

LEGISLATIVE COUNCIL.

Wednesday, August 29, 1962.

The PRESIDENT (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.**CARE OF ELDERLY PEOPLE.**

The Hon. K. E. J. BARDOLPH: I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. K. E. J. BARDOLPH: The following report appeared in this morning's *Advertiser* under the caption "New Outlook on Elderly", and concerns a statement made by Dr. H. C. Robjohns of Ballarat:

Adelaide could expect soon to have 50,000 people of pensionable age, the Medical Superintendent of the Queen Elizabeth Home at Ballarat (Dr. H. C. Robjohns) said last night. He told the annual meeting of the Old Peoples Welfare Council in the Adelaide Town Hall that to place all these people in institutions would require a work force of 20,000. He went on to indicate the disabilities of these old people, and the report continued:

He urged the establishment of rehabilitation centres where elderly people, especially "stroke" cases, could receive the specialist care of a trained team to achieve "the maximum restoration of function". The usefulness of the facilities provided by rehabilitation centres could be extended by the development of day hospitals.

Can the Minister of Health say whether the Government will consider Dr. Robjohns's remarks with a view to giving effect in some way to his suggestions?

The Hon. Sir LYELL McEWIN: I read the report of the remarks by the gentleman referred to. They did come under my notice. There are many approaches to the problems of the aged and I think the honourable member will agree that institutional care is the last resort. As the honourable member knows, we originated the idea of assisting homes for the aged, and a number of denominations and organizations have taken it up since the Commonwealth subsidy was established, and much work has been done in the homes, thus considerably relieving the pressure on the institutional side. The Government is able to help meet the position whilst assisting Meals on Wheels and other organizations that are doing something to provide home nursing care, which is probably the best assistance elderly people can have. Certain cases have been brought under institutional care, and I repeat that that is the last resort. The best support we

can give is assisting elderly people to live in their own home environment amongst their own people.

STURT HIGHWAY.

The Hon. C. R. STORY: Has the Minister of Roads any information in reply to the question I asked last week concerning the Sturt Highway?

The Hon. N. L. JUDE: With regard to the Sturt Highway and the portion known as Accommodation Hill, the information I have is that it is proposed to completely reconstruct the road between Accommodation Hill and Halfway House. No consideration has been given to imposing a load limit on that section of the Sturt Highway.

BEEF CATTLE ROADS.

The Hon. G. J. GILFILLAN: I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. G. J. GILFILLAN: In this morning's press a letter dealt with the construction and maintenance of beef cattle roads in the northern parts of the State. It stated:

. . . at the request of the S.A. Department of Lands a most comprehensive and fully documented case was presented by the Federally-controlled Bureau of Agricultural Economics. . . . The broad recommendations of the report were that £450,000 should be spent on four main beef roads in the north of South Australia, which would bring them up to a minimum requirement for cattle transportation. Thereafter, £100,000 a year should keep them in navigable repair.

The letter continued at some length to explain that no special money is available for the work from either State or Commonwealth resources. Will the Minister of Roads comment on the points raised in the letter?

The Hon. N. L. JUDE: I would be quite happy to comment as follows: First, we should go back into the history of this requirement of the State a year or more when the Federal Bureau of Economics made quite a clear review of the position regarding the beef cattle roads in Australia, particularly in the north, and gave a finding, which the honourable member quoted this afternoon, regarding the four specific routes in South Australia. Since that occurred our Premier wrote to the Prime Minister and requested consideration of a grant—quite a modest one—on similar lines for South Australia as those approved for Queensland, the Northern Territory and Western Australia. Some months later we got an answer to the effect that nothing could

be done at the time, but that the matter would receive further consideration before the next Commonwealth Budget. Recently I attended a meeting of the Transport Advisory Council at Darwin, which was also attended by the transport Ministers of each State and three Commonwealth Ministers, and on that occasion I was specifically asked by an officer of the Department of National Development if I would discuss with our Premier the matter of sending a further letter regarding a contribution for our beef roads before the Budget consideration by the Commonwealth Cabinet. As soon as I returned to Adelaide I conferred with the Premier and he sent a letter to the Prime Minister requesting some assistance for these roads. As far as I know, beyond an acknowledgment of that letter, no further answer has been received from the Prime Minister. Incidentally, in the absence of these very necessary grants, the State Government has more than doubled its allocation for maintenance on the Birdsville and Strzelecki tracks in an effort to keep them open for cattle movements.

PUBLIC PURPOSES LOAN BILL.

Received from the House of Assembly and read a first time.

The Hon. Sir LYELL McEWIN (Chief Secretary): I move:

That this Bill be now read a second time.

It provides for a total expenditure of £30,647,000 in works and services during 1962-63. To finance this programme the £25,529,000 of new moneys to be borrowed will be supplemented by repayments to the Loan Fund and an expected increased deficit in the Loan Fund at June 30, 1963. In addition to the £25,529,000 of new moneys the State will also receive £9,000,000, which will be used for the construction and finance of houses under the terms of the Commonwealth-State Housing Agreement. The new housing agreement funds will be supplemented by approximately £150,000 repayments to the State of previous advances; and of the total of £9,150,000, the sum of £4,850,000 is to be allocated to the Housing Trust, £3,900,000 to the State Bank, and £400,000 to building societies.

I shall now give honourable members a brief description of the more important works for which this Bill provides.

ADVANCES FOR HOMES, £300,000.—In addition to administering the Advances for Homes scheme on behalf of the Government, the State Bank also administers the allocation of a large

part of the moneys which the State borrows under the provisions of the Commonwealth-State Housing Agreement and which it makes available to finance house ownership through the Home Builders' Fund. When introducing the Public Purposes Loan Bill, 1961, I intimated to honourable members that, in order to keep the cost of borrowing to the house owner as low as possible, the funds made available to the State Bank in 1961-62 would include more low-interest housing agreement moneys and correspondingly less moneys from the normal State Loan funds. In 1962-63 the Government again proposes to make a greater proportion of the State Bank's funds available from housing agreement sources at a lower rate of interest and to correspondingly reduce the provision under the Advances for Homes scheme.

In 1962-63 the State Bank will have available for lending, State Loan funds, Housing Agreement moneys, carry-over funds from June, 1962, and repayments, totalling in all nearly £5,000,000, an amount equal to the record level of advances in 1961-62.

LOANS TO PRODUCERS, £220,000.—To enable the State Bank to continue assisting small co-operatives under the Loans to Producers Act it is anticipated that approximately £420,000 will be required this year. The Government examined the financing of this activity and decided to seek the approval of Parliament to legislation authorizing the State Bank to borrow money as a semi-governmental authority, and so reduce the amount to be provided from Loan funds. The amount which it is tentatively estimated will be authorized and borrowed for this purpose is £200,000, leaving a net £220,000 to be met from Loan Fund.

ADVANCES TO SETTLERS, £100,000.—The sum of £100,000 is provided for the State Bank to make advances to settlers for farm buildings, for clearing of land and development of pastures, and for water improvements.

LOANS FOR FENCING, ETC., £20,000.—This amount is provided for advances to primary producers to finance fencing.

