Education as an autonomous body. The matter of an extension of library hours and the cost involved must be determined by the council of that college. In view of the honourable member's question, I will ask the Director of that college (Dr. Ramsey) to consider the honourable member's proposition. However, the honourable member must understand that this is purely a matter of transmitting a request: it cannot be a direction.

PATAWALONGA BOAT HAVEN

Mr. BECKER: Has the Minister of Environment and Conservation a reply to my question of August 14 about action to be taken to clear sand from the entrance of the Patawalonga boat haven?

The Hon. G. R. BROOMHILL: Following investigation by the Coast Protection Board, a tender was let last week to Brambles Industrial Services to remove 18 000 cub. yds. (29 054.8 m^3) of sand from the entrance to the boat haven. Work started on Saturday, September 29, to remove sand from the southern side of the Glenelg breakwater to the northern side. There is a total build-up of about nine years of sand on the southern side of the breakwater which had to be dealt with. The present contract is virtually a repetition of one carried out 12 months ago. Work is being undertaken as a matter of urgency because of the seasonal increase in the use of the boat haven. This is only a temporary solution to the problem, but the Coast Protection Board is studying possible long-term solutions.

HOLDEN HILL SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked on September 13 about the estimated date of completion of the infants section of Holden Hill Primary School?

The Hon. HUGH HUDSON: The planned date for occupation of the infants section at present under construction at Holden Hill Primary School is November,

1973. At present, construction seems to be about on schedule and it is hoped that this date will be achieved.

LICENCE CATEGORIES

Dr. TONKIN: Has the Minister of Transport considered introducing special licence categories to cover drivers of high-powered vehicles, including motor cycles? This matter, which I have raised in the House before, concerns many people in the community. Although some people are well qualified to drive high-speed or high-powered motor vehicles, other people, as evidenced by their activities, obviously are not. It has been suggested that an advanced driving course should be undertaken and a test passed by drivers before they are permitted to drive cars of a certain category. I should much appreciate the Minister's considering the matter again, because I think such a system could help considerably in reducing the road toll.

The Hon. G. T. VIRGO: I am not certain about the point the honourable member is raising. I think that the road laws in relation to speed principally govern the driving of high-speed vehicles, whether motor cars or motor cycles.

Dr. Tonkin: High-powered.

The Hon. G. T. VIRGO: Whether vehicles are high-powered or high-speed, the speed limit applies. I assume that the honourable member is referring in his question to people who drive on public roads, as people who drive on speedway circuits, and so on, are not involved, for those circuits are not public roads. As the various classes of licence were categorized by this Parliament about 12 months ago, it would seem to me rather premature at this stage to consider alterations in this area without our having something of a more factual nature than has been put forward by the honourable member.

YEAR BOOK

Mr. HARRISON: Has the Attorney-General a reply to a question I asked during the Budget debate about the *South Australian Year Book?*

The Hon. L. J. KING: The Chief Secretary states that the *South Australian Year Book* is published by the Commonwealth Bureau of Census and Statistics and the cost of distribution of all complimentary copies is borne by that department. The *Year Book* is printed by the Government Printing Department and copies are also available for sale from our publications branch.

TRAIN PASSENGERS

Mr. DEAN BROWN: My question relates to the conduct of passengers on various train services in South Australia. Will the Minister of Transport say what is the policy of the South Australian Railways when dealing with passengers who disrupt the services of the railways? I refer to disruption that occurred on the Overland, which runs from Adelaide to Melbourne, last Friday evening. I was a passenger on that train, but I may add that I was not a disrupting passenger. A group of passengers on that train carried on in a way that disturbed the other passengers. First, in the early hours of the morning, the group walked up and down the corridors, particularly in the sleeping car section, and banged on all the doors. Following that, they proceeded to where food had been prepared for passengers and threw that food out of the window or around the carriages, acting in a disgusting way. I compliment the railways staff on the way they handled the situation generally. However, the train had to stop at two towns, I understand, so that police assistance could be called and, because of this, the train was delayed for one hour. Furthermore, the Daylight Express from Melbourne to Sydney was delayed, as it had to be held until the Overland reached Melbourne. I understand that, although the railways staff handled the situation well, these passengers were allowed to proceed with only a caution being administered to them.

The Hon. G. T. VIRGO: I think that the only fair course that can be taken on the matter is to take the points as the honourable member has stated them and refer them to the South Australian Railways with, first, the request that their veracity be tested. Obviously, at least one statement the honourable member has made is ridiculous: that is, that these people threw food out of the window. As the Overland has air-conditioned carriages in which the windows do not open, I do not see how passengers would be able to throw food out of the window. It seems that we have had the same sort of mythical disturbance on the Overland as we had last Saturday week on the 5.25 train to Marino, when railways staff—

Mr. MATHWIN: On a point of order, Mr. Speaker, I object to what the Minister has said. He is referring to a question I asked last week and saying by innuendo that I told a lie. I ask him to retract that statement.

The SPEAKER: I cannot uphold the point of order, but I refer the honourable Minister to the fact that reference to a question and reply during the current session is not admissible.

The Hon. G. T. VIRGO: It is necessary to ask the Railways Commissioner to question his staff in order to find out whether there is any foundation to the statements of the member for Davenport. Last time an allegation was made the staff reported that nothing untoward had happened. It seems to me that Opposition members are making a further attack on the Railways Department. However, I will have the matter checked and, if the facts are as stated by the honourable member, I shall be pleased to tell him. However, if the report reveals that the whole thing is a figment of his imagination, I shall also have much pleasure in telling him that.

INCENTIVE PAYMENTS

Mr. ARNOLD: Has the Premier considered introducing a Bill which would provide for incentive payments to decentralized industry and which would be similar to the Victorian Decentralized Industry Incentives (Pay-roll Tax Rebates) Act, 1972? Recently, I received a letter from the Assistant Secretary of Riverland Fruit Products Co-operative Limited, dated September 27, 1973, which states:

> We enclose a copy of a letter sent to the Premier on pay-roll tax rebates and also a copy of the Act itself. The net effect of the Victorian Act is to refund the State portion of pay-roll tax to approved decentralized secondary industries in that State. The introduction of a similar Act to South Australia would mean a saving to this company of about $12 000 annually with 1 per cent State tax and, of course, $24 000 at 2 per cent. Because this would mean so much to many other secondary industries in the Riverland, we would appreciate any actions which you can take to enable early introduction of similar legislation into South Australia.

I realize that the letter was written only recently and that as yet the Premier may not have had the chance to consider this matter, but the cannery considers that positive action similar to that taken by the Victorian Government would promote decentralized industries.

The Hon. D. A. DUNSTAN: I have considered it though not as a result of the letter to which the honourable member refers, because I have not seen the letter yet. I am aware of the Victorian measure: we have had it examined, but it has many administrative difficulties. We

have negotiated with newly established country industries and those negotiations will provide them with additional benefits beyond those normally obtaining for industry in the State through the Industries Development Committee or the Industries Assistance Corporation. I point out to the honourable member that, in respect of specific industries in South Australia, this Government has spent a record sum on assistance to country industries—vastly more than the sum provided previously. We are continuing to examine incentives to decentralization, and part of the work of the new Minister will be involved in this matter.

PIMBA ROAD

Mr. GUNN: Will the Minister of Transport consider providing immediate funds to upgrade the Andamooka-Pimba road, because of its shocking condition? Last week, during a tour with the Minister of Education, I again travelled over this road, and I am sure that the Minister will agree with me that it is in poor condition and needs urgent attention. I ask the Minister of Transport to give this matter serious consideration, because I am sure the Minister of Education will support my statement.

The Hon. G. T. VIRGO: I am sure that the honourable member would realize that the funds available for this financial year have been fully allocated to work in the various parts of this State. Perhaps he could help me with my further consideration of his question if he would kindly suggest which districts we should take money from so that it could be allocated to work on this road. On receiving that information, I shall be pleased to consider his question.

LAURA CROSSING

Mr. VENNING: The Minister of Transport has indicated that he has a reply to a question asked a fortnight ago in relation to a question I had asked about 18 months or two years ago concerning the Laura railway crossing. You will remember, Mr. Speaker, that at that time I had reported a serious accident at the crossing where the Caltowie road—

The SPEAKER: Order! The honourable member cannot go on explaining without seeking leave of the House.

Mr. VENNING: I seek leave to explain my question.

The SPEAKER: Order! The honourable member began by referring to a reply that the Minister had for him, but he went on to ask another question that did not seem to be related to the original question. The honourable member must seek the reply to one question at a time. If it is a reply to a previous question, the honourable member may seek that reply, or he may ask a further question with the consent of the House. The honourable member for Rocky River.

Mr. VENNING: Lt is the one question: it is only a matter of interpretation. Will the Minister give me the reply for which I have been waiting for over two years.

The Hon. G. T. VIRGO: I regret that I do not have a reply to the question the honourable member asked two years ago, but I have the following reply to the question he asked only a week ago, on September 25. The design for the Laura railway crossing section of the Caltowie-Laura road has been completed by the Highways Department, and land acquisition is in progress. The work involved is programmed to be done in the 1974-75 financial year, subject to present priorities remaining unaltered. The records available to the Highways Department show that seven accidents have occurred on this section of road since 1965, with two since and including 1969. No deaths or involvement with trains occurred in these accidents. The cause of most of these accidents was excessive speed.

SOLAR ENERGY

Mr. ALLEN: Has the Minister of Works a reply to my recent question concerning the possible establishment of a solar energy plant in the Simpson Desert, in the Far North of this State?

The Hon. J. D. CORCORAN: The Electricity Trust reports that there is as yet no practical technology for the conversion of solar energy to electric energy on a commercial scale. An increasing amount of research is being done on this subject in various institutions throughout the world, but at this stage proposals for energy farms must be regarded largely as speculative. When research into the use of solar energy reaches the stage where such installations can be regarded as practical, every consideration will be given to locating one in South Australia.

TRANSPORT PERMITS

Mr. EVANS: Has the Minister of Transport a reply to the question I asked on September 13 regarding the issue of permits to operate tourist services to the Barossa Valley?

The Hon. G. T. VIRGO: The matter of transport permits for the owners of the original dial-a-bus vehicles to operate tourist services from Adelaide to the Barossa Valley has been discussed by the Transport Control Board, but it is not the policy of the board to grant additional permits to operate tourist services to the Barossa Valley. Such individual permits as have been granted would apply to specific groups who have chartered the vehicles, and it would be impracticable to grant annual or quarterly permits to dial-a-bus owners as this would not only discriminate against other bus owners, who have been operating an individual-trip basis for permits over many years, but would also make it impossible to exercise proper control over both tourist and charter trips.

The Transport Control Board has reduced the inconvenience to bus owners having to call at its office for permits by the introduction of a credit system. An advance payment is made by the bus owner who replenishes the credit when he is informed that funds are depleted. This system enables postal applications to be made and, when time is insufficient to apply in writing, for an operator to make a telephone application. An after-hours telephone service is also provided for the convenience of late applicants.

TRANSPORT CONCESSIONS

Mr. CHAPMAN: Has the Minister of Transport a reply to the question I asked on September 19 regarding transport concessions?

The Hon. G. T. VIRGO: The sum of $514 250 provided last year for concessions to pensioners was made up as follows:

(1) $276 000 for the Municipal Tramways Trust for concessions in the metropolitan area,
(2) $108 000 for the Railways Department for concessions in metropolitan and country areas,
(3) $130 250 for private bus operators for concessions in the metropolitan area.

The figure of $360 000 referred to by the honourable member is made up of $276 000 for pensioners, $12 000 for blind persons, and $72 000 for incapacitated ex-servicemen. All were previously shown under the heading "Chief Secretary—Miscellaneous". The payment for ex-servicemen is still there, the payment for pensioners is under the

heading "Minister of Transport—Miscellaneous", and the payment for blind persons is in the appendix.

PUMP CLOCKS

Mr. WARDLE: Has the Minister of Works a reply to my recent question concerning Electricity Trust pump clocks in irrigation areas?

The Hon. J. D. CORCORAN: The Electricity Trust has left the settings of time clocks controlling night-rate tariff hours unaltered during periods of daylight saving because of the impracticability of resetting the large numbers of switches involved in a reasonably short period at the beginning of the period and similarly at the end. Because it is not practicable to do the work no cost estimates have been made. With daylight saving the standard hours of 9 p.m. to 7 a.m. during which the night rates are available become 10 p.m. to 8 a.m. summer time. The later starting time (by summer time) may be a disadvantage to some, but on the other hand many owners of plants that use electricity in the morning, such as dairies for milking and refrigeration, benefit from the later finishing time.

SCHOOL BUILDINGS

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked during the Loan Estimates debate concerning new primary schools for Holden Hill North and Redwood Park?

The Hon. HUGH HUDSON: A proposal for a new primary school at Holden Hill North is included in the current design list programme. The present programming provides for occupation at the beginning of 1975, but the project has not yet been placed before the Public Works Committee. Planning provides for a Samcon mark III school which will incorporate as a first stage the equivalent of 14 teaching spaces. The class areas will include a minimum of four conventional classroom spaces and 10 teaching spaces to provide a variety of options on the open plan. The usual resource, activity, staff and storage accommodation is to be included in the construction. A later stage will increase the class area to 20 teaching spaces.

A new primary school has been designed for Redwood Park. The proposal has been referred to the Public Works Committee and, provided that present programming is maintained, construction of the first stage of the school should be completed by the end of 1975. The new building has been designed to provide open-teaching spaces for the equivalent of 23 class groups in one group of nine and two groups of seven, with associated withdrawal rooms and wet areas, a general activity area, central resource area and all normal staff and ancillary accommodation now provided in primary schools. One teaching wing of seven class groups will be added later.

INDUSTRIAL DISPUTE

Dr. EASTICK: Will the Minister of Labour and Industry indicate what further action he has taken to end the continuing demarcation dispute at the Gillman container terminal? Last week the Minister said that he and the Minister of Transport had had discussions with members of the two unions involved and that they had suggested that the unions go before an industrial commissioner to discuss the dispute. Subsequently, an industrial commissioner made a direction which has not been supported by the Storemen and Packers Union, and further action has been taken. In the meantime, people waiting on certain materials held at Gillman are being denied access to them, and some employees may be stood down because of the inability of certain organizations to obtain the materials they require. This is a continuing and serious matter and, as the two Ministers were responsible, in part, for referring the dispute to the Industrial Commission (even though the commission has proved not to have jurisdiction in the matter), I should like the Minister to indicate what action he has taken.

The Hon. D. H. McKEE: I am inclined to agree with the honourable member: it is a rather awkward situation, because of the different ambits of the various unions. True, a conference was held only last week and an order was placed on the unions to lift the ban and limitation. However, the dispute involves a Commonwealth award, and technically we were out of jurisdiction in placing the order on the union. As the storemen and packers work purely under a Commonwealth award, they have said that they will not recognize the ban placed on them by the State Industrial Commission. Therefore, it was ignored. Negotiations are now proceeding, and I have had discussions with the Secretary of the terminal and container company in Sydney this morning. Although I have not yet heard from officers of the company, I know that negotiations are proceeding in an attempt to get them to apply to the Commonwealth commission and to treat the matter with the utmost urgency so that an order can be placed on the unions to lift the ban and remove the pickets now operating in the industry. Until this matter is referred to the Commonwealth commission, I am afraid that the situation must continue. Every endeavour is being made by the parties to have the matter placed before the Commonwealth commission as soon as possible; indeed, I hope that this will have taken place by now so that the matter may proceed before the commission.

MONARTO UNIVERSITY

Mr. COUMBE: Has the Minister of Education seen a report that there is a possibility of establishing a third university at Monarto? If he has, can he say whether this is correct and whether future planning in respect of Monarto will provide for the reserving of land for the purpose of establishing a university to serve the needs of that area and adjoining areas? If the report is correct, will the Minister say what plans the Government may have regarding the land it holds at Smithfield for the purpose of establishing a university?

The Hon. HUGH HUDSON: I noticed the press report on this matter. What certainly is true is that land will be required in Monarto for tertiary facilities, although whether it be specifically for a university or for a college of advanced education I cannot really say at this stage, for reasons I will explain in a moment. Certainly, a city with a prospective growth of 250 000 people must have adequate provision for tertiary education facilities. That consideration has certainly influenced Government planning on the matter and will further influence it in the future. I am not sure whether the honourable member would appreciate that the location of a university or college of advanced education is not entirely a matter to be determined by a State Government acting on its own, because of the need to obtain the agreement of either the Universities Commission or the Australian Commission for Advanced Education.

It is perfectly possible, of course, for a State Government to do what Victoria has done, that State having said that it is going to establish its fourth university in Bendigo, Ballarat and Geelong simultaneously. It will be possible to do that and face up to the question of what will happen later on if the Universities Commission says, "If you do that, we won't provide any funds, because that is not in line with our view of the matter." Certainly, I expect that the determination of sites and whether or not the third university would be located in Monarto would have to be discussed with the

Australian Universities Commission, and the recommendation it made would be considered in due course. The use of the land at Smithfield depends on the reaction of the Universities Commission, but certainly, if the third university were established in Monarto, some decision would have to be taken about the future use of the Smithfield land. I think it is likely that, for the time being at least, that land will continue to be reserved, if not for that purpose then for some other purpose.

DRUGS

Dr. TONKIN: Has the Minister of Education a reply to the question I recently asked about drug abuse in South Australian schools?

