HOUSE OF ASSEMBLY

Tuesday, October 16, 1973

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

PETITIONS: CASINO

Dr. Eastick, for Mr. EVANS, presented a petition signed by 61 persons 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.

Dr. Eastick, for Mr. GUNN, presented a similar petition signed by 34 persons.

Mr. McANANEY presented a similar petition signed by 156 persons.

Mr. VENNING presented a similar petition signed by 157 persons.

Mr. Wells, for Mr. SIMMONS, presented a similar petition signed by 44 persons.

Petitions received.

QUESTIONS

PETRO-CHEMICAL PLANT

Dr. EASTICK: Can the Premier say what substantive evidence exists to confirm the adequacy of gas supplies in the Cooper Basin to meet the full requirements of both the proposed petro-chemical plant at Redcliffs and the supply to Adelaide and the Eastern States, and, on the basis of this reply, can he indicate what credibility can be placed on the claim by the Commonwealth Minister for Minerals and Energy (Mr. Connor) that South Australia's reserves are doubtful and will not cover demand for more than 12 or 14 years because Of the commitment to supply gas to Sydney? In the critical situation that has arisen over the future of the proposed petro-chemical plant at Redcliffs, a major conflict of opinion has occurred between the State and Commonwealth Governments on the viability of this operation. The Premier has claimed many times (and it seems that the two major oversea consortia keen to establish the Redcliffs operation agree) that there are sufficient proven gas reserves in the North of South Australia to guarantee this project. The Premier told this House on June 27 this year that the two types of petroleum gases to be used by the Redcliffs plant were methane and ethane. He said that, of the methane gas available in the proven fields of the Cooper Basin (excluding the Moomba and Gidgealpa fields, which are reserved for the South Australian market), only 20 per cent would be required during the 20-year life of the Redcliffs plant.

The Premier went on to say (and here he was a little more ambiguous) that during those 20 years the ethane requirement of the plant would represent 100 per cent of the known and yet to be proven reserves of the entire Cooper Basin. At first glance this could be taken as meaning that it was expected there were sufficient gas reserves to last 20 years, but, if we take the Premier's words literally, it could mean that, during those 20 years in which the plant would operate, it could take all of the gas that was likely to be found. This could mean, of course, that if no more major fields were proven (and I do not suggest this is likely to be the case) the life of the plant could be cut back considerably from the expected 20 years. This seems to be where Mr. Connor's statements start to intrude, because on June 19 the Premier said, of the Redcliffs project, that the Commonwealth had been kept fully informed of the projected developments there. From this statement it is reasonable to assume that the Commonwealth Minister has received the same information on gas reserves in the Cooper Basin as the State Government has received. I ask why he told the House of Representatives in Canberra last week that our reserves were doubtful and would not cover demand for more than 12 or 14 years because of the commitment to supply gas to Sydney. Who is correct: the Premier or the Commonwealth Minister?

The Hon. D. A. DUNSTAN: In relation to the Redcliffs project, there is no conflict whatever between the State Government and the Commonwealth Government on the question of viability or availability of ethane supplies. That is not, and has not been, an issue between the State and the Commonwealth. The question at issue at present is the inability of the State Government and those negotiating with it (the negotiations that were to take place were cleared with the Commonwealth Government before any announcement was made by us)—

Dr. Eastick: What Government?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —to get from the Commonwealth Government at this moment any indication of its view as to the minimum requirements of Australian equity in the whole parcel for the development of Redcliffs. That is the difficulty at present. As to the Minister's statement in the Commonwealth House about our proven supplies of gas, I frankly differ with him about that evaluation, as do the producers in the field. As I have previously stated to the House, I am quite satisfied with the reserves in the field, and we made the contract with Sydney for the supply of gas on the basis that areas in South Australia were committed to the Electricity Trust for the supply of gas and that this would not be interfered with by the supply of gas to Sydney. There are provisions in the indenture that has been signed with the Australian Gaslight Company in relation to this.

Dr. Eastick: Have you let him know your figures?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I have let Mr. Connor know our figures on all matters, but what Mr. Connor's statement possibly arose from (although I disagree with his calculations, as, so far as I am aware, does everyone else involved in the field) is that the South Australian Government has asked for a commitment from the Commonwealth Government as to its agreement that, in the long term, the Electricity Trust should use natural gas for the generation of electricity and that, therefore, in the long term (because we are now having to let contracts for the installation of machinery that will use natural gas in South Australia) we would want some indication of the Commonwealth Government's attitude to the eventual use of gas from Mereenie and Palm Valley, because the life of the plants for which we will be contracting is a long one.

I believe it was out of this that some statement was made by the Minister in the Commonwealth House, and I am still awaiting a reply (which we have urged must be made during this month in order for us to take up our options in relation to the E.T.S.A. plant) from the Prime Minister on the matter. But the Commonwealth Minister has specifically committed to me the support of the Commonwealth Government for the project at Redcliffs, and there is no question between the two Governments as to the viability of that project. The outstanding issue at the moment (there are some other minor ones) is the question of the amount of Australian equity involved and whether we can get some definite indication from the

Commonwealth Government on that score to enable us to conclude the negotiations with the proposed operators of the plant at Redcliffs.

Dr. Eastick: Is the Commonwealth hedging?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member can draw his conclusions; I am just telling him the facts.

Mr. Millhouse: The conclusion is you can't get any answer from your own Government.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I have stated publicly that I am not getting an answer from the Commonwealth Government, and I am gravely concerned about that matter.

Mr. Mathwin: You should be angry.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am not suggesting that I am pleased.

Mr. KENEALLY: Is the Minister of Development and Mines aware that in the later editions of last Friday's *News* it was reported that the Leader of the Opposition claimed that the Premier's statement made that day about the Redcliffs situation was "a complete contradiction to the situation expressed in Parliament only yesterday by the Minister of Development and Mines"? Was there, in fact, any such contradiction?

The Hon. D. J. HOPGOOD: It is obvious that the Leader read my reply very well but did not read the question from his Deputy very well. I do not deny what I said. I point out to the House, however, that the question was in relation to mineral exploration and had nothing whatsoever to do with Redcliffs. Had the question been about Redcliffs, the adjective I used in relation to our meeting with Mr. Connor would have been quite different from the one that I in fact used.

DISTINGUISHED VISITORS

The SPEAKER: My attention has been called to the presence in the gallery of distinguished visitors, Dr. Lim Chong Eu, Chief Minister of Penang, Malaysia, and of Mr. Ismail Bin Hashim, a senior member of the Penang Executive Council. Knowing that it would be the wish of honourable members, I invite Dr. Lim, on behalf of the group, to take a seat on the floor of the House, and I ask the honourable Premier and the honourable Leader of the Opposition to escort him to the Chair and introduce him.

Dr. Lim Chong Eu was escorted by the Hon. D. A. Dunstan and Dr. Eastick to a seat on the floor of the House.

PETRO CHEMICAL PLANT

Mr. COUMBE (Torrens): I move:

That Standing Orders be so far suspended as to enable me to move a motion without notice.

The Hon. D. A. Dunstan: What is the motion?

The SPEAKER: Is the motion seconded?

Dr. TONKIN: Yes, Sir.

Motion carried.

Mr. COUMBE: I move:

That this House express deep concern at the actions of the Commonwealth Minister for Minerals and Energy (Mr. Connor) in relation to the proposed Redcliffs petro-chemical development, and urge the Government to take all possible steps to resolve the present threat to its establishment.

The object of the motion is to express the view of all South Australians, through this House, that the delay to the Redcliffs petro-chemical complex be resolved without delay. This project could be of definite benefit to this State, but it is being placed in jeopardy through the actions of the Commonwealth Minister for Minerals and Energy (Mr. Connor), and this matter is therefore of great concern to this House. The Premier has just said, and has been reported as saying, that he is disappointed and concerned at Mr. Connor's actions; in fact, he said that he disagreed with Mr. Connor's delaying of the project. This situation is further compounded by the Premier's action in taking this matter direct to the Prime Minister, as he did last Friday. Unfortunately, that move apparently did not have any definite result.

This motion should be supported by the whole House because it seeks to express our concern about this delay. I hope that the motion will strengthen the case that has already been put forward on behalf of South Australia. Mr. Connor did say last week in the House of Representatives (and that statement has been alluded to) that South Australia's reserves were doubtful and would not cover demand for more than 14 years, as a result of the proposed gas supply to Sydney. The Premier said a moment ago that this is not in dispute between the Governments, and those of us who have studied this position are aware that gas reserves will be available for a much longer period than the period shown in the calculations presented by Mr. Connor. I disagree with Mr. Connor's calculations, just as the Premier has said he disagrees with them.

Mr. Connor has said that the Redcliffs project could impair the reserves. However, I believe that argument falls to the ground, because we know that there are reserves in the Cooper Basin. In reply to earlier questions asked by me, the Premier also said that considerable reserves were available, that he was satisfied with them, and that the project to supply gas to Sydney would not affect the reserves. Just a few moments ago the Premier disagreed with the calculations made by Mr. Connor. We believe that Mr. Connor's further action in removing the incentive previously applying to encourage further exploration work has proved detrimental to this State also, and that exploration work has dramatically fallen away; in fact, it has fallen away drastically in this State.

In further support of my argument, the Premier in reply to a question from me joined with members on this side in expressing concern at the position. I know that the producers are rightly concerned at the possibility of further delays that may occur with regard to the Redcliffs proposition. Although the situation in relation to Redcliffs is fairly simple on the surface, it becomes more complicated as one looks into it more deeply. The position is that two consortia (Dow Chemical Corporation, and Imperial Chemical Industries of Australia and New Zealand Limited, Alcoa, and Mitsubishi consortium) have been engaged for a considerable time in a feasibility study. I understand that the work has advanced to the stage where the consortia will report to the South Australian Government shortly. Now, two other groups (Ampol Petroleum Limited and Colonial Sugar Refining Company Limited) have come into the picture. The Opposition thinks it doubtful indeed whether they can do what is required in time.

As I understand it, Dow Chemical Corporation and I.C.I., Alcoa, and Mitsubishi have gone to considerable lengths to investigate several propositions with regard to feasibility not only in relation to marketing but also in relation to other aspects. I believe that it is extremely doubtful whether the two newcomer groups can do this

work in a short time. Mr. Connor has again intervened on the subject of the content of Australian equity in the project; this seems to be what is bogging down the whole scheme. I disagree with Mr. Connor's calculations regarding future gas supplies. We believe that gas is available, although more exploration work remains to be done. The whole proposal seems to be bogged down on the matter of the content of Australian equity, with Mr. Connor's permission being necessary before work can proceed.

The two Governments concerned appear to differ not so much with regard to the quantity of gas available but in relation to the procedural matters that have to be followed. Let me make clear that the Opposition believes that there should be reasonable Australian equity in the project. It is interesting to note that several prominent businessmen in the community have said that they do not believe that any Australian company could undertake on its own a project of this magnitude Despite approaches made to him, Mr. Connor is now reported as saying that he will not give the Premier his decision for a fortnight. In the meantime, his action can place the whole undertaking in jeopardy, along with other matters involved. Quite apart from permission being granted and the matter of equity, a time table must be met, whichever consortium is granted the indenture, for the sale of the products in Japan. For a consortium to do this work it must have not only the financial strength and backing to see the whole project through (this is one of the largest of its type in the world): it needs to have the technological know-how and expertise to produce the goods, as well as ready markets for its products. Therefore, in this motion, a debate which we do not wish to prolong, we ask for the support of the whole House in expressing concern at Mr. Connor's action and in urging the Government to take all possible steps to remove the present threat to the Redcliffs project. This motion is not to be construed as a criticism of the Government's act of last week in this regard: rather it is designed to give added strength to the arguments which have been advanced to get Redcliffs going, and it is moved on behalf of the people of this State.

Dr. EASTICK seconded the motion.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I do not oppose the motion, and I shall explain why in a few moments. However, I do put this procedural matter to members of the Opposition. This motion has been moved after the suspension of Standing Orders this afternoon without prior information being given to the Government as to the nature of the substantive motion to be moved. I point out to members opposite that this procedure has not normally been allowed by any previous Government and that it will not be allowed in future. If members opposite want the suspension of Standing Orders for a specific matter, the Leader of the House must be spoken to beforehand and be given information about it; otherwise the suspension will be refused. I have allowed it on this occasion, but it will be the last. There is other machinery available, if it is required, for members to bring a matter of urgency before this House. Members also know that, if there is a motion of no confidence in the Government, such a motion is always given priority, but it will be confined to those two matters.

On this matter I have expressed my grave concern publicly and I reiterate it. I have expressed it to Mr. Connor, to other Commonwealth Ministers, and to the Prime Minister. The timing in relation to the Redcliffs project is crucial. The Government of South Australia has kept the Commonwealth Government fully informed of the negotiations that have taken place and we have proceeded to the point where within a very short time, given agreement by the Commonwealth Government on some small matters (and the matter of equity is particularly in point), we could then have signed an indenture that could come before this House in a ratifying Bill and be subject to investigation in a proper manner by a Select Committee. It is essential from two points of view, so far as time is concerned, that there be no delay. First, this contract depends on our being able to sell gas to New South Wales. A liquids pipeline in South Australia became viable only on the conclusion of a contract to supply dry gas to Sydney, because then it was economic to extract the wet gas and provide a liquids pipeline in the State. Indeed, the major purpose of the gas contract to New South Wales, from the Government's point of view (and much Government influence was used to obtain that contract), was that we would then be provided with an additional and vital employment base in this State, improving the stability of the State's economy. Further, it would provide, in a newly decentralized area, a new employment base that could be vital to the development of our northern region.

The producers are now required to let the contract for their plant for the provision of the gas in New South Wales, and at the same time they must let contracts for their plant to de-ethanize the gas that is going to New South Wales, but they cannot seek the finance for that unless they have a committed market for the ethane. Therefore, there cannot be a delay, from the producers' point of view, in concluding a contract for that plant. We also have another crucial aspect in the time factor. The provision of a major caustic soda plant to supply caustic soda for Australia depends, for its economic viability, on the sale of large quantities of ethylene dichloride, and at present this can be sold only overseas, because there is no immediate market for it in Australia. The major market for ethylene is in Japan. At this stage commitments must be made in Japan for the production of ethylene dichloride in the latter three years of this decade.

Unless the commitments are made now, it will be necessary for the suppliers of those markets to look elsewhere. A whole series of factors favours their relying on us, provided we can make a decision soon. It is vital that this State should be able to resolve these matters soon. The consortia with whom the Government has been negotiating have been consortia for whom we had approval for negotiation from the Commonwealth Government: it was well known to the Commonwealth Government that we were negotiating with these consortia.

Dr. Eastick: Both Commonwealth Governments?

The Hon. D. A. DUNSTAN: No, only to the present Commonwealth Government. I did not discuss the matter with the previous Commonwealth Government, because at that stage of proceedings negotiations had not got to the stage where I should do that. However, in December and January last, I discussed the matter with the present Commonwealth Government. Much money has been spent on detailed and sophisticated studies to bring the negotiations to their present stage, and it is vital that those negotiations be concluded.

We have no evidence whatever that within a short period an Australian-based company, not having previously been engaged in petro-chemical plants of this kind, having no experience in marketing products of the kind provided by such a petro-chemical complex, and having no known access to the technology that we would demand for this plant (because specialized technology is required in that

area), could even make up its mind to make a submission that it could proceed with a complex of this kind.

I have had discussions with officers of C.S.R. and they cannot tell me more than that company's board will meet to decide whether the company is to make an investigation. I have had discussions with the General Manager of Ampol, who certainly scouts the suggestion of his company being involved in a consortium that could complete the whole project on its own as an Australian venture only, although Ampol is interested in taking part in the total complex, and that company has been encouraged to discuss that matter with the consortia and with the producers. It is continuing to do that.

Naturally, the more Australian interest that there is in the venture the more this Government will like it, but we do not consider that the proposals put forward so far by the consortia about Australian equity are niggardly, and if greater Australian equity could be obtained the consortia would consider that. In the various companies doing various processes within the petro-chemical complex, a high proportion of Australian equity is provided in most processes. The one area in which it is not provided is in the area of technology, which is their own and which they are not willing to sell to anyone else, which is not particularly surprising.

There is an additional basis of control in relation to this matter. It is intended that the pipeline be owned by the Natural Gas Pipelines Authority in South Australia, that that authority be reconstituted, and that it be not merely a common carrier but that it should own the gas in the pipeline.

Dr. Eastick: Can you explain that?

The Hon. D. A. DUNSTAN: Yes. It would purchase at the well head and sell on the site, which gives us an additional area of control, and a very real one. In addition, negotiations are far advanced, in the proposals from the consortia, that Government nominees should sit on the boards of the operating companies so that the South Australian Government would be fully informed on what was taking place in that area. All these things are wise and sensible safeguards that can be of great benefit to Australia.

Dr. Eastick: Have they been discussed with the parties involved?

The Hon. D. A. DUNSTAN: Yes. The parties themselves raised the matter of having South Australian Government nominees on their boards.

Mr. Millhouse: Why can't you get it across to Connor?

The Hon. D. A. DUNSTAN: I suggest that the honourable member see Mr. Connor.

Mr. Millhouse: I'm asking you why you can't get such a plausible story over to him.

The Hon. D. A. DUNSTAN: If I had an answer, I could give it to the honourable member, but the fact is that I do not have one.

Mr. Millhouse: He's your friend.

Mr. McAnaney: A Commonwealth Liberal Government—

The Hon. D. A. DUNSTAN: When there was a Liberal Government in Canberra, I could not even get to see Ministers, let alone tell them a story.

Mr. Nankivell: Were you worse off?

The Hon. D. A. DUNSTAN: Too right I was. On many things in several areas affecting South Australia, we can now get through. I am distressed that that has not happened in this case, and I do not minimize my concern over the matter. The Government of South Australia considers that this project is vital to the State. We have used, and are continuing to use, our best endeavours to conclude the project and ensure that it is a going concern for the benefit of the people of South Australia.

Mr. HALL (Goyder): General publicity, discussion, and debate on this issue remind one that South Australia's development is still being carried on in a most unsophisticated way. The Premier, hoisted with his election announcement, is trying to get this development at any cost, and in so doing he is willing to jeopardize South Australia's control of Australia's finite petroleum resources. He is much at fault in his approach. Just as the emphasis has grown in recent years on the preservation of the ecology, something that the Premier brushed aside in his earlier announcements about this industry, so there has grown in Australia a new view of national ownership of Australian industry. I am surprised (in fact I am staggered) to find that the Premier is advocating the establishment of an industry to deal with one of our most valuable national resources but the Australian ownership in this industry will apparently be well below 50 per cent. Nowhere in his statements about the industry has the Premier indicated what the Australian participation will be. Therefore, we see the old-style development—industry at any cost. Apparently, we will not take any national view of the fact that South Australia will be using what is one of Australia's most valued possessions. We in this Parliament have every reason to be deeply suspicious of the Premier's planning: on the front page of this morning's *Advertiser* is a report stating that this Government will spend $250 000 to buy back recreation land at West Lakes that the Premier gave away in his earlier planning.

The SPEAKER: Order! The honourable member should speak to the motion moved by the honourable member for Torrens.

Mr. HALL: Yes, I am speaking to it, and I believe that that example is relevant. We have before us the proposal put forward by the Premier to establish an industry in South Australia, and I was using his approach to another large-scale South Australian development to illustrate how faulty his judgment has been in the past.

The Hon. Hugh Hudson: Who brought in the West Lakes project?

Mr. HALL: The Minister of Education will be less than a man if he tries to blame the previous Government for the faults of West Lakes.

The SPEAKER: Order! The honourable member must speak to the motion.

Mr. HALL: Having used that example, I ask why we should now trust the Premier's judgment when it has been so faulty in the past. Ln this matter it seems that the Opposition is little more than a handmaiden to the Government, and both the Liberal and Country League Opposition and the Labor Party in this House are intent on rushing ahead with this development without any thought about the important questions that the Commonwealth Minister has raised. I have no reason to enjoy greatly any rapport with the Commonwealth Minister, who has been one of the most ham-fisted and ineffective Ministers in the Commonwealth Government with regard to communications and who has frightened industry in the Commonwealth into reducing expenditure on petroleum research in this country. That does not mean that he is not correct on at least two points: in questioning the ownership of this industry, and in asking what is to become of the products to be handled by it. Which Government members would say that this industry should be owned in a majority sense by an international combine, a multi-national company, and which Government members would say it should have a majority of Australian ownership? Which backbencher will agree

with me? Not one will disagree in this House. Would members opposite say that it should be owned by more than 50 per cent of oversea interest? Let them say it; but they will not. Only the Premier on the front bench will say that.

They are all out of step with Australian thinking and South Australian thinking, because the Premier has proved in his negotiations in the past that he is an easy mark, and many times he has given in. He proved that with his deal with Sir Henry Bolte years ago on offshore leases off the South-Eastern coast of South Australia. He gave in, and that is well known. He has already made the pace for the international companies: they have the whip-hand and he has given the time table away. He should be in there fighting for a greater than 50 per cent Australian ownership. We have seen from newspaper reports this week that two Australian companies are now interested. Probably, the Premier rightly states that they do not have the technical knowledge with which to develop this project. Why should he oppose the establishment of this industry with the oversea companies in a minority group in the consortium that will build Redcliffs? If the Premier thinks that that is impossible, again he exhibits his weakness in negotiation.

The situation is that we have in Australia and in South Australia something that the rest of the world wants, natural gas, with the chemically interesting addition of ethane. It so happens that North America wants that product, and so does Japan. The Middle East is in flames, and there are widespread reports on international oil politics. All over the world everyone who has studied the energy situation knows that petroleum is a finite resource and will last for only another 50 or so years, but that situation can be defined by experts. In some countries there is a sense of shortage now, and superimposed on this situation there will be international conflict that will cut off the supply next year, yet the Premier is willing to sanction the export of liquid petroleum from South Australia.

The Hon. Hugh Hudson: Tell the truth.

The Hon. D. A. Dunstan: When did I say that?

Mr. HALL: The liquid fractions of the by-product from Redcliffs will provide a quantity of gasoline that would more than meet the needs of South Australia, and I guess that that would be about 10 per cent of Australian needs for gasoline. We have had no assurance from the Premier that there will be no export of the liquid fractions from Redcliffs. We find that this House knows very little of what the Premier is doing in South Australia's name, and we can go back to a time before the election when the Premier said, "Ecology! The Fisheries Department has said it is all right, and there is no problem." We had a report, but when he was questioned in the House after the election he said that a page had been lost and, by implication, he blamed my friends in the department for losing it. That is his previous stand on Redcliffs, but it is not good enough. Suddenly, after having built up an image in the public's mind that this is a golden industry in the north of the State, he now sets himself up as a mock gladiator with Mr. Connor on the Commonwealth scene. No-one knows of the contents of his conversation with Mr. Connor, yet we are supposed to approve and sanction his headlong rush into the construction of this project.

This is not good enough, for the reasons I have stated. It is not sufficient for the Premier to deal so blithely with one of our most important resources. It is not so long ago that we had our first real gas strike in South Australia, and it is a credit to certain individuals and to Santos Limited that they pushed ahead to obtain the supplies. The Premier has no need, in a rush to a time table, to give away to oversea interests the control of this company, as he obviously wants to. I therefore move to amend the motion as follows:

After "(Mr. Connor)" to insert "and the Premier"; to strike out all words after "to" third occurring; and to insert "establish the industry with an excess of 50 per cent Australian ownership and on condition that no liquid petroleum shall be exported by it".

There is not the slightest need for a lack of capital to prevent Australians from having a majority share in the ownership of this industry. The Premier's own Party in the Commonwealth Government has decisively said that it will expand the operations of the Australian Industries Development Corporation. If the people concerned mean what they say, I assume they mean that they will, if necessary, find the required capital on the international market in order to establish this type of industry in Australia. Certainly, combining the necessary capital with the type of repute of the companies referred to in the *Advertiser* yesterday, one would have no hesitation in this matter. Regarding the matter of expertise and technology, I believe that the demand overseas for the products referred to by the Premier is so great, and that the disturbances occurring in certain politically unstable countries is so great, that the companies concerned (or other companies with sufficient technological know-how) could be involved in a minority share of the industry and partake fully in it.