STUDENT HOSTELS, £150,000.—The Student Hostels (Advances) Act is designed to enable the State Bank to make advances to appropriate persons or bodies to finance the erection of boarding houses, hostels, or similar accommodation to cater for the needs of country students at schools, the University of Adelaide, or other educational institutions. An amount of £150,000 is provided for this purpose in 1962-63.

ROADS AND BRIDGES, £550,000.—The sum of £200,000 is provided for further work on the new steel and concrete bridge at Blanchetown, and £350,000 for various other road and bridge works.

CROWN LANDS DEVELOPMENT ACT, £14,000.—This amount is provided to enable further work to be carried out in 1962-63 on a number of under-developed individual properties.

IRRIGATION AND RECLAMATION OF SWAMP LANDS, £180,000.—The main items of expenditure proposed in 1962-63 are £15,000 for further work on the electrification of the pumping plant at Waikerie; £15,000 to complete the electrification of the pumping stations in the reclaimed areas; £24,000 to commence work on the provision of an improved water supply to the higher level areas at Berri North; £60,000 for further work on the comprehensive drainage scheme to serve 800 acres at Chaffey; and £24,000 to commence the construction of a pipeline at Barmera to replace an open irrigation channel. Funds are also provided for various channels, pipelines, embankments, buildings, plant and minor works.

SOUTH-EASTERN DRAINAGE, £468,000.—The main provisions this year are £150,000 to continue work on the construction of major drains in the area north of Drains K-L in the Western Division, and £293,000 for the Eastern Division drainage scheme involving further work on enlarging Drain M, which discharges into the sea near Beachport.

REMARK IRRIGATION TRUST—LOAN TO, £25,000.—This amount is required to meet the fourth annual advance to the trust to assist with its rehabilitation programme.

AFFORESTATION AND TIMBER MILLING, £1,150,000.—Provision is included in the Bill this year for £195,000 to meet the cost of recurring forest maintenance services, such as replanting, weed control, spraying, fire protection, etc. The sum of £270,000 is provided for preparation of land and planting. It is anticipated that approximately 6,000 acres will be planted during 1962-63 and, after allowing for clear felling and for possible fire losses, the total area of State pine plantations at the end of June next will be about 146,000 acres. An amount of £50,000 to meet South Australia's contribution to a national Sirex fund which was set up recently to carry out research on control measures against the Sirex wasp. It has been agreed that the Commonwealth will match on a pound for pound basis the collective contributions from the States. Intensive surveys have been undertaken by air and ground

parties of pine forest plantations in this State and it is pleasing to report to honourable members that no evidence of the wasp has been found.

The sum of £54,000 for completion of payments for the new power station at Nangwarry. The station is operating satisfactorily and, using mill waste as fuel, has a generating capacity of 3,400 kilowatts. An amount of £118,000 is provided for further work on the construction of the sewerage scheme at Mount Burr and £21,000 to complete the sewerage at Nangwarry. Provision is also made for purchase of land, for the installation of additional plant and machinery at Mount Burr, Mount Gambier, and Nangwarry, houses for employees, and minor buildings and services as required at mills and in forest areas. The sum of £120,000 is required for administrative expenses applicable to forest establishment which will be a charge against Loan Account.

RAILWAY ACCOMMODATION, £2,330,000.—Including £50,000 of material to be supplied from stock on hand, a total of £720,000 is provided this year for Way and Works Branch items including £573,000 for track relaying, signalling and safety devices, minor buildings and improvements to yards, etc. An amount of £60,000 is required to complete the new railway from Hallett Cove to the oil refinery at Port Stanvac, £32,000 is provided for houses for employees, and £55,000 for plant and sundries.

The major requirements for the Rolling Stock Branch are £614,000 for progress payments for 48 diesel-electric locomotives and spares. Forty-three of these locomotives have been received from suppliers and are in service. Provision is made for £208,000 for progress work on 40 steel brake vans and £126,000 towards the construction of a further 20 workmen's sleeping vans. An amount of £164,000 is provided to continue the programme of improvements and modifications to freight vehicles, and £336,000 is required for contract payments for six diesel-electric locomotives and spares for the Port Lincoln and Peterborough Divisions. The sum of £111,000 is needed to complete the construction of 35 waggons for bulk grain traffic on narrow gauge lines. Funds are also provided for six hopper waggons for the ballasting programme of the Port Lincoln Division, for modifications to ore waggons for efficient working with diesel-electric locomotives, and for sundry items of plant, machinery and equipment.

HARBORS ACCOMMODATION, £1,907,000.—The main proposal for 1962-63 is for a bulk handling installation at Port Adelaide and £508,000 is provided for work this year. The plant will have a capacity of 800 tons of wheat or 670 tons of barley an hour and will be able to handle other commodities such as salt. An amount of £160,000 is provided for dredging of the Port River and Outer Harbour, and £81,000 for other projects at Port Adelaide, while £385,000 is required for further work on the replacement of old timber wharves at Port Pirie with a steel sheet-piled structure to be used as berths for loading ore concentrates, to stabilize Barrier Wharf for a tanker berth and to provide ancillary services. The sum of £41,000 is provided for the completion of the bulk loading plant at Port Pirie, which will be capable of delivering 400 tons of wheat an hour directly into the holds of ships. An amount of £400,000 is provided to meet progress payments for a new bucket dredger estimated to be completed by September, 1963; £20,000 for the retention money payable at the end of the maintenance period under a contract for a new grab dredger; and £48,000 for mobile crane replacement.

WATERWORKS AND SEWERS, £11,400,000.—Morgan-Whyalla and Iron Knob Water Supply, £2,869,000.—The sum of £2,804,000 is provided for further work in 1962-63 in connection with the duplication of the Morgan-Whyalla main commenced last year and which is estimated to cost eventually about £18,000,000, while £45,000 is also provided for pumping plant for the Iron Knob-Lincoln Gap main.

Adelaide Water District, £2,624,000.—A nominal amount of £4,000 is required to complete the Mannum-Adelaide main. The scheme cost a total of £11,299,000 and involved the construction of three pumping stations, together with the necessary storage tanks and the laying of over 50 miles of pipeline. The sum of £390,000 is provided for the completion, except for two 2,000,000-gallon storage tanks, of the Myponga reservoir and trunk main. At the end of June last the concrete dam and the reticulation of the Myponga township had been completed.

Further work is proposed during the year on the Clarendon-Belair-Blackwood scheme and £187,000 is provided for this purpose. It is anticipated that by the end of June, 1963, the scheme will be advanced sufficiently for operation. An amount of £150,000 is required to continue work on the Elizabeth water supply scheme which is proceeding in accordance with the development of Elizabeth

and Salisbury, and £19,000 is required to complete the raising of the Mount Bold reservoir dam which will increase the capacity of the reservoir by 5,000,000,000 gallons. Funds are also provided for water supply schemes at Springton-Eden Valley, Lenswood, Modbury, and Salisbury North.

Barossa Water District, £54,000.—This amount is required for replacing an old main in the hundred of Mudla Wirra, for cement lining of mains, and for various mains, services and minor works.

Warren Water District, £118,000.—Of this amount, £20,000 is provided to commence a water supply scheme for township and country lands at Navan, £10,000 to lay a new feeding main into the township of Tanunda, and £58,000 for plant and machinery. Funds are also provided for various mains, services and minor works.