The Hon. HUGH HUDSON: The short answer to the honourable member's question is "No", but we managed to eke out two sentences for him. The pilot health education programme did not reveal any information regarding drug abuse in South Australian schools. The segment on drug education was included in the pilot health education programme as a preventive measure only.

Mr. MILLHOUSE: Will the Attorney-General say whether it is intended to take action over the report in the *Advertiser* yesterday on drug trafficking in South Australia? No doubt the Attorney-General saw what is called, I think, a feature article in the *Advertiser* yesterday concerning the exploits or activities of apparently a young man, who was described as a "salesman by day and a pusher by night". In the course of that article, I remind the Attorney-General, it was stated that a consignment of, I think, hashish (2 lb. or .9 kg) was expected by this man to arrive in South Australia next week. I should think that several offences could well have been committed in preparing and publishing the article, but I express no opinion on that aspect. The important thing is that there is information there concerning the commission of future offences. For that reason, I ask the question of the Attorney-General in the hope that he can say that action is being taken and can perhaps tell us what it is without giving away anything that would destroy its efficacy.

The Hon. L. J. KING: I have no doubt that members of the Police Force read the article with great interest and will take all necessary action to detect, so far as they can, the commission of past offences and prevent the commission of future offences. I should think it unlikely that they would wish their future course of action to be advertised.

INTEREST RATES

Mr. BLACKER: Can the Premier say why the increase in interest rates of State Bank and Savings Bank of South Australia savings accounts will be considerably less than the increase applying to other banks and financial institutions? Further, will he say why only people with bank accounts of over $4 000 are to benefit from the increase in interest rates? I believe that this matter has a direct consequence on the small investor, who has been singled out and penalized, whereas the larger investor is able to use his wealth to greater advantage and at the expense of the smaller investor.

The Hon. D. A. DUNSTAN: I will obtain from the Chairman of the Savings Bank a statement of the reason for the decision.

MALVERN FLOODING

Mr. MILLHOUSE: Will the Minister of Local Government say when he intends to answer my letter to him of June 18 about the flooding of houses in Winchester Street, Malvern? At the end of May or the beginning of June, I received complaints from residents living in this street about flooding of their properties. I went and had a look at the flooding and, as a result, I wrote to the Minister, who gave me a reply on June 14, in which the final sentence is as follows:

> Investigations are currently proceeding to determine the most suitable site for this ponding basin—

he explained this was necessary before anything could be done—

> and as soon as a decision has been reached on the matter I will write to you again.

I replied to that letter four days later saying, in part:

> Your letter really does not, if I may say so, carry the matter any further. I write again therefore to ask you when you expect to be able to make a decision on the site for the ponding basin so that it may be constructed. This question was the purport of the final paragraph of my letter to you of June 4.

I had the usual departmental acknowledgment on June 20, and I have heard nothing further, even though, on August 31, I followed up the matter with a letter to the Minister asking for an early reply. I have not even had an acknowledgment of that letter. That is why, after having written to him, having had no reply, and having followed it up some two or three months later with a courteous request for an answer, I am now obliged to put the question to him in the House in the hope that this will bring forth an answer.

The Hon. G. T. VIRGO: I will have a look at the matter.

PUBLIC TRANSPORT

Mr. MILLHOUSE (on notice):

1. What plans has the Government for upgrading public transport—
   (*a*) during the next 12 months?
   (*b*) during the following two years?
2. How much money is available for this purpose during the next 12 months—
   (*a*) from State sources?
   (*b*) from the Commonwealth Government?

The Hon. G. T. VIRGO: The replies are as follows:

1. I have today tabled in this House a report entitled "Public Transport in Metropolitan Adelaide" which has been prepared for me by the Director-General of Transport. If the honourable member cares to refer to this report he will find clearly set out the Government's proposals for the upgrading of public transport in this State.

2. The Commonwealth Government has undertaken to make available an amount of $4 000 000 for this purpose during the 1973-74 financial year. The South Australian Government will contribute $2 000 000. However, before these Commonwealth funds can be utilized it will be necessary for enabling legislation to be passed by this Parliament.

CONSTITUTION CONVENTION

Mr. MILLHOUSE (on notice):

1. Was the Premier the leader of the South Australian delegation to the recent Constitution Convention?
2. Was it agreed that leaders of delegations would nominate members to the various committees to be set up following the convention and, if so, were such nominations to be made by September 30?
3. Has the Premier made such nominations and, if so, what are they?
4. If nominations have not been made, why not?
5. Is it intended to make such nominations, and when?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. Yes.
2. Yes.
3. Yes. The nominations are as follows:

Committee A
Hon. Don Dunstan, Q.C., M.P.
Deputy—Hon. J. D. Corcoran, M.P.
Dr. B. C. Eastick, M.P.
Deputy—Mr. J. W. H. Coumbe, M.P.

Committee B
Mr. R. G. Payne, M.P.
Hon. R. C. DeGaris, M.L.C.
Deputy—Mr. R. R. Millhouse, M.P. (a particularly appropriate deputy appointment.)

Committee C
Mr. T. M. McRae, M.P.
Hon. Sir Arthur Rymill, M.L.C.
Deputy—Hon. F. J. Potter, M.L.C.

Committee D
Hon. L. J. King, Q.C., M.P.
Mr. S. G. Evans, M.P.
Mr. E. R. Goldsworthy, M.P. (I imagine that was a deputy appointment.)

Further consideration will be given to the nomination of the remaining Government deputy members.

4. and 5. See answers to No. 3.

RAILWAYS REPORT

Mr. MILLHOUSE (on notice):

1. In what areas is the Lees report currently subject to consideration by the Minister and
   (*a*) the South Australian Railways Advisory Board?
   (*b*) the Railways Commissioner?
2. When is it expected that such consideration will be completed?

The Hon. G. T. VIRGO: The replies are as follows:

1. (*a*) The board is considering matters where policy is involved and will subsequently submit its recommendations to me.
   (*b*) The Railways Commissioner is considering those matters where administration is involved.
2. As soon as the considerations referred to in No. 1 are completed.

LICENSING ACT AMENDMENT BILL

Mr. BURDON (Mount Gambier) obtained leave and introduced a Bill for an Act to amend the Licensing Act, 1967-1972. Read a first time.

Mr. BURDON: I move:

That this Bill be now read a second time.

It is to give the same right and privileges to the Bavarian International Festival Committee at Mount Gambier for the supply of liquor as amendments made in 1972 to the Licensing Act gave to the Cornish Festival Committee and as are enjoyed by the Hahndorf Schutzenfest Committee. The object of this festival is to serve as a tourist attraction, all profits going to local nominated charities. I seek the support of this House in having this desired amendment to the Act considered favourably, and I thank the House for allowing this Bill to proceed this afternoon.

Mr. EVANS (Fisher): I support the Bill. I have not had a chance to check the previous amendments in relation to specific functions such as the Hahndorf Schutzenfest and the Cornish Festival, but I notice the Bill refers only to the Bavarian International Festival. I think this leaves it wide open for any committee running a Bavarian international festival anywhere to take advantage of the provisions of this amendment. This may also be the case with the Hahndorf Schutzenfest or the Cornish Festival, of course. I hope this point will be clarified during the Committee stage. I support the Bill as far as it concerns the facilities being available in Mount Gambier, and I am sure the Party on this side supports it, too.

The Hon. L. J. KING (Attorney-General): I do not think there is any problem about the matter raised by the member for Fisher. The Bill has been drafted to enable a licence to be granted to any body or authority administering "the" Bavarian International Festival, so that it is not a question of administering any Bavarian international festival. It has to be a festival answering the description of "the Bavarian International Festival". It is well known that such a festival is conducted at Mount Gambier, and that is the festival to which it refers. If some other body came along and claimed to be representing the Bavarian International Festival Committee, the body which answered the description at the time of the introduction of this Bill would have to be identified by evidence, so there would be no problem about that. Information that the member for Mount Gambier and I have shows there is only one body answering the description of the Bavarian International Festival Committee, so this Bill, when passed, would be read as referring to that specific body.

Mr. MILLHOUSE (Mitcham): It may have been a misunderstanding on the part of the member for Fisher when he referred to the Party on this side. I want to make it clear that he does not speak for the Liberal Movement. Having said that (and I hope it will not be necessary to emphasize it again and that members of other Parties will recognize the independence of the Liberal Movement), on behalf of my Party I support the Bill.

Dr. EASTICK (Leader of the Opposition): I, too, support the Bill. I believe that the Attorney-General's explanation overcomes the difficulties that members on this side saw in the Bill. We look on this as an opportunity being given to the specific organization referred to, and also as an opportunity being given specifically to the Mount Gambier area. If the Bavarian International Festival is to be held at various centres on a rotating basis, moving away from Mount Gambier to some northern centre, for instance, I think that we should look at the matter again and tidy up this provision. As I accept the explanations put forward, I support the Bill.

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

COMMONWEALTH GRANTS

Adjourned debate on motion of Mr. Millhouse:

That this House deplore the action of the Commonwealth Government in making available to this State for the financial year 1973-74 $20 000 000 less than requested by the Premier at the Premiers' Conference and Loan Council, and is of opinion that the South Australian Government should make fresh and vigorous representations to the Commonwealth to increase the moneys to be paid to South Australia to the amount originally requested,

which the Hon. D. A. Dunstan had moved to amend by striking out all words after "That" first occurring and inserting the following:

this House applaud the case for financial assistance of the State presented by the South Australian Government to the Premiers' Conference in June of this year.

(Continued from September 12. Page 723.)

Mr. GUNN (Eyre): I support the motion, and oppose the amendment moved by the Premier, as it is a weak attempt to try to justify the arrogant attitude of the present Commonwealth Government. Obviously, the Premier was having great difficulty in justifying the attitude

of his Commonwealth colleagues. After the Premiers' Conference and the Loan Council meeting, it was obvious that the great marriage between the Commonwealth Labor Party and the State Labor Parties was over; the reality had at last sunk in. Instead of negotiating and dealing with reasonable and responsible people as he had at previous Premiers' Conferences and Loan Council meetings conducted by responsible Liberal and Country Party Ministers, the Premier now had to face a group of arrogant centralists.

Mr. Coumbe: The honeymoon was over.

Mr. GUNN: Yes, completely over. These people have no regard for the rights or responsibilities of the States, and use the purse strings of the nation to strangle the States. It is clear from documents available that this is the easiest way for the Labor Party to bring about its great aim to do away with all State Governments in Australia and to set up a one-Party House in Canberra to administer the whole Commonwealth. That is its aim and desire, and the easiest way to achieve this is to strangle the States financially. Occasionally, one has to quote from the rather obnoxious document containing the plans of the Commonwealth Labor Party to show the situation that is unfolding. A wellknown weekly magazine has issued a booklet containing the platform of the Commonwealth Labor Party. On page 60, under the heading "Uniform Taxation", the document contains the following statement adopted at the 1957 conference of the Australian Labor Party:

> This conference of the Australian Labor Party emphatically declares that failure by the Menzies-Fadden Government to justly reimburse the States has caused friction in the working of the federal system and seriously hindered the Slates in continuing and improving their various responsibilities.

Members of the A.L.P., who are bound by a pledge they sign to what is contained in this document (as State members are bound by the State platforms), have the audacity to criticize one of the greatest Governments ever to govern the people of this country—the Menzies Government. I am pleased to belong to a Party that regularly sent members to belong to that Government. How hypocritical it is for members of the Labor Party to support the sort of statement to which I have referred.

When one examines the statements, particularly the financial statements, of the Premier and his colleagues made since the Commonwealth election on December 2, it is clear that the present Commonwealth Government will use all the powers at its disposal in its attempt to have the Australian people give it unlimited powers over many areas that have traditionally been the responsibility of the States. They should remain the responsibility of the States, as State Governments are far closer to the people, and L.C.P. Governments are always the closest to the people, because their members represent directly the people who elect them. They do not sign an obnoxious pledge, but are entirely responsible to the electors. They are not bound by a doctrinaire philosophy solely designed to control the individual.

Let me relate this to the terms of the motion. When the Premier attended the first Premiers' Conference and Loan Council meeting after the election of his Commonwealth colleagues, we expected that he would come home with a bag full of money. Instead, he came home cap in hand, making various noises about how badly he had been treated by his Commonwealth colleagues. On arriving back in South Australia, he had to announce that he would need to increase State taxation in order to maintain the services that people of the State desired. When one looks at the Commonwealth general purpose grants made available to South Australia over several years, one can see the dramatic increases in these grants that occurred in the last two years of the L.C.P. Government in Canberra. The present Commonwealth Labor Government promised the people of Australia that it had malice towards no-one. The Prime Minister went around the country promising everything; nothing would be left undone. However, the chickens have come home to roost.

Mr. Langley: How long have they been in Government?

Mr. GUNN: Too long.

The DEPUTY SPEAKER: Order! We are discussing a motion concerning $20 000 000. I ask the honourable member for Eyre to confine his remarks to the motion before the Chair, and I ask the honourable member for Unley to refrain from interjecting.

Mr. GUNN: I was trying to link up my remarks, when the member for Unley, as usual, was completely out of order and making rather foolish interjections. We all know that the Premier came back from Canberra with $20 000 000 less than he should have received, because it has been necessary again for him, as Treasurer, to put aside an allocation of Loan funds to make up his deficit. I recall criticism of the Liberal and Country League Government in this State for doing a similar thing, when it was in the unfortunate position of having to try to balance the Budget after three years of Labor rule. We will be in that position again after the next State election and will have to straighten out the mess made by this State Government and the Labor Government in Canberra. In 1972-73, the last year of office of the Liberal and Country Party Government—

The DEPUTY SPEAKER: Order! I want to bring the honourable member back to the motion, which refers to the $20 000 000. The honourable member must discuss the $20 000 000 and I will not allow him to cover any further the field on which he has been enlarging.

Mr. GUNN: It seems amazing, when we are discussing the Premier's failure to obtain from his Commonwealth colleagues the additional $20 000 000 that he desired to have on behalf of the State, that one cannot refer briefly to the situation that has led to this position. I was trying to show how Liberal and Country Party Commonwealth Governments always have acted sympathetically towards the State Government. That was because of our basic belief in decentralization of power, whereas it is written into the A.L.P. platform that all power should be centralized. I think that that argument is logical.

It was obvious in the recent State Budget and the Loan Estimates that, because of the Commonwealth Government's attitude, the Treasurer was having much difficulty in trying to balance the finances of the State. He was like Fred Astaire, doing quick footwork, and he was trying to justify to this House and to the people the shoddy deal received from his Commonwealth colleagues. I hope that every member will agree with the member for Mitcham on this occasion. I stress "on this occasion".

Mr. Max Brown: It's surprising to me that you agree with him at all.

Mr. GUNN: I cannot understand the member for Whyalla. He usually makes completely illogical interjections, and I will ignore him. I am explaining why I support the motion as a loyal South Australian. I do not think one could be a good South Australian if one was a member of the Labor Party.

Mr. Max Brown: You're getting really low now.

The DEPUTY SPEAKER: Order! I will not permit this House to continue with political propaganda. I ask

the honourable member for Eyre to confine his remarks to the $20 000 000 referred to in the motion and to desist from the line he is pursuing in relation to political propaganda,

Mr. GUNN: I will try to continue, although that may be difficult, as you will not allow me to discuss—

The DEPUTY SPEAKER: Order! Will the honourable member for Eyre please confine his remarks to the motion?

Mr. GUNN: Obviously, the Premier, when moving the amendments to the motion, was on weak ground. I consider that the amendment is a complete contradiction of the Premier's attitude when he came back from Canberra without having received the $20 000 000. He was critical of his Commonwealth colleagues then because of the shoddy deal that he had received, yet he has moved what must be described as a farcical amendment to a motion that every member of this House, if he is a good South Australian and believes in helping the people of this State, should support with a clear conscience.

Mr. COUMBE (Torrens): Obviously, the Premier has moved the amendment to try to get around the motion, but the wording of the amendment is farcical. It deals merely with the case presented by the Government, whereas that is not the question. The member for Mitcham is correct in moving a motion that criticizes the result. The amendment has nothing whatsoever to do with the motion, which draws attention to what everyone in South Australia knows, namely, that the Premier, when he was going to the Premiers' Conference, said confidently that he expected to get an increased allocation and to have sufficient money to carry out works.

I think the member for Mitcham has quoted some of the things that the Premier said when he returned. In this House, in reply to a question, the Premier admitted that he had expected to get $20 000 000 more than he received and, as a result, he was forced to introduce severe State taxation measures. This is tied up directly with the motion and the matter of getting $20 000 000. Because they are matters of public knowledge, I can refer to the increases in electricity charges and in pay-roll tax. The motion deplores the action that resulted from the Premiers' Conference, and the second part of it requests the Premier to make new and vigorous representations for an increased sum.

If members opposite vote against the motion, they will be saying that we have received sufficient from the Commonwealth Government and should not ask for further money. They are in a cleft stick, because how do they explain the savage State taxation measures that the Treasurer introduced as a result of his not getting the $20 000 000 from the Commonwealth Government? Government members will have to justify their attitude to their electors, and I should not like to be in their shoes. I recall having asked the Premier to consider convening a special Premiers' Conference, but he said that he could see no point in doing so and that the reply he had received from the Prime Minister stated that the next Premiers' Conference would not be held until June next year. The Premier has been forced to move a rather absurd amendment. Obviously, members do not know all details of the case presented by this State and it is therefore difficult for us to comment on this matter. The argument of the member for Mitcham hinges on a plea that further action be taken, and I support the motion.