Concerning gas supplies in Australia, even with the added cost of distillation (or whatever is the chemical process), I believe that at that cost Australia must retain all its liquid petroleum within its borders. It is on this basis that I move my amendments to the motion, which I believe in itself is totally inadequate to meet the situation and which, in fact, seeks to join with the Premier in the old unsophisticated approach regarding our resources, which approach is, in the minds of many people, turning Australia into an international quarry. I ask the House to oppose the motion as moved by the Deputy Leader of the Opposition but to support it as amended, and I invite all members of the Government back bench to show their true feelings on this issue and support my amendment to ensure that this industry is owned in the majority by Australians, for Australians.

The Hon. G. T. Virgo: Have you paid your actors' equity fee yet?

The SPEAKER: Order! Are the amendments seconded?

Mr. MILLHOUSE: Yes, Sir.

The Hon. D. J. HOPGOOD (Minister of Development and Mines): One has to hand it to the member for Goyder: there is no doubt that he would be the most unpredictable member in this place. He continues to delight us with the tricks he uses, and I think this afternoon we have really seen a grand performance from him. The honourable member said that the Government should be aware that things have changed in Australia in the past few years. I think he has failed to see in this House this afternoon that things have changed.

I appreciate the position in which the Opposition finds itself. Any Opposition will, in the nature of things, be looking for chinks in the Government's armour and wanting to use situations such as the one that has arisen over the last week or so. Nonetheless, of course, the Opposition also must not be seen as putting itself in the position that it is trying to jeopardize the project or, indeed, doing anything that might jeopardize it. I think that the Deputy Leader of the Opposition, in the moderate way in

which he moved this motion, was able to walk that tightrope.

Dr. Eastick: And responsibly!

The Hon. D. J. HOPGOOD: Yes, but those considerations certainly do not weigh with the member for Goyder: he is willing to jump in with both feet and put the whole project in jeopardy. I would ask the honourable member whether or not he really wants a petro-chemical plant at Redcliffs, because there is no doubt that the ramifications of significant delay will be that this project will be lost to South Australia. I say "significant": the sort of delay attendant on the things the honourable member wants would be significant delay and would indeed place the project in jeopardy.

The honourable member invites the Government not to rush into this project. There have been investigations into this project for the past two years. What does he mean by "rushing into the project"? What does he mean by "responsible delay" and "responsible investigations" into the feasibility of the project and the possibility of increased Australian ownership? I am not too sure, except simply that what he means as the sort of delay that inevitably would occur must mean that the project will be taken elsewhere. Markets must be retained, and there is a demand to be met, especially later in this decade. There are other places in the world where such a plant can be established, although I do not say that they have the desirable features that this State has. However, those places have the combination of hyrdo-carbons and salt; what they lack is the political stability that we have in this country. There is no doubt that these options are indeed open, and they are options that will have to be taken up by people who want to produce these commodities and meet their markets later in the decade unless a decision can be made without significant delay.

The member for Goyder is willing to place all of this in jeopardy as a result of the principles that he has espoused in latter days. This is not the sort of thing we heard from him in this House as Premier, or earlier as Leader of the Opposition. I understand we first heard it from him as a result of a speech he made to a group of Young Liberals somewhere in Queensland about 2½ years ago. I recall asking him a question in the House at the time, because it was so much at variance with the policy of his Party and with the philosophy he had espoused in this place both as Premier and previously as Leader of the Opposition. So, if there is a mock gladiator in this Chamber this afternoon, it is indeed the member for Goyder and not the Premier or anyone else.

Mr. Millhouse: Get to the merits!

The Hon. D. J. HOPGOOD: I want to say one or two things about the merits of this matter. The top of the gulf has been chosen, first, because of the combination of warm weather and low rainfall which enables salt to occur either naturally or as a result of solar evaporation and, secondly, because of the occurrence of what the layman calls natural gas (which, in fact, is a complex of hydro-carbon materials in the permian rocks of the Cooper Basin). In addition, of course, we are talking about an area which has a deep-water anchorage in the gulf and which already has an industrial component in the cities of the iron triangle. I am reminded by my colleagues that it is also an area that receives extremely good representation on the floor of this House. That, plus the skilled labour force that this State can bring to bear on the whole project, plus political stability, has induced people to look to this region for the establishment of the petro-chemical plant.

Let us look at the sort of advantage that we shall receive as a result of the early establishment of this plant. First, there will be a further spur to exploration in the Cooper Basin and adjoining basins. This point has been raised in the House recently by members opposite, especially by the Deputy Leader of the Opposition. There is no doubt about the fact that the greatest incentive that can be given to mineral exploration is the provision of an assured market for these materials once they have been processed industrially. Such an assured market will certainly bring a spur to the exploration of the area.

Secondly, there will be new technologies. It is not clear to me that anywhere outside these two new consortia is the technology available to produce caustic soda by a non-polluting process. Members may recall the Castner-Kellner process about which they learnt when studying for their Leaving certificate. This process relied on a mercury cathode. How many of us are prepared to countenance that type of chemical process on any sort of scale in the modern world in which we live, given the problems of environment we have which involve mercury? It is simply not on, so we must look at more sophisticated technologies of extracting the sodium ions from the salt solution, and such technologies are available to these consortia. Further, it is not clear to me, or to anyone else, that this technology is available in Australia.

In considering this point, I should like to refer to one aspect touched on by the member for Goyder regarding Australian equity in the project. Nowhere has this Government said that it is willing to accept a given low figure of equity. We are willing to negotiate high figures of Australian ownership within the whole concern, and what we do require is a definite statement from the Commonwealth Government about the level of equity that the Commonwealth is willing to accept, and we will negotiate on this basis.

Let us not over-simplify what will happen at Redcliffs. There will not be just one company: there will be three or four companies formed by the successful consortium for the various stages in the process, the olefine process or, for example, the caustic soda process and the production of ethylene dichloride, which comes from the combination of chlorine produced through electrolysis and the ethane produced from the wet hydro-carbons pipe. The only company in respect of which these consortia are insisting on a low level of local equity involves the caustic soda process, so that the consortia can preserve to themselves this technology.

Regarding the remainder of the processes (and this is, in a sense, further back in the pipeline, closer to where the raw material comes out of the ground in an area where we can better control the whole process), the consortia are willing to negotiate extremely high levels of Australian equity. If the member for Goyder or anyone else wants to refer to Australian equity, let him talk about it at the various stages and levels of the process. There is no possibility that, in relation to the special non-polluting processes of extraction of caustic soda from brine, these consortia will give away the technology which they themselves control. So far as the earlier—

Mr. Millhouse: The member for Goyder said nothing about the proportion of equity.

The Hon. D. J. HOPGOOD: Regarding the earlier stages, the consortia are willing to look at very high levels of Australian equity, as we are ourselves.

Mr. Millhouse: What do you mean by "very high levels"?

The Hon. D. J. HOPGOOD: Possibly more than the figure the member for Goyder had in mind when he moved his amendment. We are talking about two entirely different things. We are referring to ownership at each stage of the process in each of these companies, and we are talking about the overall aggregate ownership, and these are two different things. Further, the honourable member cannot get the sort of things he wants if he goes about it this way.

The Hon. G. T. Virgo: He would destroy the whole project.

The Hon. D. J. HOPGOOD: If the honourable member were in a responsible position and acted in the irresponsible way in which he acted this afternoon, that would certainly be the case. In the other stages of the process we want a high level of Australian ownership, and we are negotiating on that basis. As the Premier has stated, we will own the liquids that go through the main. We will not be simply transporting them: we will own them. At that point we really have the control that any Government should have in a mixed economy over this important part of its industrial life.

We will have the use of this new technology in an important key chemical process in this State, and this will bring much diversity of employment. This Government was elected in 1970 on a programme which included, amongst other things, the diversifying of our employment base, so that we would get away from our over-reliance as much as possible on the home appliance and motor vehicle industries. There is no doubt that there will be considerable diversification of employment as a result of this development. There will be permanent jobs for about 1 000 people in the area, and about four times that number during the construction stage.

There will be diversity of employment, an increase in employment and decentralization of employment. This will give a great fillip to the iron triangle, which is one of the areas to which we are committed as regards decentralization. These are only some of the benefits which will accrue to this State as a result of the establishment of a petro-chemical complex at Redcliffs. We are most concerned that nothing should be done to place that project in jeopardy. Further, I do not believe that we have gone about this in an unsophisticated manner, nor do I believe that we have gone about this project in a "development at any costs" manner, because we have been willing to impose all sorts of restriction and qualification on the way this plant is to be developed and operated.

Because the honourable member has referred to ecological considerations, I refer to the sorts of environmental control that we have placed on the whole operation. The information I have is that we remain to be satisfied on only one point regarding the environment. There will be no significant atmospheric pollution from the plant. The one point on which we remain to be convinced is whether the water re-entering the gulf, as a result of the cooling process, will be at a significantly higher temperature than the water that is taken out of the gulf. If this is so, it could affect the ecology of that area, and we are insisting that, if the studies currently being carried out show that this water will be of a higher temperature (involving a component of thermal pollution), they do something about it.

I have spoken with representatives of one of these companies, and they have said that, if this is the case, they will build large holding tanks in which the water will remain until such time as it has cooled to an appropriate temperature to re-enter the gulf. That is the only outstanding ecological problem we must consider. We are insisting that this problem be solved before the whole project goes ahead. I do not doubt that this problem will be solved, because it is a problem that is well within our own technology to solve. Nowhere have we said that we are urging on the consortia or on the Commonwealth Government that liquid petroleum gas should be exported for oversea use. We can see various ways in which it would be possible to use the liquid petroleum gas within Australia, because it is a most important component in the project.

The fractionating process basically produces, leaving aside the dry gas, ethane which will be used in the production of ethylene dichloride, light crude, which can be sold to refineries, and, in the middle, the butane and propane, which is liquid petroleum gas. Liquid petroleum gas is a prime fuel because of its non-polluting nature, and we believe that, because of its very nature, liquid petroleum gas has a considerable future in South Australia and in Australia. It does not pollute in the way petroleum and many other fuels do. Already the South Australian Gas Company uses it in its vehicles, and certainly one other private company in South Australia has equipped its vehicles to use liquid petroleum gas. I can see a considerable future for the use of this commodity in South Australia, so where is the necessity to export it? I do not follow the point the honourable member was making in relation to that part of the process.

The Hon. Hugh Hudson: He never listened to the Premier's previous reply to him.

The Hon. D. J. HOPGOOD: I can recall the Premier's giving a detailed reply about this matter on a Wednesday about four or five weeks ago. I marvel that the honourable member was not satisfied then and that he has spent so long sorting out his thoughts before now making a fuss about his new-found faith in Australian equity. However, that is the performance to which we were subjected this afternoon.

I support the motion. As Minister of Development and Mines, I am concerned to see that this project should proceed and should be allowed to give to the people of South Australia and to our economy some of the benefits that I have briefly outlined in one part of my speech this afternoon. I believe that we have to make the really important decisions fairly quickly; that is why the Premier and I went to Canberra last week to discuss the whole matter with the Commonwealth authorities. If this motion can further make clear the concern we have about the future of the project, it will have done its job. I support it.

Mr. MILLHOUSE (Mitcham): I have no doubt that members opposite are mentally saying to themselves at present, "God save us from our friends", because the whole of this problem has arisen out of a dispute between the State Labor Government and the Commonwealth Labor Government. I entirely support what has been said by the member for Goyder about the Hon. Mr. Connor, a man of whom I had never even heard before the Labor Party came to office last December. He has been so ham-fisted and unintelligent in his handling of every matter he has touched since coming to office that one can scarcely believe that the honourable Prime Minister (not right honourable) is standing behind him, but standing behind him he is. Despite the motion of no-confidence, moved in the Commonwealth House last week, in Mr. Connor, he was not even moved in the Cabinet reshuffle. It is fairly significant that he was not moved, because it means that the Prime Minister is perfectly happy with the way Mr. Connor is handling his job, including the way he is handling the matter of Redcliffs.

Members opposite have no-one but themselves to blame for the mess into which they have fallen. Ever since I have been a member of this House, until last December, we have heard from the Labor Party criticisms of the Commonwealth Government, the implication always being that once Labor was in office in Canberra there would be a working partnership between South Australia and the Commonwealth on all matters, with South Australia being well off. Now we have the spectacle of the Premier's agreeing to a motion moved by his junior partners in the Liberal and Country League. I congratulate the Minister of Development and Mines on his speech, which certainly gave people a breathing space, but I am totally unimpressed by it. If the arguments he used are so good and obvious, why did they not prevail last week when he and the Premier went to Canberra? Why was he not able to convince Mr. Connor and Mr. Whitlam of the rightness of the project? That is the complete answer to what has been said by the Premier and the Minister in this place. If they cannot even convince their own political friends in Canberra, how can they expect to convince anyone else about what they want to do?

It was fairly significant that on this occasion the Minister skated around the two vital points in the amendment moved by the member for Goyder. Although I tried to get the Minister to say something about equity, he would not do so. He was just as vague as the Premier had been before the amendment was moved. The Premier said that there would be a quite high proportion of equity in the undertaking, but he would not say how high a proportion "quite high" represents. I have known him long enough not to trust any of these vague turns of phrase we get from him. To some extent, he had some excuse, because the amendment had not been moved when he spoke. However, by the time the Minister spoke the amendment had been moved. Moreover, by interjection, his attention was drawn to this matter. Although I asked him what he meant when he referred to equity, he would not say, nor would he say that the export of liquid petroleum would be prohibited. He said all sorts of other things (he said it may not be necessary, and so on), but he would not say that it would be prohibited. Although those were the only two relevant matters on which he could talk at that stage, he gave no undertaking on them.

Members on both sides of the House look rather unhappy. Let me remind members opposite (especially those on the back bench) of their own policy on the subject of equity, because this is the matter that is causing them such intense embarrassment. I have with me the *Bulletin* special, *A Complete Guide to Labor's Policies,* which was brought out after the Surfers Paradise conference. As members who were present at the Constitution Convention know, I made use of it there. Before members opposite vote on the amendment, I ask them to remember their policy on this matter. Under the heading "Industrial Development", the booklet states:

> The future of Australia and the well-being of her people depends on the scientific development of her natural resources. She has the raw materials and human skills to become a world leader in metallurgy, metal fabrication and engineering. Furthermore, she has world ranking supplies of fissionable materials and substantial fuel and energy resources. To encourage Government and private co-operation in the development of national industries for the greatest advantage of Australia—

I point this out to the member for Adelaide and others—

> Labor will—

I will leave out (1) and (2)—

> (3) Ensure at least a majority Australian control over both equity and policy.

That is the aim of the amendment, and it is exactly in line with the policy of members opposite, a policy to which they are bound by their pledge. Let us see what they will do about this when it comes time to vote. This matter was considered at Surfers Paradise, as well as another matter with which this booklet deals, under the heading "Industrial Relations" and the subheading "Multi-national Corporations" (the very people whom the Premier is now championing, with the encouragement of the L.C.L.), as follows:

> Recognizing that the growing concentration of economic power in the hands of a comparatively small number of huge multi-national corporations is causing concern to Australian Labor because of its repercussions...

The Premier has his photograph in that little publication as one of the delegates, so he was there, and he agreed to it, and so did the other honourable members who came from this State. Why does he talk with one voice at his Party conference at Surfers Paradise and with another in this place? That is the question which every member opposite must answer to his own satisfaction, or otherwise, before he votes on this motion.

I do not wish to say any more in support of the amendment to the motion. I hope that by now I have given the Liberal and Country League time to make up its mind what it will do about the amendment so that it does not fall into the error into which it fell a few weeks ago when I attempted to censure one of the Ministers opposite and received no support from that Party. On this occasion at least the L.C.L. has had a little longer to make up its mind and, even though it moves slowly, it has had long enough to do that. Members opposite interjected during the speech of the member for Goyder, "Do you or do you not want the Redcliffs project?": the answer is that we do want the Redcliffs project, but we do not want it (and I make this quite clear) at any cost. That is going back to the old Playfordian idea of industrial development which perhaps served us well in the 1940's and 1950's but which is not appropriate now. We do not want Redcliffs if it is going to harm the ecology (and I thought every member in this place acknowledged that) or if it means a sell-out of Australian resources to oversea interests. We hope that it will be possible to have Redcliffs without either of these disadvantages, and I want to make that quite clear in answer to the Minister and those who have interjected. I support the amendment, and I will support the motion in its amended form.

Mr. KENEALLY (Stuart): I support the motion but I suspect the motivation of the honourable member in bringing this before the House. It seems to me that this is in some way a criticism of the Premier and of the South Australian Government's position in this matter. I ask the member for Goyder and the member for Mitcham just whom are they supporting. Are they supporting the Commonwealth Government and condemning the State Government, or are they supporting the State Government and condemning the Commonwealth Government? In the amendment they are condemning both the State Government and the Commonwealth Government, yet they have put arguments that would indicate they are opposed to the State Government's arguments in this matter and are supporting quite definitely what they assume to be the Australian Government's arguments in this matter.

One of the points that the member for Goyder has put strongly (and this is not the first time he has tried this in this Parliament) is that we should be protecting our supplies of liquid petroleum gas and we should not be exporting it overseas. On a previous occasion he moved a motion in which he sought the Australian Government's

assurance that liquid petroleum gas would not be exported overseas, and the Premier told him that this was not a condition of the contract that would be signed; it has never been intended that we would be exporting it overseas. This was clearly indicated to the member for Goyder, yet here again today, so that he may be able to speak at great length and with great fury, he has come up again with this furphy. The honourable member knows this is not a condition and it has never been a condition, and he has had this explained to him in this House. I expect that during the next few months he will try this again. This indicates to me what he meant when he said that all industrial development in South Australia was still being carried on in an unsophisticated manner. When he was Premier industrial development may very well have been carried on in an unsophisticated manner.

Mr. Max Brown: There was no development.

Mr. KENEALLY: There was no development, as the member for Whyalla says. For the member for Goyder to suggest that that situation obtains today is nonsensical. He has already had the benefit of an enlightened contribution from the new Minister of Development and Mines, who has clearly indicated what is the situation and what are the plans of the South Australian Government.

Mr. Millhouse: Why didn't you—

Mr. KENEALLY: Now that the member for Mitcham has interjected I will refer him back to his contribution to the previous debate when he wanted to point out that the Premier had not answered the previous charge regarding the exporting of liquid petroleum gas. To his shame, it had to be pointed out to him that he had overlooked the reply from the Premier. The member for Mitcham knows that well, yet here again today he has tried to come up with a complete untruth, because if he read *Hansard* he would know the situation.

Mr. Mathwin: The Premier has done a bit of shadow boxing, though, hasn't he?

Mr. KENEALLY: In his amendment the member for Goyder asks that we should attempt to have more than 50 per cent Australian equity in whichever consortium is the successful contractor and that we should protect the supply of liquid petroleum gas. The second of the two requests has been answered previously, and I believe it has been answered again here today. I am anxious indeed to see the Australian equity in the Redcliffs project maximized. Surely this is the position that this Government takes. It is also the position of the Australian Government: there is no dispute about that. As the Minister of Development and Mines has said, the point is reached when, for the very existence or viability of such a project, one needs to make a decision about the extent of Australian equity. Our Premier has fought strenuously for the project at Redcliffs. There is no doubt about that: he has fought strenuously for the maximization of Australian equity in this project, and if honourable members opposite take the time to read the reports they will see that it is clearly indicated to them that one of the problems with which we are faced is that the Australian Government has not laid down clearly the extent of the equity it would require as a minimum for this project to go ahead. That is the difficulty the South Australian Government is facing.

Mr. Mathwin: Mr. Connor is the difficulty.

Mr. KENEALLY: The Premier has pointed out clearly that the two Australian companies, C.S.R. and Ampol, which have been mentioned as likely partners in the complex, have said at this stage that their investigations are not advanced enough to enable them to say what are their intentions. The board of C.S.R. has not even met to consider whether it will investigate the possibility of investing its money in the Redcliffs project. Ampol would be anxious to be a partner, and this Government would not object to that. It would welcome this. However, Ampol and C.S.R., by themselves, have not the expertise necessary to build or conduct a petro-chemical complex such as it is intended to build at Redcliffs.

Doubtless, this Government is extremely anxious that the whole project go ahead, and I consider that the members of the Opposition, even the two members of the Liberal Movement, who have tried here today to torpedo the whole project, consider that the project is good for South Australia. I tell members opposite that it is of vital importance to the district which I represent and in which I live, and I suggest that they go to Port Augusta and check with the people there about what they believe to be the part that this Government has played in bringing to South Australia, to their area, a complex of this kind.

There is no doubt that the Premier and this Government have the complete confidence of the people of the area, as they have had since the project was first mooted, when Opposition members were wont to say that this was a political gimmick brought forward merely to win an election. It has been pointed out to the Opposition already that the three districts most vitally concerned in the matter (Pirie, Whyalla and Stuart) are not likely to be won or lost on the question of an industrial complex being built in that area.

The real question is whether we are to have this project in South Australia, and, if we wish to have it, it is the responsibility of all members to support the Government in what it is doing. This brings me to the point at which I started, when I said that the member for Torrens, who normally is a most honourable gentleman, by this motion tended to indicate a lack of confidence in or criticism of the Premier or the Government regarding the Premier's negotiations to get a petro-chemical complex for South Australia.

Dr. Eastick: That wasn't the motive.

Mr. KENEALLY: Then, why was the honourable member not willing to leave the whole matter in the hands of the Government, the Premier, and the Minister now responsible, so that they could continue their negotiations? Why did he consider it necessary to introduce a motion without notice indicating that, in effect, this Parliament (and it has the right to do so) condemns the Australian Government and the Australian Minister (Mr. Connor)?

Mr. Coumbe: I don't think you were listening.

Mr. KENEALLY: I was listening, and I have a copy of the motion in front of me. Either the Premier and the Government, in their negotiations for South Australia, are doing the right thing or they are not. If they are doing the right thing, they need the support of Parliament, and there is no need to bring this motion before the House. It could result in publicity that would harm the project. It has opened the House to the irresponsible statements by the member for Goyder and the member for Mitcham which I consider will do more harm than good.

The member for Goyder, being a former Premier of this State and a former Minister responsible for development, should be well aware of that. I think the technicalities of the project have been explained clearly for the benefit of members, and I consider that members now are generally pleased and clear about what the Government is doing. I do not blame the Australian Government and the Australian Minister, if they wish to do so, for protecting

Australian fuel resources and insisting that the maximum Australian equity be encouraged in all Australian industries. That proposition would not be objected to here. We support it wholeheartedly but, as I have said earlier, there is no threat to the export of our fuel or energy resource: this is not part of the contract that will be signed.

Of course, we, as Australians, would like to retain our energy resource, because it is not an infinite resource, and it can be used. The energy resources of the world will be used at an increasing rate and within a few years those countries that still have a natural resource will be in a strong position. I understand that some well advanced countries are importing energy resources, while protecting their own. This is happening throughout the world now, and we have every right to be concerned about it and to support Mr. Connor if he believes that we need to protect our energy resources. It may interest members opposite to know that that proposition does not meet with the displeasure of either of the consortia involved in negotiations: they would agree on that point.

The second point is that regarding equity, and here again we are not at great variance with Mr. Connor, except that there is a point that can be reached when one tries to maximize Australian equity, because it is possible that the whole viability of the project can be placed in doubt. The Leader of the Opposition is indicating to me that I have covered this point and that possibly I am going around in circles, and I accept that. I am doing that because clarity needs to be put in the argument before the House. I support the motion reluctantly, because I am not enamoured of the reasons why, I consider, it was introduced. I do not support the amendment. I do not think anyone who has a responsibility towards the State, as we have, could sensibly support a motion that is likely to do more harm than good.

Dr. EASTICK (Leader of the Opposition): I think that it is necessary to put the record straight about the approach made to this subject this afternoon. The inference could be drawn from the statement by the Deputy Premier that we had got away with this sort of action last week and would not get away with it in future.

When I rose last week to move for the suspension of Standing Orders, I immediately sought to give the substance of my motion and you, Mr. Speaker, acting correctly according to Standing Orders, said that I was to resume my seat so that you could count the House to find out whether sufficient members were present for the vote to be taken. Therefore, whilst on that occasion and this afternoon the Opposition was willing to make the substance of its motion available to the Government, the technicalities of the House prevented us from doing so immediately.