Country Water Districts, £751,000.—This provision is required for water supply schemes at Booleroo, Booleroo Centre, Brinkley, Coonalpyn, Encounter Bay, Hawker, Kingscote, Kingston (South-East), Millicent, Moorlands, Mount Gambier, Mount Maria, Murray Bridge, Naracoorte, Orroroo, Penola, Kenmark, Swan Reach, Taillem Bend, Whyalla, and Whyalla West.

Tod River Water District, £618,000.—An amount of £180,000 is provided to commence enlarging and replacing sections of the Tod trunk main with a new 20-inch main. It is planned to spread the work over a period of about eight years. The sum of £200,000 is provided for further work on the scheme to tap the Lincoln underground basin to augment the Tod River system and the supply to Port Lincoln. The scheme is estimated to cost a total of about £930,000, and expenditure this year is for the completion of a pumping station and storages, for the laying of further mains and equipping of bores. Provision is also made for the extension of mains in the hundreds of Moody, Roberts and Verran, and for the replacement of mains in the hundreds of Warren and Wilton. The Government is concerned about the water shortage situation on Eyre Peninsula caused by an abnormally dry period, and it will probably be necessary to amend this programme in the Tod River water district to meet urgent requirements.

Beetaloo, Bundaleer and Baroota Water District, £394,000.—Further work associated with enlarging the trunk main from the Warren reservoir to Paskeville is to be carried out this year, and £124,000 is provided for this purpose. The sum of £25,000 is required for

replacement of a further section of the old steel Beetaloo trunk main; £18,000 for the extension of a main from the Morgan-Whyalla main to the Gulnare-Narridy high level area; £6,000 for the replacement of an old main to improve supplies to the township of Kadina; and £15,000 for the enlargement of the feeding main which serves Moonta, Moonta Bay, and Port Hughes.

Adelaide Sewers, £3,084,000.—The major provision for 1962-63 is £1,346,000 for further work at the Bolivar treatment works, which is estimated to cost a total of £10,743,000. A final payment of £3,000 is required to complete a major extension programme at the Glenelg treatment works. The plant is in operation and working satisfactorily. The sum of £33,000 is provided to complete the trunk sewer, pumping station and rising main at West Beach. This scheme is estimated to cost £357,000 and is necessary to provide for the sewerage of West Beach, Lockleys, and Brooklyn Park. An amount of £674,000 is provided for the sewerage of many new housing areas, some of which are being developed by the Housing Trust and some privately.

Country Sewers, £403,000.—Of this amount, £67,000 is provided for work on the sewerage of Angaston and £7,000 is required for the completion of the Myponga sewerage scheme, while £294,000 is provided for the commencement of pumping stations and rising main in connection with the sewerage of Mount Gambier. The estimated cost of the scheme is £2,115,000. The sum of £32,000 is required for the completion of the sewerage of Port Lincoln.

Water Conservation, £17,000.—The sum of £14,000 is provided to continue work on the construction of two storage tanks at Kimba, and £3,000 for minor works.

Sassafras Depot, £85,000.—Of this amount, £70,000 is provided for the hard surfacing of a large area in the depot to permit more efficient handling of materials and to provide storage areas.

The sum of £320,000 is required for construction plant and £63,000 for preliminary investigations.

RIVER MURRAY WEIRS, DAMS, LOCKS, ETC., £60,000.—Provision is made again this year to meet South Australia's share of the cost of work carried out by the River Murray Commission.

GOVERNMENT BUILDINGS AND LAND, £8,600,000.—The Bill provides for expenditure in 1962-63 under the following four main headings—Hospital buildings, £850,000; School buildings, £6,000,000; Police and courthouse

buildings, £800,000; Other Government buildings, £950,000.

Hospital Buildings, £850,000.—Royal Adelaide Hospital.—The sum of £100,000 is proposed for design and initial work in connection with the major rebuilding scheme for the hospital. The scheme, estimated to cost about £8,226,000, is to be carried out in stages and expenditure this year is in respect of stage I, having an estimated cost of £2,046,000. The complete scheme envisages the erection of three main blocks, merging into a single structure at basement and ground floor levels, comprising administration and kitchen block; outpatients' block, and theatre block.

Provision is also included for a new T-shaped ward block of 550 beds, and adjacent boiler-house, to be erected north of the three main blocks, and a new nurses' home north of the ward block. The work included in stage I covers erection of the administration and kitchen block, including air-conditioning, carrying out the preparatory work of constructing the foundations, steel work and floor slabs of the outpatient and theatre blocks, demolition of existing buildings in the way of new works, and provision of necessary external services for the new building and to enable existing buildings to continue in use. The accommodation to be provided in the administration and kitchen block includes bulk stores and engineering services, main kitchen, administrative and almoners' offices, part of future casualty department, main cafeteria and medical staff dining-room, university departments of medicine and surgery, lecture theatres and medical students' facilities. The sum of £100,000 is provided for further work on major additions to the dental hospital to provide additional accommodation.

The Queen Elizabeth Hospital.—The sum of £39,000 is required to complete the new laboratory building to be used for testing and experimental purposes.

Parkside Mental Hospital.—An amount of £49,000 is provided for air-conditioning, drainage and grading, new garage and workshop, reconstruction of roads, and steam heating of wards.

Northfield Mental Hospital.—The sum of £48,000 is required to complete the construction of roadways and stormwater drains and £1,000 to permit investigations into the possibility of converting part of the administrative building for use as a nurses' training centre or, alternatively, for the erection of a new building for this purpose.

Barmera Hospital.—An amount of £1,000 is proposed for preliminary work in connection

with extensions to the nurses' accommodation and alterations to the main building.

Port Lincoln Hospital.—Further work is proposed in 1962-63 on the erection, at this hospital, of a new hospital block of 50 beds, extensions to nurses' accommodation and new service buildings, and £150,000 is provided.

Funds are also provided for furniture, equipment, alterations and additions at various hospitals as the need arises, and for preliminary work on various projects.

School Buildings, £6,000,000.—During 1961-62 actual payments from Loan Account were £5,944,000, which was made up as follows:

	£
The completion of 23 contracts with a total value of £4,278,000 for new schools or major addition to schools	2,593,000
Work under 24 contracts for new schools or major additions to schools, Teachers' College and School of Art, with a total value of £5,453,000 still in progress at the end of June, 1962	1,563,000
The completion of craftwork centres valued at £146,000 at six schools	69,000
Prefabricated classrooms or classroom equivalents	330,000
Purchase of land, buildings and residences for school purposes	843,000
Minor works, including grading and paving of school yards, fencing, roadways, additional toilets and facilities, etc., and furniture and equipment	546,000
	<u>£5,944,000</u>

For 1962-63 the proposals for school buildings and associated works total £6,000,000, and the ways in which the funds are to be used are as follows:

	£
Work under 24 contracts with a total value of £5,453,000 for new schools, major additions to schools, Teachers' College and School of Art, which were in progress at June 30, 1962	3,018,000
The commencement of 20 projects with a total value of £3,420,000 for new schools, and major additions to schools	1,324,000
Work on one craftwork centre valued at £50,000	10,000
Prefabricated classrooms or classroom equivalents	350,000
Purchase of land and residences for school purposes	450,000
Minor works, including grading and paving of school yards, fencing, roadways, toilets and facilities, etc., and furniture and equipment	848,000
	<u>£6,000,000</u>

Police and Courthouse Buildings, £800,000.—The programme of construction of police stations and courthouses to serve the country areas is to be continued in 1962-63 and provision is made to complete a number of works which were under construction at June 30, 1962, and to commence work on various new projects. It is proposed to commence work on the new police headquarters building in Adelaide and £201,000 is provided for this purpose. The new multi-storey building to be erected in Angas Street is estimated to cost £1,562,000, and will provide for the needs of the Police Department for some years ahead. Upon completion two of the upper floors will be available for a number of years for the use of other departments. The sum of £1,000 is provided for initial work on a new cell block at police headquarters, the total estimated cost of which is £99,000.