Mr. MILLHOUSE (Mitcham): One of the things I have learned since becoming a member of this House is that if one cannot reply to an argument one ignores it and says as little as possible about it. We see this example from Government Ministers and members, and the speech of the Premier in opposing this motion (and the only speech from Government members) was typical of this attitude. He had nothing to say in opposing it, and fooled around for five minutes before moving a meaningless amendment. Usually, such tactics are more eloquently an admission of the truth of a proposition than anything else. I have no doubt that my proposition is justified, and the only reason Government members will vote against it is because they are, first, members of the Labor Party and, secondly (a long way behind), South Australians. I have often said that it is impossible in these days to be a good South Australian and a good member of the Labor Party, because the Labor Party, which is a centralist Party, is bent on destroying the States, having once crippled them. In his speech the Premier said, "The only purpose of the motion is to stir." If I accept, for the purpose of the argument, what the Premier said, he must be admitting that there is something to stir about. My point is that he went to Canberra, asked for a certain sum, and received $20 000 000 short of that sum. Is he suggesting that what he asked for was not justified? Is he saying that he inflated by $20 000 000 the amount that he and Treasury officers considered was necessary to administer this State? He cannot deny this motion and say other than that. When he came back he said he was not satisfied, but when he is put to the test he will give in to his Commonwealth colleagues in Canberra, rather than stand up for what he said publicly and for what he is not willing to vote in this House. As the amendment is worthless, I will vote against it and, if it is carried, I will vote against the motion as amended. I believe the difficulty that the Premier has had in saying anything opposing the motion, and the fact that not one Government member spoke in the debate, are the most eloquent testimonies to the validity of my proposition. I am glad to have had the support of members on the left of the Speaker, and I appreciate the contributions that were made to the debate by several of them. I am sorry that I do not always get that support on such occasions as this.

The House divided on the amendment:

Ayes (23)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (18)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Russack, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Crimes and Langley. Noes—Messrs. Goldsworthy and Rodda.

Majority of 5 for the Ayes.

Amendment thus carried.

The House divided on the motion as amended:

Ayes (23)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (18)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Russack, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Crimes and Langley. Noes—Messrs. Goldsworthy and Rodda.

Majority of 5 for the Ayes.

Motion as amended thus carried.

CASINO

Adjourned debate on motion of Mr. Evans:

That in the opinion of this House a casino should not be built in South Australia.

(Continued from September 19. Page 823.)

Mr. RUSSACK (Gouger): When I sought leave to continue my remarks in this debate, I was referring to the situation applying at Wallaroo, and I believe it is proper for me to refer to that situation, because much has been said concerning the establishment of a casino in the Wallaroo area. The mines in the area closed in 1923, and over the past 50 years much anxiety has been felt by residents concerning industry and employment in the area. Indeed, many people in Wallaroo consider the establishment of a casino to be their last chance of attracting industry to the area. However, I doubt that a casino is the most desirable type of industry and the most desirable form of development for the area. Indeed, I have many doubts about this.

This district has contributed much financially, culturally and in many other ways to the progress and development of South Australia and, because of the contribution made over the years, these people warrant a far more stabilized industry in their area than that which would result from this proposal. I have asked those involved whether a casino, were it established, would alter the character of the area. I am grateful for the straightforward replies given to me that it could alter and would alter the character of the area. For many years, and especially in recent years, much has been done to expand tourism in the north of Yorke Peninsula. As I have done before, I commend this Government for the financial assistance and for other types of assistance provided through the Tourist Bureau and other sources to build up tourism in the area. We all know of the recent success of the Cornish Festival in the northern Yorke Peninsula towns. The character and the tradition of the Cornish and Welsh people would be greatly changed by introducing a casino into their area; in fact, it would have the effect of destroying much of what has been achieved by these people in the past. I remind the House of what has been said by people in the area as a whole who reject the proposal. The Yorke Peninsula *Country Times* of September 5, 1973, contains a report of a talk given by one of the executives of A. V. Jennings Industries Australia Limited to the Rotary Club of Kadina, and I consider that, as reported, much of the talk given cuts across what the Premier said to the effect that drawing taxation money or profits from the poorer people in the community was not the intention in regard to establishing a casino. The report states:

> ... an international style hotel with accompanying casino, entertainment areas and swimming pool and staff accommodation wings—holiday homes, a holiday hotel, holiday flats, holiday camp areas, children's playgrounds, physical fitness camp, caravan facilities, adventure park.
>
> It is intended that the overall development will have appeal for all income groups, whether they are of local, interstate or oversea origin. All buildings to be constructed will be of a low-profile design, blending into the natural landscape and creating an attractive eye-pleasing result for the visitor and guest. It is hoped that we will be able to incorporate the Welsh and Cornish history of the area into the architecture.

Although it might be possible to incorporate Welsh and Cornish history into the architecture, it would be impossible to incorporate the Cornish and Welsh tradition and character in the concept of a casino into the area. I take it that the Premier, when referring to the poorer people, includes the wage earner. If a casino is established at Wallaroo, I visualize many people visiting it from the provincial cities of Port Pirie, Port Augusta and Whyalla. Although the Premier has said that a casino would not be established in a city as defined in the Local Government Act, those cities are so defined. People from these cities would have ready access to a casino in the Wallaroo area. I understand that Federal Hotels, in conjunction with the A. V. Jennings organization, would be involved in this venture, and I am confused about one or two aspects of this matter. I was given to understand that this enterprise was a fully-Australian one, but I find that an Act of Parliament has been passed in Tasmania allowing 38 per cent of the shares in the company to be taken out by oversea interests. Although there is no *Hansard* report of the Tasmanian Parliament (its debates are not recorded), I quote a newspaper report as follows:

> Casino shares move; Government limits foreign ownership: The Government has accepted the proposed 38 per cent foreign ownership of the Wrest Point casino but has acted to stop any more Wrest Point shares being sold outside Australia.

The Hobart *Mercury* of June 27 last states:

> Casino shares buy-up. Tt was confirmed yesterday by Australian National Hotels Ltd., the Wrest Point casino operator, that a further 2 000 000 shares have been issued to Asian interests. Directors advised the Hobart Stock Exchange that "a further allotment for cash has now been made of 1 000 000 shares each (making a total of 2 000 000 shares each) to Messrs. Stanley Ho and Fung King Hey at a premium of 4c per share". "Application for the listing of these shares will be made at an early date," the A.N.H. directors said. The latest issue of 2 000 000 shares to the Hong Kong men would have cost them a total of $480 000—the same price they paid for their first 2 000 000 shares earlier this year.
>
> The price of 24c a share paid by Messrs. Ho and Hey compares with sales of A.N.H. shares at 38c each on the Melbourne Stock Exchange yesterday. Foreign interests are now believed to hold a total stake of 18.07 per cent in the casino company. The Tasmanian Parliament has been told that a further 8 000 000 shares in A.N.H. will be placed with the Hong Kong Stock Exchange. If all these shares are sold to foreign interests the oversea stake in the casino would rise to more than 37 per cent. The Casino Company Control Bill now before Parliament stipulates that oversea interests in the casino shall not exceed 38 per cent.

I am not saying that this interest should not exist; but it is stated that 80 per cent of the Hobart casino's patronage involves local clientele. A recent article in the *Australian* states:

> $5 000 000 casino profit likely: Tasmania's Wrest Point casino could earn Federal Hotels a profit of $5 000 000 in its first year. The State Commissioner of Taxes (Mr. K. J. Binns) yesterday released figures which show the Government has received $463 608 in taxes and licence fees since the casino opened in February. The State Government could make $1 500 000 in taxes during the casino's first year of operation. The casino manager, Mr. R. Hurley, a former manager of London's Playboy Club, said the success of Australia's first casino was "incredible" and there had been no let up in interest. He said in the casino's first six months the doors had to be closed four times to prevent overcrowding.

I accept that a casino is financially successful but, if the Hobart casino makes $5 000 000 profit this year, over one-third of it, or as much as $1 900 000, will go to oversea interests, and the local people, who constitute 80 per cent of the patrons, will contribute a large sum towards this. This involves the very matter to which the Premier referred in the House earlier today regarding the oil industry and the need to keep the money in Australia. Much of the profits will go out of Australia. Much has been said concerning the criminal aspect of a casino. I do not want to be emotional about this,

but I have spoken with the Superintendent of the Criminal Investigation Bureau in Hobart about it, and there certainly seems to be an association between casinos and crime. I was in Hobart for three days recently and during my stay the Melbourne *Sun* printed the following article about a man who had embezzled $1 805:

Hodgman pleaded guilty to having stolen $1 805 from his employers, Tasmanian Television. The Prosecutor, Mr. D. Coatman, said Hodgman told police he had financial difficulties through gambling at the casino. He was responsible for banking some money for his firm. At first he had taken a small amount, expecting to pay it back from his expenses, but he had got further behind. He started borrowing money one day to cover what he had used the previous day. On occasions when he had won, he had lent money instead of putting it back. Mr. Levis (appearing for Hodgman) said Hodgman had wrecked a promising career. His wife and children had left him. He said Hodgman's employers had given him a position in an allied company and he was highly regarded despite the theft.

Next day the following article appeared in the *Mercury.*

Two youths who lost at gambling at the Wrest Point casino lost their second gamble when they broke into a Battery Point firm last month. They told police they gambled on there being no burglar alarms, but there were. Malcolm Robert Fisher (19) and a 16-year-old pleaded guilty to entering with intent to steal. Sergeant Woolley said police caught the two soon after they got into the building at 2 a.m. The youths told police they were on their way home from an unsuccessful gamble at the casino, saw the firm, and decided to get in.

I point out that one of the youths was only 16 years of age. On September 7 the following article appeared in the *Mercury:*

A man had lost the better part of $4 000 at the Wrest Point casino, the Hobart Magistrates Court was told yesterday. He was employed by the Post and Telegraph Department, Papua, New Guinea, and he was remanded in custody to next Wednesday to plead to a false pretence charge.

I will not read the full report but the man was accused of passing valueless cheques because he had lost $4 000. It seems to me to be more than coincidental that these articles appeared in the newspapers during my short stay in Hobart. I think my experience would be consistent with the total picture of the incidents taking place. I have read reports over the signature of the Acting Police Commissioner (Mr. Knowles), who has said that crime generally has not increased in Tasmania and that there have been only 69 convictions arising out of the activities of the casino itself, and I accept his statements. I have said earlier that security is essential so that criminal activity can be kept under control. In answer to those who say that you cannot blame the casino for some of these actions, I say that the potential for crime is there.

I would like to highlight again the procedure by which this proposal for a casino in South Australia will be handled. I do not approve of the method that will be used. A report in the *Advertiser* on September 18 states:

People to vote on casino plan. Bill in Parliament soon. A State-wide referendum will be held on a proposal for a gambling casino in South Australia. The Premier (Mr. Dunstan) said this yesterday. He said legislation to provide for a casino would be introduced to Parliament within "a couple of weeks". If the Bill passes, all submissions to build a casino will be referred to the Industries Development Committee for appraisal. The committee's final selection for the granting of a licence will then be put to a referendum. "The referendum will relate to a specific proposal for a licence for a casino in a specific place," Mr. Dunstan said. "People will know quite clearly what they are voting for or against."

I am sure that this method is being used to mislead the people. I understand that, first, Parliament must pass the Bill; secondly, the Industries Development Committee will choose the site; and, thirdly, a referendum will be held and the people living in the metropolitan area, as well as country people, wherever the site is chosen in the country (and the Premier has said it will not be in the city) may vote for it to be in a certain place so that it will not be near their locality. The whole thing is upside down and inside out.

I support this motion for three reasons. First, the moral and social aspects of the situation have been ignored. The only things considered have been the raising of revenue and the expansion of tourism. I support the expansion of tourism and I support development at Wallaroo, but expansion and development without a casino. Tourism is already increasing in the Wallaroo area. I would disagree to the establishment of a casino in South Australia because it would introduce a new concept of gambling that could lead to the introduction and acceptance of other methods of mechanical gambling in this State. I consider that our gambling facilities at present are adequate and that there are other methods of raising revenue and more satisfactory methods of establishing industries in country areas than this method.

The Hon. D. A. DUNSTAN (Premier and Treasurer): At this stage, I intend to speak only briefly to the motion. I point out that the matter would be better debated and in more detail when there is before the House a Bill that I intend to introduce next week. In addition, it is expected that there will be to hand about that time a full and public report on the operation of the Wrest Point casino, and several areas of newspaper misinformation will be dealt with at that time. It will then be possible for members to get what is an objective report by responsible officers that I think will be of use to the House. However, some matters have been adverted to by the members for Fisher and Gouger that I believe should be discussed immediately. I point out that there has been much emotionalism on this issue. Some people claiming church affiliation have made statements that are so reckless that they surprise me, because they are not based on fact, the people concerned having been careless about the matter. I do not think that is the way this matter should be discussed. Honesty should be demanded of everyone in the community, including those claiming church affiliations, in discussing a public issue.

Mr. Jennings: Especially.

The Hon. D. A. DUNSTAN: Yes. It has been suggested that the Wrest Point casino has been responsible for suicide, misappropriation of company funds, theft, and other crime. That claim is not supported by the report of the Acting Commissioner of Police in Hobart. Only two suicides could have any conceivable connection with the casino. One suicide concerned a person who was known as a heavy gambler over a considerable period. Although he did lose money at the casino, he was also indebted heavily to the Taxation Department. The other case concerned a man who had been seen at the casino on the evening before he was drowned. Over a 10-year period, he had threatened suicide on at least three occasions. He suffered from epilepsy and there was no evidence to link his suicide to the casino. They are the only two cases that could in any way be cited as showing an increase in suicides as a result of the casino at Wrest Point.

There have been no serious disturbances at Wrest Point since the casino was opened. As to the misappropriation of company funds, only one case has been reported, and that was the one referred to by the member for Gouger involving a misappropriation of $1 805. I point out that, contrary to the honourable member's suggestion that this

is a continuous thing, that is the only such case reported. In relation to other forms of gambling in South Australia over a period such as that, far more cases could be reported. There are people who gamble at the horse races and on dogs, and even those who lose money on the Totalizator Agency Board.

Mr. Payne: And on football finals.

The Hon. D. A. DUNSTAN: Although that is totally illegal, it nevertheless happens. Regarding an increase in the rate of repossessions, press statements have claimed that the Tasmanian finance companies have shown a dramatic increase in the rate of repossessions since the opening of the casino. However, it was announced at the Australian finance conference that none of the Tasmanian companies had noticed increases in the rate of repossession, and the Hobart *Mercury* retracted its statement. The statement that tourism will be destroyed by competitors being priced out of business has been widely circulated, in a little yellow pamphlet, by church interests. The suggestion is that the casino will cut prices and price tourist competitors out of the market, but there has been no cutting in prices at the Wrest Point Hotel. In fact, the prices there are higher than those at local hotels and motels, all of which report an enormous increase in business. There has been a marked tourist advantage to all tourist installations in Hobart as a result of this activity.

That sort of fact ought to be discussed dispassionately in public. The cause of those who, on moral grounds (which I respect), believe that there should be no increase in gambling facilities of any kind in South Australia is not advanced by misinformation and reckless statements of the kind made. I find it not surprising perhaps that several people who have been prominent in this campaign are the very same people who said that, on a lottery being introduced into South Australia, homes would be broken and every sort of social malaise and evil from scrofula to sore toes would occur. We now have the lottery, and the dire social results that it was said would occur (broken homes, misery, degradation, and an increase in crime) have not occurred.

Mr. Russack: Are they less prevalent now than they were years ago?

The Hon. D. A. DUNSTAN: No, T do not think they are less prevalent. I do not think the lottery has had an influence one way or the other; I would not think it would reduce crime or increase it. The onus is on those who suggest there will be a great increase in social malaise to prove it. In fact, in relation to the lottery, it has been disproved by facts. I genuinely believe that there will be advantage to the community from the establishment in a tourist area of a hotel-casino complex, involving a considerable increase in stable employment for that area. At this stage, that is all I want to say, but additional information will be available when a Bill is introduced next week. On those grounds, I seek leave to continue my remarks.

Mr. EVANS (Fisher): I oppose that.

Mr. DEAN BROWN (Davenport): I move:

That this debate be now adjourned.

The SPEAKER: Order! The determination of the House is that the debate be allowed to continue.

Mr. GUNN (Eyre): I am rather concerned about the attitude adopted by the Premier and the Government in relation to this matter. My first impulse was to support the motion, but I do not think I can do so at this stage, because I do not want to see discussion in the community on the matter stifled. I make clear that, although I do not support the establishment of a casino, I believe that all those interested in the proposal should have the opportunity to discuss it, making available to all sections of the community the suggestions they have. This is a Government proposal and the Government should give the people of the State the opportunity, at a referendum, to exercise their democratic right.

Obviously, people in many areas do not want a casino established. There has been much opposition from the people of Victor Harbor, Port Lincoln, and other places. If a specific proposition is submitted, many people will vote for a site outside their locality. If the Premier wants the people to make a decision, all the people should be allowed to make that decision without discriminating against one locality. We recall the fiasco when a referendum was held in South Australia with a certain intention in mind. I seek leave to continue my remarks.

The SPEAKER: The honourable member cannot seek leave to continue his remarks.

Mr. GUNN: Then, I will conclude my remarks.