I had been in touch with the Deputy Premier last week before the matter was brought on and I had his assurance that I would be granted permission to obtain the suspension of Standing Orders. This afternoon the position was somewhat different, as has been explained by the Premier, because we had expected that a subject of such tremendous interest to the people of South Australia would be dealt with in a Ministerial statement, but that was not done. The Premier's reply to my question clearly indicated that the Government was concerned about this matter and, at the first opportunity, the Government has been given the chance to support the Opposition in expressing concern on behalf of the people of South Australia in relation to this important issue. I look forward to a responsible attitude being adopted by all members and to their support of the motion. The amendment introduces the idea of people in this State supporting an involvement of the Australian Industries Development Corporation, and its centralist policies in the hands of the present Commonwealth Government, to take over the interests of organizations that have spent millions of dollars in determining gas and petroleum supplies in Australia, and this concept cannot be accepted. I believe all members who adopt a responsible attitude to the future requirements of the development of this country will support the motion so ably moved by my Deputy.

Mr. COUMBE (Torrens): I appreciate the indications of support of this motion. Its whole basis was to overcome delays that are now occurring, mainly caused by Mr. Connor, and to strengthen South Australia's case in its argument with him. If this motion is carried, it must support South Australia's case, and it is irresponsible to introduce extraneous matters into the debate. In supporting the principle of a reasonable equity, we should like to see the local equity as high as possible, but to limit the equity by an amendment could defeat the whole project and place it and the employment of hundreds of South Australians in jeopardy. It would be unreasonable to accept this amendment, because the whole purpose of the motion was to overcome the delay. The Opposition is always willing to criticize the Government at any proper time, but in this matter we believe that, in acting as a responsible Opposition, we should speak on behalf of the interests of the people of this State. We have done that today, and I seek support for the motion.

The House divided on the amendment:

Ayes (3)—Messrs. Blacker, Hall (teller), and Millhouse.

Noes (40)—Messrs. Allen, Arnold, Becker, Broomhill, Dean Brown, Max Brown, and Burdon, Mrs. Byrne, Messrs. Chapman, Corcoran, Coumbe (teller), Crimes, Duncan, Dunstan, Eastick, Evans, Groth, Gunn, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, Mathwin, McAnaney, McRae, Nankivell, Olson, Payne, Russack, Simmons, Slater, Tonkin, Venning, Virgo, Wardle, Wells, and Wright.

Majority of 37 for the Noes.

Amendment thus negatived.

Motion carried.

QUESTIONS RESUMED

WHYALLA LAND

Mr. MAX BROWN: Will the Minister of Works obtain from the Minister of Lands a report on the current position concerning the development (or otherwise) of land set aside for industrial purposes adjacent to the Port Augusta to Whyalla highway? Several inquiries have been made by large steel fabricators concerning the availability of this land, its cost, and the possible provision of the necessary facilities thereon.

The Hon. J. D. CORCORAN: I shall be happy to do that for the honourable member and to bring down a reply as soon as I can.

INCOMES REFERENDUM

Mr. MILLHOUSE: Will the Premier say whether the Government has changed its attitude to the referendum on incomes because of the decision of the Australian Council of Trade Unions executive? I realize that this is a difficult question for the Government, but I remind the honourable

gentleman that in his absence last week, when I asked a question of his Deputy on the same topic, his Deputy said:

But let me tell the honourable member—

that was referring to me—

(I hope there is nothing equivocal about this) that the State Government supports the attitude and actions of the Commonwealth Government in this matter and will back it actively in regard to the referendum.

He did not go on to say what he meant by "actively", but he said it would be actively backed. However, since he gave that reply, the A.C.T.U. executive has come out flatly and unanimously against a "yes" vote in the referendum on incomes, thus splitting the Labor movement right down the middle. I wish to know from the Premier whether he stands by what his Deputy said last week or whether he has been affected at all by what Mr. Hawke and his colleagues have decided.

The Hon. D. A. DUNSTAN: The Australian Council of Trade Unions is not the Labor Party of this country, and I point out to members that we are not dictated to from outside.

PYRAMID SELLING

Mr. OLSON: Can the Attorney-General say whether the firm of Best Line Proprietary Limited, whose business address is the Hilton Motor Inn, Greenhill Road, Eastwood, is a subsidiary of the firm of Golden Products Limited, which has been outlawed by the Victorian Government because of pyramid selling? This morning I received from a constituent an inquiry whether or not it would be advisable to comply with a requirement of this firm to invest $1 500 in promoting the sale of washing compounds on a door-to-door basis. A further stipulation by this firm is that the assistance of other helpers in the promotion of sales is necessary. As this firm implies that the State Government is not averse to its method of operations, will the Attorney-General have an inquiry conducted?

The Hon. L. J. KING: I do not know whether the company is a subsidiary of Golden Products, but I do know that the scheme as outlined by the honourable member has all the earmarks of a pyramid sales scheme, and I think he can safely inform his constituent not to part with her $1 500.

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

The SPEAKER: Call on the business of the day.

STATE BANK

Mr. MILLHOUSE (on notice):

1. Who are the members of the Board of Management of the State Bank of South Australia?

2. Do all members of the board reside in South Australia and, if not, how many reside outside the State?

3. When does the term of appointment of each member expire?

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

1. Messrs. G. F. Seaman (Member and Chairman), J. R. Dunsford (Member and Deputy Chairman), A. B. Thompson, L. T. Ewens, and E. R. Howells.

2. All members of the board reside in South Australia except Mr. E. R. Howells, who resides in Sydney, New South Wales.

3. Messrs. G. F. Seaman, February 9, 1976; J. R. Dunsford, June 9, 1978; A. B. Thompson, March 16, 1975; L. T. Ewens, November 9, 1975; and E. R. Howells, September 1, 1978.

SPEECH THERAPISTS

Mr. Mathwin, for Mr. GUNN (on notice): Because of the continuing shortage of trained speech therapists available to schools in South Australia, will the Education Department make further efforts to solve this problem by:

(*a*) in the short term, endeavouring to attract trained speech therapists from other countries, particularly from countries from which some teachers are already being drawn; and

(*b*) in the long term, request at least one college of advanced education to establish a suitable course for training speech therapists in South Australia?

The Hon. HUGH HUDSON: The replies are as follows:

(*a*) Attempts have been made to recruit speech therapists overseas and from other States, with no result.

(*b*) The South Australian Board of Advanced Education is currently investigating the provision of training facilities in speech therapy. One college of advanced education is well advanced in planning a course for speech therapists that will be submitted to the South Australian Board of Advanced Education for academic accreditation with a request for financial support.

SCHOOL PSYCHOLOGISTS

Mr. Evans, for Mr. GUNN (on notice):

1. As more psychologists become available to the Education Department, could appointments to country schools be considered on the basis of the distance of the school from the metropolitan area as well as on the number of pupils attending such school?

2. Will the Education Department make teachers more aware of the necessity of early recognition of learning difficulties and provide in-service conferences for teachers in remedial training?

The Hon. HUGH HUDSON: The replies are as follows:

1. Although agreement can be given to the principle that a rather better ratio of guidance officers should be provided for districts where considerable distance is involved, our difficulties would lie in the lack of sufficient numbers of guidance officers being available. An attempt is made to match this difficulty by providing additional services operating from Adelaide, although it is realized that this is not a satisfactory solution. It must also be said that most guidance officers are still relatively inexperienced, and it would be unwise to require many of them to operate in isolated situations in the country at some distance from supervision of more experienced staff. As more guidance officers are appointed, the position will improve gradually.

2. Training at colleges of advanced education in all cases provides a general introduction to the learning difficulties area. The Education Department has been promoting for many years the provision within normal classes of appropriate education for the wide range of individual differences within them. Special education in all its forms is expanding at a rate rather greater than that of the school population generally. Although it is accepted that much more could be done, the direction taken points towards a general improvement in the learning situation for all children as the first step in meeting the specific needs of the handicapped. It is believed that to put very substantial resources in very specialist areas would slow down this essential general development.

VENEREAL DISEASE

Dr. EASTICK (on notice):

1. What is the incidence of rectal venereal disease in South Australia?

2. Has the Attorney-General any details of its incidence in other States and, if so, what are the details?

3. Has there been any significant increase in the number of reports of this disease in South Australia during the past five years?

The Hon. L. J. KING: The replies are as follows:

1. Two cases of rectal gonorrhoea are included in a total of 1 100 gonorrhoea cases reported this year. No cases of rectal syphilis have been reported this year.

2. and 3. No.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Parafield Gardens South Primary School,
Salisbury South-East Primary School.

Ordered that reports be printed.

LAND COMMISSION BILL

Returned from the Legislative Council with amendment and a suggested amendment.

ELECTORAL ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Electoral Act, 1929, as amended. Read a first time.

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

That this Bill be now read a second time.

The main object of this Bill, which amends the Electoral Act, 1929, as amended, is to create an office of Electoral Commissioner to administer that Act and, by extension, to administer all other polls and referenda provided for by State law. The position of Electoral Commissioner is proposed, in constitutional terms, to be insulated; that is, except in certain limited circumstances he will be removable from office only on an address from Parliament.

In the Government's view, it is of paramount importance that the occupant of the office should be able to carry out his duties with the degree of administrative independence that an arrangement of this kind provides. Tn addition, opportunity has been taken to make one other amendment to the principal Act. The effect of these amendments will be indicated during the explanation of the clauses of the Bill.

Clauses 1 and 2 are formal. Clause 3 makes certain consequential amendments to section 5 of the principal Act. The need for these amendments arises from the creation of the office of Electoral Commissioner. Clause 4 repeals section 6 of the principal Act which provided for the appointment of the Returning Officer for the State and an Assistant Returning Officer for the State and which replaces that section with eight proposed new sections which will be dealt with *seriatim.*

Proposed section 6 provides for the appointment of an Electoral Commissioner and provides further that his terms and conditions of appointment will be fixed by the Governor. Proposed section 6a provides that the appointee shall devote his full time to the duties of his office. Proposed section 6b provides for the appointment of an acting Electoral Commissioner, and proposed section 6c gives an appropriate power of delegation to the Electoral Commissioner. This power is in standard form.

Proposed section 6d provides that, with one exception, the Electoral Commissioner may only be removed from office on an address of both Houses of Parliament. The exception to this method of removal is provided only in the case of some mental or physical incapacity on the part of the Electoral Commissioner when the Governor may remove the Electoral Commissioner from office since, it is suggested, in cases of this nature proceedings by way of an address from Parliament seem inappropriate. Proposed section 6e provides that the Electoral Commissioner shall not be subject to the Public Service Act. However, if the appointee was previously employed under the Public Service Act his existing and accruing rights to leave will be preserved. Superannuation will also be provided under the Superannuation Act.

Proposed section 6f provides for reading of references in legislation to the Returning Officer for the State as references to the Electoral Commissioner. Proposed section 6g provides for the appointment of a Principal Returning Officer in place of the Assistant Returning Officer for the State at present provided for. With the abolition of the office of Returning Officer for the State the old title of Assistant Returning Officer seems inappropriate. This officer will be in a position automatically to assume the duties of the Electoral Commissioner during any temporary absence or incapacity of the Electoral Commissioner.

Clause 5 amends section 71 of the principal Act. This section was amended by the Constitution and Electoral Acts Amendment Act, and the amendment now proposed is consequential on amendments effected to other provisions of the principal Act by that Act. Members may recall that by the Constitution and Electoral Acts Amendment Act deposits would be forfeited by all the members of a group where that group did not receive 4 per cent of the votes cast at the election. This figure is appropriate in an election where 11 candidates have to be elected, but in the event of an election for the Legislative Council following a double dissolution when 22 candidates have to be elected, with the provision in its present form, there is a mathematical possibility that, notwithstanding that one candidate of the group was elected, all the members, including the member elected, would lose their deposits. To avoid this, this amendment proposes that the figure at which a deposit will be lost is directly related to the figure at which a group is eliminated from the count. In an 11-candidate election this figure would be of the order of 4 per cent of the total formal votes, and in a 22-member election the figure would be of the order of 2 per cent of the total votes. Clause 6 provides for a considerable number of formal amendments to the principal Act, the particulars of which are set out in the schedule to this Bill.

Dr. TONKIN secured the adjournment of the debate.

NURSES' MEMORIAL CENTRE OF SOUTH AUSTRALIA, INCORPORATED (GUARANTEE) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT

The Select Committee to which the House of Assembly referred the Nurses' Memorial Centre of South Australia, Incorporated (Guarantee) Bill, 1973, has the honour to report:

(1) In the course of its inquiry your committee held one meeting and took evidence from the following witnesses: Dr. R. S. Wurm, Chairman; Miss M. G. McNair, Vice-President, representing the Nurses' Memorial Centre Committee; and Mr. R. J. Daugherty, Parliamentary Counsel, Adelaide.

(2) Advertisements inserted in the *Advertiser* and the *News* inviting interested persons to give evidence before the committee brought no response.

(3) Your committee is of the opinion that the guaranteeing by the Government of finance for the construction of the Nurses' Memorial Centre will be beneficial both to the centre and the State.

(4) Your committee is satisfied that there is no opposition to the Bill and recommends that it be passed without amendment.

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

That this Bill be now read a third time.

Dr. TONKIN (Bragg): It is with great pleasure that I congratulate the Government on having taken this action. This is one of the nice things that has happened.

Mr. Millhouse: Another example of patting the Government on the back.

Dr. TONKIN: For the life of me, I cannot understand why the honourable member, who is usually so reasonable, should make such a petty interjection. I look forward with great pleasure to seeing the Nurses' Memorial Centre completed.

Bill read a third time and passed.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (QUEENSTOWN)

In Committee.

(Continued from October 9. Page 1136.)

Clause 2 passed.

Clause 3—'Where land is declared to be subject to this section."

Mr. MILLHOUSE: I move:

In new subsection (7a) to strike out "(in cases arising either before or after the commencement of the Planning and Development Act Amendment Act (No. 2), 1973".

The purpose of this amendment and others I have on file is to take out of the Bill its retrospective effect. Mr. Chairman, should I use this amendment as a test?

The CHAIRMAN: Yes.

Mr. MILLHOUSE: Thank you. I realize that my amendment would draw the teeth of the Bill and defeat the spiteful object the Premier has in view of making sure the Queenstown shopping centre is never built. The reason for the Bill is for the Premier to say what the law intended and thus cut out Myers in the legal proceedings taken. Last week, there was discussion about the stage those proceedings had reached. Information I have, which is now 24 hours old, is that the Government is in fault with its pleadings in the matter, and that the Attorney-General—

The Hon. D. A. DUNSTAN: Mr. Chairman, how can matters before the court be discussed? The honourable member knows they are *sub judice.*

Mr. Millhouse: This was dealt with last week in your absence.

The CHAIRMAN: Last week the Speaker ruled, and 1 upheld, that remarks would have to be confined to matters contained in the Bill. No reference must be made to the matter to which reference was ruled out of order last week.

Mr. McAnaney: Under what Standing Order?

Mr. MILLHOUSE: I think I have said enough about that. This Bill, in the form it has been introduced, is the worst and most unjust legislation introduced since I have been a member. The Premier intends to change the law with retrospective effect so that an action before the Supreme Court must fail. We know that one of the parties to the action (Myers) has spent an enormous sum, relying on the law as it was when that money was spent. It has purchased, properties, the sum involved being stated as $2 000 000. If the Bill is passed, the value of Myers' investment will be greatly reduced. This is retrospective legislation and, as such, is legislation of the worst kind. This is the sort of legislation one gets from an arrogant Government that feels it is securely in the saddle and can ride roughshod over the rights of individuals. I totally condemn the Government's action. Will the Premier now say that other legislation should be changed to declare his intention, even though on a strict construction the intention of that legislation may be deemed otherwise? Will other shopping centres or industries be affected? Last week, the Premier was conveniently absent, on an unsuccessful campaign, while these matters were being debated.

The CHAIRMAN: Order! I ask the honourable member to deal strictly with the clause under discussion.

Mr. MILLHOUSE: When the Minister of Education spoke last week about retrospectivity, the only example he could give in answer to other members and to me was a piffling amendment to the Sewerage Act in 1962. That was his only defence of this action.

Mr. Payne: It was retrospective, wasn't it?

Mr. MILLHOUSE: Does the member for Mitchell suggest that there was any similarity between that piece of legislation and this one? Does he suggest in that case that the rights of individuals were adversely affected? No, he is silent now, although he interjected previously. This is the crunch: an individual's rights, Myers' rights, are being affected by what we do in this House. That is the price of retrospective legislation, and the member for Mitchell cannot say that was the case with the 1962 Act. His silence on this occasion is significant.

When the matter of retrospectivity was mentioned last week, it was suggested that others may be affected but the effect of this amendment may be far wider than is intended, and I believe that is the case. I will cite one or two examples to show what I mean. This Bill, if it goes through unamended, will declare that where there is an authorized development plan in force in relation to land that is subject to this section (and the Metropolitan Development Plan is such an authorized plan) this section requires, and has always required, the authority or a council in determining whether to grant or refuse its consent under this section 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. I now refer to two shopping centres that have been built since the 1962 plan was published. I am sorry that the member for Unley is not here because one of them is the Unley shopping centre, which has been built certainly since 1966, and the other is the Mitcham shopping centre, which was built about that time. In both of those cases, if I have read the plan correctly, the council did give consent to the use of the land for a shopping centre, and this was a use at variance with the use set out in the plan. I have the plan here for members to look at.

Looking at the red, white, blue and purple colours, it seems obvious to me that both the Unley and Mitcham shopping centres have been built on land zoned under the plan for other use. What will happen there? What will happen in those cases because we are declaring that the authority or council in determining whether to grant or refuse its consent under this section must 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. I believe that, on the Premier's interpretation, the decision made by the Unley council and the Mitcham council would be at substantial variance with the plan. Those shopping centres have been built and, if this Bill is passed as it stands, they have been built wrongly. What will be their position? Are they to

remain? Are they to be pulled down? Is there any jeopardy to those who are trading there, to the people who own the land and the buildings? I do not know, but I have been advised that it is at least arguable that such development as this may be caught by this amendment. I have thought of only those two examples, but there must be many other shopping centres in the metropolitan area of Adelaide which have been built and on which council has given a consent that is at substantial variance.

This is a very serious situation, and I do not believe that the effect of this amendment will be restricted or confined to Queenstown, so I hope that the Government will look closely at this. It is one of the troubles with retrospective legislation: one never knows what one is going to do when one interferes with people's established rights as we are doing here. We know what is to happen to Myers. That firm is for the high jump, but we do not know what is to happen to other people.

I therefore move my amendment. If both my amendments are carried, the Bill will be in a proper form. I do not say that I necessarily agree with the idea behind them, but at least the Bill would speak only from the time of its assent and not from a time that goes back to the promulgation of the Metropolitan Development Plan in 1962. Parliament will be doing a bad and unjust thing if it passes the Bill with this retrospective aspect. I believe the Premier will be doing something which is tyrannical, and this does him personally, in a quarrel in which he has become involved, little credit (in fact, no credit whatever). Even at this late stage I hope that he will have second thoughts about interfering with the rights of others by legislation. He has, from time to time, gloried in calling himself a liberal, a man who represents the rights of the individual, but actions speak louder than words. We are not getting much respect for individuals here in the Bill.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I oppose the amendment. The member might have perhaps done members the courtesy of explaining to them the effect of his amendment fully. As a lawyer he must know that he has not explained it. The honourable member wishes to write in now that it is only from this date that the Planning and Development Act means that the council should not substantially depart from the existing plan in having regard to the existing plan. Therefore, he is very carefully saying to it that it is declared, if his amendment is carried, that previously the council could do precisely the opposite, and that was the law.

Mr. Millhouse: You know that is the law as it stands right now and that's why you have put in your provision.

The Hon. D. A. DUNSTAN: On the contrary—

Mr. Millhouse: Why don't you go and let the court—

The CHAIRMAN: Order!

The Hon. D. A. DUNSTAN: The reason for not waiting for a court decision in this matter has been carefully explained to members previously. The provision of the existing plan and the recommendation of the committee set up by the Government, which recommendation has been tabled in this House, has pointed out that the provisions of the existing plan are in the committee's view correct and that the major shopping centre in the area should be developed al Port Adelaide. That is the recommendation of the committee. In fact, of course, the way that could have been altered (and it was contemplated that alteration proceedings could be taken by anyone) was by a supplementary development plan if people disagreed with that view. That course was never taken.

Mr. Mathwin: It is an R2 zone, a residential zone.

The Hon. D. A. DUNSTAN: That is irrelevant; the honourable member is not following the argument. The proposals of the planning legislation were that the way there should be any substantial amendment of the plan was by the submission of a supplementary development plan that would then be subject to public exhibition, the receiving of objections, the reporting of them, and the consideration of them by the State Planning Authority, by the Government and by this House. That was the process. It was never intended that an interim development control, which is there to hold the line on existing land use until planning regulations in accordance with the authorized development plan are brought into effect, should be used in place of a supplementary development plan, without considering the interests of the people who, under supplementary plan procedures, would have the right of public representation and hearing. The rights of individuals, by the purported use of section 41 to tear up an existing plan, are completely abrogated and the little people are denied their rights.

Mr. Millhouse: Which little people have complained? What about the last Port Adelaide council election? Let the Premier answer the question. He cannot, of course.

The CHAIRMAN: Order! The honourable member for Mitcham is continually interrupting. He was given the opportunity to address the Committee and I ask him to extend the same courtesy to the honourable Premier.

The Hon. D. A. DUNSTAN: It has been suggested that we are endangering a whole series of other decisions under section 41 that have allowed substantial departures from the plan. Some members have cited cases of large centres which were not in accordance with the 1962 plan but which were built subsequently. Members have not been able to give a case of the consent involved having been a consent under interim development control. The consents given were without interim development control in force, and they were given under the Building Act.

Dr. Eastick: They were still given in good faith.

The Hon. D. A. DUNSTAN: In that case, if there was no interim development control, this will not affect them.

Dr. Eastick: There was a consent given in good faith, and so was the interim control.

The Hon. D. A. DUNSTAN: The Leader does not understand. Interim development control has not been uniformly given to councils. It was a control given in a limited number of cases at the request of a council which was about to promulgate planning regulations to bring the 1962 plan into effect and which needed to hold the line in the meantime. That is what interim development control was for.

Mr. Mathwin: On the basis of its new planning regulations.

The Hon. D. A. DUNSTAN: If the honourable member thinks that a consent under the new regulations could occur in relation to Myers, I suppose he ought to suggest to that firm or to anyone else at Queenstown that the firm should get a consent under the planning regulations. In that case, what is all the argument about? If the honourable member was right, Myers could go to the council and get a consent immediately.

Mr. Mathwin: They could have got an interim control.

The Hon. D. A. DUNSTAN: Unfortunately, none of the protagonists in this matter agrees with the honourable member, nor does any council that has been advised on it, and I suggest that the honourable member get advice on the law. The effect of the planning regulations was to zone this area so that a shopping complex at Queenstown

of the kind proposed could not have been developed. Local shopping could have been developed, but not a complex of this kind.

That is the proposal put forward by the Port Adelaide council and duly considered and recommended on by the State Planning Office. In the meantime, interim development control was obtained, the precise purpose being to hold the line so that there was no substantial departure from the existing authorized plan the council is seeking to bring into effect by its regulations. To use a consent procedure to tear up the existing plan and the effect of the regulations is completely contrary to the intent of the Statute. Members have asked why it is necessary to introduce a measure to this effect now. I consider that it would be wrong to allow legal proceedings to run for a long time about this matter and then to do something about it at the end of that time.

Dr. Eastick: Would it be wrong to do it at all?

The Hon. D. A. DUNSTAN: No, I do not consider so, because the purpose of this measure is clear. No-one could suggest that the purpose of interim development control was to substitute that process for a supplementary development plan. The effect of lengthy litigation on this matter will be to completely delay the development in the recommended shopping area at Port Adelaide.

Dr. Eastick: And at West Lakes.

The Hon. D. A. DUNSTAN: The West Lakes shopping centre is of secondary importance, as is shown by the report.

Mr. Mathwin: West Lakes has its own control, not the council.

The Hon. D. A. DUNSTAN: It is not the planning intention of the Government to move the administrative centre from Port Adelaide to Queenstown. It is certainly not the intention in the proposals put forward by the Director-General of Transport that we should have the traffic pattern so altered from the original intention. In fact, public transport is to be developed, centred on Port Adelaide. In these circumstances, we cannot have the Port Adelaide development hopelessly delayed while protracted litigation proceeds. The development will provide employment and increased rate revenue and will be in accordance with a publicly approved plan.