Other Government Buildings, £950,000.—The major proposals for 1962-63 are:

Agriculture Department.—An amount of £36,000 is provided for the construction of a new research laboratory and store at Northfield, £15,000 for a new fruit inspection depot at Mile End, and £5,000 for a new laboratory and office building at Loxton.

Botanic Garden Department.—The sum of £10,000 is provided to commence work on the construction of a new herbarium.

Children's Welfare and Public Relief Department.—An amount of £5,000 is provided for preliminary work in connection with the erection of a new junior boys' training school at Lochiel Park. The new school is to permit segregation of the younger boys who are at present accommodated at Magill, and its estimated cost is £297,000. Expenditure of £5,000 is proposed for preliminary work for the construction of new buildings at the Magill training school to house the senior boys. These buildings are estimated to cost approximately £459,000. The sum of £55,000 will be spent on work on the construction of a new Remand Home at Glandore to provide accommodation for instruction and rehabilitation, recreation, sleeping, dining and medical facilities for 108 children.

The sum of £55,000 is provided to commence work on stage II of the provision of major additions at Vaughan House Girls' Training School. Stage I of the scheme, comprising the erection of a two-storey dormitory block for 48 girls, was completed last year. Stage II involves the erection of a new building to accommodate 70 girls, and the estimated cost is £182,000. In addition to

sleeping accommodation the building will also provide for instruction and rehabilitation, recreation, dining, medical and dental facilities, staff and administrative accommodation and a chapel.

Libraries Department.—Preliminary sketch plans have been prepared for the erection of new buildings to provide urgently required additional storage and display areas for documents and books. The buildings are estimated to cost approximately £1,158,000, and £5,000 is provided for further planning and design. The sum of £16,000 is required to complete the installation of a public lift in the main building.

Sheriff and Gaols and Prisons Department.—The sum of £83,000 is provided to permit alterations and additions to be carried out at Yatala Labour Prison. Provision is also made for preliminary work in connection with rebuilding the Port Augusta Gaol and erecting a new gaol at Port Lincoln.

Funds are also provided for additions to Wilpena Chalet for the Immigration, Publicity and Tourist Bureau; a new laboratory at Northfield for the Institute of Medical and Veterinary Science; additions to the Museum Department; and the provision of improved office accommodation at Loxton and Ruthven Mansions, Adelaide.

EXPENSES AND DISCOUNTS OF FLOATING CONVERSION AND PUBLIC LOANS, £100,000.—The amount required for this purpose is dependent upon the terms and conditions determined for new loans and conversions during 1962-63. It may vary widely from year to year. It is considered that the £100,000 proposed is a reasonable cover.

SOUTH AUSTRALIAN HOUSING TRUST, £50,000.—The proposed appropriation from Loan Account of £50,000 is only a nominal contribution to the Trust's programme for 1962-63. The Government has again this year arranged that the trust obtain the greater part of its new moneys from funds borrowed by the State under the Commonwealth-State Housing Agreement at a concessional interest rate of one per cent below the normal long term governmental borrowing rate. The trust's allocation of housing agreement funds in 1962-63 will be £4,850,000 as compared with £4,350,000 last year. These funds, together with the use of internal funds, loans to be raised from lending institutions, and the proposed allocation from Loan Account, will enable the trust to finance a capital programme of nearly £12,800,000.

During 1962-63 progress work on housing of all kinds is expected to be carried out on

4,863 units, of which 2,214 were under construction at June 30 last, and 2,649 are to be commenced during the year. The main feature of this year's programme is the introduction of a scheme to permit persons, who would otherwise be applicants to the trust for rental housing, to purchase their own houses by providing a minimum deposit of £50 and by repaying the balance of the purchase price over a period of up to 40 years. The houses to be built under this scheme will be single units, and with land, fencing and necessary utility fittings will cost from £3,400 to £3,800 each.

Further satisfactory progress was made during 1961-62 in the scheme to replace temporary and emergency dwellings with permanent rental housing, and up to the end of June last 1,673 temporary dwellings had been vacated and alternative accommodation found for the tenants.

THE ELECTRICITY TRUST OF SOUTH AUSTRALIA, £2,300,000.—During 1962-63 the trust plans to spend a total of £8,962,000 on capital works—£2,300,000 to be made available from State Loan funds, £2,750,000 to be raised by the trust from lending institutions and the public, and £3,912,000 to be met from its internal funds, including the balance of £375,000 of the special grant of £1,000,000 made to the trust last year by the Government towards the cost of a transmission line to the South-East.

The major proposals this year are £1,099,000 to cover final payments on the plant already in operation at the Port Augusta power station, and progress payments on the fourth 60,000 kilowatt turbo-alternator and the sixth boiler now being erected, and associated works; £522,000 is proposed for site works and progress payments for the new 60,000 kilowatt turbo-alternator and boiler at the Osborne power station; and £330,000 is required for preliminary work for the new Torrens Island power station, which will have an ultimate capacity of 2,000,000 kilowatts. The first machine in this power station is planned for operation early in 1967.

It is proposed to complete the 132,000 volt transmission line to the South-East up to the initial stage of placing it in commission during the year, and £610,000 is provided for this purpose. An amount of £905,000 is provided for new substations and high voltage transmission lines, other than the South-East line, and £980,000 for additional transformers and high voltage circuit breakers. The sum of £1,535,000 is proposed to extend and strengthen the general distribution system involving the

connection of an additional 13,000 new consumers, £1,250,000 is provided for rural extensions and £600,000 is required to complete the trust's new head office at Eastwood. Funds are also provided for the purchase of plant, vehicles, tools and instruments, etc.

Leigh Creek coalfield, £50,000.—Expenditure of £450,000 on capital works is proposed for 1962-63, of which £50,000 is to be provided from Loan Account and the remainder from internal funds. It is estimated that 1,550,000 tons of coal will be produced from the field during the year for use at the Port Augusta power station, compared with less than 1,000,000 tons two years ago, and the greater part of the expenditure will be to cater for this increased production. The sum of £72,000 is required for the erection of houses, flats and other buildings in Leigh Creek township; £62,000 for the erection of workshop buildings; £70,000 for new vehicles to transport coal from the open cut to the coal preparation plant; and £74,000 for additional coal conveyors and coal storage bins. A final payment of £40,000 is required to complete the Port Augusta to Leigh Creek transmission line, and £30,000 to complete payment for the dragline excavator.