Mr. MATHWIN (Glenelg): My main objection is that, as the Premier has said, he desires to introduce a Bill on this matter next week, and the people of South Australia will not be able to give their views at a referendum, because it will be held only after the site for the casino has been specified. In those circumstances, people would be able to vote for a casino in someone else's locality, knowing that it would not be built in their own area. The position is similar to that which arises when people desire, say, an additional toilet provided in the city but say that it can be put anywhere except in front of their property.

I have an open mind on the matter but I consider that I must speak on behalf of about 600 people who have either written to me or sent petitions, opposing the establishment of a casino. Without supporting the motion, I am beholden to state my feeling, particularly as I believe that the people should have the opportunity at a referendum to say whether they want a casino, whereas the Premier intends to hold a referendum after a site has been decided.

Mr. EVANS (Fisher): I am surprised that the Premier is the only member opposite who has spoken.

Members interjecting:

Mr. EVANS: Some Government members have been reported in the press as saying that they would not support the establishment of a casino in South Australia, and I take the press reports to be accurate. I do not attack the proposal on a moral basis. There are other factors to which the Premier has not referred. I, as the member in charge of the motion, had no indication that the Premier intended to seek leave to continue his remarks.

The usual courtesy was not shown and I took the alternative of refusing leave, because the Premier had not made his intentions clear. If, as he has said, there will be opportunity to speak in another debate, there was no need for him to seek leave to continue his remarks, unless he wished to retain control of the motion. I do not think that that was his prerogative, as he would realize, having been a member of this House for a long time.

Practical issues are involved in the establishment of a casino. Tasmania, the first State to establish one, doubtless will get a continuing benefit from it, but after New South Wales and Victoria have established their first casinos, they may establish second ones, and we will be left out on a limb. People will not come to South Australia merely to gamble: some other factor must attract them. It has

been proved in Tasmania that most of the casino clientele comes from the local community. It is ridiculous to say that the casino will be for tourists: South Australia will gain few tourists from it.

At the present time people cannot get a house built. It is impossible to have a house foundation put down within a month and many building materials cannot be purchased. For instance, at least 12 types of brick are not available. The Premier has said that the matter of a casino will be put to the people at a referendum, but the question will be loaded, because the Government will be telling them that the casino must be on the site decided by the Government. It has been suggested that many people will support a casino being established if it is not built in their district, and I am sure that many members would be unhappy if a casino were built in their community. We have received literature containing loaded statements from large promoters who support the establishment of a casino. These people have been attacked previously by the Government because they are large business enterprises. I have said often that I do not support monopolies and big business because of the way they operate, but some members of Parliament may be offered money to vote in support of building a casino. Millions of dollars will be involved in this project and, if one organization is given permission to build the casino, there may be a risk that members either individually or as a Party will be offered funds to be used to fight an election.

I suggested earlier that an approach had been made to the Government by an organization that was willing to pay $120 000 to conduct the referendum, but the Premier denied that suggestion. I cannot prove it but perhaps one day I will be given the chance to do so. The Premier said that the Government could not allow others to pay for a referendum to be conducted, but it is not beyond the realms of possibility that people may be told that if they are willing to spend that money on a publicity campaign they may help the cause. Already, members have begun to receive material suggesting that if we do not support the referendum we lack common sense, but we should await the report to be prepared by officers whom the Premier said were efficient and good operators. However, if the terms of reference are restricted and the officers receive specific instructions, it is possible that a biased report may be submitted. At this stage, I seek leave to continue my remarks.

Leave granted; debate adjourned.

POSTAL CHARGES

Adjourned debate on motion of Mr. Blacker:

That, because of the sharp increases of postal charges proposed in the Commonwealth Budget, this House request the Government to intervene with the Prime Minister requesting him not to proceed with those increases which will adversely affect newspapers and periodicals, especially as they affect country newspapers serving country people.

(Continued from September 26. Page 963.)

Mr. OLSON (Semaphore): I oppose the motion, because this matter has been satisfactorily settled. A report in the *Australian* of September 28 states:

Agreement between the Government and main Opposition Parties was reached after the Attorney-General, Senator Murphy, produced an undertaking from the Postmaster-General, Mr. Bowen, to have no further rises in country postal charges without first informing the Country Party Leader, Mr. Anthony.

The member for Flinders need not fear that the Australian Labor Government would do anything to affect people living in the country by increasing postal charges so that they would be inconvenienced in not being able to receive publications and periodicals. I remind the honourable member that, had it not been for the actions of a former Liberal Party member and Postmaster-General (Sir Alan Hulme), increases in postal charges would not have been necessary. Because of the mismanagement and spending of Government finances on projects that were uneconomical (for instance, the spending of $240 000 to install a telephone exchange with no more than 40 subscribers), members of the Country Party must realize that difficulties must arise when arguing about the imposition of increased postal charges.

Mr. Wells: That was absolutely disgraceful spending.

Mr. OLSON: It is apparent that the mover of the motion has seized the chance to make political capital out of something that he must know would be adequately attended to.

Dr. Eastick: Hasn't your Party ever done that?

Mr. OLSON: Members will recall that during the Budget debate the Railways Department was criticized by Opposition members concerning the operation of some alleged uneconomic suburban and country services. It was suggested that where services are operating at a loss, whether in the suburbs or in the country, passenger lines should be closed. However, the thought of providing free passenger travel to encourage wider use by the public and to prevent the accidents and carnage on the roads was cast aside as some community evil. Although the Railways Department is expected to reduce costs and maximize profits, little regard seems to be given to the matter of service to the customer or public in meeting their transportation needs. In other words, although the criterion from the Opposition point of view is all right for the railways it should not apply to the post office.

The very nature of this motion implies this, despite the post office's showing significant financial losses because of handouts to big business and multi-national corporations at the expense of taxpayers generally during the 1972-73 financial year. No-one wishes to see increased postal charges, be they in the form of increased rates for letters, periodicals, papers or for telephones, meted out to people in the country. One can readily understand the anxiety of the member for Flinders in trying to lighten the burden of country newspaper proprietors. However, it is well for one to remember that his view was not shared by Sir Alan Hulme, who was responsible not only for increasing from 5c to 7c the cost of letter mail but also for increasing the cost of a registered letter from 20c to 50c and, over a period of three years, for increasing from $10 to $50 the cost of installing a country telephone service.

Although the member for Flinders pointed out the significance of the charges regarding union journals, the very thing he fears, by increasing the cost of postage to reduce the frequency of publications from monthly to quarterly, occurred three years ago. The Postmaster-General's action in 1970 did not show much regard for members of my union in the country, even though he was a member of the Liberal Party for, by his action, our journal was reduced from a monthly to a quarterly one. I point out to members, before inefficient postal workers are blamed for increased postal charges, that productivity studies prepared for the Australian post office inquiry by university experts demonstrate that productivity of 97 per cent of postal staff, from middle management to operative staff, is continuing to rise as it has done for the last 20 years.

The Amalgamated Postal Workers Union has many times indicated its willingness to discuss and negotiate changes so that reasonable needs and expectations of post office employees and, indeed, of the community are properly recognized. Scientific and technical changes are certain

to continue in the field of post office services. The Australian post office central administration, which is subservient to foreign corporations, should not be permitted to programme Australia into this extreme position of subservience and dependence until the Commonwealth Government and the people of Australia have decided that they will accept such foreign dependence and control. It is a deplorable set of circumstances when the people in the country and cities are, by the action of senior officers of the Postal Services Division central administration, paying higher prices for postal services. Against these people must be levelled the responsibility for the continuation and expansion of a scheme of bulk presorted and householder mail, which is clearly unprofitable.

Despite attempts by the department to improve the quality of householder mail, conditions for postings are not being met by many business firms: it has been clearly demonstrated that a racket exists regarding the posting of bulk presorted mail. As a result of these handouts to business firms, the Australian Post Office incurred the following significant financial losses during the 1972-73 financial year: on presorted registered books, $100 000; on presorted group articles, $100 000; and on householder deliveries, $300 000. Therefore, the total loss to the department was $500 000.

Apart from inflicting a financial loss on the post office, this method is nothing but a straight-out subsidy to big business. In addition, these firms continually ignore agreements on wrapping and postings, as agreed between the union and the department, which gives rise to industrial disputes. In turn, this amounts to an unnecessary burden on other post office customers and taxpayers generally. The Australian Post Office is a public authority that is effectively required to meet standards of commercial responsibility and performance. However, it is in the contradictory position of having no independent control or power of decision over the salaries of its own employees.

The post office is the largest single enterprise in Australia, measured by the value of its capital investments, and has more than 100 000 employees. It would be consistent with the responsibility of the post office to operate on a sound commercial basis if salaries and other conditions of employment could be decided by the post office in the light of its total situation. This would include not only the commercial standards that it is required to meet but also the need to pay fair and reasonable salaries related to all the circumstances of the work being performed. The total approach will be possible in future only if the post office has independent power in the fixation of salaries, deliberately separated from the jurisdiction of the Public Service Board. The board has shown itself to be too far removed from the realities and requirements of the work that must be carried out in running the post office.

It has been said many times that the post office should function on the basis of personal responsibility. This is confirmed by the adoption in 1968 of a new system of accounts, and the first White Paper tabled in Parliament at this time confirms this approach. The emphasis on the commercial responsibility to manage the post office along certain lines is at least implied in the 1968-69 White Paper, as follows:

The post office is now virtually operating its own trading account through the medium of the post office trust account.

The commercial approach, which has been followed with increasing emphasis in the past decade, is evident in the following blunt statement by a former Postmaster-General (Sir Alan Hulme) when, speaking in Parliament on February 23, 1972, about the character of the post office, he said, "It is first of all a business undertaking." From that we have the problem today where people are crying out for attention: service has been brushed under the carpet simply to extort revenue from the Australian taxpayer. In other words, the post office has turned out to be purely a milking machine. Post and telecommunication services provided by the post office play a vital part in the economic and social life of Australia. In the last financial year the total earnings amounted to $858 492 531. In that year the total number of postal articles handled was 2 767 000, and there were 3 245 000 000 telephone calls.

If we use the value of capital investment as a measure, the Australian Post Office stands as the largest enterprise in Australia, and reputedly in the southern hemisphere. The size of post office operations has led to a recognition that the very scale of operations demands management principally along commercial lines. Against the recognized commercial approach there is at present the anomalous practice whereby the post office managers themselves are overruled by the Public Service Board on issues of salaries, conditions, classification of positions, and the number of positions. Contrary to the expressed opinion of the member for Alexandra that some public servants are bludgers, and that he would sack them and let them go hungry, I should like to refer to some staffing level increases in considering the requirements of recruitment and installation. When staffing levels in the two years to June 30, 1972, are studied in depth, some interesting figures are revealed, as follows:

	Percentage increase
Across-the-board Public Service staff growth rate	6.54
Public Service Board's own staff	26
P.M.G.'s staff increase (Commonwealth)	3.98
Clerical and administrative staff	13
Telephone services in operation	10.3
Subscribers' cables	15.3
Junction cables	17.5
Trunk and telegraph cables	14.6
Co-axial cables	28
Conduits	15.6

Yet, if we look at line staff levels and, in particular, the manipulative line staff (that is, staff employed on installation work), we find a somewhat different growth rate. In spite of increased mileage of cables and junctions laid between July 1, 1970, and June 30, 1972, there was a decrease in the manipulative line staff engaged throughout the Commonwealth, as follows:

	Percentage decrease
Manipulative line staff (Commonwealth)	1.74
South Australia	3.64
New South Wales	3.97
Tasmania	2.2
Western Australia	2.06
Victoria	1.57

So, although these figures illustrate that the Public Service Board itself should no longer have control of staffing levels in the Postmaster-General's Department, because it has cut back the department's recruiting level while selfishly increasing its own, the administration section of the Postmaster-General's Department has also selfishly increased the administrative staff while sacrificing the manipulative staff at the bottom of the ladder, the very people who carry out the jobs that the department was created to do. The member for Flinders referred to the action of the Australian Labor Government regarding the sharp increase in postal charges, especially relating to newspapers and periodicals, and particularly newspapers serving country

people. I fully sympathize with his views in this regard, but I wish to remind the honourable member that, if he and his colleagues on that side of the House consider that the main function of the post office is to be conducted on business lines, it will be a considerable period before any taxpayer, city or country, can expect decreases in postal charges. I seek leave to continue my remarks.

Leave granted; debate adjourned.

CRIMINAL LAW (SEXUAL OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 968.)

Mr. CHAPMAN (Alexandra): For the purpose of simplicity, in my speech I intend to refer to homosexuals as the minority, and to the public at large as the majority. This Bill is wide ranging, confusing and, I believe, premature. In part, it proposes to relieve the minority of the stigma and social burden that follows the practice of homosexual acts by these people in this country, and in particular to relieve the minority by removing consenting adult male homosexual behaviour in private from under the cloud of penalty under the present Criminal Law Consolidation Act.

In addition, the Bill provides even greater protection for the majority. In itself, I believe this makes the Bill confusing, because the latter provision is clearly an admission that homosexual practices are socially undesirable and should not be condoned, otherwise there would be no need to seek legislation to protect the majority more than they are protected already under the present legislation. To substantiate my claim that the Bill is wide ranging, I refer to the following comments of the member for Elizabeth in his second reading explanation (page 824 of *Hansard*):

The effect and scope of this Bill is wider than in the case of that of the Hon. Mr. Hill, which sought to make legal homosexual acts between consenting males over 21 years of age. This Bill, although having a similar objective to that of the Hon. Mr. Hill's original Bill, also extends sections of the Criminal Law Consolidation Act and the Police Offences Act to provide for a code of sexual behaviour regardless of sexual orientation and applicable to all persons.

My Bill provides for a penalty of life imprisonment for sexual offences against children under 12 years of age, regardless of the sex of the child or of the offender. It also provides for the imprisonment of sexual offenders who are schoolteachers, guardians, or other persons of special responsibility who commit sexual offences against their wards. An offence of homosexual rape is created, and the Bill ensures that other offences such as indecent interference, abduction, defilement and so on apply regardless of sex or sexual orientation. Further, the Bill provides that any premises found to be used for homosexual practices where males prostitute themselves would constitute a brothel, attracting the same penalties as would premises now used for heterosexual practices.

Although the aim of the Bill is to provide penalties with regard to males prostituting themselves, I believe that aspect would be extremely difficult to police. For example, the legalizing of homosexual acts by qualifying males in private premises in itself introduces the opportunity for soliciting of the innocent in those same private premises, After reading the Bill, I can see nothing that protects innocent parties on those same premises from solicitation.

Mr. Duncan: This is in the Act.

Mr. CHAPMAN: I am yet to be convinced that, following relaxation of this law in other countries, there is any evidence to suggest a reduction in homosexuality in those countries. As homosexual behaviour is not acceptable, tolerated, permitted or desired by the majority, every effort should be made to dampen this practice. I now refer to an article (and I saw this only today), headed "Changing Attitudes Towards Homosexual Law Reform and Their Implications for the Criminal Justice System", in which the authors, Chappell and Wilson, state that, as part of a national survey, they examined public attitudes towards homosexual law reform as recently as 1967 and found that only 22 per cent of respondents thought it should no longer be an offence for consenting males to engage in homosexual acts in private.

Until some evidence is forthcoming in this direction, I believe it is premature to introduce legislation further liberalizing the present law to allow consenting males, or any other males, a free ticket to proceed unencumbered in practising homosexual behaviour in private or in any other place, either in willing group packs or in pairs. Therefore, I have no alternative but to oppose that part of the Bill which provides for consenting adult males to proceed with such sexual behaviour in private places. Further, I claim that that part of the Bill before us is seeking the same objective as that sought by the Hon. C. M. Hill in 1972, except that on this occasion it is couched in slightly more attractive terms. When suggesting that this issue is confusing, I agree with the Hon. A. M. Whyte who, on August 23, 1972, said (page 939 of *Hansard*):

There are those who, on the one hand, will say that homosexuality is a sickness and, on the other hand, there are those who will say that it is a genetic maladjustment that can be cured by treatment and that treatment centres should be established. There are also those who do not believe there is any possibility of an adjustment being made to the lives of homosexuals. One could go backwards and forwards with arguments regarding what causes homosexuality and, indeed, about what can be done to correct the position in which a small minority of people within the community find themselves.

In a report of a commission which studied homosexuality, under the heading "Psychological Causes", the following suggestions of factors that may contribute to the development of homosexuality are made:

(*a*) An over-dominant, or over-protective mother.
(*b*) A weak, absent, or aggressive father.
(*c*) Children all of the same sex.
(*d*) An only child.
(*e*) Social factors; for example, many individuals of the same sex confined together for a long period.

The commission gives several other reasons, and it is most interesting that it also refers to suggested treatment. Amongst the suggestions is one for greater continence or self-control by those involved. I consider that self-control by the individual, linked with assistance and guidance, can solve much of the problem. The Bill brings bedroom practices of consenting adult males into line with those of homosexual females, but I am not sure that this is the way to deal with the matter. It may be that, in the long-term interests of the community, we should consider bringing the behaviour of Lesbians into the same category as that which applies now to male homosexuals, and give assistance to those in need from both groups, instead of dodging around the issue, as we are doing in this Bill. We should be dealing with the real basic problem.