This measure has been introduced to settle the matter and to say clearly that this was the intention of Parliament, as it undoubtedly was. The member for Mitcham has cited two examples of shopping centres. I think that, if he examines the position, he will find that neither of them was built with section 41 consent. We have been able to find only one case where there conceivably could have been some section 41 consent that might be affected by this measure. That is in the special case of the city of Adelaide. For a short time section 41 procedure was available, before the city of Adelaide interim development control provision was brought in. In that case, the 1962 plan was inadequate. The council had adopted not planning regulations to give effect to the 1962 plan but a zoning proposal that differed markedly from the 1962 plan.

Mr. Mathwin: They've all been the same, haven't they?

The Hon. D. A. DUNSTAN: No. In these circumstances, we accepted the City of Adelaide Development Committee's plan to allow for a special form of interim development control until proposals were put before the citizens and a supplementary development plan approved. For the short period section 41 was in force there may have been substantial departures, but I do not know of any. It may have been a substantial variation to have refused the proposal to build on the Pirie Street Methodist Church site. There could be a margin for argument, although unlikely, and it is wise to cover this point. Before the legislation was introduced I asked the State Planning Authority to examine this matter in detail where section 41 was in force, and no other case can be cited of substantial departure by consent procedures from the existing development plan.

Dr. Eastick: What is "substantial departure"?

The Hon. D. A. DUNSTAN: One that is substantially not in accordance with the plan. The Government has insisted that, if people want to alter provisions of the plan, they must do it in the way provided in the Act and not use a back-door method to avoid proper objections and considerations of conflicting interests that should be considered before there is a substantial variance in the plan. Parliament should have the right to decide finally.

Dr. Tonkin: Not for retrospectivity.

The Hon. D. A. DUNSTAN: That is what happens under supplementary development plans, and we have approved several of them. This is not a case in which a supplementary development plan was put forward, despite the advice to those concerned that they should do it that way. They were told to go through the normal and proper planning procedures.

Dr. Eastick: What about Mr. Bakewell's letter?

The Hon. D. A. DUNSTAN: The organization asked advice from the Government about the various courses of action that were available, but not one did it take. The whole development in the area was gummed up by what would undoubtedly be protracted litigation. I cannot discuss the court case, but the suggestion that the course being taken by the parties to allow the matter to be litigated by argument is nonsense.

Mr. Mathwin: You suggest that all residents should be asked whether they agree with the regulations?

The Hon. D. A. DUNSTAN: It is proper to take some views from all people who could be affected, and that does not mean only those in the immediate surroundings. The member for Mitcham, by this amendment, is trying to hand a judgment in this matter on a platter, because he knows that is what it would mean. He knows what he is trying to do, but he did not explain his amendment to the House.

Dr. TONKIN: The member for Mitcham explained thoroughly his amendment. When a Bill is proclaimed and becomes an Act people know where they stand and what they can do. They work according to the law and with its protection, but the Premier has obscured the issue by introducing interim control plans and supplementary plans, and has made excuses for retrospectivity by stating that it will not affect existing developments, and that this legislation will save protracted litigation. I do not care whether this matter concerns Myers, Marks and Spencers or Santa Claus: it is the principle of retrospectivity that must be considered. We are speaking of a fundamental principle of Parliamentary Government, but the Premier does not want to discuss that. We do not have the right to change legislation to make it illegal to do something that was previously legal and then penalize people because they trusted in the law as it was. If there is a query, the normal processes must be followed, and it is not Parliament's place to abrogate the responsibility of a court of law. That is the other thing we are being asked to do. I strongly support the amendment. Of course, it will take the teeth out of the Bill, but it is a great shame that the Bill was ever introduced, and it does the Premier no credit whatever.

Dr. EASTICK (Leader of the Opposition): A few moments ago the Premier indicated that he was aware of

a letter being forwarded by Mr. Bakewell, which followed a request by the Myer organization for consideration of its predicament. It is necessary for me to quote from the letter, dated December 19, 1972, so that we can see the type of information given to the Myer organization.

The CHAIRMAN: Order! Is the letter connected with the amendment?

Dr. EASTICK: It is connected with statements made about the purpose of the amendment.

The CHAIRMAN: Is it connected with the amendment?

Dr. EASTICK: It indicates why a consent previously given should be allowed to stand.

The Hon. D. A. Dunstan: It also goes into a number of other matters.

Dr. EASTICK: It is certainly relevant to the whole issue.

The CHAIRMAN: The point being discussed is the retrospectivity of the legislation.

Dr. EASTICK: The letter, addressed to Mr. K. C. Steele, the Group Managing Director of the Myer Emporium Limited, states:

The Hon. the Premier, Mr. D. A. Dunstan, has requested you be advised the following in regard to the Queenstown shopping centre proposal and your queries related to the Planning and Development Act. The following would appear to be the courses of action open to your company:

We are not denying that Mr. Bakewell gave directions on behalf of the Premier by implication, in this letter to the Myer organization. The letter continues:

(*a*) apply to the Corporation of the City of Port Adelaide for consent to erect shops on the site, being a use which lies in an R2 zone under the City of Port Adelaide planning regulations—zoning, and therefore requires the consent of the council.

(*b*) depending on whether or not it is intended that the shopping proposals should include uses which are precluded in an R2 zone by the planning regulations (e.g. post office, bank office, theatre, etc.), request the council or the State Planning Authority to recommend to the Governor under the powers of regulation 41 that the land affected by the forbidden uses be exempted from the operation of regulation 7.

(*c*) request the State Planning Authority or the council—

The CHAIRMAN: Order! I do not think I can permit the Leader to read any more of the letter. He is getting into a matter that is subject to litigation.

Dr. EASTICK: I hope we are not going to go through that exercise again. The situation clearly is that the Premier indicated that he was aware that certain information had been given to the organization. I am simply putting on record the information given so that the record can be straight. I will indicate the parts of the letter that clearly show that a course of action was suggested to the organization that not only makes the amendment unnecessary but also makes the whole Bill unnecessary. It is on the basis that it is relevant to the issue before the Committee that I seek your concurrence, Mr. Chairman, in my continuing with the explanation I am giving. The letter continues:

(*c*) request the State Planning Authority or the council to prepare a supplementary development plan reviewing the present Metropolitan Development Plan proposals for the north-western suburbs with a view to relocating to the Queenstown area the district centre at present envisaged at the existing Port Adelaide centre.

The possible course (*c*) would involve first of all a decision by either the State Planning Authority or the council to prepare a supplementary development plan. These bodies may not agree that such action is necessary or desirable. If agreement of one body or the other was obtained, there would still be fairly lengthy procedures to be followed before the stage of amended regulations could be reached, assuming the desired change was incorporated into an authorized supplementary development plan.

It has already been said that litigation could be lengthy in connection with the dispute involving the Myer organization, the council and the Government. The letter continues:

In the circumstances the more direct course of action set out in (*a*), with the addition of (*b*) if appropriate, may be more acceptable. If the application were refused, a right of appeal would arise. No such right would be available in the event of either the authority or the council declining to prepare a supplementary development plan.

In other words, the letter immediately destroys the value of suggestion (*c*) by clearly pointing out to the people involved that they would not have a right of appeal, a right that anyone should expect to have. The letter continues:

It should be noted that under an amendment to the Planning and Development Act, which has recently come into effect, an application for consent before a council under planning regulations may, by proclamation by the Governor, be dealt with by the State Planning Authority if the decision of the council would be likely to have an effect of major significance upon the physical, social or economic conditions prevailing outside the council area.

I acknowledge that the situation foreseen here, with a proclamation by the Governor, was an action taken by the Government and, a decision having been made in Executive Council with the authority of the Governor, it was not possible for any organization or any individual to know about the decision until at least the following Tuesday or Wednesday.

The Hon. D. A. Dunstan: Come on! These facts are in dispute in the case.

The CHAIRMAN: Order! The Leader is referring to matters now under litigation, and I ask him to avoid those matters.

Dr. EASTICK: The organization was told the pros and cons of three courses of action; indeed, it has tried in good faith, as it has with every consent that it has obtained since 1970, to implement the Queenstown project, and any action by this Government, initiated by the Premier or any Minister, to bring about a retrospective situation is completely against the best interests of the people of South Australia, because it is repressive and because it can only be tyrannical and unacceptable in a democracy.

Mr. GUNN: In my opinion, any member who does not support this amendment is failing in his duty to allow people who disagree with the Government or who desire an interpretation of the Government's action the right to have the matter independently adjudicated. In opposing this amendment Government members can never again call themselves democrats. Legislation of this nature sets a dangerous precedent.

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

Mr. GUNN: I consider that my remarks are relevant. This amendment removes the objectionable aspects of this Bill and allows people their democratic right. We are seeing the actions of a man who would be better as head of a junta than as head of this Government. Although the example I now intend to quote may be classed as ridiculous, it is nevertheless relevant: if a person drives through a radar trap at 35 miles (56.33 km) an hour and has his number noted, under such legislation what is to stop the Government, say, in 12 months, from saying that this speed is dangerous? The person concerned could then be charged with dangerous driving, because a precedent has been set introducing retrospectivity. The Premier has failed miserably to justify the action of the Government, and his Ministers failed badly to justify that action during the Premier's absence from the State last week. It was convenient—

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

Mr. GUNN: The Premier has said he was following the normal and proper course of action. What is the normal and proper course regarding retrospective legislation? The member for Mitcham has pointed out that the Queenstown project will be completely finished, and it will be interesting to consider the other examples he gave.

The Hon. D. A. Dunstan: You have not listened.

Mr. GUNN: The Premier has failed to answer the charges properly levelled against him, and I hope that he will not continue the practice he and his Ministers have adopted, namely, that as soon as they are placed in a difficult position they gag the debate.

Mr. MATHWIN: I support the amendment, because I do not believe in retrospective legislation. The 1962 Metropolitan Development Plan referred to by the Premier showed the Queenstown area shaded in blue, allowing that area to be developed as a shopping area. The plan did not depict such areas in Tea Tree Gully, Marion or Kurralta Park. By way of interjection I asked the Premier whether he wished the neighbours of the Queenstown project to be asked again what was their objection to the project, this being normal procedure. Those who wish to object may do so after paying a $2 fee to the council, which has the power to determine whether or not the objection should be upheld. Would the Premier be content to circularize the immediate neighbours of the Queenstown project and accept what they said was desirable?

At the last council election in Port Adelaide, all councillors elected were elected because of their support of the Queenstown project. This was quite a large poll, too, having regard to the number of people who usually vote at council elections. In his second reading explanation, the Premier said that planning in the Queenstown case was not in accordance with the 1962 Metropolitan Development Plan. That is a poor argument, because no shopping centre or supermarket in the metropolitan area is in accordance with that plan. In 1962, this area was zoned residential (R2), but since then the council has been given interim development control, using that control to consent to a shopping area. The member for Mitcham is correct in saying that retrospective legislation is a bad thing. By this means, the Government could do anything it wished to do, even altering speeding laws retrospectively, as the member for Eyre suggested. I support the amendment.

Mr. COUMBE: In June this year, the Premier said that if legal action contemplated by the company concerned succeeded he would alter the law. That is why he has now introduced this Bill; he will not wait for the litigation to be decided. Surely this could be taken as a reflection on the courts. It does not matter about the rights of an individual: if the Government wants to change something, it simply alters the law. This is the whole problem with retrospectivity. If this legislation is passed without amendment, a precedent will have been set. In trying to justify his case, the other day the Minister of Education referred to a retrospective amendment to the Sewerage Act that was moved by the Government when Sir Thomas Playford was Premier. However, that did little more than change the name of the Minister of Public Works to the Minister of Works. That was the only example the Minister gave. I am not concerned about the litigation in the present case: I believe that in principle retrospectivity is bad. As the constituents of several members opposite are concerned by this case, it will be interesting to see how those members vote on this occasion.

Mr. MILLHOUSE: I appreciate the support I have had from some Liberal and Country League members on this matter. They have highlighted the weaknesses in the Premier's reply to me. The fact is that, in that reply, the Premier dealt with only one matter I had raised, and that was the effect of the Bill on other developments that have taken place. I do not intend to go further with the examples I gave. Frankly, I did not check to see whether the approval was granted under interim development control. The Premier said that even he has found one case in which there might be a problem. What the Methodists will think, I do not know, because apparently this concerns the Pirie Street Methodist Church site, and that matter has already been the subject of controversy between the church and the City Council. Apparently the Bill could have some effect on that development.

The Hon. D. A. Dunstan: There's an amendment on the file.

Mr. MILLHOUSE: I do not have it.

Mr. Coumbe: That strengthens your case.

Mr. MILLHOUSE: Yes, I suppose it does, because it confirms the point I made, without knowing there was any amendment. I wonder whether we can be certain that there are no other cases that have yet come to light. That was the only point to which the Premier referred. The Premier referred to the little people who would be affected if the Queenstown project proceeded, and apparently they would be affected adversely. However, when he was challenged to say who the little people were, you, Mr. Chairman, intervened, and he did not come back to the point. So, we still do not know who these little people are.

Mr. Dean Brown: The West Lakes people.

Mr. MILLHOUSE: They are about the only ones I can think of. The Premier has been unbelievably partisan in favour of West Lakes, and it is that attitude which has led to this Bill, as we all know. At the most recent Port Adelaide council election in July, this was the central issue in the whole campaign, and it resulted in an overwhelming victory for those who favoured the building of the Queenstown shopping complex. Who does the Premier think the little people are who vote in council elections? I challenge him (and I guarantee that he will not take up the challenge) to say who the little people are who will be affected adversely by this development. The Premier has taken on himself the right to say what Parliament intended or did not intend in 1966 when he introduced a Bill. What is obvious is that, if we accept the Premier at face value now, the 1966 Bill was imperfect and did not embody the intention he meant. However, he has presumed to say that he knows what the intention of Parliament was at that time. The Premier, who is a member of the legal profession (I was about to say that he is a former member of the legal profession; I will not remove him from the profession although, for the reputation of the profession as a whole, when things like this are done I wish I could), knows what the rules of construction may be and that a court looks at the words of an Act of Parliament and at nothing else.

That is how the intention of Parliament is defined: by looking at the words of the Act. Often, Bills amend measures that have been passed previously. What is the usual purport of these Bills? It is an amendment that speaks from the time of assent of the amending Bill.

There is no suggestion when we make a mistake in legislation that retrospective effect should be given to the amendment. Only in a case like this, when the Premier wants to defeat rights he is afraid have already been established by the law, do we find this being done. Is there any suggestion of compensation to Myers for the loss it may suffer through a change in the law? Of course not! Mistakes happen in Acts of Parliament, but those mistakes are not remedied by doing an injustice to those who have acted on the law as it was originally passed. That is the point here, and it is the point which the Premier has steadily avoided in answering this debate. As I have said on other occasions, one of the most eloquent admissions of the validity of a point in debate is that an opponent ignores it and hopes that it will not be raised again but be forgotten.

That is precisely what the Premier is doing in this matter: he has not answered the charge of injustice to individuals whose rights have been established by the law. He knows that anyone (and this is fundamental of democracy) is entitled to go to the court and take advantage of the law as it stands, if he can. What is the difference between this and any other matter? The principle is precisely the same. It is only because the Premier believes that the Government is on such weak ground that it cannot afford to let the action proceed that the Bill has been introduced.

Finally, the Premier chided me for not explaining the purport of my amendment. He said that it would hand the decision to Myers on a plate if the legislation proceeded. All I have done, and all I aim to do, in this legislation is to remove the retrospective effect of it. That aim can be achieved even better by our not going on with the Bill at all. If the only thing the Premier is afraid of is that it will strengthen Myer's case by passing the Bill, as I would amend it, then let us not have the Bill: let the contest before Mr. Justice Wells, and any other judges to whom it may go subsequently, proceed without legislative interference. I can only reiterate what I have said before, namely, the absolute injustice of this departure from principle, which is one of the important principles of Parliamentary democracy, and the discredit it places on the Premier personally and on every Government member who supports it.

What will be the effect on businesses coming to this State? Does the member for Elizabeth, who is smiling at the point I have made, believe that it will increase the confidence of commerce and industry in the Government of South Australia? If he is not impressed by our moral arguments, at least I hope that he will be impressed by the practical arguments over which his Government got into enough strife this afternoon, because of the attitude of his Party to commerce and industry. Let it not compound the situation by affecting in this way the rights of a big and valuable organization in South Australia. For those reasons, I hope that my amendment is carried and that the Bill proceeds, as amended, or, if the Premier prefers it, that the Bill is sent up into Annie's room and never seen again.

The Hon. D. A. DUNSTAN: I am touched and indeed deeply moved by the emotional concern Opposition members have shown for my credit. However, I must confess that somehow or other I cannot be made to support a process by which a large company comes into this State, buys land without planning approval for its project, and proceeds to try to bullock its way past proper procedures.

Mr. Millhouse: In accordance with the law!

The CHAIRMAN: Order!

The Hon. D. A. DUNSTAN: Not in accordance with the law.

Mr. Millhouse: All right; why do you want to change it?

The CHAIRMAN: Order! I shall have to caution the honourable member for Mitcham. I called his attention to this matter earlier this afternoon, and I will not allow him to proceed in this manner. The honourable Premier.

The Hon. D. A. DUNSTAN: What we are doing in this measure is to ensure that the law is not, by means of what is, in effect, a public conspiracy, deliberately avoided to the benefit of one organization, which will then ignore the proper planning procedures of the State. Opposition members may make themselves the lackey of that kind of commercial piracy, but the Government will not submit to it. The member for Mitcham wanted to know who are the small people concerned: apparently, he has never heard of the Port Adelaide traders or of those people who have committed themselves to the areas in which there is proper planning approval for shopping development. Apparently they do not matter: they can go broke as far as he is concerned, in favour of people who will, by the use of their large capital resources, deny the proper planning processes of this State. The member for Glenelg can make himself a champion of that sort of thing, but the Government does not intend to do so. Government members make clear where they stand. I have no doubt where the honourable member stands.

Mr. EVANS: The Premier is obviously concerned: he has taken the wrong track, and is now trying to act his way out of a situation that should never have arisen. He said that the council had misused its powers.

The CHAIRMAN: Order! The honourable member is starting to question validity.

Mr. EVANS: I am not questioning validity, Sir. The word "misuse" has been used, and the Premier has changed his tack from referring to the council's alleged misuse of its powers to referring to commercial piracy by this organization, which believed it was acting within the law as it then stood. The member for Mitcham has moved an amendment that will let it remain in that area where another group may make a decision. By opposing the amendment, the Premier is trying to keep the Bill intact so that, no matter what decision another group makes, it will not mean anything.

I believe that Myers has acted properly and that, if Parliament or the Government, through the State Planning Authority, has made an error in giving the Port Adelaide council interim control, that is not the fault of an organization from another State, which made use of an opportunity available to it, as has been done by more than just commercial enterprises. Indeed, it has been done by political Parties and, possibly, at times by the Government, which has used laws that may not have conformed to good zoning regulations or accepted zoning standards.

There is no doubt that the Government has had a difference of opinion with the Myer organization, and that at all costs it is out to stop that organization from building at Queenstown. Myers knew that it was acting within the law when wanting to build its complex at Queenstown, for which the council gave its permission. Myers was guided by the advice, given to it by the Premier's own department, to apply to the council.

The Hon. D. A. Dunstan: No, they weren't.

Mr. EVANS: They were instructed to apply, and that they did.

Mr. Gunn: Yes, and the Premier well knows that.

Mr. EVANS: True, the Port Adelaide traders may be adversely affected, but this sort of thing has been happening in this State for the last 10 to 15 years, regardless of what political Party has been in office. The small traders have been trampled on by the large supermarkets throughout the State, and I have not heard anyone say that those organizations should have been stopped. This has happened even in my area, and there is absolutely no difference with the Myer organization.

The Hon. J. D. Corcoran: It shouldn't be allowed to go on.

Mr. EVANS: Does the Deputy Premier say that the West Lakes project will not adversely affect small traders? The purpose of the amendment is to give a certain organization the opportunity of having the issue decided in the right and proper place. Parliament cannot pass a law one way and then, six weeks later, say that it made an error and that it wants to make the legislation retrospective to that point, and then say that this is democratic. This matter will not affect the total planning regulations of the whole State. If it did, it would be necessary to consider a move for retrospectivity. We have never worried about over-capitalization by the retail outlets in the State, and I have not heard any member say that we should stop these organizations from treading on the small trader. I support the amendment.

Mr. GUNN: The Premier has not answered the charges and arguments from this side, and he has resorted to personal abuse and character assassination against Opposition members. The whole basis of our argument is the Government's action in introducing retrospective legislation, and the Premier has not answered that argument or tried to justify his action. Surely he could give a logical and constructive answer to our argument. We have stated that the organization was operating under section 41, and we have based our attack on the rights of such an organization. Myers or anyone else may be involved in similar circumstances. The Premier has tried to align us with a large organization.

I suppose he thinks it wrong if such an organization wants to spend money in this State. Is that wrong in one case, whilst in another case it is right to encourage a large commercial organization to invest money for the benefit of this State? If the Premier was sure that the action by the company in this case was not in the best interests to the State, why did he not allow the courts to decide the matter? He has usurped the powers of the courts. Any organization or group of people in the State having a personal difference with the Premier or any of his colleagues could be placed in the same position as this organization is in. The Premier is acting in a small-minded, arrogant, and completely irresponsible way.

Mr. Langley: What is—

Mr. GUNN: The member for Unley would not know what was in the Bill.

The CHAIRMAN: Order! There is nothing in this amendment about the honourable member for Unley, and I ask the honourable member for Eyre to confine his remarks to the amendment.

Mr. GUNN: This is one of the worst pieces of legislation that could be placed before any Parliament.

The Committee divided on the amendment:

Ayes (19)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Nankivell, Russack, Tonkin, Venning, and Wardle.

Noes (22)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

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

Majority of 3 for the Noes.

Amendment thus negatived.

The CHAIRMAN: I take it that the honourable member for Mitcham does not intend to proceed with his further amendment.

Mr. MILLHOUSE: I am usually an optimist, but I am not a super-optimist, so will not proceed with it.

The Hon. D. A. DUNSTAN: I move to insert the following new subsection:

(7b) The validity of any decision to grant or refuse consent under this section, made either before or after the commencement of the Planning and Development Act Amendment Act (No. 2), 1973, by the Corporation of the City of Adelaide, shall be unaffected by the provisions of paragraph (*a*) of subsection (7) of this section, or by subsection (7a) of this section.

Its purpose is to make certain that the short period of interim development control for the city of Adelaide, when it was making decisions on its previous zoning regulations and waiting for the City of Adelaide Development Committee's plan to pass through Parliament, cannot be affected by this measure. Although it is considered unlikely that this legislation will have any effect, the amendment is an abundance of caution to ensure that it does not. The city of Adelaide has already moved a considerable distance from the 1962 plan, and it asked for interim development control. Section 41 control was insufficient, and it has been necessary to introduce the City of Adelaide Development Committee's plan, which not only gave the council more interim development control than section 41 procedure did but also allowed the council to make decisions on interim development in a different way from that allowed by section 41. The council shall have regard to preserving the existing situation and must make decisions in accordance with the general philosophy being developed in the report of the consultants to the council proposing the eventual supplementary development plan. As this is a unique situation in relation to the Planning and Development Act that occurs in no other area, this amendment is necessary.

Mr. MILLHOUSE: I move:

That the amendment be amended by inserting after "Adelaide" the words "or by the Corporation of the City of Port Adelaide".

Although I support the amendment, it does not go far enough. I believe we should insert in it an exception not only for the Corporation of the City of Adelaide but also for the Corporation of the City of Port Adelaide. Whatever the court decision in relation to Myers, we should ensure that a gross injustice is not done.

The Hon. D. A. DUNSTAN: I do not accept the amendment, because the case of the Corporation of the City of Adelaide is different from that of the Corporation of the City of Port Adelaide.

Mr. Millhouse: One is just and the other is unjust!

The Hon. D. A. DUNSTAN: There were no proposals by the city of Adelaide to give effect to the 1962 plan. The council asked Parliament (and Parliament agreed) that it should completely depart from the plan. The Port Adelaide council was granted interim development control in order to hold the line at the level it proposed in its own planning regulations to give effect to the 1962 plan.