MINES DEPARTMENT—BUILDINGS, PLANT, ETC., £125,000.—This amount is provided to continue the policy of exploration and development of the State's mineral resources during 1962-63. The amount of £7,000 is required to complete the construction of a core laboratory and £118,000 for new and replacement vehicles, for extensions and additions to workshop and plant buildings, and for replacement and additional plant equipment and instruments for geological and geophysical survey work.

PRINTING AND STATIONERY DEPARTMENT—PLANT, MACHINERY, STORES, ETC., £30,000.—A total of £30,000 is provided to continue the programme of replacing various items of machinery and plant, as it becomes obsolete, with more efficient equipment.

PRODUCE DEPARTMENT—BUILDINGS, PLANT ETC., £18,000.—The sum of £9,000 is required to complete a scheme of improvements at Port Lincoln Freezing Works to provide additional facilities to increase production. The work comprises the provision of a new liquid ammonia re-circulation plant, a new electric power supply and the installation of a fire sprinkler system in the boning room, and bacon factory extensions. An amount of £9,000 is provided for various items of plant and equipment, and minor works.

FISHING HAVENS, £40,000.—A total of £23,000 is required to complete construction of

a fixed slipway and a boat storage area at Port MacDonnell; £4,000 to complete the purchase of land for the Lake Butler scheme at Robe; and £10,000 to enable work on the scheme to commence. The sum of £3,000 is provided for minor works which may be approved during the year.

EDUCATION DEPARTMENT—SCHOOL BUSES, £132,000.—This amount is provided for the purchase of additional and replacement buses for the transport of schoolchildren in country areas.

SOUTH-WESTERN SUBURBS DRAINAGE, £300,000.—Expenditure in 1961-62 completed a section of reinforced concrete drainage running along Edwards Street from Brighton Road to the sea, and the pipe drain along Brighton Road from Sturt Road to Edwards Street. At the end of June last the closed drain along Lewis Street and Hastings Street to Sturt Road was under construction. An amount of £250,000 is provided this year for the completion of these works; for a pipe drain along Sturt Road; and for other drains within the overall scheme. A total of £50,000 is provided to commence work on a flood control dam on the River Sturt, the estimated cost of which is £285,000.

And now, turning to the clauses of the Bill: clause 3 defines the Loan Fund. Clause 4 provides for borrowing by the Treasurer of £27,000,000. The allocation to South Australia out of the borrowing programme approved by the Loan Council in June last is £25,529,000 for works other than under the Commonwealth-State Housing Agreement. However, depending on the state of the economy, there could be a further meeting of the Loan Council early in 1963, with the possibility of a supplementary loan allocation for State works. With this in mind the borrowing authority in clause 4 has been set down at £27,000,000 to avoid having to call Parliament together again should it be possible to arrange an increased borrowing programme.

Clause 5 provides for the expenditure of £30,647,000 on the undertakings set out in the first schedule to the Bill. Clause 6 deals with expenditures on three Loan undertakings for which appropriation was given by warrant by His Excellency the Governor under powers conferred on him by the Public Finance Act. Student hostels was a new activity introduced during the year, while waterworks and sewers and Government buildings and land each required appropriation additional to that included in the Public Purposes Loan Bill of 1961. Clause 7 makes provision for borrowing

and payment of an amount to cover any discounts, charges and expenses incurred in connection with borrowing for the purposes of this Bill.

Clause 8 makes provision for temporary finance if the moneys in the Loan Fund are insufficient for the purposes of this Bill. Clause 9 authorizes the borrowing of £10,000,000 for the purpose of carrying on Loan works at the commencement of next financial year and until the Public Purposes Loan Bill for 1963 is considered by Parliament. Clause 10 gives the Treasurer power to borrow against the issue of Treasury bills or by bank overdraft. The Treasurer possesses and may exercise this authority under other legislation, but it is desirable to make the authority specific year by year in the Public Purposes Loan Bill as is done with other borrowing authority. Clause 11 deals with the duration of certain clauses to the Bill. Clause 12 directs that all money received by the State under the Commonwealth Aid Roads Act shall be credited to a special account to be paid out as required for the purposes of the Commonwealth Aid Roads Act. Clause 13 provides for this Bill to operate as from July 1, 1962. I commend the Bill to honourable members.

The Hon. A. J. SHARD secured the adjournment of the debate.

MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Second reading.

The Hon. Sir LYELL McEWIN (Minister of Mines): I move:

That this Bill be now read a second time.
The object of this short Bill is to make provision to enable the oversight and control of machinery on, and reporting of accidents occurring at, the wharves at Port Pirie adjoining Broken Hill Associated Smelters Proprietary Limited when no shiploading is in progress. The principal Act provides for the general control and oversight of machinery and mines including "works". A "mine" is a place where mining operations are being carried on and "works" is defined as including any works in which operations are carried on for the treatment of the products of mining operations. The second schedule of the principal Act covers the subject matter of regulations that may be made and includes among other things power to make regulations concerning accidents in or about mines including notification, steps to be taken, and procedure at inquiries.

As I have said, the Act covers mines as such and works. The Act and the regulations made under it clearly apply to operations taking place inside or within the limits of a mine or works attached to it. Actual loading or unloading to or from ships is covered by Commonwealth regulations. It will thus be seen that operations inside a mine or actual loading operations outside a mine are covered by either State or Commonwealth provisions. However, the B.H.A.S. wharf at Port Pirie occupies an anomalous position—it is not part of a mine nor is it included in the definition of "works" and the company has brought to the attention of the Government that, when lead is being handled from point to point on its wharf at Port Pirie, the operations are uncontrolled and the company has sought an amendment to our regulations to cover these operations—in particular to require the reporting of accidents occurring on the wharf.

The present Bill will extend the existing definition of works to include the wharves adjoining the company's smelting works at Port Pirie used for or in connection with the loading of ships and all apparatus thereon. The amendment is of a technical character, designed to fill a gap in the law and will, I believe, be supported in the interests of general safety.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 28. Page 696.)

The Hon. F. J. POTTER (Central No. 2): I rise to support the second reading of this Bill and I think that, after the fairly lengthy speech we had yesterday from the Hon. Mr. Bevan, little more needs to be said concerning it. I commend the honourable member for doing his homework on this Bill and explaining to us in detail the need that has arisen for the amendments inserted by clauses 3, 4 and 5. These clauses need no further explanation following his remarks. I have been considering at length the provision inserted by clause 6 as I consider this to be an important amendment, if not the most important amendment. At the outset I commend the Government for introducing the amendment in the form of clause 6 so promptly after the situation that has arisen since a recent judgment of the High Court of Australia was brought to its notice.

Honourable members who are not aware of some of the more intricate doctrines of the

law, particularly with reference to the interpretation of Statutes, may find difficulty in asking themselves why it was necessary for this clause to be inserted. This is where perhaps the bush lawyer may give some of the explanation but not all of it.

The Hon. K. E. J. Bardolph: Don't spoil it now.