I have said that some provisions in the Bill give greater protection to the majority, and I agree with those provisions. However, on a matter of principle I do not support the Bill in its present form. It gives the opportunity to expand homosexual practices against the welfare of the community at large. Before South Australia once again becomes a guinea-pig, State Attorneys-General should discuss the matter collectively so that, if there should be any change regarding this important issue, it would be

made simultaneously, following a decision by the States. I do not think that this action would deny the States their individual rights or that it would be impracticable, particularly as members from the Queensland, Victorian and Commonwealth Parliaments recently have been discussing proposals similar to those with which we are dealing.

I suggest that this Bill would open the floodgates at the borders of this State. We would be inviting a congregation of the nation's homosexuals right here at our own back door. To support that remark, I refer to a report that I read recently that a homosexual chased a partner from one part of the world to another to continue homosexuality where it was permitted. I would prefer that the efforts of members of this House were directed towards rehabilitating these people and assisting those who needed help rather than that we amended the legislation. I consider that the Bill will provide the opportunity for, if not encourage, expansion of homosexual practices in this State.

Mr. WARDLE (Murray): I should like to express my attitude to the legislation, which I must confess is very thoughtful. I agree with most of it, and I suppose if one disagreed with one aspect one would be said to be old fashioned, out of date, and unenlightened. That may be so but I must express here the objection that I have, regardless of whether anyone else holds a similar view. I find that the difficult aspect is that regarding the relief for homosexuality being permitted between adult males in private. I agree with the remainder of the legislation and with what the member for Elizabeth has said. I cannot move an amendment involving finance, such as for the establishment of clinics, counselling centres, and that sort of thing, but I consider that that would be a much better way to solve the problem than to remove now the reference to an act being committed by consenting males in private.

I would prefer that we explored a system of counselling and providing money to services whereby the problem was treated socially from the early stages in a maladjusted home. I consider that, if we did that, the problem would solve itself within the community. Although the member for Elizabeth was not able to put anything into the Bill about what I have mentioned, in his second reading explanation he states:

I know that all members of this House and of this Parliament would like to see a lessening of the incidence of homosexuality, and I believe that education and the use of our society's resources to research this matter more fully to provide more male child care officers and more male teachers are far more likely to succeed in this aim than seeking recourse to the penal system.

I consider that we ought to follow the basis of education and counselling rather than take out of the legislation the aspect of males committing homosexual acts in private not committing an offence. I also feel strongly about the legislation not being uniform. I have not been able to find out from my reading whether the Attorneys-General have been deeply involved in discussing this measure. I consider that that ought to happen and I would have preferred that legislation introduced here was uniform throughout Australia. I know that my attitude will change over the years because of what I hope will be done to counsel and educate members of the community, but at this time I must vote against the Bill, on the basis of taking out of the legislation the provision that homosexuality between consenting males in private is not an offence. I oppose the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

Mr. DUNCAN: I move:

To strike out "carnal knowledge" and insert *"penetratio per anum"*.

This amendment is to clarify the position. There has been some difficulty in the legal interpretation of "carnal knowledge" and the amendment will make the position clear in relation to the definition of "rape" in the Bill.

Amendment carried; clause as amended passed.

Clauses 5 to 11 passed.

Clause 12—"Defilement of female between 13 and 16 years of age, and of idiot person or child."

Mr. DUNCAN: I move:

In paragraph (*b*) to strike out "any person of unsound mind" and insert "any person who is an idiot or imbecile".

As the original words "any person of unsound mind" are rather too wide in a legal interpretation, and as the words "idiot or imbecile" have been included for many years in the criminal law, it is preferable to leave those words, as they are already legally defined; therefore, this amendment renders the section more legally precise.

Amendment carried.

Mr. DUNCAN: I move:

To strike out paragraph (*c*) and insert the following new paragraph:

(c) by striking out from paragraph (*b*) of subsection (1) the passage "woman or girl" and inserting in lieu thereof the word "person".

This amendment merely ensures the policy of the Act relating to sexual behaviour of persons of both sexes is carried into effect.

Amendment carried; clause as amended passed.

Clauses 13 to 27 passed.

Clause 28—"Abolition of crime of sodomy."

Mr. DUNCAN: I move:

In new section 68a to strike out "prescribed" second occurring and insert "created".

The effect of this amendment is to ensure that, in line with the policy of the Act, all offences relating to an unnatural offence will be contained within this Act and not at common law or elsewhere.

Amendment carried; clause as amended passed.

Clauses 29 to 36 passed.

Clause 37—"Amendment of principal Act, s. 26."

Mr. DUNCAN: I move:

To strike out paragraphs (*a*) and (*b*) and insert "by striking out paragraph (*b*) and the word 'or' immediately preceding that paragraph from subsection (1)".

The effect of the amendment is to clarify the meaning of the clause. The subject matter of section 26 (*b*) of the Act is now contained in section 25.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

PETRO-CHEMICAL PLANT

Adjourned debate on motion of Mr. Hall:

That in view of the confusion surrounding the proposal to build a petro-chemical plant at Redcliffs on Spencer Gulf and the possible conflict that may arise with the Commonwealth Government concerning the export of petroleum liquids, the Government should inform the House:

(*a*) whether it has a legally binding letter of intent from every company required to participate in the construction;

(*b*) whether it has the unqualified approval of the Commonwealth Government for the export of liquid petroleum from South Australia; and

(c) whether it will give an absolute assurance that the environment and ecology of Spencer Gulf and its surroundings will be fully protected before any constructions commence.

(Continued from September 26. Page 970.)

Mr. EVANS (Fisher): It was not my intention to speak but, as someone had to take the adjournment last Wednesday in order to keep the motion on the Notice Paper, I took it. I do not support the motion, and the Premier has said why it should not be supported. I believe that there is a need for the project, and the Premier has said that most of the necessary research will be undertaken before it goes ahead. To give an absolute assurance that, before any construction commences, the environment and ecology of Spencer Gulf and surrounding areas will be fully protected, is an important aspect that must be taken into account. In moving that part of the motion, I believe there was some merit in the approach of the member for Goyder, for we then have the Government's assurance, through the Premier, that action will be taken to ensure that there will be no adverse effect on the environment by the establishment of this industry at Redcliffs. We, as a community, are becoming conscious of the effect of industry on the environment; this is a responsible attitude and, if the Government takes a responsible approach in this matter, I believe it will be given credit for it.

One must not take lightly the words that have been uttered by those we may class as conservationists or preservationists who say that we must be absolutely sure and must not take any chances whatsoever. We have been assured that there will be no fear of mercury being passed into our waters which could adversely affect sea life and, indeed, the lives of human beings who eat fish and other seafood that may be close to the projected plant. In Japan and other countries a health danger has been created by some industrial operations. We have been assured that that will not be the method of operation at Redcliffs and that there will be no disposal of mercury waste to create a problem there. I accept the Premier's assurance on that aspect of the project. Regarding that part of the motion relating to the export of liquid petroleum from South Australia, the Commonwealth Government might not need to worry about obtaining this Government's approval: it might just say, "We will export it if we want to," and it could mean that the State Government would not have any say in the matter. The Commonwealth Government might not take the trouble to confer with this Government but merely say, "We have decided to export some of the natural gas or petroleum," or "We will decide what will be done with petroleum liquids."

Mr. Payne: Weren't you present during Question Time?

Mr. EVANS: I am not going to refer back to Question Time or to a question asked earlier in this debate. Regardless of what assurances may be given in replies to questions at any time by Ministers, they cannot give an assurance of what powers the Commonwealth Government really wants and how far it will go in using them. They could try to smooth things over and say, "There is no fear of the Commonwealth Government's going too far in its actions in taking over control of our fuel resources." However, I believe there is a risk in this matter. I believe that good debate has taken place on the motion, and it has compelled the Government to explain the whole situation. I do not believe that the motion needs supporting, because the member for Goyder has achieved his object by having the motion placed on the Notice Paper.

Mr. HALL (Goyder): In winding up the debate, I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (QUEENSTOWN)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Planning and Development Act, 1966-1972. Read a first time.

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

That this Bill be now read a second time.

It arises from the disturbing events that have surrounded the proposed establishment of a regional shopping centre at Queenstown by Myer Shopping Centres Proprietary Limited. The attempted misuse by the Port Adelaide council of its powers under section 41 of the principal Act (which provides for interim development control) cannot be countenanced by the Government, or by this Parliament, which enacted the provision and laid down the guidelines for the exercise of the powers that it confers. When the Port Adelaide council purported to grant consent to Myer's application, it had already submitted its proposed planning regulations to the State Planning Authority, after they had been publicly exhibited and objections had been heard. On February 15, 1972, the State Planning Authority approved these regulations, which showed the Queenstown area as a residential zone R2 (zoning that was in accord with the 1962 Metropolitan Development Plan).

On February 24, 1972, interim development control over the area of the Port Adelaide council was conferred on the council pursuant to section 41 of the Planning and Development Act. On March 9, 1972, Myer Shopping Centres Proprietary Limited applied to the council for consent to erect a shopping centre at Queenstown under section 41. The matter of the shopping centre had been before the council before this, but no consents had been granted. This application for consent was not granted by the council until after a special meeting was called by the Mayor for the evening of the day when the regulations were made by the Governor. The Town Clerk was informed of the making of these regulations before the meeting began. This meeting lacked a quorum and was adjourned to the following day, when again a quorum was lacking. Nevertheless, the members of the council present purported to consent to an application under section 41, and thus to authorize the erection of the proposed Queenstown centre. At the present time the validity of this purported consent is the subject of proceedings in the Supreme Court.

The matter is, however, of such gravity and of such overall importance to the proper planning and development of the greater metropolitan area that it is vitally necessary for Parliament to state again, so that there can be no doubt or dispute, the intendment of the provision conferring interim control. That provision was designed to confer temporary powers that would not be used to introduce radical departures from existing plans of development. That requirement can be reasonably interpreted only as a direction that the authority will give proper weight to that plan. However, in this case the council in question gave its consent to a proposal that departs dramatically both from the existing plan and, indeed, from a proposed plan that the council itself had approved only a short time previously. Such a course of action was violently opposed to the normal principles on which section

41 powers had been previously exercised and, moreover, constituted a substantial breach of faith with the people of Port Adelaide, who, of course, had every reason to expect that the council would follow those planning proposals that it had itself proposed only a short time previously. That it did not do so can be regarded only as a gross aberration from the principles upon which it should have acted and a serious dereliction of its duty.

The purpose of this amendment is therefore to ensure that in this case and in any future case of this kind the validity of any consent purportedly granted under interim development control will be dependent on consistency with the general policy of the Act. The general policy of the Act was that there be a development plan publicly approved. This Parliament, after debate, approved the 1962 plan as the basic authorized development plan for the metropolitan planning area. That plan was to be altered only by supplementary development plans, which were adopted after public proposals had been made for the supplementary development plans and objections had been heard. These were to be reported to the State Planning Authority, considered and reported on; that report was considered by Executive Council and, if it was to proceed, then the matter could be debated in this House. Full public participation in the alteration of the planning process could then be assured. It was never intended by this Parliament that interim development control be other than a measure to maintain the principles of the existing plan until such time as this plan had either been enforced by land use regulations or altered by a supplementary development plan. To abrogate completely the right of public objection and consideration by the State Planning Authority, of the Executive and of this Parliament would be utterly to deny the basic principles of the planning processes laid down in the Planning and Development Act.

Mr. Mathwin: You allowed approval in principle, which it gave.

The Hon. D. A. DUNSTAN: No; we did not. If the honourable member reads the section he will see that it was the requirement on everyone giving approval for departure from existing land use under section 41 that regard be had to the existing plan. Surely, Parliament could never have intended that. I was the mover of the measure, and I certainly did not propose to Parliament that the use of consent under section 41 should tear up the existing plan. That is what has been proposed in this case.

Clauses 1 and 2 are formal. Clause 3 declares that for the purpose of resolving any doubt about the effect of subsection (7) of section 41 that provision requires and always has required the authority of a council in determining whether to grant or refuse its consent to make a decision that is not at substantial variance with the provisions of the authorized development plan as in force when the decision is made.

Dr. EASTICK secured the adjournment of the debate.

FLAMMABLE CLOTHING BILL

The Hon. D. H. McKEE (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act relating to flammable clothing and for other purposes. Read a first time.

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

That this Bill be now read a second time.

From time to time members will have been distressed by reports appearing in the daily press and elsewhere of people, particularly young children, being severely burned when items of nightwear have caught on fire. The Government, in common with the Governments of the other States, has been active in taking the necessary preliminary steps to enable legislation to be enacted in regard to this problem, and the Bill is the result of this activity. It is appropriate that I should refer to the steps that have been taken since the State Ministers of Labour first discussed the need for Government action in this matter at their 1966 conference.

The problem of flammable clothing is basically that all fabric burns, even though the ease of ignition, rate of burning and heat output, surface burning characteristics, and other factors may vary. The possibility of clothing, particularly that worn by young children, catching alight when close to room heaters or fires is a domestic hazard and, whilst the number of burn accidents to young children in which nightwear is involved is relatively small, the injuries can be highly traumatic. Over the past decade, there has been a growing concern throughout the world that has led to demands for controls on flammability, but these controls can be introduced only if acceptable levels of flammability can be set in accordance with some criteria against which they can be tested in a meaningful way.

In 1966, when Ministers of Labour first discussed what action could be taken, the matter was also receiving the attention of the National Health and Medical Research Council, and subsequently the Health Ministers considered a report from the council. However, they decided that it would be more appropriate for legislative action to be taken by the Ministers of Labour, who in the meantime had appointed a committee of officers to consider the matter in detail and make recommendations. About the same time, the Standards Association of Australia set up a committee to prepare an Australian standard, to which committee the State Labour Departments were invited to nominate representatives.

In 1966 and 1967, suggestions were made that, as an interim measure, British legislation should be adopted. On investigation it was found that the British legislation had not proved really satisfactory but, more importantly, the British standards were inappropriate in the different climatic conditions that apply in Australia. Although Ministers wanted to take action, they unanimously agreed that a pre-requisite to any legislation was the formulation of a satisfactory Australian standard method for determining degrees of flammability.

The State Ministers of Labour obtained assurances of willingness to co-operate in labelling from the Associated Chambers of Manufactures of Australia, the Australian Council of Retailers, and the Associated Chambers of Commerce of Australia, but those bodies pointed to the need of first resolving technical problems, particularly as to what should be labelled and how. The Standards Association technical committee, which had by 1968 commenced work on testing fabrics and evaluating the British standards, recommended that legislation should not be introduced until Australian standards for flame-proof fabrics and piece goods had been prepared, for which purpose some further detailed study was necessary.

Ministers of Labour of all States, although concerned at the delay, recognized that it would be useless to introduce legislation which was impracticable or which could not be enforced. They resolved to undertake an educational programme. This has continued for several years, and it will be recalled that a few months ago I distributed to all members a copy of a reprint of a booklet titled *Safer Nightclothes for Children* produced by my department, copies of which have been printed in the Greek and Italian languages as well as English. Members will

be interested to know that so great has been the demand for this booklet that stocks are already exhausted. A revised edition containing reference to this legislation, and the regulations it is proposed be made under it, will be printed as soon as the Act has been passed and regulations made.

Not only was considerable research undertaken into burning characteristics of various fabrics by the Standards Association of Australia but, with the concurrence of the Commonwealth Minister concerned, the Commonwealth Scientific and Industrial Research Organization gave considerable assistance. This research confirmed that oversea test methods had been found to be unsatisfactory. I have recounted this history in some detail to indicate to members that, although it may appear on the surface that the matter has been delayed, a considerable amount of involved and highly complex technical research was involved in the production of the four Australian standards that have now been produced. So far as can be ascertained, far more work has been put into the preparation of these standards than in any other part of the world, and I am sure that the Australian standard will prove to be satisfactory.

It will also be appreciated that, having regard to the constitutional situation in Australia, legislation of this nature must be uniform in all States and similar requirements must apply in respect of imported goods. Agreement between the States was finally reached last July, and the Bill which I now introduce arises from that agreement. It is a short enabling Bill that will permit regulations being made in respect of articles of clothing that will be prescribed by regulation. I should add that initially it is proposed that the regulations will be made only in respect of children's nightwear, and a draft of those regulations has been prepared since the Ministers' conference and is being considered by all States.

Mr. Mathwin: That's a big mistake.

The Hon. D. H. McKEE: Ministers have asked their permanent heads to consider whether regulations should also be made in respect of other items of clothing and whether warnings can be conveyed by readily recognizable symbols as well as by words.

Clause 1 of the Bill is formal. Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation, and in this regard I indicate that it is intended that the Act will be proclaimed to commence on January 1, 1974. It is expected that enactments of similar effect will also be brought into operation in all the States. Clause 3 sets out the definitions necessary for the purposes of this measure. I draw particular attention to subclause (2) of this clause which will enable different descriptions of clothing to be brought within the provisions of the measure at different times. This flexibility is important to ensure that this Act can be applied to various types of clothing, should that be found necessary.

Clause 4 is the operative clause of the Bill. It makes it an offence to sell clothing to which the measure applies unless that clothing is labelled or marked in accordance with the regulations. An appropriate defence is provided at subclause (2) of this clause. Clause 5 sets out with some particularity the powers of inspection under this measure. These powers are, in substance and in form, similar to powers conferred elsewhere on inspectors in other regulatory legislation of this nature. Clause 6 is intended to enable inspectors to carry out their duties without being impeded in any way, and clause 7 is a formal and usual provision protecting an inspector who carries out his duties in good faith. Clause 8 is formal.