Dr. EASTICK: Obviously, several areas in the metropolitan area should be included in this provision, such

as Tea Tree Gully and the areas in which K Mart and Target stores are situated, as they were not contemplated in the original plan and are at a substantial variance from it.

The Hon. D. A. Dunstan: In which case was there a section 41 approval? That is all the Bill is referring to.

Dr. EASTICK: This amendment will give an advantage to the city of Adelaide over any other corporation or city in the metropolitan area.

Mr. MATHWIN: I support the amendment to the amendment, but it does not go far enough. The Corporation of the City of Adelaide has altered some of its original ideas, particularly regarding residential zoning. For example, the area on South Terrace, at which the offices of a well-known legal firm of Dunstan, Lee, Taylor and Lynch are situated, has caused some controversy.

Mr. Wells: You are scraping the bottom of the barrel now.

Mr. MATHWIN: The whole Bill is doing that. I agree with the Premier that the Adelaide City Council has not stuck to the original plan. I refer to the area around Franklin Street, where harsh restrictions were imposed. I support the amendment to the amendment, but I believe it should include councils that have not put in their zoning regulations. Several councils moved away from the original development plan in 1962, and they should be included.

Mr. GUNN: I support the amendment moved by the member for Mitcham. The Premier and his colleagues have indicated clearly that there are two classes of people: those who have the blessing of the Premier and those who dare to disagree with his self-professed democratic views. By his refusal to accept this sensible, logical and proper amendment, the Premier has lost the right to call himself a democrat. Surely, if the exemption can be granted to the Corporation of the City of Adelaide it can be granted also to Port Adelaide. Why should there be this distinction? By failing to accept this amendment the Premier is clearly treating the courts, the Corporation of the City of Port Adelaide and the people of South Australia with utter contempt. The courts have been the traditional adjudicator in similar matters. The Premier knows he is guilty, as do the people of South Australia.

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

Mr. GUNN: Every person in the community should be given an equal opportunity with others. One of the first things we are told is that justice should not only be done but should appear to be done. If anyone can say that justice appears to be done by the acts of this belligerent Government, he must be a Dutchman. When looking at the arrogant attitude of the Premier—

The CHAIRMAN: Order! I ask the honourable member to confine his remarks to the amendment under discussion. I want to hear nothing more about personalities.

Mr. GUNN: It makes it difficult to discuss this matter when members on the Premier's side can make interjections and cast reflections—

The CHAIRMAN: Order! Is the honourable member reflecting on the Chair?

Mr. GUNN: No.

The CHAIRMAN: It sounds mighty like it to me.

Mr. GUNN: If the amendment of the member for Mitcham is not supported, the effect of the attitude of the Premier and of the Government will be felt for a long time, for a precedent will have been set for a Government of any kind to introduce retrospective legislation, dealing with matters concerning not only the Planning and Development Act but any other measure that a Government may wish to alter. If on some other occasion the Premier is in a huff and has a personal disagreement with an organization, he can decide to teach it a lesson.

Mr. DEAN BROWN: The only word to describe the Government's attitude to this amendment is "immoral". The Government has completely ignored the rights of the citizens of South Australia and the traditions of our democracy and legal system. It has discriminated by making this Bill apply only to the people of the city of Adelaide, not to other people in the State, and especially the people of Port Adelaide. The two-faced attitude of the Government has been revealed. I support the amendment of the member for Mitcham and shall oppose other parts of the Bill.

Dr. TONKIN: Late this afternoon it was a case of many people having the same thought, because many members on this side of the Chamber are incensed at what is happening and other members opposite are embarrassed by what is happenning—and so they should be. I support the amendment moved by the member for Mitcham. The Premier's amendment adds insult to injury. He freely admits that this is retrospective legislation and, if there was any doubt about it being directed solely against the Port Adelaide corporation, his amendment removed that doubt. The Premier has never explained how he justifies the principle of retrospective legislation. Nothing he has said convinces anyone: in fact, he has kept off the matter as much as possible and we have in the terms of his amendment an exemption for the Corporation of the City of Adelaide, moved from a superabundance of caution! It is a superabundance of poppycock! The Government's attitude to the Port Adelaide corporation is revealed by the attitude of the Premier to this amendment to his amendment. Can the Premier say how he can justify retrospective legislation in this instance and as a matter of principle? If we carry the Premier's amendment and pass this Bill as it has been brought into this Chamber, we are enacting retrospective legislation. I should like the Premier to try to worm his way out of that.

Mr. MATHWIN: Again, I ask the Premier to reconsider his hurried decision to object to the amendment moved by the member for Mitcham, which is a fair solution for all concerned. If the exemption is to be applied merely to the Adelaide City Council, surely it is only right it should apply also to the Corporation of the City of Port Adelaide? I support the amendment of the member for Mitcham.

The Committee divided on Mr. Millhouse's amendment:

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

Noes (20)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan (teller), Groth, Harrison, Hudson. Jennings, Keneally, King, Langley, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pairs—Ayes—Messrs. Goldsworthy and Rodda. Noes—Messrs. McKee and McRae.

Majority of 2 for the Noes.

Mr. Millhouse's amendment thus negatived.

The Committee divided on the Hon. D. A. Dunstan's amendment:

Ayes (21)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan (teller),

Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, Millhouse, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (17)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Gunn, Mathwin, McAnaney, Nankivell, Russack, Tonkin (teller), Venning, and Wardle.

Pairs—Ayes—Messrs. McKee and McRae. Noes—Messrs. Goldsworthy and Rodda.

Majority of 4 for the Ayes.

The Hon. D. A. Dunstan's amendment thus carried; clause as amended passed.

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

That this Bill be now read a third time.

Mr. MILLHOUSE (Mitcham): I oppose the third reading as strongly as I opposed the second reading. This is the last chance we have to show our disapproval of the unjust action being forced on us by the Government and its supporters. This is retrospective legislation. In principle, that is bad enough, but when principle is carried into practice and people's property is affected by the retrospective provision that is utterly unjust. In this case, it is unjust to Myers which, on the faith of the law as it stood at the time, made an investment in land perfectly properly. The Premier has never been able to suggest that what Myers did was unlawful in any way. He has said he does not agree with it. He has complained that it was a loophole in the Bill that he himself introduced. He has never suggested that what Myers has done is unlawful and that it therefore should be punished. Yet, by introducing this Bill and forcing it through with the support of his colleagues in the Labor Party, he is penalizing Myers to the extent of perhaps $1 000 000. Why is the Premier doing this? So that he and his Government can favour another private development, namely, West Lakes. This is utterly wrong and utterly bad, and there is nothing more one can say in argument against it. Everything that could be said has already been said, and all the arguments that could be advanced have been advanced against this measure. I will never agree to such an unjust procedure as we are witnessing in this Chamber this evening.

Mr. MATHWIN (Glenelg): I, too, register my disapproval of the Bill as it came out of Committee. I think it is a most unfair Bill, and it was unfair of the Premier and the Government to introduce the Bill and to pass it in its final form. The Bill, which involves the Adelaide City council and the Port Adelaide council, is unfair, particularly to the Port Adelaide council and to residents in the Port Adelaide council area who have enough to contend with, because another proposed scheme is to be developed nearby. The people of Port Adelaide expected a shopping centre to be developed at Queenstown, as a result of a recent council election, because they voted for candidates who favoured the Queenstown project. No-one can deny that, without doubt, the public has spoken on this important issue. I believe that the Premier is really victimizing the Port Adelaide council by doing what he is doing. I oppose the third reading.

Dr. TONKIN (Bragg): The member for Mitcham referred to various people, including Myers, who are being discriminated against by the Bill and the member for Glenelg referred to the two councils most involved and to the people of Port Adelaide who will be seriously disadvantaged by the Bill. I refer to the people of South Australia and to the legislation that has come out of Committee in its present form. The Bill, which is a monument to retrospectivity and a landmark in the legislative history of this State, is something of which I am not proud, and I am not proud to be a member of this Parliament if it can pass such legislation as this. I believe that no member of this Parliament has anything of which to be proud, and I lay the blame and charge at the Premier's feet for introducing this Bill. Whatever the reason for its introduction, the Bill should never have been introduced, and this is a sad day for the people of the State.

Mr. GUNN (Eyre): I believe that the action of the Premier and of the Government, if the Bill passes the third reading, will inflict on the people of this State one of the worst pieces of legislation ever to come before this House. The Government has broken new ground, and it has set a dangerous precedent. As the member for Bragg rightly said, it will be the people of the State (not Myers) who will be victimized not only now, but the gate will have been completely opened for the future. An arrogant and vindictive Government such as this one will have complete licence to abuse the powers entrusted to it. I believe the legislation is one more nail in the coffin of an arrogant Socialist Government that is hell-bent on destroying the rights of the people and on driving yet another nail into the coffin of democracy.

The House divided on the third reading:

Ayes (22)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

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

Pairs—Ayes—Messrs. Hopgood and McKee. Noes—Messrs. Goldsworthy and Rodda.

Majority of 4 for the Ayes.

Third reading thus carried.

Bill passed.

URBAN LAND (PRICE CONTROL) BILL

Adjourned debate on second reading.

(Continued from October 11. Page 1222.)

Mr. WELLS (Florey): Until I heard some of the speeches by Opposition members in this debate, I did not intend to speak, because I considered that the Bill was a good measure and one for which the Government had a mandate. I did not think there would be much objection to it. The Opposition has been directed not against the Bill to any extent but against some Government authorities. I was distressed by some remarks made by members opposite that were unwarranted half-truths, innuendoes and, in some cases, direct lies.

I hope to be able to vindicate the authorities that have been attacked and to support their efforts. First, most Opposition members who have spoken have given a first-class display of mealy-mouthed hypocrisy. Almost all of them said, "I support the intentions of this Bill". Having said that and having thought that that was a sop to electors and enough to hoodwink potential house buyers and the young couples who had some hope of buying a block of land on which to erect a house—

Mr. McAnaney: What about—

Mr. WELLS: I will come to the honourable member's lies later. When the Opposition members had done as I have explained, they began to show support for the blood-sucking and money-hungry land speculators. This revealed where their interest lay, as almost all Opposition members

showed by their speeches. Of course, I am not surprised at this Opposition support for the speculators, because this is where their interest lies. However, it was a certain disclosure of their lack of care and their absolute contempt for the young people who want to buy a house. Opposition members want to throw these people into the hungry maws of land speculators.

Mr. McAnaney: You're in—

Mr. WELLS: The honourable member will be in trouble when I have finished this speech! I hope to be allowed to comment on some Opposition speeches that offended me and I hope to show conclusively that deliberate lies were told. If that was not so, there was certainly evidence of gross contempt and neglect of the truth by some members, and I will try to refute some of those statements.

Mr. McAnaney: What about the Minister of Education?

Mr. WELLS: The only thing wrong with the Minister as far as the honourable member is concerned is that he is on this side. I want to comment briefly on the speech by the member for Bragg: it deserves nothing more than passing comment. He scraped the bottom of the bucket when he said, but did not and could not substantiate, that the Prime Minister of Australia had placed his house on the market for sale at a grossly inflated price. The honourable member refused the challenge to disclose the source of the information, because there was no foundation for the remark.

That honourable member also said, in a facetious way, that the member for Mitchell had spoken twice in debates on one day. Of course, the member for Bragg does not realize that in any one debate the member for Mitchell would say more that was of consequence and would put more common sense and reason into a speech than the member for Bragg would do in 20 speeches. It is not the number of times a member speaks that matters: it is what he puts into his speeches. I consider that the member for Bragg deserved censure for his statement.

Let us now consider the statements made by the member for Hanson. He has been absolutely contemptuous of the work of the Housing trust in providing low-rental accommodation for the working-class people of this State. He used his speaking time to attack the trust for its alleged inability to provide more accommodation.

Mr. Becker: I haven't spoken yet.

Mr. WELLS: I am referring to the honourable member's previous speech about the Land Commission. The matters are closely related.

Mr. EVANS: On a point of order, Mr. Speaker, the member for Florey has referred to a previous debate in this Parliament, and I understand that that is against Standing Orders.

The SPEAKER: Standing Orders provide that no member may refer to another debate that has taken place during the current session. I do not know what the honourable member for Florey has said, but he is well conversant with Standing Orders.

Mr. WELLS: I apologize for my transgression, Mr. Speaker. However, there may be an opportunity later.

Mr. Becker: You can apologize after I've spoken.

Mr. WELLS: Members opposite tried to denigrate the work of the trust and of this Government, to which the trust is responsible, and the statements made about the trust were an absolute disgrace. The trust comprises extremely capable officers, from the General Manager down to the most junior clerk on the information counter.

Mr. Mathwin: What about the tea lady?

Mr. WELLS: Yes, I include the tea lady. The work of these people deserves praise, not contemptuous interjections such as the member for Glenelg has made. It is disgusting to hear the trust castigated and denigrated when it has no voice in this Chamber to speak in its defence.

Mr. McAnaney: Who has been denigrating it?

Mr. WELLS: The member for Heysen also spoke in a previous debate, so that I cannot refer to what he said. The trust has sold 36 500 houses and provided a total of 74 000 houses, and anyone who criticizes it should be ashamed of himself.

Mr. McAnaney: How many did private enterprise builders build? It was about four times that number.

Mr. WELLS: Opposition members have said that the trust has an advantage over private enterprise, because it does not have to comply with the Building Act. That statement is a deliberate lie. The trust is answerable and must comply with the Act.

Mr. Evans: That is not always so.

Mr. WELLS: It is. Members opposite have said that it is not difficult to point to a Housing Trust house, because the trust has not complied with the Building Act. That is a disgraceful statement, because it is intended to undermine the confidence of any person who wishes to buy a trust house. Anyone making such a statement should be answerable to those who purchase these houses.

Members interjecting.

Mr. WELLS: Last year 6 000 houses were built by the trust for occupancy, and that is a wonderful effort. The member for Davenport stated:

> First, general inflation throughout Australia must be controlled. Obviously, if the inflation rate is 13 per cent a year, people will tend to invest in land and houses as the only means of hedging against that inflation. We must control inflation so that once again people will invest in finance companies and banks and in other investments, with their money increasing at a rate at least equal to the inflation rate if not greater than that rate.

This statement is a complete exposure of the fact that an investor does not care about the rate of inflation, because his money is placed where the greatest profit is, and he realizes that the housing industry and land speculation provide him with a greater profit than he can obtain by investing in a finance company or a bank. That situation applied before this Bill was introduced, and it will curb that practice. The honourable member also said that the speculator would take his money out, go somewhere else, and invest it. However, if Shylocks suck the blood of the worker of this State when he wishes to buy land and build a house, we are better off if they go somewhere else where they are not controlled as they will be in this State. The member for Davenport also stated that basic services were not being provided and that the Government should go ahead more quickly to provide basic services for allotments in subdivisions. There has not been a subdivision in the metropolitan area which, since 1965, has not been provided with a water supply and which, since 1967, has not been provided with a sewerage service.

It was the Walsh Government in 1965 that insisted that, whenever an area was subdivided, water (and later sewerage) had to be provided. What happened when the L.C.L. Government was in power before 1965 and before Walsh? Nothing at all! Land was subdivided wherever people wanted it to be subdivided, but no services were provided. These facts show that the honourable member made a stupid statement when he said that services are now not being provided. In 1965-66, 6 800 water connections were made; in 1966-67, there were 6 750; in 1967-68, when the Labor Government left power and the Liberal Party assumed office, 3 400 water connections were made, a

drop of almost 50 per cent; in 1968-69, a further year of Liberal Government, there were 3 800 connections; but in 1969-70, under a Labor Government, 3 200 connections were provided, increasing to 6 100 in 1971-72, and 5 500 in 1972-73. Sewerage facilities show a similar result. In 1966-67 there were 5 350 connections; in 1967-68, under a Liberal Government, there were 2 300, a drop of more than 50 per cent; and in 1968-69, 2 900 connections were made.

Mr. McAnaney: The Labor Government had 10 months of that period, and that is when we were hit and the population went to other States.

Mr. WELLS: No wonder, when the L.C.L. came to power! In 1971-72 there were 5 700 connections and in 1972-73 the total was 5 500.

Mr. McAnaney: You talk about Socialism!

Mr. WELLS: Socialism will be the salvation of this country.

Mr. Venning: Why don't you go to Russia?

Mr. WELLS: I have been there and I have reported on that country. This is where I was born and this is where I belong, and it is stupid to argue with the honourable member. The member for Davenport referred to the growth in the Public Services in Australia. In a growing country that provides full employment, additional services are required and it is inevitable that the number of public servants must increase, particularly as there have been increases in the number of teachers and in hospital staffs. The most important statement that the member for Davenport thought he made was the suggestion that the Housing Trust land at Hillbank was sold for $4 500 an acre (0.4 ha) compared to a private sale of $3 500 an acre. The honourable member was either misleading this House and lying, or negligent in his research of these figures when he made that statement. If he had researched it properly, he would have been able to tell a different story, especially if he had known the true facts or had been willing to produce them.

The 38 acres (about 15 ha) to which the member for Davenport referred was taken on option 11 months ago at $3 600 an acre. At the end of June, 1973, land put on the market by the Housing Trust was valued at $4500 an acre. The price of land bad escalated between the time that the option was taken on land at $3 600 and when the land was put on the market by the trust, the valuation of the land at this stage being more than $5 000 an acre. These figures cannot be compared, because in one instance land was available 11 months ago, and a mere four months ago similar land was taken up at $1 000 an acre dearer. The member for Davenport either deliberately misled the House or did not know what he was talking about; yet he had the temerity to speak of the morality of members on this side. If an example of morality of the member for Davenport is making accusations about this Government and the Housing Trust, then I prefer the morality of members on this side at any time.

Great demands have been made recently by members opposite seeking a reduction in the rate of increase in the Public Service. Members opposite have unanimously said that the growth of the Public Service should be restricted. The member for Glenelg, speaking of the State Planning Office, stated:

I understand the Housing Trust has a 27-month wait for business to go through its offices, and yet I understand also, from the facts given me, that the State Planning Authority cannot process the number of applications before it, the number being between 9 000 and 10 000 a year. In fact, I believe it processes about 6 000 a year, so obviously there is a shortage of planners, as has been stated in the newspapers. If that is so and if the Government believes that is so, why doesn't the Premier do something about it. Why doesn't he try to get some people; why doesn't he advertise for people if he has not the trained staff available? Why doesn't he bring them in from somewhere else to assist in this problem that he says he is faced with of getting applications through the State Planning Authority?

Here the honourable member seeks an increase in the size of the Public Service, whereas recently he sought a reduction. The member for Fisher had much to say concerning this. The Opposition attacks Government departments through their work force. The member for Fisher stated:

The Engineering and Water Supply Department has in the past not made full use of its plant. True, in fairness to the gentlemen who approached me, they believe they have not been given the right equipment or sufficient equipment for the work in hand. I believe that in the sewerage extensions branch there are only two back hoes. Further, if one of these breaks down there is only one left for use, yet back hoes are important in such construction. They are necessary and every gang should have one and, if only one back hoe can operate, what is the result? The result is that some of the men have no work to do, they feel ashamed, and they are criticized by people in the community, yet it is not their fault, but rather the fault of the department in not making available the right equipment.

What absolute rubbish! I find it hard to believe that any workmen in a Government department would go to the member for Fisher complaining that they had no work to do and that they felt ashamed. If there were any lack of equipment, and if there were any trouble regarding a job, they would go where they should go: to their trade union officer, who would quickly contact the head of the department and determine what was happening. I will now tell the member for Fisher what the real situation is—

Mr. Chapman: Is it like the person in the press who said he had nothing to do and who told the whole of the State, not just this House?

Mr. WELLS: That may be so, but I can tell the honourable member that that person had the courage to come out and say that he had nothing to do. Even if he had nothing to do, members on this side would not sack him so that his kids could starve.

Mr. Chapman: You would put him on the dole, instead?

Mr. WELLS: If he had to go on the dole, that would be all right, and we would have to face up to it. However, we would not deliberately and spitefully sack him so that, when his belly was empty, he would go back to work and do a good day's work. The real situation regarding the number of back hoes in the department, for the benefit of the member for Fisher, is as follows:

The statement that there are only two back hoes in the department is incorrect. The Sewerage Branch has 27 back hoes in the metropolitan area, including 14 small tractor-mounted back hoes. The small back hoes are not the major digging machines and are only used in awkward situations where the larger machines cannot operate, and consequently their use is spasmodic and there is not full-time use for a small back hoe with each gang. One small back hoe is allocated to an area and shared between two gangs to enable the plant to be gainfully employed and reduce idle time. Occasionally, a gang may have to wait for a small back hoe for limited periods, but there is always ample other work for the gang with properly planned work. Periodically, if there is a peak demand for small back hoes, machines are hired from contractors for short periods.

That indicates the ignorance and the stupidity of the statement made by the honourable member that there are only two back hoes in the department.

Mr. Payne: Where did you get your information? .

Mr. WELLS: My authority is from the Minister of Works, through (and signed by) the Director and Engineer-in-Chief. I now refer to the situation concerning investors, land agents and land sharks. They are there to rob the worker and to make it more difficult for the worker to get a house; they are there to drag every cent of profit from the person who wants to buy a house. I refer to two letters from constituents in my district, and I am willing to table these letters if so requested. They deal with cases of people who were renting trust homes and eventually wanted to buy them. Each of them inquired what the price would be for those houses: they found that the trust was selling at well below the market value and was making allowances for the rent that the people had already paid as tenants.

When the people considered this matter, it was found that one man could not proceed then because of a very serious family illness. Another man was a seaman and had to go to sea for a long time. In that case he decided he would take up the option and purchase the house when he returned from his next trip. However, when in each case they applied, they found that the price had risen by thousands of dollars. They came to me, and I immediately instituted inquiries at the trust as to why these houses had risen in price. This letter will give the figures. The correspondence is self-explanatory. This letter states that a Mr. So-and-so was quoted a sale price of $6 900 for his house in September, 1971. However, as the trust informed him that it was going to upgrade his house, owing to circumstances beyond his control he decided to wait until this was done. His house has now been upgraded. He wants to purchase it but is shocked to learn that the new purchase price is $10 120.

Members interjecting:

Mr. WELLS: That is bad. Why should this occur? Why should the trust do this? I would certainly want to know, but members opposite are probably not very interested. However, I will tell them, even if they are not interested. This is the correspondence I received from Mr. A. M. Ramsay, General Manager of the Housing Trust. I gave him a letter I had received seeking information, and he wrote:

Dear Sir, I write in reply to your letter of July 26, 1973, on behalf of Mr. So-and-so.

Members will understand that I do not want to mention the gentleman's name. The letter continues:

In May of this year, the trust decided that all future sales of rented dwellings be made at a figure based on, but below, present-day valuation. This decision was made because the trust was becoming increasingly alarmed at the number of houses which were being purchased and then resold soon after at a much higher figure. It was realized that some real estate agents actively encouraged some tenants to purchase, so a large profit could be made on the low-sale prices which were being asked by the trust.

Mr. Max Brown: Shame!

Mr. WELLS: These land agents or blood-suckers ride on the backs of the workers. This Bill will protect the workers, whom we on this side represent, from land sharks and blood-suckers. It will control the price of land and of houses, which the workers need, and they will not be downtrodden any longer by those people who have made a living and have waxed wealthy on the blood and sweat of the workers of this State. I support the Bill.

Mr. BECKER (Hanson): I oppose the Bill for the simple reason that it will not work. No. matter how hard the Government tries and advertises to try to brainwash the community, this Bill will fail. Let us rather examine alternative schemes for assisting young people by stabilizing the price of land. More importantly, can we in any way reduce or stabilize the cost of housing? No matter how hard we try (even if we are successful, which I doubt, in stabilizing the price of land) the cost of housing will not be reduced. Costs are rising now: they rose by 8.4 per cent, I believe, in the last 12 months but will rise at an even faster rate in the next 12 months. It is regrettable that at present certain timbers are almost unobtainable; there is a waiting time of 15 weeks for some timbers, 12 weeks for bricks, and tiles are virtually unobtainable. The situation will become worse. The member for Florey, regrettably, followed the attitude of the members on the Government side in what turned out to be nothing more than a slanging match. Very few members attacked the real reason for this rise in prices.