The Hon. F. J. POTTER: I am not going to give a learned explanation, but perhaps I can briefly explain what lies behind this amendment. Under the unwritten common law that we hear so much about, there was never any right to sue an executor of a deceased person for any liability in tort, that is, any liability for a wrong done by the individual whilst he was alive. Of course, included in this idea of civil wrong is the civil wrong of negligence. Therefore, to take the ordinary example, if a person through negligent use of a motor vehicle collided with and did physical injury to another person and then either as a result of the accident or subsequently the negligent person died, at common law there was never any remedy against his estate, because the wrong, as it were, died and was buried with him.

Parliament considered that situation many years ago and decided that as far as accidents on the highway were concerned, this situation was not to remain. There was to be some right against not the estate of the deceased person, but against the insurance company which stood behind him under his third party policy. Therefore, in what was section 70d of the old Road Traffic Act, and which has been incorporated in the Motor Vehicles Act passed a couple of years ago, it was provided in subsection (2) of that section that when an insured person caused death or bodily injury by negligent use of a motor vehicle specified in the policy of insurance, and either that person could not be served with any process or was dead, then the injured party may recover by action against the insurer the amount of the judgment which he could have recovered against the insured person.

This was the exception to the common law rule which Parliament allowed in the case of accidents on the highway. Subsequently, in 1940 by the enactment of the Survival of Causes of Action Act, Parliament took a further step, and said, in effect, "We will abolish this old rule where you cannot sue a person's estate or his executors or administrators for a wrong done", and by means of that Act of Parliament provided that if a person commenced the action within six months then he

may bring a claim against a deceased person's estate for any civil wrong.

The problem that the High Court had to face in what has become known amongst the profession as Gender's case was that that Act was passed in 1940, while the provisions in the Road Traffic Act had been inserted in 1934; the passing of the Survival of Causes of Action Act gave what previously had not existed, namely, the right of action against a deceased person's estate, and this so widened the right of a person that it possibly nullified his limited right to sue the insurance company.

The Hon. K. E. J. Bardolph: He had the right to sue under the Limitation of Actions Act.

The Hon. F. J. POTTER: No, but what must not be forgotten is that the Limitation of Actions Act in this State applied in the case of any accident which occurred on the highway, and a three-year period is the period of time which is allowed in which you can bring an action based on the actual cause, that is, injury or death resulting from a road accident. Indeed, it was this specific point which I carefully checked when considering whether or not this amendment in the Bill does cover all possible contingencies.

It seemed to me yesterday when I was discussing this matter with other honourable members that there was a possibility that one contingency had been overlooked, namely, where a person had commenced his action within a three-year period allowed by the Limitation of Actions Act, and then had subsequently died outside the three-year period, there may be some difficulty in actually bringing an action against the insurance company. However, I think the situation is reasonably covered by the provisions of the Motor Vehicles Act that is in similar terms to the old Road Traffic Act, coupled with the existing rules of court. If this is not so—and there is perhaps a slight margin for doubt—it is clear that by the passing of this amendment, the old position will stand, irrespective of the judgment of the High Court; that is, that a person can and shall always have the right under section 70d to sue the insurance company. It is also clear that there is another supporting bulwark, as it were, to anyone who finds himself in this unusual situation, and that is, that even if he did not desire to take advantage of this section and sue the insurance company—which is a very desirable procedure and which this clause is really designed to facilitate—then it is still possible under the Survival of Causes of Action

Act to substitute the executor or administrator of the deceased estate in place of the person who was the previous defendant prior to his death. Then the insurance company is bound to indemnify the estate of that deceased person against any claim. In other words, if it is not possible to get in by the front door there seems to be a clear entry by another way to achieve the same result.

The Hon. S. C. Bevan: What about the amendment to section 113?

The Hon. F. J. POTTER: I am making the point that there seems to be a clear right to use the machinery of the Survival of Causes of Action Act, which means that the insurance company is liable to indemnify the estate. It is an untrammelled way of dealing with the position, but not so direct as substituting an insurance company for deceased person.

The Hon. K. E. J. Bardolph: Would not the legal profession welcome confusion in the matter?

The Hon. F. J. POTTER: I do not know that the legal profession welcomes any confusion at any time when that confusion is liable to lead to costs to individual members of the public and possibly full justice not being obtained. After careful consideration I am certain that the amendments cover the situation. It is my considered opinion that they achieve fully what they propose to do. The Government must be congratulated on so promptly moving to clear up a difficult situation, which could conceivably cause hardship to a few unhappy litigants. Therefore, I have pleasure in supporting the second reading.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

UNCLAIMED MONEYS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 28. Page 696.)

The Hon. C. R. STORY (Midland): This Bill deals with moneys held in various trust funds by companies and individuals. The principal Act has been in existence since 1891 and there has been no amendment to it, except when consolidation took place in 1935. In his second reading explanation the Attorney-General set out clearly what the Bill proposes to do. It does not alter the principle so far as companies are concerned, except that instead of the Savings Bank being the receiving authority for the Treasurer the moneys can now be paid direct to the Treasury. This

tidies up the position considerably. Companies keep a register of the unclaimed moneys held, make gazettal notices annually, and pay in such moneys after six years have elapsed.

Under the Bill the position is simplified for individuals when they pay in unclaimed moneys they hold in trust accounts. Previously the moneys had to be paid to the Savings Bank account of the Treasurer, which was a lengthy and expensive procedure. The Bill makes the position clearer and the moneys can be now paid direct to the Treasury. Clause 3 deletes from the Act the reference to the Savings Bank. Clause 4 inserts a new provision specifically dealing with individuals. Clauses 5 and 6 are consequential and provide for an individual who pays in moneys and gets a receipt being exonerated from further responsibility. There is also a provision for the Treasurer to be exonerated if he pays moneys to a claimant, gets a receipt, and then later has another claimant for the moneys.

It is not necessary to debate the Bill at length. It is purely administrative and does what Parliament always aims to do, which is to make the position a little easier for business people when they have to comply with legislation passed for the common good. Anything Parliament can do in this direction should be done. I congratulate the Attorney-General on introducing the Bill, which is a simple measure, but as a result business people will be saved frustration and expense.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Enactment of principal Act, section 7."

The Hon. Sir ARTHUR RYMILL: Is the Attorney-General satisfied that the word "may" used in this clause is a permissive "may" and not one involving obligation? As the Minister knows, in legal construction "may" can mean "shall" in certain contexts. I understand this Bill as being for the benefit of people who want to get rid of unclaimed moneys, but also enabling them to retain moneys under proper circumstances if they want to. I can visualize many circumstances in which people would feel that they should retain these moneys for longer than a year, whereas if it were an obligation to pay the moneys to the Treasurer whether they wanted to or not it could cause difficulties. If the Attorney-General can give me the assurance that "may" merely means "may" in the colloquial sense of the word, I shall be quite happy, but if there is any construction whereby

it could mean "shall", and as I read it it could mean "shall" legally in certain contexts, then I should think that the word should be qualified.