Clause 9 is an evidentiary provision that should prove useful. Clause 10 confers a necessarily wide regulation-making power under the Act. It is submitted that this power, the heads of which are reasonably self-explanatory, is no wider than is necessary in the circumstances where, ultimately, numerous articles of clothing of varying designs and descriptions may have to be dealt with. It is important that the Act should permit the incorporation of the appropriate Standards Association Codes in regulations. Regulations so made will, of course, be subject to the scrutiny of this House in accordance with established procedures in this matter.

Mr. MATHWIN secured the adjournment of the debate.

POTATO MARKETING ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

This short Bill, which is introduced following representations from the South Australian Potato Marketing Board established under the principal Act, the Potato Marketing Act, 1948, as amended, is intended (a) to increase penalties for offences against the Act; (b) where the offence involves unlawful activity in relation to potatoes, to include in the penalty an amount equal to the value of those potatoes; and (c) to facilitate somewhat prosecutions for offences against the Act. The actual amendments put forward are, in expression and in effect, somewhat similar to those inserted in the Citrus Industry Organization Act by an amendment in 1971 and, in practice, the amendments have been found most helpful by those responsible for the administration of that Act.

Clause 1 is formal. Clause 2 repeals section 21 of the principal Act and inserts in its place three new proposed sections, which I shall deal with *seriatim.* New section 21 increases the penalty that may be imposed for a breach of a provision of the Act from a maximum of $400 to a minimum of $50 and a maximum of $400 for a first offence, and a minimum of $100 and a maximum of $600 for a subsequent offence. In addition, where the offence involves, in effect, the unlawful marketing of potatoes, the defendant may be liable to an additional penalty based on the market price of those potatoes at the time the offence was committed. Members will appreciate that in orderly marketing legislation penalties for breaches must be substantial lest it become economically profitable for breaches of the legislation to be contemplated. The short-term economic benefit to the individual should not be allowed to outweigh the good of the industry as a whole.

New section 21a in effect transfers the burden of proof to the defendant. In cases in the contemplation of this section, it is quite easy for the defendant to show that his transaction was lawful but very difficult for the authorities to prove, in the strict legal sense, that the transaction was unlawful. It seems reasonable therefore that, once it is proved that the defendant had possession of potatoes at a particular time and that he could not produce appropriate evidence that the transaction was lawful, it shall lie on the defendant to satisfy the court that the transaction was a lawful one. New section 21b merely ensures the invalidity of agreements or arrangements that have the intention or effect of defeating the objects of the principal Act.

Mr. DEAN BROWN secured the adjournment of the debate.

MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

In Committee.

(Continued from September 20. Page 877.)

Clauses 2 to 9 passed.

New clause 9a—"Attribution of price for land."

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I move to insert the following new clause:

9a. Section 8 of the principal Act is amended—

(*a*) by inserting after the passage "fair price for the land" the passage excluding any house or building situated thereon,";
and

(*b*) by inserting after the passage "shall be deemed to be the price paid" the passage "for the land, excluding any house or building situated thereon,".

The Committee will remember that, when the legislation was first introduced, section 8 provided that, in relation to sales within the establishment area (the area surrounding the designated site area), the Minister had power to attribute a price that would have been a fair price had the development on the proposed site not been so contemplated. The object was to restrict the valuations within 30 km (18.63 miles) of Murray Bridge adjoining the designated site to prices which were reasonable and which did not take into account any sales of land adjoining the designated site that might have been inflated as a result of speculation by people who sought to purchase land in the area adjoining the designated site; such speculation might occur on the basis that, with a new town to be developed on the designated site, people might falsely increase the value of the land by speculating in the surrounding area. While Parliament intended that a proper value should be placed on sales of land in the area adjoining the designated site, the problem that has occurred from the viewpoint of the valuers involved in the exercise has been that the definition of "land" includes the buildings on the land. The effect of this amendment is to exclude from the attributed price the value of any buildings that may have been on that land. So, if this amendment is carried, the attributed price will reflect the value of the land, excluding any buildings, in connection with sales that may take place in the area adjoining the designated site. Because these factors can be taken into account separately, it is necessary for consistency of valuation to take into account only the value of the land being sold in the area adjoining the designated site, rather than the land plus any buildings on it. This will lead to consistency of value, and it will assist when sales are being compared for the purposes of acquisition within the designated site itself.

Mr. HALL: The Minister has not explained the point clearly. He referred to speculative prices. I wish to refer to one of the points that is not clear; some of the increases in land prices around the site will occur because of normal increases in prices of agricultural land. The Minister should be aware that in the last six months there have been great increases in the price of normal agricultural land, and these increases will considerably affect the ability of those displaced to find alternative sites for primary production. I should not like to think that the comparison will be made purely on the basis that any increases outside are entirely speculative. Can the Minister say whether this Bill enables him to allow completely for increases in prices of normal agricultural land in connection with those displaced?

The Hon. G. R. BROOMHILL: This amendment has no effect on that situation. The land prices set by the legislation in March, 1972, took into account general increases in values of agricultural land near the designated site. The legislation provided that the Minister might attribute prices in relation to any sales that might take place in the area adjoining the designated site. To protect the development of Monarto, the legislation provided that, to counteract speculation, in connection with land purchased on the boundaries of the designated site simply for purposes of speculation, the Minister should have power to attribute what would have been a reasonable price for the land if it had not announced that Monarto was in the designated site. This is apart from normal valuation increases for farming land.

In connection with the term "land" in the existing clause, "land" has been determined in the legal sense of the word not to include simply the broad acres that may be purchased but the land plus its buildings, with the result that possibly a large parcel of land in the area adjoining the designated site might be sold for $100 an acre. The buildings on the land might have been worth a substantial sum whereas, if a price is attributed to an area where there are very few buildings, there is a different picture. The intention of the legislation was to enable comparisons of sales to be made in the designated site and the area surrounding it on the basis of land values alone. The situation involving land plus buildings is somewhat unnecessary and tends to confuse the valuation of land in the area. The purpose of the amendment is to provide for a fair price for the land, but excluding the buildings.

Mr. WARDLE: Am I correct in thinking that, as a result of the amendment, there will be greater freedom for people when they are negotiating prices? I believe that a person selling land within the prescribed area has not been able to negotiate a price as easily as has a person selling land outside the area. Can the Minister say whether this amendment will improve that situation?

The Hon. G. R. BROOMHILL: I do not know that that will ease the position, but the arrangement has worked reasonably well. I understand that about 25 per cent of the land within the designated area either has been purchased by the Government or is under negotiation. In the areas outside the designated site, there is no bar to a person's selling his land, and therefore he is in a better position than the person within the designated site. This amendment will give the Government valuers and the people in the area a better idea of exactly what valuation is being placed on sales in the general area.

Mr. MILLHOUSE: I move:

Before paragraph (*a*) to insert the following new paragraph:

(*aa*) by striking out the word "Where", being the first word in the section, and inserting in lieu thereof the passage "Subject to this section, where".

I take it that the vote on this amendment will be a test case for my other amendments. I have received representations from those concerned with the valuation of land for the Monarto project that section 8 of the Act is not working justly, and I move these amendments for that reason. The establishment area comprises an area within about 30 km (about 18 miles) of Murray Bridge, a large area extending between about Mount Barker and Tailem Bend. Last year Parliament provided that, where any sale takes place within the establishment area and the Minister believes that the price of the land has been affected by the proposal to establish Monarto, he can notionally change the price of the land by attributing a

value to it. It does not affect that transaction but it will affect subsequent transactions. Section 8 provides for only the Minister to be satisfied and for the price attributed to be a matter of the Minister's opinion, not the opinion of anyone else. There is no provision for appeal.

The Hon. D. A. Dunstan: You voted for the provision last year.

Mr. MILLHOUSE: Yes, and I did not realize how it would work. If the Premier contains himself, I will tell the Committee why the matter has become one for complaint, although no complaint was made when the provision was inserted. This section does not affect a specific sale that takes place but it affects subsequent sales in that neighbourhood. That is because, as has been said this evening, valuations are fixed by referring to comparable sales. If a parcel of land is sold for a certain figure and the Minister attributes a lower figure to it as the value, in sales, when it comes to acquisition of nearby property, the value used will be not the actual value but the value the Minister attributes. That will give the Government a big advantage in bargaining if the Minister attributes lower values, and my information is that that has happened.

After hearing of one case, I decided to move the amendment providing for examination by the court, if necessary, of the fairness of the attributed value. At present there can be no appeal: it is a matter for the Minister, or the Valuer-General in the name of the Minister. A farmer sold a property of 495 acres (about 200 ha) in the establishment area to another farmer at $80 an acre (.4 ha). The professional valuer who spoke to me about this matter (and he deals with many valuations of land in this area) put a value of $75 an acre on the land, so the price paid was a little higher than the figure he had put on it but it was a fairly accurate figure.

However, the Minister has now attributed a value of $60 an acre to that land. We do not know on what basis he has done that. He has taken $20 an acre from this sale price, whereas on my information the higher price was a perfectly proper figure to pay. Not only has this been done, but representations have been made to find out why the value was reduced. I make no criticism of the Valuer-General personally, but all he will say is that it is a matter for the Minister. The person concerned has tried to see the Minister and, to use a term that I hope the Minister will not mind, he has been fobbed off. The Minister has not seen him, despite several approaches that have been made to him. It is not possible to find out what has caused the attribution of a lower value in the case of sales that have taken place. The valuer who approached me told me that the State Planning Authority had retained the Land Board to negotiate sales, but the board says it is in the dark as to why, after sales, the Minister, on the advice of the Valuer-General, has attributed the lower price.

We were given an explanation as to why this section was inserted, and it is obvious that the power given to the Minister can be greatly abused. Let us take the example I have given, an example which I believe to be accurate. The private valuer's figure was $75, the sale was at $80, and it had been knocked down to $60 an acre as the attributed value. What if the Minister had made it $30 an acre? It would be the same; he would still not have to give an explanation. He would have had the power to knock off $50. When properties come to be acquired in the neighbourhood, what value of comparable sales will be looked at? It will be the attributed value, the value attributed by the Minister himself, and it is obvious that thereby the Minister, attributing a lower value than the value of sales, is doing the Government a service and saving money, at the same time causing hardship and injustice (for all we know) to landowners whose land is acquired.

It is worse than that. If there is a dispute as to compensation for acquisition we have certain procedures, brought in when we were in office, to allow appeal to the Land and Valuation Court, but what can that court do other than look at attributed values, when that is what the section says? This power effectively puts landowners in the power of the Government, which is able to set its own values for land it will then acquire by the simple device of the attributed value. This is a far different picture from that which was painted when the section was introduced and which the Premier was rather scornful about in referring to my change of attitude a few minutes ago.

In these amendments I propose a procedure whereby the value attributed by the Minister can be challenged on two months notice and taken to the court if necessary, so that the Minister will be obliged not to change the attributed value but to justify it. If it cannot be justified, the court can do what the Minister has been given power to do in this case. I hope that is not a great diminution in the power of the Minister, but it will be a great safeguard to landowners who are at present entirely at the Minister's mercy. This procedure might not be used in one case in 20. It may never have to be used because the mere fact that there is power to challenge the Minister's attributed value will make him and the Valuer-General careful about it; they will know there is a possibility that they will have to stand up to the value they have attributed. To give some more illustrations, I have been provided with other examples.

The Hon. G. R. Broomhill: By whom?

Mr. MILLHOUSE: By the valuer I have mentioned. I shall certainly tell the Minister privately the name of the valuer, if he wishes to know. It is the same man who has been wanting to see the Minister, but the Minister will not see him. I have no doubt the Minister has refused to see him because of this Bill. He says:

> In addition to probably the most glaring example of misuse of this section—

and that is the example I have given, where $80 was knocked down to $60—

> there have been other examples—

and I shall read this out because I think it is important to be fair to the Minister—

> which although unconfirmed appear to have been judged in the following manner.

The example I have given I have no doubt is accurate because it was in his experience at first hand. The others are examples which he has heard of but which are not first hand. The first concerns a sale of approximately 820 acres (331.8 ha) of poor quality land adjacent to the designated site: that went through at an already depressed figure because of forced sale circumstances and was further reduced a further 12 per cent by the Valuer-General—but, of course, that is the Minister. The second case concerns a small property of 97 acres (39.3 ha) close to the edge of the area which has been sold three times in the past 12 months and has apparently, on the basis of the most recent sale, been reduced at least 15 per cent for the purposes of the Valuer-General.

The third example relates to the sale of a property of about 250 acres (101.17 ha) of land well removed from the proposed city development which in no way could be claimed to have been transacted with the purpose of exploiting that development and which has apparently

been reduced at least 45 per cent by the Valuer-General. The next example concerns the sale of a large 1 500-acre (607 ha) farm which was close to the designated site and the figure for which has been reduced apparently by 45 per cent and the supposition that the price paid was excessive and entirely due to the pending township development is incorrect. The vendors and purchasers state emphatically that there were many other *bona fide* reasons for the price paid and that it was in no way related to the township. Obviously, this is a matter of opinion and justification. That is why it is only fair that, when something of the sort happens, there should be an appeal from the attribution of value by the Minister. The only appeal, and the logical one, is to the Land and Valuation Court. Then the Minister can justify what he has done and those who want to complain, probably neighbours or other landowners near the property, can put their point of view.

The final example relates to a sizeable piece of land well removed from the designated site and purchased by a dairy farmer which has apparently been reduced by about 28 per cent for the purposes of the Valuer-General. The vice of the present situation is that no-one knows why the reductions have been made and no-one will say why they have been made. Landholders who lose their land, either willingly or unwillingly, should get a fair go.

Mr. Venning: They should get a bit more than that.

Mr. MILLHOUSE: It should be seen to be a fair go, but at present it is not. I hope the Minister will accept the amendment because, although this will not derogate from his power, it will allow scrutiny in cases where people are dissatisfied, and a second look at it, after argument by him and by those who challenge it, by the Land and Valuation Court.

Mr. HALL: I am greatly disturbed by the case so well presented by my colleague and by the fact that there is no right of appeal but to the Minister for those who are dissatisfied with the values they will be paid for their properties. I well remember the Labor Party, when in Opposition, stressing from time to time the necessity of having an appeal to a court or to someone else when the various pieces of legislation have gone through this House. I remember when the Minister of Transport, even on the points demerit system, fought to have the final decision taken out of the Minister's hands so that the public affected by a law passed in this House would have some other appeal that would be fair and be seen to be fair. Yet the Government, in not supporting the amendment, persists with its anti-country attitude to business people whose land is forcibly taken from them in order to provide a community service. It is well known that the Labor Party is antagonistic to anyone who owns property and that "property" is a dirty word to Government members. They cannot deny it, because there are various statements in *Hansard* to prove it. Anyone who has a farm and who earns a living from it, even though it gives him no more than the basic wage, is a capitalist in their eyes. In the last few months the Commonwealth Government, in conjunction with the State Government, has given a considerable impetus to Socialism in Australia, and the Labor Party's plan is to reduce everyone to the same level. When it is as good an agricultural community such as ours—

Members interjecting:

The CHAIRMAN: Order! I point out to the member for Goyder that, as the Committee is discussing an amendment, he must confine his remarks to the amendment.

Mr. HALL: I was about to do so when you stopped me, Mr. Chairman. In this agricultural community, which is subject to the land acquisition, we have a system that is unconscionable in British justice because these people may have their land taken from them, and the Minister alone will adjudicate on its final value.

The Hon. G. R. Broomhill: Nonsense! You don't understand what it's all about.

Mr. HALL: Some of the people whose land will be taken away from them will have to find another area of productivity. As this is a matter of great delicacy to them, it requires some leniency. If the matter is to be dealt with in the way outlined by my colleague, we may find that a delicate and difficult situation will develop for certain individuals. It seems to me that the amendment is entirely justified. What has the Government to fear from the amendment? Surely the amendment is just: it provides that the final adjudication shall be taken out of the Minister's hands. I can hardly understand the opposition to the amendment. I commend my colleague for moving it and for explaining it so well.

Mr. Venning: Perhaps there isn't any opposition.

Mr. HALL: I agree. The amendment deserves the Committee's wholehearted support on general principle. Government members, even if they do not believe in dealing sympathetically with an agricultural community, should be consistent in their demand for this kind of possible review.

The Hon. G. R. BROOMHILL: I oppose the amendment. When I first saw it on file, I thought that the mover was moving it simply for the purpose of defeating what was clearly intended in the passage of the legislation last year. As he explained it, however, I realized that I might have been doing him an injustice. I think he believes that there are reasons for moving the amendment, even though all he could point to was one instance out of the many sales that had taken place in recent months in the area within 30 km of Murray Bridge and in some other areas about which he had doubts. What would happen if we accepted the amendment is that we would be defeating completely the objects of the legislation introduced last year.

Mr. Millhouse: By giving people a fair go!

The Hon. G. R. BROOMHILL: That is not the situation, and, if the honourable member will be patient, and as the member for Goyder is obviously confused, I will run over the situation again. We have the designated site on which Monarto will be built. It was decided (properly so) that, instead of the community being forced to pay inflated prices for the land, the legislation would require that the Government would be able to acquire land at its current valuation at the time of the passing of the legislation. Subject to any additional sum that should be added between the passage of the Bill and the time the sale was made, if there was any increase in general agriculture values it would be reflected in the price paid to the owners of land within the designated site. Bearing in mind that valuations are based on sales within the general area, the Government, by including the new clause under consideration, has decided that there should be control over land prices in the area and that consideration should be given to what was the proper price of the land in any sales that might take place within the area adjoining the designated site.