No-one likes controls because we are becoming the most highly regulated and controlled country in the world; but at the same time something must be done about land prices and inflation in general. I agree with the member for Florey that, if we can give the young people low-cost housing, we should, and I will do everything I can to help; but this legislation will not achieve that. It is not only the young people in the community but all members of it, irrespective of their age, who are entitled to be able to purchase their own piece of real estate, if they want it and can afford it. This Bill will not solve the problem. It is also regrettable that one of the facts of life is that God unfortunately has not created any more land, but of course people are still multiplying. The situation all over the world today is that there is a land shortage.

The member for Florey accused members on this side of supporting the speculators and blood-suckers, but I point out to him that all the members of the Government, who apparently have been brainwashed into this idea that that is all we are doing, should know that that is far from the truth. We want legislation that will work, not airy-fairy legislation that will prove unsuccessful. The Government must take some of the blame because it is part of the Party at present forming the Australian Government. When we consider interest rates, which we must consider because they are a contributing factor to development costs, if a person wants to borrow money and goes to a finance company to borrow it today, he will pay 15.3. per cent interest flat, and out of that 15.3 per cent flat the Government receives 1.8 per cent in stamp duty. Therefore, the finance company is earning 13.5 per cent.

I do not stick up for the finance companies, but the State Government will receive 1.8 per cent, which is not a bad sort of rake-off; and, if that is helping to increase the cost of land and development, the Government must share some of the blame. The Commonwealth bond rate is 8 per cent; the bank overdraft rate is 9½ per cent; and at present, to compete on the open market for money, finance companies for a three-year term have to pay 9½ per cent. Let us remember, they are earning 13.5 per cent at the current lending rate. This is all built into the cost structure of development, so do not accuse us on this side of the Chamber of standing up and defending the speculators, because we are not; anyway, I am not.

Mr. Simmons: You are.

Mr. BECKER: I am not.

Mr. Simmons: You're pointing out that they are borrowing at 9¾ per cent and lending at 27 per cent.

Mr. BECKER: They are borrowing at 9¾ per cent and lending at 15.3 per cent, and the State Government is charging 1.8 per cent in duty. Private money-lenders are charging 12 per cent interest. It is hard to pinpoint the

cost of development of land into subdivisions. One representative of a firm told me that he thought the cost was $2 500 a block. That cost is added to the price of the land, and the Government charges amount to about two-thirds of the current price of new land.

Mr. Keneally: Was it the developer you spoke to?

Mr. BECKER: I obtained this information from a developer. To check this. I approached the South Australian Housing Trust. I was told that it released land at book value, plus development costs, interest on money involved, and rates and taxes. That is fair and reasonable and is no different from charges that would be made by anyone else. The officer of the trust to whom I spoke was not quite sure about the matter and was unable to find out exactly in the time available, but he said that the development cost, particularly of providing services, was about $1 500. Therefore, the development cost a block of providing all the services is between $1 500 and $2 500.

At present, it takes private developers two years to have a title dealt with by the relevant authorities. Tn addition, if broad acres are being developed, the cost for each title is $300, as provided by legislation introduced by the Government not long ago. It can be seen that the Government has done well out of the present inflation in land prices. Of course, rates and taxes are also based on the valuation of properties, so the Government benefits again from high prices paid, with valuations increasing accordingly. I cannot agree with the Government's statement that this legislation will benefit people in South Australia by stopping speculation, because speculators will still operate. The Government must acquire land. It has been pointed out that developers will be forced out of South Australia, with development funds drying up.

Over the years, developers have had to bear the brunt of costs; they have not always made profits. When 1 worked in the bank, periodically we had to finance temporary overdrafts for developers. I have seen them lose money. I have seen branch managers of banks lose their jobs as a result of lending money to developers who went broke. The Government's legislation will protect the big developers, forcing out of the field small developers, such as those who buy a few blocks and build some houses. At present 45 per cent of the new houses on the market are houses built for speculative purposes.

Members should place themselves in the situation of builders who are trying to finish a house in three months at a reasonable price and who know they will have difficulty in obtaining all the materials necessary. How can builders arrive at a set price in these circumstances? To look at the history of the matter, I refer to *The Foundation and Settlement of South Australia,* which was recently reproduced by the Libraries Board from the copy held in the State Library. I wish to refer to part of this book, because it shows that we have had the problem we now face ever since the foundation of the State.

Mr. Millhouse: Who wrote it?

Mr. BECKER: Sir Archibald Grenfell Price. No matter how long we debate this problem it will always be with us, no matter what solutions we try to find. In this book, the author states:

> The three most important features of the Wakefield scheme of colonization were the sale of waste colonial lands, the application of the proceeds, or "land fund", to emigration from the Mother Country, and the granting of some species of self-government to the overseas possessions. All these principles have been highly successful, and have played, or are playing, an immense part in the development of the British Colonial Empire.

This was written at the time the State was founded. The author continues:

> Wakefield considered that the colonies possessed an insufficiency of labour due to a super-abundance of cheap land, which enabled the working class, unless convicts, to acquire landed property, to withdraw themselves from the labour market, and to waste their energies through dispersion and lack of co-ordinated efforts. Land, he thought, should be sold at a "sufficient price" to prevent this, even if the proceeds were wasted or thrown into the sea; but it would be a better way to use the money to meet the colonial demand for labour by paying for the emigration of young marriageable persons of both sexes.

What a peculiar attitude was adopted in those early days, and it was not successful. Later, the author states:

> There is no doubt that all these early proposals were made largely for the financial benefit of the promoters. Bacon was an impoverished young soldier who wished to restore his fortunes. Gouger himself confessed that "in the last attempt almost all those connected with the scheme intended to make money by it". Many of the plans also were of a deliberately speculative nature. The Land Company of 1832, for example, proposed to gain pre-emption over 500 000 acres of land at 5s. per acre, after which the price was to be advanced to 7s. 6d.

We have a similar situation now. After all these years, we still have not solved the problem of controlling land in South Australia; we have not really advanced at all. Government members have said that this legislation was foreshadowed in the Labor Party's policy speech earlier this year. The reference in that speech is as follows:

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

We have not been told of any land purchases by the Government. Therefore, in conjunction with the Commonwealth, land has not been purchased, subdivided and placed on the market by Government authorities to ensure an adequate supply of land at a reasonable price. Although that has not been done, the Government is now attempting to control the price of land. As the Government has not carried out the first part of its promise to purchase land and make it available on the market, what right does it have to say that it has a mandate for this Bill? The Government has no such mandate until it carries out the first part of its policy.

However, the big question is where the Government will find sufficient land in the metropolitan area to carry out that part of its policy. It would have to go to the fringes of the metropolitan area to do that. Of course, inbuilt into the whole system is that the Government must define what will be the ultimate population of the metropolitan area, but it has not given a clear indication of this. Until that is defined, the Government will find that people will want to live within that area, and the pressures to gain a plot of land within the defined boundaries will be even greater. Therefore, whether it is a short-term or long-term arrangement, it will not succeed. If the Government genuinely wants to keep down the price of land, this can be done only by having a scheme so that the cost of the services could be spread over, say, 50 years.

Somewhere between $1 500 and $2 500 is the cost of developing a block of land. If that cost was not included at the time of the purchase, of the block but spread over 50 years, surely the burden of the initial purchase price of the land would be eased. It is the initial capital cost that is the bone of contention at present. The cost of an average block of land, together with services, is probably about $4 000. If the development cost of about $1 500 to $2 000 is deducted, the price is almost halved, the cost

of providing services could be spread over 50 years in water rates or land tax, and it would assist people to purchase homes or to buy a block of land. The Government cannot guarantee that building costs will be curbed within the next year. Even though power exists in the Prices Act to control the cost of building materials, few of these materials are controlled. The Government, by pegging the profit margin on the resale of land from May 16 by permitting an increase of only 7 per cent, will create a hardship in many areas.

The other part of the legislation that has not been spelled out is what will happen in the case of a mortgagee calling up his mortgage and putting his property up for sale at auction. How can the Government tell the people of the State what the situation will be if a block of land or house property purchased after May 16 is put up for sale at auction through circumstances beyond the seller's control? What will be the actual selling price and the requirements of the auctioneer? How will he determine the successful purchaser? The auctioneer putting up the property for sale would know, by searching the title, checking the mortgage, making adjustments for rates and taxes, and multiplying the capital value by 7 per cent, what the exact sum is. When he puts it up for sale at auction and calls for bids (and six people could put in the same bid simultaneously), how will he decide who is the successful bidder? Perhaps auctions will not be permitted, and the matter will be decided by lot. If this is to be the system for selling house property or land in the future, it will open up graft and corruption of the highest order. It has been forecast that the legislation could lead to black marketing. I hope that black marketing will not take place, but I want the Government's assurance that it will not happen.

Mr. Venning: The Government couldn't stop it.

Mr. BECKER: That is why the legislation is unacceptable. It is also unacceptable because one cannot define what will take place if a property is auctioned, and no guarantee can be given that there will not be black marketing. Any legislation that creates those two situations is obnoxious legislation. It will place some people, no matter what powers are given the Commissioner, in a situation in which they could suffer undue hardship. I will give examples to inform the House of what could happen, and what probably will happen in many cases. Under the Government's intended controls on the price of land, the allowable 7 per cent mark-up on bare cost sounds, on the face of it, reasonable. In the following examples, it is true that the 7 per cent is unduly repressive. A person buying a block of land costing $4 000, and paying cash from his own sources, makes a minimal 61 per cent profit on his total outlay, or 6.2 per cent profit on the bare cost of the land over 11 months.

A purchaser who raised finance company mortgage of $3 600 at current standard rates would make a net cash loss of $475 over 11 months. Of this loss, $143.80 would find its way into the Government's coffers in duty and charges: there is no restriction on the Government's profit. In both examples, the controlled selling price would be by contract. The sum of $4 000, plus the 7 per cent allowable mark-up, totals $4 280. The land was purchased for $4 000; the preparation of the transfer would cost $37.50; the preparation of the mortgage, $30; search fees and disbursements, $7.50; stamp duty on the contract, 40c; stamp duty on the finance, $50; stamp duty on the mortgage, $9; registration of transfer, $8; and registration of mortgage, $8. The total cost would be $4 150.40.

If that block of land were sold after 11 months, the selling price would be $4 280, which is the maximum that could be charged. The commission payable to the land agent at the Chamber of Commerce rate would be $210; this would reduce the price received for the block to $4 070. If the mortgage amounted to $3 600, the estimate of interest paid to the finance company would be $455; this reduces the capital to $3 615. The allowable recovery of expenses from the original purchase price, rates and taxes, etc., would total $75.40. The capital is still $3 690.40, less the fees pertaining to the discharge of the mortgage, $15; so, only $3 675.40 would be received. In other words, the person would show a $475 loss; that is what could happen.

Mr. Millhouse: You're not quite right, because some of those costs are recoverable.

Mr. BECKER: That is so. However, this proves that the person still loses. This information can be incorporated in *Hansard.* In the document, the figures marked with asterisks represent expenses not deemed recoverable by the vendor before calculating the 7 per cent mark-up.

Mr. Millhouse: Yes, but—

Mr. BECKER: That is how it has been prepared.

The DEPUTY SPEAKER: Order! I ask the honourable member for Hanson to address the Chair, not the member for Mitcham.

Mr. Millhouse: I am worth addressing.

Mr. BECKER: We must humour the member for Mitcham. I have given an example of what can happen and is happening at present.

Mr. Payne: You have shown it cannot happen, that the figures are wrong.

Mr. BECKER: The figures are not completely wrong. A constituent told me last evening that he intended to sell his house and had purchased a block of land in another suburb, but now he could not afford the repayments and wanted to sell the block. He is faced with a loss of several hundred dollars in a short time. These are hardships of the type that I foresee being placed before the Commissioner. We cannot tell these people anything except, "It is bad luck and you will lose your money."

This legislation will not help people who purchase a property and then within a short time (12 months in the case of a house) must quit the property. I also object strongly to the provision under which the principal control imposed by the Bill relates to those who, since May 16, 1973, have purchased residential allotments or house properties. This is the big bone of contention. Once again, I oppose any legislation that is retrospective. What will happen to all the properties that have been sold since May 16? It has been estimated (I think reasonably) that several hundred transactions would have taken place since then. If this legislation is passed, those transactions will be rendered illegal, and land agents, land brokers, solicitors—

Mr. Millhouse: They will not be illegal.

Mr. BECKER: —and such people will have broken the law, but how can a person break the law when the legislation has not been passed by Parliament? The provision stating May 16, 1973, as the relevant date has been the big bluff in the whole intention of the Government in this legislation. Certainly, real estate transactions have been curbed, but some transactions have been necessary. It will be interesting to see what happens in all those cases if the legislation is passed. Several hundred cases could be involved, and the time taken to process them could make the work not worth the cost involved.

I have referred to the three main bones of contention in the Bill. Part III refers to the control of the price of urban allotments, and clause 15 refers to the leasing of land to which that Part applies. Certain land transactions without the consent of the Commissioner can be forbidden, and this can involve the leasing of land. At present Marineland, a tourist development on leasehold land in the metropolitan area, is in jeopardy. The area has been affected by erosion and I understand that about 16ft. (4.8 m) of sand on the beach has been lost in the past five years. The intake pipes have broken up, and the proprietor of Marineland is having difficulty in obtaining sufficient sea water. The Government has been unable to assure the proprietor that it can assist him in providing a new pipe that will be incorporated in the boat ramp.

The Hon. D. A. Dunstan: What's this got to do with the Bill?

Mr. BECKER: I am linking up my remarks with the provision in the Bill that relates to leasehold land. If this property was sold, it could be controlled, with the consent of the Commissioner. The whole matter is embarrassing, because Marineland will close if Government assistance is not given for it. I know this has awakened the Premier and that it has embarrassed him, but tomorrow we will be wanting prompt action to save Marineland for South Australia. I do not consider that the legislation will operate in the interests of the community. It cannot do what it intends to do. In my opinion, the vesting date is nothing but a bluff and, if I had any hope of swaying members in another place, my recommendation to them would be to throw out the legislation.

Mr. MILLHOUSE (Mitcham): I am pleased that the debate has lasted for as long as it has, although it does seem to have been rather dragged out. After this time, I should hope that almost everything that should be said had been said in opposition to the Bill and, therefore, I should hope that my speech could be reasonably short. I oppose price control on land as I have opposed price control on all commodities since I first became a member of this House. I consider that price control is unjust and ineffective, and I do not believe that this Bill will achieve the Government's objective. I have been told (and I accept it) that, in two parts of Australia where the Government controls land sales, prices have increased by at least as much as they have increased in other places. I refer to Canberra and Darwin, both of which are under Government control and show extraordinary increases in price.

Mr. Nankivell: It is all leasehold land there.

Mr. MILLHOUSE: Yes. I refer first to figures that I have been given from Canberra. Hawker is a new suburb there, and in that suburb at the beginning of this year allotments with frontages of 70ft. (21.3 m) to 80ft. (24.4 m) were selling for from $8 500 to $9 000 at auction. Two auctions later (and I think the auctions are carried out monthly by the Department of the Interior, or on its behalf) similar land was selling for $21 200. That is a pretty fair increase, and it has occurred in Canberra, where the Government (a Labor Government) is in control. Restricted blocks (those which cannot be sold for a certain period) sold at auction at the beginning of the .year for $3 000 to $3 100 were sold again two auctions later for $5 800. At present in Canberra, under the Labor Government, the position has become so chaotic that, on my information, in the past three months no auctions have been held. So, I suppose one could say that the price had not increased any more, but that is only because there have been no further sales. In Darwin the same thing has happened. I have been told that land selling earlier this year for $3 000 is now selling for $9 000. I have figures that have been supplied to me by a reputable land agent who has received this information from Darwin; and part of the memorandum dated October 7, 1973, states:

> Private enterprise in Darwin sells very little land because of Government restrictions on subdivision. It is reasonable to say the Government totally controls the sale of urban lands and has had the control since 1947. It has not resulted in cheap land, only a multiplicity of rules and regulations to control the activities of occupiers, a field that can be handled much better by local authorities.

Figures accompanying that memorandum show that in one case the price in August, 1972, was $4 100, but after 12 months the price was $9 500 for comparable land. Another comparable sale shows a price in August, 1972, of $3 100, whereas in August, 1973, it was $5 500. We see that Government control does not bring any satisfactory result. That is my first point. My second point is that the 7 per cent profit allowed is an absurdly low figure, as the member for Hanson said. Although the examples he gave were faulty, they were good enough to show that the profit considered is low. As I pointed out to him during the debate (because I had been given a copy of the notes) several of his calculations were wrong because some of the costs he included could be recouped. Nevertheless, 7 per cent is not enough to cover costs, let alone make a profit. As for the way in which it is calculated, I must confess that my mathematics are poor, but it appals me when I look at clause 15 (4) and find what looks to me to be a most complex formula that must be used to calculate the price.

Mr. Evans: He has discarded that now.

Mr. MILLHOUSE: I do not know whether a new Bill is on file, but that formula is in the Bill I have. I would find it extraordinarily difficult, if not impossible, to work it out, and if I cannot (and I say this with great humility) most people in the community would have difficulty in working it out. Legislation passed by this House (and I speak contrary to my professional interests and those of the Attorney-General) should not be so difficult to follow as to make it impossible for the ordinary man to know what it is all about.

That is all I want to say about prices of unoccupied land. However, I quote briefly from a statement made by a land agent in my district who has asked me not to use his name, although the Government will know it because the submission was made to the Minister of Lands about this Bill, after I had supplied a copy of it to him. The paragraphs I quote are stronger, I suggest, because the submission supports Part III of the Bill, the Part that 1 have been criticizing but makes further comments about Part IV. Here someone agrees with what the Government is trying to do and, contrary to my opinion, agrees that it partly achieves its aim. That strengthens my criticism of Part IV. The submission states:

> The provisions of Part IV, however, were a considerable shock. In our opinion this Part seems designed to plug a loophole where a speculator holding an allotment can defeat the provision of the Act by erecting a new house on it. The actual result, however, will have far-reaching consequences, well in excess of those desired. In fact, it would be no exaggeration to say chaos could reign. Our contact with members of your Government and your advisers and staff suggest that you would be receptive to advice which is well documented.

Their contact must be better than mine! I apologize for the length of my quote, but it is difficult to precis it and it refers to the point I wish to make. The submission continues:

> We would therefore like to set out, now, our views on the effect the passing of the Act, in its present form, will

have on the building industry. A considerable proportion of new houses erected in this State are built by developers large and small, on their own allotments. These houses are then marketed to the public, who prefer to see the finished product, and examine its standard of workmanship and design before committing themselves to what is a major purchase. They do not have to imagine what a house will look like on a given allotment, and take a chance on the finished product not being what they thought they were having built. With a completed developer's house they know what they are receiving and, moreover, can occupy in a very short time without taking a chance on the delays which are part and parcel of contract building. Because of these reasons we have a well established industry marketing completed new houses to the public, and the public wants this form of marketing. There are large developers, as well as many small ones, both living side by side, as each has certain competitive advantages. The effect of the control on the price of new houses will be to immediately change the whole structure of the industry. The small speculative builder will be eliminated entirely as he will be unable to live with the Act. Let us take the steps a small builder takes when building a new house for resale under the new Act.

1. He will purchase the land on the open market at the current market price. Unless he has a good connection with a subdivider his size will not enable him to buy any better than the average buyer.

2. He will design and erect a suitable house, which he feels will be easily saleable. This involves some risk, as a poor design could take a considerable time to sell, resulting in huge interest charges cancelling out any allowable profit margin. Because of this risk factor he will certainly need a very reasonable margin indeed, as he cannot claim any losses he may make as a reason for receiving a reasonable margin on any future houses.

3. Upon completion, or just before, he must approach the commission with a view to establishing a reasonable selling price. Remember, until he gets to this stage he does not know what his reasonable margin will be. In other words, he has made a major business decision without any idea what his profit is going to be! By any standards of business management this can only be described as madness. However, let us assume someone does do this: he will then have to produce unit costs of the items making up the costs of the house so the commission can get a price. Most small builders would have no idea of how to do this, as they probably do their accounting themselves at night. If they are forced to engage a part-time accountant, it will immediately increase their costs. Also, what overhead figure do they charge, and what interest? These are items which vary considerably from builder to builder and, no doubt, the commission will eventually fix a standard but what in the meantime.

In our opinion, and for the above reason, we feel that small speculative builders will cease to pour any foundations as from the date they fully understand the implications of this Bill. They won't wait until it's passed, or until reasonable profit is defined, or standard interest and overhead charges are fixed. They cannot afford to. What they will do will depend on their inclinations: some will try their hand at contract building in the hope the public can be re-educated to this form of marketing, and others will simply work for the large builders. The final effect will be that there will be a sudden reduction in houses built for resale, and a significant reduction in the people employed by small builders.

The submission then refers to large developers as follows:

We must make the point strongly that the small and particularly the larger builders of houses for resale sell to the average working man. The more affluent are more likely to acquire a block of land and have a contract builder erect a house, but the newly married couple and most first home buyers buy from the small and large developers. Any curtailment in their activities will have its greatest effect on the lower-income group, both by way of reduced employment in the building industry and by reducing the number of new homes available to them.

These are the very people whom honourable members opposite say they are out to help. The submission then deals with home units and concludes that that source of supply will dry up. The submission states:

Home units are almost never sold on a contract basis, they are always erected first and subsequently sold. There are many reasons for this, mainly administrative, as it is difficult to find buyers for home units who all want a similar unit if they were offered a choice. They would want exterior and interior changes to the proposed plans which would have little chance of receiving council approval if each unit was of substantially different design.

These are the comments of a person in the real estate business who has sympathy for the Government in what it is trying to do and who wrote this letter, not to me but to the Government, in the hope that the Government would be sufficiently reasonable to examine what had been written, but, of course, it has done nothing.

There is only one other point that I desire to make, and I am glad that the Attorney-General for once is in charge of the House, as he is a member of the legal profession, and a member of Cabinet, and he must take some of the responsibility for the scandalous provisions of clauses 29 and 31, which concern the legal profession. Clauses 29 and 31—

Mr. Payne: Are 60.

Mr. MILLHOUSE: I hope the member for Elizabeth will allow his professional background to assist him to get his fellow members to shut up while I speak on this matter.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr. MILLHOUSE: Clauses 29 and 31 are designed to make members of the legal profession and land brokers policemen of this legislation. Clause 29 (1) provides:

Any instrument of transfer relating to land within a controlled area and submitted to the Registrar-General for registration must be endorsed with a certificate, signed by a legal practitioner or land broker, certifying that the transaction does not contravene any provision of this Act.

It is beyond my belief that the Attorney-General could have agreed to a provision such as this, or that the member for Elizabeth, or the member for Playford if he were here (presumably both those members were at the Caucus meeting), could have been willing to support such a provision.

Mr. McAnaney: They are better Socialists than they are lawyers.

Mr. MILLHOUSE: For once, the honourable member is right. Subclause (2) provides:

A person who gives a false certificate under subsection (1) of this section, with knowledge of its falsity, shall be guilty of an offence and liable to a penalty not exceeding two thousand dollars or imprisonment for twelve months.

That is severe; indeed, I know of no other provision in the law of this State which makes a legal practitioner the policeman for the Government in legislation.

Mr. Duncan: What about certificates of transfer?

Mr. MILLHOUSE: We must certify regarding correctness, but we do not have to certify that the certificate does not contravene the provisions of any Act.

Mr. Duncan: But we do—

Mr. MILLHOUSE: If the member for Elizabeth would like to justify his support of the provision, let him do so. If he gets up to speak, as I hope he will as a member of the legal profession, let him explain away clause 31.

Mr. Duncan: When I get up and speak it will be as a. member of this House, not as a member of the legal profession.

Mr. MILLHOUSE: I do not know how the honourable member can divorce his background from his present activities. He may be a contortionist: some of the things he has said make me believe that he is a political contortionist, but I would be disappointed if he was,

because I should have thought that he would give the House the benefit of his experience and background generally. It is absurd to suggest that he can divorce himself from his background and training, and I hope the honourable member will not do that or say that again. Clause 31 provides:

Where a person who is a legal practitioner or land broker, or is licensed or registered under the Land Agents Act, 1955-1964, is guilty of an offence against this Act—

any offence—

or aids, abets, counsels or procures any such offence, then (in addition to any other penalty to which he may be liable) there shall be proper cause for his disbarment, or the revocation of his licence or registration.