The Hon. C. D. ROWE (Attorney-General): My intention was (and I think the reading of the Bill would also lead to the conclusion) that the word "may" was to be permissive. This matter arose because of representation made to me by people holding certain moneys which did not belong to them and of which they could not find the owners, but wanted means whereby they could get the money out of their possession. That is why the Bill was introduced, and not to impose any obligation on them.

Clause passed.

Remaining clauses (5 and 6) and title passed.

Bill reported without amendment. Committee's report adopted.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

The Hon. Sir LYELL McEWIN (Chief Secretary): I move:

That this Bill be now read a second time.

This is a short Bill the object of which is to enable the Treasurer to execute a further guarantee to the Commonwealth Trading Bank repayment of an amount up to £200,000 being part of any loan made by the bank to S.A. Co-operative Bulk Handling Limited, the guarantee to be on conditions agreed between the bank and the Treasurer. Members will remember that last year an Act along similar lines was passed, the amount then under consideration being £500,000. On the occasion of the introduction of the Bill, I pointed to the importance of the grant of assistance to the company, whose activities affect one of our principal industries. The present Bill is the outcome of discussions between the company and the Australian Barley Board. In the light of the experience of the economies and facilities of bulk handling, the board desires to secure port bulk handling facilities as soon as possible, and in view of its own position and the undesirability of two authorities providing separate facilities, one for wheat and one for barley, decided to secure the co-operation of the co-operative.

Agreement in principle was accordingly reached some months ago between the two authorities that the co-operative should provide the initial funds, construct the facilities and continue to own and operate them, the Barley

Board meeting reasonable operation and maintenance costs and payments to amortize the full cost of the structure over 20 years and of the machinery over 10 years. The cost of construction of the additional facilities is about £730,000 of which £400,000 would be expended at Port Adelaide and £165,000 each at Wallaroo and Port Lincoln. Of the total sum, about £330,000 can be met out of current tolls and other revenues, leaving an additional requirement of £400,000. The Commonwealth Banking Corporation earlier this year agreed to advance this sum on condition that the State Government should, as it has done in the past, guarantee half of it. In March this year, following an approach from the company for the necessary guarantee, I discussed the matter with the Leader of the Opposition, when it was agreed that legislation to enable the guarantee to be given would be supported. I am happy to say that the bank has already acted upon my assurance and the work is proceeding. The present Bill will give the Treasurer the necessary authority to carry out the undertaking given to the bank.

The Hon. A. J. SHARD secured the adjournment of the debate.

MENTAL HEALTH ACT AMENDMENT BILL (No. 2).

The Hon. Sir LYELL McEWIN (Minister of Health) obtained leave and introduced a Bill for an Act to amend the Mental Health Act, 1935-1961. Read a first time.

The Hon. Sir LYELL McEWIN: I move:

That this Bill be now read a second time.

The object of this short Bill is to enable the making of satisfactory administrative arrangements in connection with the various mental institutions. As honourable members know, responsibility for the administration of the Mental Health Act is vested in the Director-General of Medical Services (section 11). Section 11a of the Act empowers the Director-General, with the Minister's approval, to delegate to the Superintendent of any institution any of his powers. Nowhere in the Act is there any reference to a Director of Mental Health as such. The present position is that Dr. Cramond occupies the position of Director of Mental Health and Superintendent of Mental Institutions, the persons in charge of each of the institutions being a Deputy Superintendent. It follows that, as the Act stands, the Director-General can delegate his powers only to Dr. Cramond in his capacity of Superintendent.

With a view to more efficient administration, it is proposed to appoint Dr. Cramond as Director of Mental Health and to raise the status of the officers in charge of each mental institution to that of Superintendent. This would enable the Director of Mental Health to have the general oversight of all institutions with Superintendents performing specified administrative functions in relation to their respective institutions. However, as I have said, there is no reference to a Director of Mental Health as such in the Act and the Director-General of Medical Services can delegate only to Superintendents. Accordingly, clause 3 introduces a new section into the principal Act, providing for the appointment of a Director of Mental Health under the Public Service Act, and empowering the Director-General of Medical Services to delegate particular functions and authorities to him in the same way as specific functions can be delegated to superintendents. The amendment will enable more effective administrative arrangements to be made and will, I believe, result in greater efficiency. Clause 4 of the Bill is merely a consequential amendment. I have pleasure, therefore, in moving the second reading and I commend the Bill for the consideration of honourable members.

The Hon. A. F. KNEEBONE secured the adjournment of the debate.

MINING ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Minister of Mines) obtained leave and introduced a Bill for an Act to amend the Mining Act, 1930-1958. Read a first time.

The Hon. Sir LYELL McEWIN: I move:

That this Bill be now read a second time.

It makes several amendments to the principal Act that are best dealt with in the order in which they are set out in the Bill and accordingly I deal with it clause by clause. Clause 3 amends section 23b of the principal Act, which deals with the basis of royalties under leases. The section provides that where a royalty is based on gross proceeds of sale certain expenditure can be deducted by the lessee. In particular subsection (1) (a) permits the licensee to deduct expenditure incurred on treatment of his material obtained from the land before delivery to the buyer other than any treatment necessary in order to make the substance a marketable product. The disallowance of treatment necessary to make the substance marketable operates unfairly and appears to be anomalous because it really means that royalty can be levied on

what may be unsaleable material. The best way to illustrate how the paragraph works is to take a hypothetical case. If an ore carrying say 2 per cent of copper is mined, the royalty payable on 100 tons of ore would be based on the value of two tons of copper less costs and transport. In actual practice, however, it is necessary for the mine operator to treat the 2 per cent copper ore to produce a concentrate carrying, say, 20 per cent copper before he can sell the material to the smelter and in treating the ore a small proportion of the copper would not be recovered at all. The proposed amendment will provide that the licensee can deduct expenditure incurred by him on treatment of the substance before delivery to the buyer other than any treatment effected after it first becomes marketable—in other words the operator can deduct the actual cost of treatment of the ore up to the stage at which it first becomes saleable. In the hypothetical example which I have given royalty would be payable on the actual value of the recovered copper less cost of treatment and transport. This provision appears to be reasonable and much fairer than the existing one.

Clause 4 deals with section 23d of the Act which empowers the Minister on the recommendation of the Auditor-General to agree with a lessee upon a royalty based on the weight or volume of the substance mined instead of a royalty fixed under the lease. This provision covers the case where a lessee uses the substance himself, in which case the Minister may agree upon the "flat rate" royalty. But the operation of the section is limited to cases where the lessee uses the substance in manufacturing or to cases in which the substance mined is salt or gypsum. The amendment will remove these limitations and permit the Minister to agree on a flat rate royalty in relation to any lease. The present provision has proved valuable in the case of salt and gypsum for both the producer and the Government as both parties know in advance what royalties are payable. It is considered similar provisions should apply to all minerals.