It was obvious that, if no real control over that area was taken, speculators would move in, try to subdivide the land around the fringes of Monarto, and take advantage of the Government's action in that area. To overcome this situation, it was decided to include the new clause so that the Minister might take into account sales in the area surrounding the designated site, with no control over setting the price for the purchase of land within the designated site and with no effect on sales within the adjoining area. People would be free to do what they

liked regarding their prices for land. If a person was willing to pay a highly inflated price, because of the potential the land may hold later for subdivision or for some other aspect created because of the siting of Monarto in that area, power was given in the legislation to enable the Minister to attribute whatever the price for the land would have been had it not been for the announcement of the new city of Monarto. There have been some speculative sales within the area. The legislation provides that the Minister will be guided by the Valuer-General's advice (and I am surprised at the way in which the honourable member suggested that the Valuer-General had been wrong in the assessments he had been making and advising me on).

What, therefore, is taken into account is that, if there have been sales within the area surrounding the designated site and those prices, on the Valuer-General's advice, have been inflated because of siting Monarto where it is, the Minister will be able to attribute what the price would have been had that speculative aspect not been involved. The honourable member has suggested that this would create all kinds of difficulty. Of all the sales within this large area within 30 km of Murray Bridge, the honourable member could point to only one area in which he claimed there could be any doubt.

Mr. Millhouse: Isn't that an injustice?

The Hon. G. R. BROOMHILL: The honourable member is suggesting that we set up machinery creating injustices for everyone involved within the designated site. He is suggesting that, where the Minister does desire to attribute a price, he indicates so by giving two months notice, publishing it in the *Government Gazette,* and giving people the opportunity to dispute that attributed price.

The Hon. D. A. Dunstan: Any person at all can take an appeal to court.

The Hon. G. R. BROOMHILL: Any person can challenge the attributed price. If during the hearing another sale is made and another price is attributed, any person can take action in that matter. Those involved in the valuations in this area (the Land Board, the Valuer-General and people within the designated area) could find themselves waiting for a considerable period during the process of giving two months notice and of the appeal's consideration by the court and, because another attributed price is being appealed against, further delay could occur. We would be creating a position where the people in the designated site, instead of being advantaged, as the Bill provides, would not know where they were going. I suggest that people do know where they are going now.

Members interjecting:

The CHAIRMAN: Order!

The Hon. G. R. BROOMHILL: Acquisition sales are proceeding in the area and negotiations are continuing on the basis of the principles set down in the legislation. If people are not satisfied with an offer they can appeal against it once a notice of acquisition has been served. All the protective provisions they require currently apply. They can challenge the valuation offered by the Government.

Mr. Millhouse: How?

The Hon. G. R. BROOMHILL: Notice of intention is served on the people involved in the designated area and, if no agreement can be reached concerning the offer, the matter is taken to court.

Mr. Millhouse: Look at the last three lines of the present section! That is absolutely inaccurate.

The Hon. G. R. BROOMHILL: The member for Murray has been involved in some of these matters and he can tell the member for Mitcham that what I have said has been going on in several cases. The creation of machinery to provide constant unnecessary delay in the courts could be on such a continuing level that it could continue for years and, as that is not in the best interests of people in the area, I oppose the amendment.

Mr. HALL: The Minister, is saying that he will be the dictator in this matter. The Premier knows that the point raised by the member for Mitcham provides that the court shall take notice of the attributed price. The Minister is saying there will be no appeal from his decision, and people cannot even get into his office to see him about it. What sort of British justice is this? Right around the designated area will be an average strata of country people, some of whom will have to sell for a certain reason.

The Hon. G. R. Broomhill: They can do what they like.

Mr. HALL: They can do it at the Minister's price, and they cannot appeal, because the court will have to take notice of the attributed price. This is a typical Socialist monolithic power set up against anyone who owns anything.

Members interjecting:

The CHAIRMAN: Order! I spoke to the honourable member for Goyder some time ago regarding this amendment. I draw his attention to the amendment under discussion, and I ask him to confine his remarks to that amendment. The honourable member for Goyder.

Mr. HALL: I submit that I was confining my remarks to this amendment and giving reasons for inserting this provision in the Bill. There must be a motive behind the Government's attitude. Why are people to be denied their proper right of appeal? In the case of a person who is a beneficiary—

The Hon. G. R. Broomhill: There is no control over what is paid outside the designated area.

Mr. HALL: The Minister has said there is to be no appeal except under the Act, and the attributed price will apply. He cannot have it both ways. The Minister said that it would be inconvenient to listen to people. One expert has referred to Monarto as a drastic mistake.

Members interjecting:

The CHAIRMAN: Order!

Mr. HALL: I know that you, Mr. Chairman, will not let me name him. Monarto could be a major planning mistake in South Australia.

The Hon. G. R. Broomhill: Do you think that?

Mr. HALL: I have been told so by experts.

Mr. Payne: Who are they?

The CHAIRMAN: Order!

Mr. HALL: They say it will develop a completely unbalanced society captured by social housing and the various Government facilities that are established there. A Mediterranean climate in an arid zone was referred to in this morning's press. So far there has been nothing more than a public relations exercise and the appointment of certain officers involved in the building of this town. The area is still bare paddocks. In the summer months, this area is less than attractive. The amendment does nothing more than establish justice under the law.

Mr. WARDLE: Mr. Chairman—

The Hon. Hugh Hudson: I hope you dissociate yourself from the remarks of the member for Goyder.

Mr. WARDLE: I certainly dissociate myself from the statement that the area is an arid zone. I am sure it is a healthier area than is the city of Adelaide, and possibly healthier even than is Henley Beach. In this area, the best fruits and dairy produce and half of the

State's poultry are produced. Can the Minister say what the procedure has been so far when a disagreement has arisen with regard to the price of land in the area? In some cases agreement has been reached readily and, in others, it has been reached by negotiation. In other cases, the sum arrived at has been $10 or $15 short of the figure required. When a settlement is made, who gives advice of that settlement? In how many cases have differences of opinion arisen in relation to these sales of land?

The Hon. G. R. BROOMHILL: I cannot give exact details without having information supplied to me. However, I can say that about 25 per cent of the total area within the designated site has been purchased or is in the process of negotiation with the landowners. During negotiations, the normal procedure is for the Land Board to value the land and for an offer to be made. If the person concerned does not accept the offer, there may be further discussions, with another offer being made. If no agreement is then reached, notice of intention to purchase is issued against the owner of the land, the amount considered to be reasonable by the Land Board is paid into court, and the court then hears the matter to determine what is a reasonable price for the land. At this time, I think that negotiations have proven unsuccessful in only about three areas, with notice of intention being given in those cases. The honourable member will probably agree that that is a fairly accurate assessment of the situation, although I do not have exact figures.

Mr. DEAN BROWN: The Minister has said that the intention is to place a value on the land based on its value before the Monarto development was announced. Since then, inflation has increased from a rate of about 41 per cent a year to 13 per cent a year. Wool and beef prices have continued to increase, and the situation with regard to wheat is better than ever. This good season has contributed strongly towards an abnormal increase in land values. I hope the Minister has taken these factors into account in assessing values in the area, and I hope that the figure arrived at is far greater than the 7 per cent that the Premier has seen fit to pick out of the hat and include in other legislation before the Parliament.

The Hon. G. R. BROOMHILL: As I have said, although 1972 values have been taken as the basis, increases in land values with regard to the facts referred to by the honourable member have also been taken into account. Accordingly, values are assessed having regard to sales of comparable land in the adjoining area that is used for agricultural purposes. The provision we are now dealing with relates to cases which have been brought to the attention of the Minister and in which it is considered that the price paid for a property may have been inflated because of speculation as a result of the Monarto development. All the factors to which the honourable member has referred are taken into account.

Dr. TONKIN: The Minister has been ambiguous, whereas the member for Mitcham has clearly explained his amendment, in which I can see no harm. On other occasions, one gentleman opposite in particular has screamed about the need for a right of appeal. It is not right that people should be denied some avenue of appeal against the Minister's arbitrary decision. Since the Labor Government came into office, far too much legislation has given power to Ministers with no right of appeal.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I hope I may be able to explain to the member for Bragg the procedure under this measure, because obviously he does not appreciate it. The honourable member suggests there is some abrogation of the right of the ordinary citizen by not providing a right of appeal against the Minister's attributed price to a sale in an area adjacent to the designated area. Who is disadvantaged? It is not the seller of the land in the area adjacent to the designated area because, of course, he can sell at what price he likes. There is no control over it. There is no difficulty for him with what happens to be the price attributed to it for the purposes of valuation within the designated area: he can sell, and does, at whatever price he likes. So he will not appeal; he will sell his land and get what price he can as a result of the fact that Monarto will be there. There is nothing to stop him from selling at any price on the market. The attributed price has nothing to do with his sale, as far as his interests are concerned.

We are not depriving that gentleman, in making a sale, of any right of appeal; we are not interfering with his interests. There is no difficulty for him as a citizen. He can take a profit from the fact that Monarto is there, and there is nothing to stop him. Let us look at who else may conceivably appeal. The people who may be affected by the Minister's attribution of price to sales of land in the area surrounding the designated site are the people within the designated site whose land may be acquired. They have a negotiation with the Government, as the Minister has explained. If the negotiation is unsuccessful, a notice of intention is given to them and the money that the Government, on the Land Board's advice, considers to be the correct price is paid into court. They can take it out of court and litigate about anything else that they consider is the extra they are entitled to. The only conceivable occasion on which a right of appeal may be exercised under this clause, presumably, is when someone within the designated site says, "The Minister, in attributing a price to someone's sale of land in an associated area outside the designated site, has attributed a price that is too low, so I will appeal about that. That, of course, will hold up the court's decision on what is the correct price for me in relation to my land."

The suggestion is that, the more appeals there are on that ground by people within the designated site, the longer it will be before they get any definition of what they are paid for the land within the designated site. What nonsense! It is an administrative conundrum that just will not work. The people who are affected by an attributed price have a right to go to the Land and Valuation Court. What in the world: is being talked about? In the measure previously enacted, it was seen clearly by Parliament that the effect of the creation of Monarto would be that people in the surrounding areas could speculate on the effect on their land values of the creation of Monarto, completely apart from what would be normal rural land values in the area and that, if that speculation occurred, in the view of this Parliament it should not affect acquisition on fair existing values, plus any reasonable escalation in general rural land values in respect of the designated site. That was the view of the House and that view and this legislation have been acclaimed throughout Australia as the most sensible basis upon which to fix prices in respect of sub-metropolitan or regional planning cities anywhere; to fix prices upon a fair basis and subject to proper appeal, which is provided under the existing legislation.

The honourable member proposes that any person, presumably not only the person within the designated site but also his valuer informant or any member of the public (even he himself), could put in an appeal about the attributed price in, say, Kanmantoo and in those circumstances every decision within the designated site before the Land and Valuation Court on what would be the appropriate price for someone would be held up. I do

not believe the people in the designated area want that. In fact, negotiations with them have been proceeding effectively and, what is more, to their satisfaction, and they are getting a fair go. The Government will continue to see that they do.

Mr. MILLHOUSE: It may interest the Premier and the Minister from whom he took over that this matter was brought to my attention by those people who were completely confused by the decisions of the Minister and did not know what to do or where to go. It is easy for the Premier to say, as he is fond of doing, that this legislation has been acclaimed throughout Australia as a model. How often have we heard such balderdash from the Premier trying to bolster a weak argument? The people working under this legislation are those who have complained to me about the way it is working. They are valuers concerned with valuations in this very place. It is because they believe justice is not being done that they came to me and that I knew anything about it. If the Premier does not believe that, I will tell him why. I do not think it is fair to mention their names publicly now but I will show him a letter I had from them about it. Let there be no mistake at all—it is the people who are concerned with valuations in this area who are complaining about what is going on. They are the ones who are confused, because this is what has happened: prices have been attributed by the Minister. These people have to go on valuing other properties not yet acquired and they do not know on what basis they can do it. because they do not know on what basis the Minister has fixed his attributed prices rather than those involving actual sales.

They are being hampered in their valuation work because of the attribution of prices by the Minister; that is the plain fact of the matter. I seldom feel really cross when others are speaking in this place, but I must say that I did feel cross when the Minister was speaking a little while ago, because I believe he deliberately misled the Committee. I made one mistake when speaking earlier: when I read section 8, I stopped at the third to last line and did not read the last phrase. The Minister tried to say (and I believe that the Premier tried to say this, too) that, in proceedings for acquisition, where there is a dispute the court would fix the value. Let me now read the last three lines of the section, because what the Minister said (and what I believe the Premier said in support of him) gave an absolutely false picture of what the court can do. These last three lines show that the court must look at the attributed price, not the real price; the last three lines are as follows:

. . . . and for the purposes of determining the valuation of any land acquired under this Act, the price so attributed shall be deemed to be the price paid in relation to that sale.

A landowner goes to the Land and Valuation Court and says, "My neighbour sold out for $80 an acre (.405 ha); I want that taken into account in the fixing of the compensation I get." The Minister attributed a price of $60 an acre. What this means is that, in fixing the amount of compensation in the case before it, the court would have to take $60 an acre as the price of the comparable sale, not the actual price of $80 an acre.

The Hon. G. R. Broomhill: What about all the other sales in the area?

Mr. MILLHOUSE: What if the Minister has done that in the case of all other sales? He can do this in the case of every sale that takes place in the establishment area. I gave six examples, one of which I can vouch for and the other five of which were secondhand from the valuer. I do not know how often the Minister has done this, but he could do it in the case of every sale, and he is completely unfettered in his discretion to do it. If he wants to, he can do it, and no-one can gainsay it. When the Minister said that I quoted only one example he did not volunteer to justify his decision in that case. Why did he in that case reduce the price and attribute a price of $60 an acre rather than $80 an acre? Let him justify that decision if he wants to oppose the amendment. If he cannot do it, let us report progress and we can resume the debate tomorrow when he has been able to get the chapter and verse and bring it here. Will he do that? Silence is the only answer.

This is a genuine matter that has been brought to me by those concerned that justice should be done for landowners in the district, and the Minister and the Premier are trying to avoid doing justice. What do we get from them? The only argument put forward is that there would be confusion and delay. How long does the Premier think the delay would be? How long will it take to establish Monarto? The Minister says that in less than 12 months one-quarter of the land has been acquired; that is pretty fast. Therefore, it would not matter if there was a few months delay. It is far more important that justice should be done for the individuals affected than that the whole thing should be done quickly at the Government's price. By means of the Minister's power to attribute prices, he can affect the compensation paid in every subsequent case of acquisition.

Mr. EVANS: I support the amendment because I believe I would be one of the members in this place who have spoken out on most occasions in relation to valuations of properties. I would support any move to give the landholder an opportunity of receiving a better price. We have cases in my district that are well known to members of the present Government and the previous Liberal and Country League Government; in connection with those cases, I complained about unfairness and delays not by the individual but by Government departments. The Premier has said that individuals outside or within the area who have no real interest in the sale could delay the sale at the price agreed; I would prefer that set of circumstances to the reverse, whereby the Minister could step in and say, "This is the price you can have; if you want to argue, you may be able to go to the court and fight it out." Within a certain period, a person may lodge an objection and take the matter to court, but in the case of the Crafers hotel it was about two years before the matter was resolved. The member for Mitcham is trying to give the average citizen a greater opportunity to bargain for a better price. Every time a Government department acquires land, for whatever purpose, it is for the benefit of the majority. What Governments always overlook, whether those Governments be Liberal or Labor, are minorities. The member for Mitcham is asking that a greater opportunity be given to the individual to negotiate a better price. It is better to pay to the minority slightly more than the valuation than to pay less; if the minority receives a smaller price than the fair price, the minority has to carry the burden for the benefit of the majority. This happens very often. The Minister has spoken of a fair basis; the basis may be fair for one person but not for another. I support the amendment, because I consider that the law should be a little in favour of the landholder rather than in favour of Government departments, particularly when the Minister has a complete say.

Mr. GUNN: The Minister has given a very poor exhibition this evening, and I strongly support what the

member for Mitcham has said. This is a classic example of executive control overtaking appeals to the court. The Minister has failed to justify his decision in a case referred to by the member for Mitcham. He has not justified his action to this Committee, and I give him the opportunity to collect the facts and report back. I move:

That progress be reported.

The Committee divided on the motion:

Ayes (18)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn (teller), Hall, Mathwin, McAnaney, Millhouse, Russack, Tonkin, Venning, and Wardle.

Noes (21)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Wells, and Wright.

Pairs—Ayes—Messrs. Goldsworthy, Nankivell, and Rodda. Noes—Messrs. Corcoran, Langley, and Virgo.

Majority of 3 for the Noes.

Motion thus negatived.

The Hon. D. A. DUNSTAN moved:

That the question be now put.

The Committee divided on the motion:

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

Noes (18)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Russack, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Corcoran, Langley, and Virgo. Noes—Messrs. Goldsworthy, Nankivell, and Rodda.

Majority of 3 for the Ayes.

Motion thus carried.

The Committee divided on the amendment:

Ayes (18)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Russack, Tonkin, Venning, and Wardle.

Noes (21)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Wells, and Wright.

Pairs—Ayes—Messrs. Nankivell, Rodda, and Goldsworthy. Noes—Messrs. Corcoran, Virgo, and Langley.

Majority of 3 for the Noes.

Amendment thus negatived.

New clause inserted.

Clause 10 passed.

Clause 11—"Power to inspect land and premises."