As that clause currently stands, if one is guilty as a member of the legal profession of any offence under the Bill, one can be struck off the roll. What does the Government think it is coming to? What does the Premier, who is a member of the legal profession, the Attorney-General, the member for Elizabeth, and the member for Playford think they are doing when they introduce stuff like this? I should like to hear them justify this to their friends in the profession, but I bet I never do hear that, because one cannot justify it.

I protest vigorously against this. The member for Elizabeth will try to tell me that there are amendments on file to mitigate the severity of these provisions. Yet, the Government was content to introduce the Bill in this form, and this shows what it is willing to do if it can get away with it. In my view, the amendments on file do nothing to mitigate the severity and wrongness of these provisions. I hope I have made a sufficient protest on behalf of the profession regarding these two clauses. I hope I have said sufficient to indicate that I do not believe in the objects of this Bill. I do not believe they can be achieved. I oppose the second reading.

Mr. McANANEY (Heysen): The member who has made the most damaging statement about this Bill was the Premier in replying to the member for Ross Smith regarding a charging by the Government of $40 000, subsequently reduced to $30 000, for land. The Premier stated there were sufficient industrial allotments available and that, in such a situation, the Government was entitled to charge the ruling price for such allotments as determined by the Land Board.

As the Commissioner for Prices and Consumer Affairs has often stated in replies to questions by members, where there is competition and where supply is equal to demand there is no need to worry about price control. The Premier has said that, where sufficient industrial land is available, the Government can charge the ruling price for land. I am disappointed that the Minister of Environment and Conservation is not here now to explain why blocks are not available to meet the demand. In 1966, when the Planning and Development Act was introduced, I stated that I was in favour of planning, because it was necessary in the interests of the State. Further, I stated that, if we eliminated the right of people to subdivide land where services were available, or if a person looked ahead to the future, say, for his retirement, and purchased a block at a cheap price, if we cut out this type of block purchase and restricted the number of blocks, the Government would be obliged to see that enough blocks were available. Surely that is what has happened.

This sudden increase in prices occurred when the State Planning Authority was in full cry, delaying subdivision and reducing the area that could be subdivided. There are cases in Mount Barker where the subdivisions have been held up for many months; some will never be allowed to be made. The member for Florey said that the Housing Trust did not have advantages over the private subdivider. The State Planning Authority has taken a district council to litigation because that council wants some blocks of less than 10 000 sq. ft. (929 m^2) to cater for a certain type of house with no garden. The Housing Trust is allowed to build on a block of any size, whereas the private subdivider cannot do so. If the State Planning Authority had not objected, those blocks would have been available. The member for Florey cited the case of a sudden increase in the value of houses. He accused the land agents of making a terrific profit, but the person who sold the house would have made a considerable sum.

The Housing Trust was building houses in Mount Barker and, although it had an extra $9 000 000 in the kitty, it was well over a year before young people could move into those houses. They made their financial arrangements but, when they came to pay the price of the house, they found it had shot up. Why was that? It was because the trust had taken so long to build the houses.

I criticized some actions of the Housing Trust. I apologize for that: I should have been complaining to and condemning the Minister in charge of housing or of the State Planning Authority because blocks were not available to be subdivided in the required number. As the Premier pointed out when speaking about the Islington sewage farm land, the cost of servicing these blocks has risen greatly. This is perhaps a logical way of doing things. It was said that the subdivider would pay for it, but that is all bunk: the person who will live on the block will pay for the cost of the services. If we are to make a person who will live on a block liable in one hit until the Government provides the finance for water and sewerage facilities and he repays it over a period of 53 years (as local government does in the case of rates, sometimes), that increases the cost of the block.

At Belair, where land was subdivided before this period, the people polluted the area and it got smelly. Sewerage was installed in the area; it was practically a gift to the people, but the proprietors of the blocks had to provide the money and recoup it from the purchaser of the block later. That is why there are in the world so many injustices and unhappy people whom Governments levy and for whom they try to do the right thing. In its own mind, the Government is trying to make the position fairer for the people but, the more meddling it does, the more injustices are created. If we are to control the price of a block in a certain area whereas in the other 90 per cent of the State sellers of land can charge what they like, is that just? For instance, there is a watershed on one side of that range to the west of Mount Barker, and one cannot subdivide. If one goes into the town and creates a demand for another block in Hahndorf, one has to pay up to $4 000 because of the restricted area there but, if that person lived over the hill, he could get land at the market price for rural land.

That is where price control completely breaks down, as it broke down in the late 1950's, at the time of bank nationalization and the defeat of the Labor Party. But at that stage the cry of the average citizen was that he was fed up with price control over certain goods and with the injustices that followed. There were many things not under price control and those things under price control one could not get. At that time, we could import the essentials which, because of price control, were not manufactured in South Australia. The same principle applies to land. If there is control of land prices, that will upset the

balance so that the position will become even worse than it is today.

Land has become too dear for the young people, as I said in the House a fortnight ago. If someone has land that is serviced, with water mains and sewers connected, he should not have the right, without paying additional charges, to keep that land from being used by people. We can argue similarly that the freeway goes through the Hills so the Government must have the right to acquire land for the good of the community. So, where blocks of land should be subdivided, the subdividers should not be able to hold the land without paying a penalty. Some councils charge a minimum rate of $50 for a block in a township, the same as the charge would be if the land had a house on it. Land could be subdivided and, if its value appreciates because people are living on it and around it and the Government has provided some land, those people should be made to sell at the prevailing market price.

One reason why the cost of land has risen so steeply is the action of the Commonwealth Government in running a "hot" economy with prices starting to rise in respect of every commodity. Whereas 18 months ago, when the Labor Government in this State and the Commonwealth Labor Opposition were saying that 200 000 Australians would be unemployed within six months, that the economy was all going to rack and ruin, and that Australia would be bankrupt, the people had the money in the bank but would not spend it under those conditions, the situation has since changed. There was the action of the Commonwealth Liberal Government in the Budget before last in planning for a deficit.

We have suddenly hit the spot where the demand for things is exceeding our ability to produce them. We have a rising market, with prices going up, and suddenly everyone wants to spend. There is a psychological factor involved, so that people decide they must buy a block now, or blocks will be dearer when they go to buy one. This excessive demand for blocks means that people are willing to pay much more now than they would have paid before. In this situation, it is up to the Commonwealth Government to see that this surplus of money does not continue. However, by putting up interest rates, the Commonwealth has penalized young people and poor people. The benefit of higher interest rates will be received by the wealthier people.

As these people are subject to income tax, the Commonwealth Government will also benefit. Young people receive no advantage from these higher interest rates, and this move by the Commonwealth has put the kibosh on the possibility of these people being able to buy a house. In circumstances such as these, why were interest rates increased? If the Government wants to freeze money, why not float a short-term loan, even at a high rate of interest? Money could then be collected, and in a year's time the position could be reviewed. The freeze may no longer be necessary, with the money being able to be put back into the economy. It was a tragedy when the Commonwealth Labor Government, which is supposed to support working people, raised interest rates. Candidly, at first I thought the Commonwealth Government had done some good things, and I say that to show that I am not biased.

Mr. Nankivell: What?

Mr. McANANEY: It reduced tariffs and eliminated certain taxation concessions. In fact, I understand that some members opposite took out these short-term insurance policies. That was a racket if ever there was one, and we should have eliminated it years before. At first, I did not even put on my car the stickers that read, "Don't blame me, I voted Liberal". However, in view of the crazy things that the Commonwealth Government has done in the past two months I am thinking of getting 24 of those stickers and putting them all around the car.

The Hon. L. J. King: Is it true that you voted Liberal?

Mr. McANANEY: All I have said is that, by accident, the Commonwealth Labor Government did some good things that possibly we should have done before. However, in the last two months it has done some crazy things. In this House, only the member for Mitcham and I have consistently opposed price control. In no country has price control been effective, as history shows. Rapid inflation, such as that we are now experiencing, is caused by various factors, which must be tackled. If that course is taken, there is no need for price control. Through the inefficiency of the State Planning Authority and the Minister in charge of housing, insufficient blocks are available. I bought a block of land about last March, and I still have not got the title. Fortunately, I have sufficient resources to be able to build a house without borrowing money to do so. However, if I was in the position of these unfortunate young people, I could not afford to buy a block or build a house.

What sort of society is it in which one cannot get a title for a block in less than six months? The block to which I was referring was already subdivided. What if one had to go through the State Planning Authority to get a block? By February or March next, the present shortage will lead to a black-market situation. All sorts of problem are arising because of the inability of the Commonwealth Government to create conditions in which price control is unnecessary. I hope members opposite will try to see that the administrative side of Government is livened up. Although part of the increase in the number of public servants is due to the increase in the number of teachers, an army of administrative staff is being set up in the building and housing area, and this is slowing down normal business activities. The extraordinary thing is that at the same time our population growth is lower than that of any State other than little Tasmania.

Mr. Keneally: What are you doing about that?

Mr. McANANEY: I am in Opposition. If I were in Government, an effort would certainly be made to increase the number of blocks available. Last Friday, at Murray Bridge, when the new main was opened, the Deputy Premier read the Premier's speech. He said that the development of Murray Bridge had been hamstrung because the State Planning Authority had not given a reply regarding subdivision.

Mr. Payne: He didn't say that: he talked about two years of Liberal rule.

Mr. McANANEY: He said that the people of Murray Bridge could make up their own minds as to how their town should be run, and that even in Monarto the people would have some say in what happened there. However, that has not been the position in any case in which the State Planning Office has been involved. I hope I shall be agreeably surprised when plans are available in relation to Mount Barker. At this stage, the people of Mount Barker are unanimous in wanting to do certain things. For instance, they do not want a freeway running halfway through their town.

The SPEAKER: Order! The honourable member must link up his remarks to the Bill.

Mr. McANANEY: Yes, Sir. If the freeway does not go into Mount Barker, this will result in an increase in the price of blocks of land. My point is that the Deputy

Premier said, "You will have the privilege of doing what you like in your town." This has not happened in Murray Bridge, and I shall be agreeably surprised and will be the first one to apologize to the Government if it does happen.

Mr. Keneally: So you support the Bill?

Mr. McANANEY: I strongly oppose the Bill. Price control is necessary only when the Government of the day fails to create conditions under which price control is unnecessary. Price control has never been effective. Although there is price control on certain building materials, the cost of such materials is increasing here just as much as it is in other States. The only way price control is fair and justified is when everything is under price control, so that the control is reasonable to every section of the community. However, that form of price control would need so many people to police it effectively that we would produce only a fraction of the goods we now produce, and it would make them dearer. I strongly oppose the Bill in principle and the fact that the Government of the day, through neglect, has made the cost of blocks of land in this State more costly.

Mr. VENNING (Rocky River): I, too, oppose the Bill. True, the Premier's policy speech (which I checked this evening to make sure of the detail) refers to this legislation. The Premier said he went to the people on a policy of cheaper blocks for house building. Although this is the Government's aim, we know that, by Government control and by the way Governments handle their affairs, this will not be so in reality. I believe that, if the Government did not interfere with the price of building blocks (as this legislation provides), the young married couples, about whom so much has been said in this debate, would have their houses much more quickly and, in the long run, houses would not be so expensive. By the time they get through the red tape involved in this control (and allowing for the increase in building costs), these young people will be many years older and the cost of land will probably be such that they will probably not be able to afford a block. The member for Hanson suggested this evening that a long term, say, of 50 years, should be allowed for these young people to pay for their house. However, under this legislation, such people will not own their own block, whereas I believe that the young people of the State prefer to own their own block and that it not be held by the State. The legislation will take away from people their normal desire, and the appreciation of ownership is greater when the individual owns his own property. We all know the effect this has on the morale of the people.

One of the problems raised in connection with this legislation was that raised by the member for Goyder, who asked the Premier how it was intended that blocks of land be sold, but the Premier could not reply. This reminds me of the Second World War, during which land was under price control, and of the shemozzle that took place then. If a property, a header or some other farm implement was for sale, the people would line up and, if anyone was interested, the anxious bidder got all his friends to line up with him and bid at the auction. The bidders would first make low bids and eventually come to the fixed price. Then the auctioneer would sell to the successful bidder. Is it intended that that sort of auction system should apply to this legislation?

Mr. Payne: Is that how you got your land?

Mr. VENNING: No. I imagine that that is how it will be done, because the Premier has not given us any alternative plan. If we are to support the legislation, the Premier should tell us how he imagines the plan will work in practice, but he has not done so. This is one of the problems I see in the legislation. This evening, the member for Mitcham showed how land values had increased in other parts of Australia. He referred particularly to Canberra and Darwin, where Government control has been ineffective in curtailing land prices. The member for Mitcham showed how land prices had risen over a period of years. So, the Government's aim in this legislation may not be met. The aims of the legislation are reasonable but, being a practical man on the land, I look further than the starting point. I look at the reality of things and at the final result because, after all, this is the the all-important aim of the whole exercise. If the legislation means that blocks will not be made available to young people at reasonable prices, what is the real purpose of the legislation?

This evening, I understand that the Deputy Premier was interviewed on television in connection with West Lakes. He said he believed that the developer should be entitled to a reasonable margin of profit on his activities. Regarding the margin of profit in this legislation, as the member for Hanson clearly showed this evening a 7 per cent profit margin is totally inadequate for anyone who sells his land during the period of control. I cannot see how anyone would make that margin of profit by putting land on the market to assist home builders. I cannot agree that an investor or anyone else who has a block for sale should be allowed only a 7 per cent profit margin. The Government should allow a realistic profit margin if it expects people to fall into line and co-operate, where possible, by making blocks available.

There is one aspect of the legislation about which I am most concerned. Clause 5 provides:

(1) In this Act, unless the contrary intention appears—
"allotment" means a parcel of land that constitutes an allotment for the purposes of the Planning and Development Act, 1966-1972:
"controlled area" means the following parts of the State:—
(*a*) the municipalities of Adelaide, Brighton, Burnside, Campbelltown, Elizabeth, Enfield, Gawler, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Marion, Mitcham, Payneham, Port Adelaide, Prospect, St. Peters, Salisbury, Tea Tree Gully, Thebarton, Unley, Walkerville, West Torrens and Woodville;
(*b*) the District Council districts of Munno Para, East Torrens, Stirling and Noarlunga;
(*c*) the area of the Garden Suburb;
(*d*) the wards known as the Happy Valley, Coromandel, Clarendon and Kangarilla wards of the District Council of Meadows;
(*e*) the portion of the Hundred of Willunga that lies within the District Council district of Willunga;

The aspect of the clause that concerns me most is that it then goes on to provide:

and
(*f*) any other area declared by proclamation under this Act to constitute a controlled area.

The Government may just as well have applied the provision to the whole State in the first instance, because that is what it means in reality. If the Premier wanted to extend the activities of the Commissioner, the legislation could be made applicable to any part of the State. I am fearful about that aspect, and it is not unusual in this Government's legislation. We must look for the nigger in the woodpile in every Bill.

I oppose this provision strongly. I am concerned for the young people of this State and their desire to own their own land and house, but I fear that this Bill will lead to Government ownership of blocks of land and house properties. For the reasons that I have stated, I oppose the Bill. I do not consider that it will help young people to the extent that has been claimed. Private enterprise would provide houses more quickly and more cheaply, and the pride of ownership would give young people much satisfaction.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Interpretation."

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

In subclause (1), in the definition of "controlled area", after "Meadows;" to insert "and"; and after paragraph (*e*) to strike out "and (*f*) any other area declared by proclamation under this Act to constitute a controlled area".

Many members have referred to this clause, and the definition of "controlled area" is an extension of the area now known as the Adelaide metropolitan area and also of the Adelaide metropolitan area as defined in the 1962 plan. Subclause (1) (*a*) includes Gawler and extends the area now recognized as part of the metropolitan area. I suggest that, if there is a need to extend what applies at present, the matter should be brought before Parliament. It may be argued that a situation can arise whilst Parliament is not sitting and that the Government can take administrative action.

I suggest, however, that any situation that arose so quickly would be a remarkable one and would warrant calling Parliament together to extend this part of the Act. One would expect that, with a trend developing that would require the Government to extend the area, there would be adequate opportunity for the Government to consult Parliament. That would be preferable to asking the Committee now to give the Government authority to completely blanket the State if it so desired. I ask the Premier to support my reasonable amendments.

The Hon. D. A. DUNSTAN (Premier and. Treasurer): I hope that the Leader will not mind my coyly refusing his soliciting. In many country areas speculation in land has increased prices considerably. Mount Gambier is one of the several country towns in which the price of building blocks has increased alarmingly. Several Barossa Valley towns face the same position. In those areas it is not always possible to define the area affected merely by designating a council area. Consequently, it will be necessary to have a series of investigations as soon as the Commissioner of Land Price Control is appointed. He may recommend that we should proclaim areas outside those now designated.

That is the sort of thing a prices commissioner does. In this case, the Commissioner would be recommending that specific areas be brought under control, just as the Commissioner for Prices and Consumer Affairs recommends that certain goods be brought under price control, and in the latter case one does not expect to have to call Parliament together to pass special legislation. It can be done by administrative action, but whatever is done must be done subject to the remainder of the legislation.

Dr. EASTICK: The Premier suggested that a series of investigations could embrace practically every town in the State, but the provision I seek to include gives the Government the chance to proclaim any of those areas. It would be in the best interests of the people of the State if such an alteration were made in the way suggested by my amendments.

Mr. COUMBE: The declaration of controlled areas should be done by regulation rather than by proclamation, as we are dealing with a commodity different from articles that are normally subject to price control. Therefore, the amendments should be accepted and the definition clause altered.

Mr. GUNN: I support these sensible, practical, and responsible amendments, because they will enable Parliament to scrutinize a decision that could have a wide-ranging effect on those who own land. These people should have the right for their member of Parliament to scrutinize such a decision. This is another attempt by the Government to by-pass Parliament, whereby the Executive would exercise its influence over the rights of the people of the State.

The Committee divided on the amendments:

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

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

Pairs—Ayes—Messrs. Goldsworthy and Rodda. Noes—Messrs. McKee and McRae.

Majority of 3 for the Noes.

Amendments thus negatived.

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

In subclause (1), after the definition of "controlled area", to insert the following definition:

"dwellinghouse" includes a home unit or flat but does not include a hotel or motel:

The expansion of this definition is to ensure that the intended control on the price of land is not avoided by the erection of flats or units in lieu of a dwellinghouse. Obviously, the same device could be used for the avoidance of land price control unless what is in fact a form of dwellinghouse is under control. Naturally enough, hotels and motels are not within the purview of the type of building, the cost of which we are trying to protect.

Mr. COUMBE: I am pleased that the omission to which I referred in the second reading has been dealt with. However, most home units and flats are not built by small people but are built by those with sufficient money to develop such constructions. This type of dwelling is most popular, and I fear that through this provision we will drive away those people able to construct such dwellings.

The Hon. D. A. DUNSTAN: I do not see any likelihood of people's investment in this area being driven away. It is not intended that the normal costs or returns in this area should be interfered with. The only time that the Commissioner of Land Price Control intervenes is if this is clearly being used as a device to inflate the price of land so that the price which is then assigned to the dwelling (the flat or the unit) is completely out of line with what would be the normal price for the building on top of the normal price allowed for the land under the legislation. It is only the clear and extraordinary departures in price that will be investigated; otherwise there will be no hindrance.

Mr. EVANS: How is the word "occupied" defined? Does only three nights a week constitute occupation, or is it seven nights a week? I cite the example of people living for a period in caravans.

The Hon. D. A. DUNSTAN: This matter is not capable of precise definition. If it is clear that someone is living

in a place consistently, that is occupation. It may be that they are not there every night of the week, yet obviously the place is in occupation. If it is being continually used as a dwellinghouse by that person, then that is the occupation which is referred to in the Act.

Amendment carried.

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

In subclause (1), in the definition of "new house", in paragraph (*b*) to strike out "less than twelve months has elapsed since it was first occupied as such" and insert "it was first occupied as such after the 16th May, 1973, and less than twelve months has elapsed since the day on which it was first occupied as such".

This amendment places new houses on the same basis as vacant allotments of residential land, and so requires the Commissioner to approve the situation in respect of houses first occupied after May 16, 1973. Without the amendment, this requirement would have been retrospective to a date 12 months prior to the proclamation of the Act. We do not believe that that is desirable.

Dr. EASTICK: It is strange to hear the Premier acknowledge that retrospective legislation is not in the best interests of the South Australian community. The introduction of a date as far back as May 16, 1973, is just as unfavourably received on this side of the House as was similar legislation recently introduced. Therefore, I move:

That the amendment be amended by striking out "16th May, 1973," and inserting "after the date of commencement of this Act".

The Hon. D. A. DUNSTAN: I cannot accept that amendment. The Leader knows perfectly well, or at least he should know if he had studied the history of legislation enacted by previous Governments, that where it is necessary to introduce some financial control measure it is customary to specify the date on which the announcement of the measure was made as being the date to which the legislation will refer. That is not new and has occurred many times in South Australia, and it should be so. It has happened in regard to acquisitions, and it is perfectly proper; in fact, it is continually the way in which revenue measures are introduced in the Commonwealth House. Further, it has been consistently the case in respect of some revenue measures here that a date is specified; the legislation is passed afterwards, but it is that particular date on which the announcement is made, as a result of which people can make their dispositions, that we take to be the date specified.

Dr. Eastick: This presumes success.

The Hon. D. A. DUNSTAN: Of course it does but, after the announcement of our policy prior to the last State election, the Land Price Control Working Party's report was presented in this Chamber, and it urged a date to be specified earlier than May 16. In fact, I was under considerable pressure about making an announcement by then, because it was pointed out that it was bound to have an effect on property values, and it did have such an effect.

Mr. Coumbe: How did you determine May 16?

The Hon. D. A. DUNSTAN: That was the earliest date on which I could have the various parts of the report checked out and then make a statement accordingly. It was simply a matter of practicality as to when I could get the announcement ready, because I checked out various sections of the report and decided that the matter should proceed and that it was urgent that it should proceed. Even May 16 was the earliest date on which I could get the announcement ready to make.

Mr. BECKER: Although I hope this is the date (and I am willing, to some degree, to accept the explanation) can the Premier tell the Committee what action will be taken against those people who have been responsible for all transactions that have taken place since May 16? I understand that many properties have been sold since that date.

The Hon. D. A. DUNSTAN: Some properties have been sold. Those resold during that time are no doubt a different matter. However, if properties sold within that time have exceeded the stipulated price, action may be taken. People have been warned of the basis on which this would proceed and have been advised not to make sales that clearly transgress the announcement that was made.

Mr. DEAN BROWN: I accept the Premier's reasoning in relation to the statement made on or about May 16; it is acceptable because this is not retrospective legislation. Did the Premier include in that statement houses or flats, to come under this legislation?

The Hon. D. A. DUNSTAN: No, I did not. I referred at that stage of proceedings only to the sale of vacant allotments of less than half an acre (0.2 ha)—serviced blocks. It was only subsequently that, as a result of submissions made on the degree of avoidance that could be achieved by such a measure as this, it was decided that dwellinghouses would have to be included. Naturally, we do not expect in the meantime the building of dwellinghouses has been used to any marked degree to avoid the land price control provisions. In consequence, that matter is not likely, because of the lapse of time since May 16, to cause the difficulty with which the member for Hanson is concerned.

Mr. DEAN BROWN: I understand, then, that the Premier clearly intends to take no action against people who have sold land with new houses on it up to the point when this Bill is proclaimed: no action will be taken until after the date of proclamation. There is no retrospective legislation for flats and houses.

The Hon. D. A. DUNSTAN: That is correct.

Dr. Eastick's amendment negatived; the Hon. D. A. Dunstan's amendment carried.

Dr. TONKIN: On a point of order, Mr. Chairman, it would be appreciated by honourable members if when you put the question you differentiated between those in favour and those against, because, to be honest and with respect, frequently we cannot hear the second part of the question. The two parts tend to be run together, and it is very difficult to know when to call.

The CHAIRMAN: I will bear that in mind next time it occurs.

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

In subclause (1), in the definition of "vacant allotment of residential land", in paragraph (*b*) to strike out "is built" and insert "has been, or is being, erected".