Clause 5 inserts a new section in the principal Act dealing with precious stones claims. At present the holder of a miner's right may, among other things, prospect for precious stones and peg out a precious stones claim. He must register his claim within 30 days after pegging it out, the only condition of registration being production of his miner's right and payment of a nominal fee of two shillings and sixpence for registration. While a miner's right is renewable every year there

is no time limit upon registration of a precious stones claim. The new section 41a inserted by clause 5 will provide for the payment upon registration of a precious stones claim of £5. Such claims are to remain in force for only one year and are to be renewed from year to year on payment of a fee of £10. In connection with this amendment I would mention that the Government has stationed officers on the opal fields at Andamooka and Coober Pedy at the request and to meet the convenience of opal miners. The Government considers it not unreasonable that an appropriate registration fee should be paid by those who register and enjoy the benefits of precious stones claims and accordingly this amendment is introduced. Clauses 6 and 7 deal with the covenants which may be contained in a mineral lease or a coal lease. Sections 53 and 56 of the Act set out what covenants may be included. Clauses 6 and 7 will add to the sections a covenant to ensure that a lessee will make good any damage to the leased land arising from his operations. The covenant may not often be required but in some circumstances damage done to land may outweigh the value of the product—for example, certain types of sand mining for filling sand in the metropolitan area may cause damage through excavations being dug below general ground level, requiring the return of filling to render the land usable. The amendment to section 53 will enable the Minister to require a covenant from the lessee that the land will be restored to a satisfactory condition, and clause 6 makes a similar provision in relation to coal leases.

I come now to clause 8, which is the most important of the amendments. It deals with section 69d of the principal Act relating to mining on private land. Under the principal Act any person may obtain an authority to enter private lands by agreement with the occupier, or if agreement is not forthcoming, upon application to a warden. If application is made to a warden the occupier has 14 days in which to lodge an objection and in determining, the warden may have regard to the character of the applicant and whether there are payable substances capable of being mined on the land. An authority to enter does not give the holder any exclusive right and any number of persons can simultaneously obtain authority to enter private land for the purpose of prospecting or pegging a claim. Moreover, no time limit is placed on the currency of any authority and the occupier receives no compensation other than compensation for any actual damage done. There is some doubt whether the Minister can obtain an authority. Fur-

ther, the Minister has no rights or powers in relation to minerals located by departmental activities and this means that the Crown, which has the major prospecting organization in the State, has no rights or security in regard to private land on which it may have expended large sums of money in prospecting or drilling.

Clause 8 amends section 69d of the principal Act in various ways. In the first place, by paragraphs (a) and (b) the clause will require a warden in considering an application for an authority to enter private land, to have regard to the matters already mentioned in section 69d—that is the character of the applicant and whether there are payable substances on the land and, in addition, to the exploration programme submitted by the applicant. Paragraph (c) inserts five new subsections into section 69d. The first of these will make an authority to enter private land exclusive to the holder. New subsection (10) will limit the currency of an authority to enter to two years with the possibility of renewal. New subsection (11) will enable the warden in issuing an authority to enter to fix a rental to be paid to the occupier of the land, thus giving him some compensation, other than compensation for actual damage, for inconvenience and the like. Because of extremely wide variations in the areas involved and the numbers of landholders affected, it is not thought possible or desirable to fix a rate of rental applicable in all cases. The subsection therefore leaves the amount to be fixed by the warden in each case.

New subsection (12) will make it clear that an authority will be granted or issued to the Minister, and new subsection (13) will empower the holder of an authority to enter to assign the authority to another person. In this connection it should be noted that under the Bill authorities to enter will in future confer exclusive rights. One of the effects of subsections (12) and (13) will be to enable the Minister to transfer his rights to other persons on such terms as he thinks fit. This will enable the Government to undertake mineral exploration on private lands and ensure the development of any discoveries that are made. The Government already undertakes exploration of this kind but is restricted at present to mineral lands. The amendments will enable Government experts to undertake works in any area of the State and to make the necessary arrangements for protection of its rights.

Clause 9 increases the penalty for unauthorized mining from one pound a day to a maximum period of two years, a fine of three hundred pounds or both. The present penalty

of one pound a day is quite unrealistic and does not operate as a deterrent having regard to the substantial profit which can be obtained through unauthorized mining. This has particular application in opal mining where there has been several recent cases of unauthorized mining.

These are important amendments, which I commend for the consideration of honourable members.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

METROPOLITAN DRAINAGE WORKS (INVESTIGATION) BILL.

The Hon. N. L. JUDE (Minister of Local Government) obtained leave and introduced a Bill for an Act to refer to the Parliamentary Standing Committee on Public Works certain questions relating to the drainage of land within the metropolitan area. Read a first time.

The Hon. N. L. JUDE: I move:

That this Bill be now read a second time.

Over the past two years discussions have been in progress between the Government and the councils of the City of Woodville and the Town of Henley and Grange concerning a scheme for stormwater drainage for certain portions of the two areas. The question was raised by the councils concerned in 1960 following advice from certain consulting engineers who had recommended a scheme estimated to cost a little over £207,000. It was suggested that the work should be financed on the basis of a Government contribution of one half and an advance of the other half repayable by the councils over a period of years.

The scheme proposed comprises drains to serve an area of 1,007 acres extending from Kirkealdy Beach Road in the north to Henley Beach Road in the south, and from Sea View Road on the west to a line slightly east of Tapleys Hill Road. There would be a main drain extending from the south of the area to Kirkealdy Beach Road discharging into the Port Reach along which the drainage water would flow to a ponding basin near Port Street being discharged thence during periods of low tide. Initially the discharge would be to the Port River, but it is contemplated that later it should be to a tidal basin being planned by the Harbors Board in connection with the Greater Port Adelaide Plan.

Details of the scheme and proposals for division of the cost of the works were forwarded to the Engineering and Water Supply Department which consulted with the engineers and the Highways and Local Gov-

ernment Department. I shall not go into details of the many meetings, discussions and inquiries which have been held in the matter, but mention that the scheme has now been redesigned with a revised estimate of costs of some £375,000 which does not take account of any acquisitions that might be required or other possible developments. Detailed structural designs have not yet been submitted, it being considered that before the expense of this work was incurred the whole proposal should be referred to the Parliamentary Standing Committee on Public Works.

The Crown Solicitor has advised that, in view of the definition of "public work" in the committee's Act as any work to be constructed by the Government out of moneys to be provided by Parliament, the present proposal is not a "public work" since it is envisaged that half the capital costs of the work shall be paid by the councils. It is therefore necessary, if the proposed scheme is to be referred to the committee, for statutory authority to be obtained. The purpose of the Bill is to refer the whole question to the Public Works Committee.

I deal now with the clauses. Clause 2 is a definition clause in which the proposed scheme is defined by reference to two Government files, and clauses 4 and 5 are consequential provisions. Clause 3 refers the questions therein set out to the committee. Shortly stated they cover:

- (a) the expediency of the work with or without any variations;
- (b) whether other works for the same purpose should be constructed;
- (c) on the assumption that half the capital cost is to be paid by the councils, what should be their respective shares;
- (d) how and at what rates of interest should each council pay its share; and
- (e) the means of payment of the annual cost of maintenance of the works and how it should be shared by the councils concerned.

In order that this matter may be fully considered at an early date, I hope that the Bill will receive the support of all members. It is in terms almost identical with those of the Act passed in 1957 referring the south-western drainage scheme to the committee.

The Hon. A. J. SHARD secured the adjournment of the debate.

ADJOURNMENT.

At 4.08 p.m. the Council adjourned until Tuesday, September 4, at 2.15 p.m.