Mr. MATHWIN: Authority to enter premises is given to the commission or any person authorized by it, any member of the authority, the board, or any person authorized by the authority or by the board, and the director or any person directed by him. This seems a great many people with power to inspect land and premises. How many people does the Minister contemplate having this power of entry on to anyone's land? I can imagine that many people would be able to enter anyone's property whenever they wished. The provision seems far wider than I would expect.

The Hon. G. R. BROOMHILL: The only alteration from the existing provision is that the commission set up by the Bill will have the right to authorize any person where it may be necessary at any reasonable time to enter and inspect land or buildings within the establishment area. Inspections may be required to take place for many reasons, and I cannot say how many people are likely to require this authorization.

Mr. MATHWIN: Why was it necessary to add to the number already mentioned in the principal Act? One would think that sufficient people are given power to inspect now, without adding the commission or anyone else.

The Hon. G. R. BROOMHILL: The commission may employ inspectors to inspect buildings or structures in the area concerned. This is a normal provision.

Clause passed.

Remaining clauses (12 and 13) and title passed.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation) moved:

That this Bill be now read a third time.

Dr. EASTICK (Leader of the Opposition): Once again, in the space of eight days the Opposition has been denied the opportunity to question the responsible Minister on the effects of the—

The SPEAKER: Order! I point out to the Leader that, in the third reading debate, the only comments he may make are on the Bill as it came out of Committee. The honourable Leader of the Opposition.

Dr. EASTICK: The Bill as it came out of Committee has the grave deficiency that the Opposition has been denied the opportunity to question the Minister on the effect of all aspects of the Bill.

The Hon. D. A. DUNSTAN: I rise on a point of order, Mr. Speaker. The Leader's comment is not related to the Bill as it came out of Committee.

The SPEAKER: Order! I would have ruled that the Leader would be out of order if he had continued in such a vein.

Dr. TONKIN (Bragg): The Bill, having been steamrollered through Committee—

The SPEAKER: Order! I have already said that, in the third reading debate, the only matter that can be discussed is the Bill as it came out of Committee. The honourable member for Bragg.

Dr. TONKIN: The Bill empowers the Minister to attribute a price, and this attributed price may be taken into account by a court (indeed, the legislation provides that it shall be taken into account by a court) when assessing compensation for the acquired land. Thus, the Minister has the power directly to affect the findings of a court in this regard. That is totally wrong; there should be some form of appeal. I am not surprised that the Government had to use the gag to get the Bill to the third reading stage.

Mr. GUNN (Eyre): I add my strong criticism of the manner in which the Bill arrived at its third reading stage.

The SPEAKER: Order! I will not continue to rule that remarks are out of order when they do not deal with the Bill as it came out of Committee. The honourable member for Eyre.

Mr. GUNN: The Bill will have a serious effect on people whose properties have been acquired by the Government, through the Minister, because they will be denied proper grounds for appeal, particularly when the Minister has made an arbitrary decision. I protest at being denied my democratic rights to seek information in Committee.

Bill read a third time and passed.

MOTOR FUEL DISTRIBUTION BILL

In Committee.

(Continued from September 25. Page 940.)

Clause 3 passed.

Clause 4—"Interpretation."

Mr. HALL: The definition of "motor fuel" is inexplicit. In the Bill, "motor fuel" means any substance capable of being used as fuel for an internal combustion engine. Peanut oil would come under that definition. Why is no exhaustive definition given?

The Hon. D. A. DUNSTAN (Premier and Treasurer): The definition is commonly understood by most people. However, if the honourable member wanted to put in his own definition, he could have moved an amendment. The Bill has been on file for some time. The Government believes that the definition would be clear to the average person.

Clause passed.

Clause 5 passed.

Clause 6—"The Board."

Mr. COUMBE: Subclause (2) (c) empowers the board to inquire into the conduct of any person engaged in or about the business undertaken from any premises. I presume that this applies to all persons, whether the owner, who may be an absent owner, or the operator, but what about the tenant, lessee or operator of the owner? How will this provision affect the employment of the operator?

The Hon. D. A. DUNSTAN: If the board finds that there is something to inquire into and rule on, it may affect its decision about the licence or the placing of conditions on the licence. The board must be empowered to ensure that the conduct of the licence is proper, and that applies to anyone who operates the selling procedure. It is the type of thing required in other licensing legislation, by which one looks to see how the licence is being operated in relation to the public or in relation to other persons with whom the licensee may have to deal in selling motor spirit.

Mr. Coumbe: It could affect the condition of employment.

The Hon. D. A. DUNSTAN: Yes. The board could impose conditions, but that would not be a usual procedure.

Mr. DEAN BROWN: I am disturbed at the board's having such wide powers. What disturbs me even more is who will lay down the the board's policy. Although the legislation stands or falls on what policy is laid down for the board, this is not outlined in the Bill. Will the Premier give information on this?

The Hon. D. A. DUNSTAN: The policy is to be simply determined by the board in view of the whole provisions of the Act.

Mr. Millhouse: They are as wide as the world. It can do anything it likes, and it has almost unlimited power.

The Hon. D. A. DUNSTAN: The board certainly has to have regard to the interests of the public and the interests of the resellers, as the honourable member knows.

Mr. Millhouse: Who will interpret those?

The Hon. D. A. DUNSTAN: The board has to look at these.

Mr. DEAN BROWN: In reply to a series of questions regarding the rationalization of service stations, the Premier gave certain assurances to me concerning the Government's policy. Nowhere in this Bill is any such assurance laid down concerning the sort of policy to which the Premier referred. As the board is to have such wide powers, a clearer definition of its function and the policy under which it is to operate should be contained in the Bill.

Mr. GUNN: The powers of the board will be wide. What will be the policy of the board regarding service stations to be phased out? Will the board give preference to independently-owned service stations rather than to those owned and operated by the oil companies?

The Hon. D. A. DUNSTAN: The matters to be taken into account regarding the granting of a licence by the board are dealt with by clause 30. Most matters concerning the interest of licensees and the public are dealt with in that clause. Additional matters will be prescribed and, in those circumstances, this Parliament will have the opportunity to pass on them.

Clause passed.

Clause 7—"Appointment and term of office of members of the Board."

Mr. COUMBE: From what sections of the industry will the members of the board be drawn? This is an important matter, because the operation of the board will centre around these three members. Will there be an independent chairman.? Will the other members represent certain interests from the motoring organizations, distributors, owners or others? Service station licences will become most valuable, and the situation applying to them will be similar to that applying to taxi plates.

The Hon. D. A. DUNSTAN: It will be likely that the chairman will be someone with sufficient knowledge of the processes of the law to be able to preside over a *quasi* judicial body. It is likely that one of the board members will be experienced in the business of operating service stations directly; it is likely that another will be experienced in the administration of wholesaling oil; indeed, the rationalization committee, which has operated since 1970 regarding this industry, has consisted of a nominee from the oil companies, a nominee from the Automobile Chamber of Commerce, and the Commissioner for Prices and Consumer Affairs. I cannot say that they will be the members of the board, but it will be from a background such as I have described that we will seek board members.

Mr. DEAN BROWN: I am surprised by the reply given by the Premier, because he referred to someone experienced in operating a service station, and that could be a person currently working in a company-owned service station; another person experienced in the distribution of motor fuel, and he could be from an oil company, too. A clear majority of the board members could represent large oil companies and their interests.

The Hon. D. A. DUNSTAN: After the history of what I and members of my Party have done regarding this industry, if the honourable member really thinks that we are likely to put a majority of oil company representatives on this board, he must be indulging in fantasy.

Clause passed.

Clauses 8 and 9 passed.

Clause 10—"Allowances and expenses."

Mr. HALL: This clause provides nothing other than that the board will be paid. This represents the whole tenor of the Bill.

Mr. Millhouse: It gives a power.

Mr. HALL: It does, but little information is given. There is to be a board, a Secretary, inspectors and assistants. What sort of money are we talking about, or does this not matter any more?

Mr. Millhouse: Not to them.

The CHAIRMAN: Order! We are discussing clause 10, allowances and expenses.

Mr. HALL: Surely that is what I am talking about.

The Hon. D. A. Dunstan: You are referring to people other than the board.

Mr. HALL: Surely the Premier does not mind this being referred to. What will be the cost?

The Hon. D. A. DUNSTAN: It will cost the amount which in this case, as with practically every other statutory board in South Australia, is recommended by the Public Service Board as the appropriate fee.

Mr. Millhouse: What guarantee is there of that? None!

The Hon. D. A. DUNSTAN: This is what has happened in all other cases. I point out that there are many boards in South Australia for which the statutory amount is not provided in the Act, for the simple and good reason that it would be absurd to introduce an Act of Parliament to alter the amounts of remuneration of board members. A similar provision applies to the Housing Trust, the Electricity Trust, the Savings Bank board, the State Bank, board, and the Forestry board, to name just a few. I am amazed that the honourable member suddenly asks why this is not specified in the legislation, when legislation that he administered for a considerable period had exactly the same provision.

Mr. HALL: The Premier will not tell us what the fees of this board will be. From his answer, I suggest that this is one board too many and that it is completely unnecessary. Perhaps next year we can expect a board to regulate grocery shops or butchers' shops.

Mr. MATHWIN: What is the cost of the board at present?

The Hon. D. A. Dunstan: They aren't paid at the moment.

Mr. GUNN: What is paid to boards that are equivalent to this one?

The Hon. D. A. DUNSTAN: It is not a question of equivalent boards. I have made no work valuation assessment with regard to this board. The normal Government procedure is for the matter to be referred to the Public Service Board, with the Government acting on the recommendation of the board in fixing the fee.

Clause passed.

Clause 11 passed.

Clause 12—"Quorum."

Mr. MATHWIN: It is provided that two members of the board shall constitute a quorum. As clause 8 provides that deputy members of the board may be appointed, why is it necessary to have a quorum of fewer than three members? With a quorum of only two members, the Chairman could be a member of the quorum and could also have a casting vote. Would it not be better therefore to provide that three members must be present?

The Hon. D. A. DUNSTAN: The necessity for having a quorum has previously been explained to the honourable member on several occasions. At times, it is not possible, while a board is meeting to transact some business, to have a meeting of Executive Council to appoint a deputy member at short notice. It may not be necessary to do that.

Mr. Mathwin: There can be deputies.

The Hon. D. A. DUNSTAN: We may not have deputies and, to appoint them, it may be necessary to call Executive Council together. In the meantime, two members of the board could transact some perfectly normal business.

Clause passed.

Clauses 13 and 14 passed.

Clause 15—"Board may conduct hearings."

Mr. COUMBE: Is it correct that renewals of licences or permits will be automatically granted to current holders without the need for a hearing under clauses 29 and 39?

The Hon. D. A. DUNSTAN: Existing premises get permits automatically for licences. It is thereafter that applications are made.

Mr. COUMBE: In his second reading explanation, the Premier said that all outlets operating as at December last year would automatically receive a licence or a permit, and the same would apply to industrial pumps. He said that no-one in business at that time would go out of business, as they would automatically be granted a licence or permit to carry on. Does this mean that in future any transfer of a licence or application for a new licence or permit will be the subject of a hearing?

The Hon. D. A. Dunstan: Yes.

Dr. EASTICK (Leader of the Opposition): It has been indicated that, although Parliament may pass this legislation, it may not be proclaimed. Certain suggestions incorporated in the Bill will be put into effect by members of the industry. Opposition members have told the Premier that several letters have already informed current outlets that their operation will cease as from September 30. I have referred one case to the Premier. That is hardly consistent with the answer the Premier has just given. At least two companies are taking action that will deny a licence or supply to existing service stations. Were any discussions about this matter held before this provision was included in the Bill? As I have said, the provision is already being circumvented by the action of individual companies.

The Hon. D. A. DUNSTAN: No direction has been given to the companies on this. So far I have received a letter from one company notifying me of some intention regarding the closure of outlets, and I have immediately raised several queries. I will ask the oil industry to meet with us and indicate just what is the position at the moment. I make clear that, if the companies are proceeding to reduce the number of non-oil-company petrol outlets in single outlet country areas as a means of reducing the total number of their outlets, that has never been sought by the Government and is not in accordance with the industry's suggestion about uneconomic marketing practices. I will ask the oil companies to meet me specifically on this matter.

Clause passed.

Clause 16 passed.

Clause 17—"Summons, etc."

Mr. COUMBE: This is a clause whereby the board may by summons require the attendance before it of any person. "Any person", I take it, can be construed to be any operator.

Mr. Millhouse: What makes you think that? That is interesting.

The CHAIRMAN: Order! The honourable member for Torrens.

Mr. COUMBE: My point is that the board here can require the attendance before it of any person, which means not only the point the member for Mitcham has made but the point I was making—that any operator or lessee can be included. Although I appreciate the object of this, any person, or any operator, in a far-flung portion of the State could be caused considerable inconvenience by this. Therefore, I see it as a fairly wide power, but more

so in the case of the country outlets. In the instance just cited by the Premier, the operator of a single outlet in a small country town may receive a summons to appear before the board. It would be inconvenient for someone in the District of Eyre or any other remote part of the State to come to Adelaide. Does the board intend to sit only in Adelaide, will it visit large country centres, or can this problem be solved in other ways? I take strong exception to a person, maybe a one-man service station operator, being summoned before the board although he could be represented.

The Hon. D. A. DUNSTAN: Subclause (5) provides:

> In any hearing the board shall act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms . . .

The board is to act in that way to ensure that there is a minimum of disturbance to people, that it gets on with its business without undue regard to technicalities, and that it informs itself in any reasonable or informal way that it can. It is for that purpose that this subclause has been inserted. It is not intended that these proceedings shall be lengthy and expensive.

Mr. COUMBE: Subclause (2) (6) provides that, if a person has been served with a summons to produce any books and fails without reasonable excuse to comply with the summons, he shall be guilty of an offence and liable to a penalty not exceeding $500. Whereas in the case of the oil companies that is perhaps reasonable, in the case of the small struggling service station operator the penalty seems heavy. Let us tie that in with subclause (3), which provides:

> A person shall not be obliged to answer a question put to him under this section if the answer to that question would tend to incriminate him, or to produce any books, papers or documents if their contents would tend to incriminate him.

If a person is served with a summons to produce books and he does not, the subclause provides that he shall be guilty of an offence and liable to a penalty not exceeding $500; but in the next subclause he is not obliged to do this if it tends to incriminate him. Does that fall within the phrase "without reasonable excuse"?

The Hon. D. A. DUNSTAN: Subclause (3) is a complete defence.

Mr. CHAPMAN: Following the question asked by the Leader of the Opposition a moment ago, does the legislation that is likely to result suggest to the Premier that the fuel companies in the interim have the opportunity of perhaps discriminating against—

The CHAIRMAN: Order! I draw the honourable member's attention to the fact that this clause deals only with the summons.

Clause passed.

Clauses 18 to 24 passed.

Clause 25—"Powers of inspector."

Mr. DEAN BROWN: In this clause some remarkable powers are given to an inspector or his assistants. I am disturbed that in this regard he may enter almost any premises. Can the Premier outline the reasons for this clause? It may be a fairly standard form of clause included in all legislation.

The Hon. D. A. DUNSTAN: This clause is on all fours with similar clauses in other Acts. For instance, industrial inspectors have similar powers. This provision has been taken from that legislation almost holus-bolus.

Mr. MILLHOUSE: This is a terrible Bill and clause 25 is one of its worst clauses. I am amazed that the Liberal and Country League members let the Bill go through without even a division on the second reading. I protest at this clause. The Premier says it is in the form in which it appears in many Acts. I do not know about that but, even if that is so, it does not affect my opposition to the provision in this Bill. This clause allows an inspector with such assistants as he considers necessary (anyone he likes) without any warrant other than this clause to enter any premises—not only a service station but also a private house, the accountant's office or any other premises having even the vaguest connection with a petrol station. That is a power which we are giving by this clause and I do not believe it is desirable or necessary when we are licensing service stations to give a whole army of inspectors powers like this. I believe that the Bill will stand quite well without these powers, and I therefore intend to oppose the clause and to leave it to the general powers of the Police Force to look after any situation that may arise. I protest most vigorously against the provision giving inspectors the power to enter any premises at any time without their having to get authority other than their own appointment to do so. It is absolutely wrong, and I do not believe we should allow this clause to pass.

Mr. DEAN BROWN: I support what the member for Mitcham has said and I, too, am very perturbed about this clause. An inspector has extremely wide powers under this clause; he may enter the home of anyone who owns a service station. Further, an inspector may talk to the owner's wife, even though she may have nothing to do with running the service station. We take pride in the amount of privacy available to citizens of this country, but this clause breaks down that privacy, and we have no safeguard as to how the clause will be used in the future.

Mr. GUNN: I, too, am perturbed about this clause. The Premier has claimed that he will protect the right of privacy of citizens, yet he supports this clause. Subclause (2) is far too wide; if an inspector puts a question to a person who is not fluent in the English language, surely the person should be given that question in writing. This is one of the most obnoxious clauses that I have come across since I have been a member of this place.

The Hon. D. A. DUNSTAN: Having examined the clause, I believe there is something in what members have said.

Mr. Millhouse: For once!

The Hon. D. A. DUNSTAN: That was not a very gracious remark. In the circumstances, however, I think we should have another look at the clause.

Progress reported; Committee to sit again.

ADJOURNMENT

At 10.24 p.m. the House adjourned until Thursday, October 4, at 2 p.m.