This amendment is intended to make clear that a partly constructed house is subject to the Commissioner's approval of the consideration at which it can be sold and so ensure that a hidden profit will not be added to the price of the land. At present a block of land on which a house is in (he course of construction would still technically be a vacant allotment for the purpose of the definition. It seems a little more realistic to deal with this situation under the part dealing with new houses.

Amendment carried.

Dr. EASTICK: Can the Premier explain paragraph (*f*)? It provides:

. . . upon which premises are situated in respect of which a licence under the Licensing Act, 1967-1972, is in force.

Can the Premier explain the reason for this exemption and the manner in which it will be enforced?

The Hon. D. A. DUNSTAN: This is a definition of a vacant allotment of residential land, and it means any allotment less than ⅕ ha upon which no dwellinghouse is built; then there is the exclusion of premises that obviously are not dwellinghouses but are properly occupied on what is considered to be a vacant allotment of residential land. Where licensed premises are there, it is not to be considered that, because they happen not to be a dwellinghouse, that makes it a vacant allotment of residential land. It is a necessary exception, just as the other exceptions are.

Clause as amended passed.

Clause 6—"The Commissioner and other staff."

The Hon. D. A. DUNSTAN: I move to insert the following new subclauses:

(4) The Commissioner may, by instrument in writing, delegate any of his powers or functions under this Act to any other person.

(5) Any delegation under this section shall be revocable at will and shall not derogate from the power of the Commissioner to act personally in any matter.

It is necessary to delegate the powers of the Commissioner at times, as in the case of the Commissioner for Prices and Consumer Affairs. In these circumstances, this is a necessary amendment.

Mr. GUNN: As the Premier has stated in the second reading debate that it is expected there will be much co-operation with the Commonwealth in another Bill, will the Commissioner be delegating his powers to any Commonwealth officer?

The Hon. D. A. DUNSTAN: I think it highly improbable. He will be delegating powers to his own staff.

Amendment carried.

Dr. EASTICK: I should like some information about the size of the empire that it is intended to build up around this clause, which provides:

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

No clear indication has been given of the size of this empire. All that we know is that there will be a Commissioner of Land Price Control and subsequently a tribunal, and we expect remuneration for those people.

The Hon. D. A. DUNSTAN: At the outset, it is expected that, with the Commissioner, there will be a staff of three or four. Until the work load can be assessed, it is impossible to say what the staff will be. I point out that from time to time it has been suggested that prices offices will require armies of inspectors. However, the office of the Commissioner for Prices and Consumer Affairs has a small staff, and it is not intended that a different attitude be taken with regard to the Commissioner of Land Price Control, who will be in the same office. We will have only such staff as the Public Service Board finds absolutely necessary. Until the work load can be assessed in practice, it is impossible to say exactly how many officers will be found necessary.

Dr. Eastick: No regional development?

The Hon. D. A. DUNSTAN: Not at this stage.

Clause as amended passed.

Clause 7 passed.

Clause 8—"The Chairman."

Dr. EASTICK: It is indicated that the deputy of the Chairman will also be a person holding judicial office. This person will be available when the Chairman is unable to fulfil his obligations. If the Chairman were likely to be unavailable from time to time because of other commitments, is it likely that a permanent deputy would be appointed? Will the deputy be paid only when he actually sits as the Chairman?

The Hon. D. A. DUNSTAN: From memory, it was not intended to appoint a permanent deputy of the Chairman, but simply to appoint a deputy when it proved necessary because of some absence or illness of the Chairman. It would be difficult for us to have to ensure that there was a permanent deputy of the Chairman, because of the necessary flexibility there has to be in the Local and District Criminal Courts Department in providing people for certain jobs. I should think that we would do in this case what we do in many other cases and appoint someone for the period When the Chairman is unable to carry out his duties for the time being.

Clause passed.

Clauses 9 to 13 passed.

Clause 14—"Land to which this Part applies."

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

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

(*b*) either—

(i) the allotment was created during the control period by subdivision or resubdivision of a larger parcel of land;

or

(ii) the holder of a proprietary interest in the allotment acquired his interest in the allotment during the control period (otherwise than by way of gift or devise from a person who had held the interest before the commencement of the control period),

this Part applies to that land.

Subparagraph (i) is intended to bring new allotments created by subdivision or resubdivision within control of the legislation. Subparagraph (ii) has a twofold purpose, because it brings allotments purchased after May 16 under control, but at the same time places donees or beneficiaries who inherit allotments purchased prior to May 16 in the same position as the donors or benefactors, so that the first sale of such allotments is uncontrolled.

Amendment carried; clause as amended passed.

Clause 15—"Certain land transactions forbidden without consent of the Commissioner."

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

In subclause (3) to strike out paragraphs *(k)* and (/) and insert the following new paragraph;

(*k*) any transaction for the sale and purchase of land where the consideration in respect of the sale does not exceed the aggregate of the following amounts:—

(i) the price paid by the vendor upon his acquisition of the land;

(ii) any amount paid by the vendor upon his acquisition of the land in respect of stamp duty or registration fees payable under the Stamp Duties Act, 1923-1971, or the Real Property Act, 1866-1972;

(iii) any amount (not exceeding an amount fixed by regulation) paid by the vendor to a legal practitioner or land broker in respect of professional services rendered in relation to the acquisition of the land;

(iv) compound interest at the rate of 7 per cent per annum on the aggregate of the amounts referred to in the preceding subparagraphs calculated in respect of the period from (and including) the day on which the vendor obtained possession of land to the day on which the contract of sale is entered into and a further period of ninety days;

and

(v) the amount of any rates, taxes or imposts imposed pursuant to statute upon, or in respect of, the land and paid by the vendor but where the vendor has not had possession of the land for the whole of the period for which rates and taxes have been paid, the foregoing amount shall include only a proportionate amount of those rates and taxes calculated in the proportion that the period of the vendor's possession of the land bears to the whole of the period for which rates and taxes have been paid;

and to strike out subclause (4).

The rewording of this provision and the elimination of the formula is intended to clarify and make easier the calculation of the permitted consideration. Under this method, the 7 per cent compounding interest is not applied to the total of the rates and taxes paid during the vendor's ownership, as it is considered that, as the payment of these amounts confers certain benefits, they should not attract a further allowance. The alteration is to ensure that the average land salesman or the person dealing with the land is able to make the calculation without difficulty.

Dr. Eastick: Without logarithms.

The Hon. D. A. DUNSTAN: Yes, by simple sums. There was a great deal of discussion between members of the working party and draftsmen over this matter over a long period, but it is now agreed between members of the land unit, the working party and the draftsmen that this is the simplest and best definition that they can agree on regarding the control price.

Mr. HALL: This clause introduces complexity into the selling of land. How will a simple-minded, normal person go about selling land? If a person owns land in an area where the economic value put on the land by people in the community is high, the price allowed to be charged may be below the economic value price. Therefore, the sale, in general community value terms, represents a gift to the person, who buys the land at the controlled price, of the difference between the controlled price and the economic price put on the land by the community. It might well be that the person who owned a block of land would wish to ring up an estate agent and have the land sold on commission. In that case, I take it the agent would go through the books and be able to work out the price that the person would be able to obtain for the land. If price control is to be effective at all, the price allowed to be charged will have to be below the free market price. Therefore, whoever purchases the land will be obtaining a gift, according to free market standards.

We know that during the Second World War measures concerning land were notorious in this State. I know of one commercial institution that sent 25 of its representatives along to an auction (I think there were 39 in all) and that commercial enterprise acquired the land in question. That is one of the more respectable types of transaction that took place. I know of people who gave cash, in addition to the official sale price, and nothing in the legislation will prevent that. What is the official version of the way of effecting the transaction? Will auctions be banned? If not, how will the lucky lottery winner (and that is what it amounts to in a controlled price), at the expense of the vendor, be selected?

The Hon. D. A. DUNSTAN: In the first place, the member for Goyder referred to a present owner of land who was about to sell. The first sale made after May 16 is uncontrolled. So, it is not a question of someone in the past having bought at a low sum and not being able to realize the market figure. The first sale he makes will be at the ruling market price.

Mr. Hall: Then, why do you want control?

The Hon. D. A. DUNSTAN: Obviously the member for Goyder has not read the report, studied the legislation or the second reading explanation, because he does not know what it is all about. We have repeatedly said that the control will be on the resale of vacant allotments after May 16.

Mr. Venning: But how do you sell that one?

The Hon. D. A. DUNSTAN: On the subject then of a resale of what may be scarce land; but it is not a question of anyone's getting a gift at the vendor's expense.

Dr. Tonkin: It will be leasehold.

The Hon. D. A. DUNSTAN: What will be leasehold? The member for Goyder referred to privately owned land. A person may go along to a land agent, who will do the searches, obtain the details of the price at which the land was first sold after May 16, make the necessary calculation in accordance with the Act, and say, "You may not sell at above that price." It will be up to him to decide to whom to sell.

Mr. Venning: It shows how much the Government knows about this sort of thing.

The Hon. D. A. DUNSTAN: The average person normally sells to the first person who offers him his price. If now we are discussing whether money will pass under the counter, I point out that there are more stringent provisions in this legislation than there were under the national security regulations. If members think that land salesmen, agents, brokers and solicitors would be willing to risk their livelihoods in servicing sales of land about which they have to obtain statutory declarations and make certifications, I think they believe that those people take the value of their professions rather more lightly than I think they take it. Apart from that provision, there are not only penalty provisions but also provisions which void any transaction of this kind and which mean that anyone who goes in for crockery must trust the other party. Otherwise, people could proceed to get a very signal advantage, without the cash having been secured. I suggest that it will not be as easy as members have suggested.

Mr. Hall: What about the auction?

The Hon. D. A. DUNSTAN: The same thing will occur as occurred under the national security regulations: the auction cannot go to more than the maximum price allowed. In those circumstances, it may well have to be decided by lot.

Mr. DEAN BROWN: I am quite astounded by the Premier's explanation of how land will be allocated. Obviously the Government has failed to think through the situation. Regarding resold land after May 16, the vendor selling such land would not bother to go to a land agent (which would waste a certain amount of the commission), knowing that there was a tremendous demand for the land. He would, in effect, advertise by putting up a sign, thus hoping that people would knock at his door. If that would not allow people to offer gifts (with no comeback involving the loss of a licence by a land broker), we are failing to appreciate the foibles of human nature. I seek information concerning subclause (1), which provides that a person must obtain the Commissioner's consent. Who will be responsible for obtaining the Commissioner's consent in writing? Will it be the vendor or the buyer? Can I be assured that there will be no delay in obtaining the Commissioner's consent in writing, bearing in mind the delay that takes place in so many other transactions when trying to transfer titles and obtain approval for subdivisions? Could the Commissioner's consent in writing be expected within, say, 24 hours?

The Hon. D. A. DUNSTAN: As both the vendor and the purchaser are involved in the sale of land, the obligation is on them to see that the Commissioner's consent is obtained. The member for Davenport, in saying that people would not have to go to land agents, etc., regarding the sale of land, is apparently not aware that, in fact, Real Property Act documents have to be certified by either a land broker or a solicitor.

Mr. Dean Brown: I appreciate that.

The Hon. D. A. DUNSTAN: In that case, those people would have to be approached. Under the provisions of the Act, they have to make a certification, and it is necessary for them to have obtained the necessary declarations that nothing has been done in contravention of the Act. It will not be quite as easy as the honourable member has suggested.

Mr. HALL: The whole absurdity of the Government's attitude is revealed in the Premier's lack of appreciation of the situation. He cloaked the whole of his approach by saying that the Government was going to save people money, that it would supply blocks of land, and that young people would get cheaper houses because the Government would control land prices. This all breaks down, owing to a lack of thinking through the provisions of this clause. The Premier said that the penalties were too great for anyone to give someone else an advantage in order to buy a block of land; yet the price of the land will be controlled below the free market price. The price must be below the free market price; otherwise the legislation will not be worth having. The Premier is saying that the public cannot devise methods of paying more for a block of land than the price that is put on it. What is wrong with a person going to a vendor of a block of land that is to be sold at $500 below the free market price and saying, "I will sell you my car, which is worth $1 500, for $1 000"?

Let the Premier say that that is illegal. He cannot, unless he puts a minimum price on cars, boats, carpets, or anything else. He is a babe in the woods. This Bill shows the fundamental failure of the "control mentality". The Premier cannot deny that he cannot stop the passage of valuable consideration between two people to obtain a certain item. No law he can devise can stop that. All that the Premier is doing is setting up an expensive administrative control which will not work and which will effectively add to the cost of land in this community. He has referred to the time when the national security regulations applied. Why should people want to draw lots? They do that to win a lottery. The vendor is expected to give the benefit of some of the market value of his land to the lucky buyer. Will only innocent young people want to buy a new house? More speculators than anyone else will line up to draw straws or marbles.

The Premier is helping the speculator, often at the expense of the vendor. The picture of grinding the speculator down and helping the innocent is being reversed. If the Bill does not fail on any other clause, it fails on this one. The Premier's explanation is inadequate and shows that he will drag the public into useless legal contest about a Bill that he cannot enforce. He is being ridiculous if he thinks he can prevent the passage of valuable consideration to effect the sale of a block of land. He can deal with land agents, but he cannot prevent private people from passing valuable consideration. A person who wants to obtain more than the fixed price for a block of land will do so. I suppose someone could be like the former member for Glenelg, the Minister of Education, who in this Chamber advised people how to get around the succession duty law. The Bill is an expensive farce and a toy that will not work, no matter how hard the Premier may try to wind it up.

Mr. CHAPMAN: I do not agree entirely with everything the member for Goyder has said but he has asked the Premier about the system of disposing of land and how the vendor of land will sell his property through the ordinary course of the auction system. I ask the Premier for a clearer explanation of what he means by drawing lots, or something like that, under that system.

The Hon. D. A. DUNSTAN: As the honourable member knows, when properties are sold at auction they are sold on conditions that are specified at the auction. The auctioneer is required to specify the conditions under which the sale will proceed. Under this legislation, those provisions will include one that the first bidder at the maximum price will be the person to whom the sale is knocked down or, if there is more than one, there would normally be provision for the drawing of a lot.

Mr. Chapman: Are you serious about that?

The Hon. D. A. DUNSTAN: I certainly am.

Mr. Dean Brown: Have you ever seen an auction conducted?

The Hon. D. A. DUNSTAN: For the honourable member's information, I have seen many.

The Hon. L. J. King: We had land sales control in this State for years.

The Hon. D. A. DUNSTAN: Apparently, members opposite do not know that there Were controlled sales in this country for years.

The Hon. L. J. King: From 1941 until 1949, and there was no problem about auctions.

The Hon. D. A. DUNSTAN: There was no difficulty whatever about the administration of auctions in that period.

Mr. Hall: What about the profits made by purchasers at the expense of the vendor?

The Hon. D. A. DUNSTAN: I am answering a question asked by the member for Alexandra, not dealing with all the hyperbolic nonsense that the member for Goyder indulges in. Obviously, he is on some kind of emotional trip this evening. I assure the member for Alexandra that the procedures at auctions did not pose a difficulty of the kind that he has outlined when the national security regulations were in force. I have explained how they proceeded. There was merely an inclusion in the conditions of auction.

Mr. CHAPMAN: Conditions were laid down beforehand, including one that there was a ceiling price, but a melee and confusion ensued and cash transactions followed the sale.

Mr. Coumbe: Considerations.

Mr. CHAPMAN: I refer to the sale of galvanized fencing products offered at auction after the Second World War, with about 40 people being interested at the fixed price and then getting around in a circle as in a two-up game. The lottery was conducted and, immediately someone was successful, the cash considerations took over. If that is the system that will apply in selling land and property, I oppose the Premier's proposition.

Mr. EVANS: If a person owning land that had been acquired since May 16 employed an artist to paint a picture of the allotment and then offered the land and the painting for sale, with a ridiculous price placed on the painting, what power would the Commissioner have in relation to this matter?

The Hon. D. A. DUNSTAN: The Commissioner has considerable discretion to ensure that illusory considerations are not provided. The same sort of discretion would be

exercised as is exercised by those who oversee the Trading Stamps Act. That type of consideration would not be allowed and would not receive the Commissioner's approval.

Dr. TONKIN: Controls under national security regulations were abused, and that situation should not be repealed. This legislation may lead to a worse situation than it is trying to correct, as it seems that a Socialist Government does not consider human nature.

The Hon. D. A. DUNSTAN: This legislation has built in to it several features which the national security regulations did not have and which will make it more difficult to receive extra considerations without considerable risk. The penalties for those who aid and abet in the commission of offences are considerable. In reply to the member for Alexandra, the way in which auctions had to proceed created no difficulty, that is my point.

Mr. COUMBE: I am concerned about delays being caused to transactions. The landbrokers or solicitors involved will be very careful about what they sign, thus causing further delays. What action is being taken to overcome the present delays in the State Planning Office and in the Lands Titles Office?

The Hon. D. A. DUNSTAN: The clause is designed to provide a minimum of delay, and we have considered administrative provisions that will ensure this. A Government working party is considering the question of delays in getting land on to the market or in land transactions, and that party is headed by Mr. Tauber, the Chairman designate of the Land Commission. That party has been specifically charged to ensure that the time for approvals under various Acts to provide land for the market is lessened, and to ensure that under the provisions of this legislation there will be a minimum delay.

Mr. DEAN BROWN: One would have hoped that the Government had carefully considered this legislation, but it seems that no thought has been given to practical details. If land is selling well below market price, many people at the auction will bid together, and the auctioneer will not know who bid the correct price first. This legislation does not prevent a buyer offering some kind of inducement to the seller. At present, sellers adopt this practice, but it does not seem to lead to corruption and graft that one would tend to expect when buyers had this opportunity. I hope the Government will set out general guidelines for the carrying out of auctions and the selling of land. I earlier asked the Premier what delays would be expected under clause 15 (1), but I have not received a reply. About 25 per cent of my district problems relate to the processing of land titles and development plans. Can we now expect this delay to increase by another 25 per cent? I hope not. Although this legislation stands or falls on this clause, we find that the Government has not put in the required thought to it.

Mr. HALL: The Premier has simply confirmed our fears in this matter. One commercial enterprise sent along 25 people to an auction. Does the Premier believe there is anything to stop such nominees attending and bidding at an auction? Is there any limitation on the number of people who can attend an auction on behalf of a potential purchaser?

The Hon. D. A. Dunstan: No.

Mr. HALL: The Premier has sold this Bill publicly on the basis of protecting the young people of this State, but really the legislation assists the speculator, and the people who will suffer are the young people. This is legislation for the manipulator, the speculator and the blackmarketeer to profit by. Although the Premier has said the same rules will apply as those under the national security regulations, this is unworkable legislation under which the innocent will be penalized. I cannot believe that the Premier would approve of this legislation, and I believe it has been forced on him. Nevertheless, he is responsible for it. All people experienced in this matter know that this legislation will not work, but that it will create criminals in the community of people who are not now criminals.

Mr. GUNN: Despite the advertising campaign of recent weeks extolling the great benefits of this legislation, we know that clause 15 will create a bureaucracy that will deliberately slow down the availability of building blocks to the market. This is a farce. How can the Premier believe that such a clause will work? Has he never heard the rules of supply and demand? What is the situation applying to additional inducements to sell? Has the Premier ever attended an auction? This clause will make it almost impossible for people to sell land. Intending sellers and purchasers will not know where they stand, and the black market as we have known it in the past will be nothing compared to what will happen under this clause.

Mr. MATHWIN: I object to this silly, mad clause.

The Hon. D. A. DUNSTAN: On a point of order, Mr. Speaker—

The CHAIRMAN: Order! We are dealing with an amendment to clause 15. We are not dealing with the whole clause.

Mr. MATHWIN: I object to this silly, mad amendment. The explanation given by the Premier of how an auction will be settled, by people vying for a property tossing in or drawing lots, is absolute bulldust. If the Premier has never witnessed the effects of black marketeering in Europe, I suggest he go to the Library and read up about it. That is what will happen in this State.

The CHAIRMAN: Order! Considerable latitude has been allowed in this debate, but it is about time the amendment was discussed.

Mr. MATHWIN: Was the Premier serious in his explanation to the member for Alexandra? The Government had an auction only two weeks ago of some land that it called off because it could not get the reserve price.

The Hon. D. A. DUNSTAN: Mr. Chairman, I rise on a point of order. The member for Glenelg is consistently refusing to discuss the amendment before the Chair. In fact, there has been considerable discussion not of this amendment and, your attention having been drawn to that fact, you made a ruling. If the member for Glenelg continues in this way, we shall never get this amendment discussed, because he is not discussing it.

The CHAIRMAN: I uphold the point of order and ask the honourable member for Glenelg to confine his remarks to the amendment.

Mr. MATHWIN: I ask the Premier to explain just how this will work.

Mr. BECKER: Does the Government intend, through this amendment, to abolish the auction system for disposing of land?

The Hon. D. A. DUNSTAN: No; there is no provision about the prevention of auctions.

Amendment carried.

Dr. EASTICK: In the absence of a clearly defined approach that the Government will make to the application of this clause, I ask that the Premier now report progress so that, before we consider it again, we can at least have documentary evidence to support his claims that this Bill will be successful in its application. On the advice we have received so far, it is obvious there

are flaws in this clause, which will completely destroy any benefit (if any) from the Bill. I sincerely request that this matter be considered further by progress being reported.

The Hon. D. A. DUNSTAN: I have no intention of reporting progress on this clause, which I expect to be passed. I do not accept, and I reject, the hysterical and nonsensical attacks that have been made on this Bill this evening. Why do not members opposite read the Bill? It is obvious that most of them have not. We have heard some nonsense about there being difficulties because there is no control over other forms of consideration. If honourable members look at clause 19, they will see that the Commissioner's powers are as wide as possible. Any of these other side transactions can be taken into account by the Commissioner and the transaction prohibited. If honourable members think that the penalties and the difficulties of a transaction through the nullity of the transaction itself and the possibility of people pocketing money are no discouragement for people entering into transactions that contravene this Act, they do not know what the effect is upon people of being involved in what are criminal transactions subject to the direst of penalties—and they are intended to be dire.

They are intended to work and to be a proper discouragement to those people who would seek to make a profit outside this Act. As to the member for Goyder's suggestion that this will be of advantage to the speculators and that they will go along to an auction with 25 people present, I point out that they can resell only at the price that is stated here. There will not be much inducement to them to do that, because the kind of profit they are looking for is not provided for. Much emotional nonsense has been talked this evening. It is not the case that this measure has not been thought through: there has been much thought and investigation but it is obvious that the thoughts and investigation that went into the report published before the introduction of this Bill has resulted in members so dismissing it that most of them have not bothered to read it.

Mr. DEAN BROWN: Why is a definition of "consideration" not included in this Bill?

The Hon. D. A. DUNSTAN: The consideration is the consideration approved by the Commissioner; a definition is not necessary here.

The Committee divided on the clause as amended:

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

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

Pairs—Ayes—Messrs. McKee and McRae. Noes—Messrs. Goldsworthy and Rodda.

Majority of 3 for the Ayes.

Clause as amended thus passed.

Clause 16—"Application for consent."

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

In subclause (1) (*b*) to strike out "prescribed information" and insert "information required by the form".

The rewording of this provision is to make clear that all the information requested on the form determined by the Commissioner must be provided by the applicant.

Amendment carried; clause as amended passed.

Clause 17—"Consent."

The Hon. D. A. DUNSTAN: I move to insert the following new subclause:

(3) In imposing any conditions limiting the consideration for any transaction involving any interest in allotments that have been newly created by subdivision or resubdivision, the Commissioner shall have regard to the consideration obtained in transactions relating to comparable land to which this Act applies and shall allow a reasonable margin of profit to the subdivider.

This subclause is intended to provide administrative guidelines to the Commissioner in how he fixes a price for new allotments, and also to make the intention of the Bill clearer to subdividers.

Amendment carried.

Dr. EASTICK: Subclause (2) refers to a policy. Is that the Government's policy? How will this be determined and what will be the guidelines?

The Hon. D. A. DUNSTAN: This is the policy or the objective of the Commissioner. The point is that he shall not refuse his consent or make conditions which are not for the purpose of preventing or limiting increases in the price of land. The policy will be for that purpose.

Clause as amended passed.

Clause 18 passed.

Progress reported; Committee to sit again.

ADJOURNMENT

At 11.47 p.m. the House adjourned until Wednesday, October 17, at 2 p.m.