LEGISLATIVE COUNCIL

Wednesday, September 1, 1965.

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

MINISTERIAL STATEMENT: DOCTOR'S DISMISSAL.

The Hon. A. J. SHARD (Minister of Health): I ask leave to make a Ministerial statement on an important subject.

Leave granted.

The Hon. A. J. SHARD: The statement I wish to make concerns the dismissal of a public servant. The Leader of the Opposition (Hon. Sir Lyell McEwin) asked questions about whether the docket in this matter would be made available. The Government has given considerable attention and thought to this matter, and feels that the best way to cover it so that every honourable member will know what has occurred is for a Ministerial statement to be made in this Chamber. A similar statement has been made in another place, and I am taking the earliest opportunity to let honourable members know its contents. The statement is as follows:

The history of the employment of Dr. Gillis in the Public Service of South Australia has been a sorry one. Matters concerned with his blatant disregard of the provisions of the Public Service Act, his refusal to accept proper direction from his superior officers or his Minister, and his completely unfounded allegations of fraud and corruption against senior and responsible public servants fill 16 large files. It is doubtful if any member of this Council has been free of his roneoed letters which uniformly contain a spate of half truths and distortions, and on many occasions the most blatant untruths. It is not necessary to enlarge on this more than to say that a recent letter sent to members of this House and apparently some hundreds of other people contain allegations concerning utterances attributed to the honourable member for Enfield (Mr. Jennings) which are completely untruthful.

In 1961, following a fantastic campaign by Dr. Gillis over his position in the tuberculosis services of South Australia, the then Government appointed Dr. H. M. Birch to conduct an inquiry. The inquiry lasted 10 months, and cost £1,710 9s. It resulted in Dr. Gillis being specifically required to do what he had previously refused to do. Dr. Birch's findings and recommendations were accepted by the previous Government and this was specifically made clear to Dr. Gillis in a letter by the Hon. Sir Lyell McEwin on October 1, 1962. Dr. Birch's findings include the following:

Dr. Gillis alleged Dr. Paxon as "guilty of rank neglect and deliberate intent to deceive".

Finding: Dr. Paxon was not guilty of the above.

Dr. Gillis alleged Dr. Paxon's actions were corrupt.

Finding: The allegation is not true.

Dr. Gillis stated that Dr. Paxon failed to inform the authorities on bed requirements which could "cost the State hundreds of thousands of pounds in unnecessary buildings".

Finding: Dr. Paxon was not guilty in any way whatsoever. The allegation illustrates the lack of responsibility in many of the complaints of Dr. Gillis.

Dr. Gillis alleged Dr. Paxon was "directly or indirectly" responsible for the Assistant Secretary of the Hospitals Department being "rushed up to the Morris Hospital" on May 22, 1961, to deliver the instructions of the Public Service Commissioner.

Finding: Dr. Paxon had nothing whatever to do with this. The allegation shows how Dr. Gillis's hatred and suspicion warp his judgment.

the specific directive of May 19, 1961, and memorandum of duties and responsibilities of the Director of Tuberculosis and Medical Superintendent hurriedly and without proper examination of the document.

Finding: This most important directive, which had been compiled with meticulous care by the Crown Solicitor, the Public Service Commissioner, and other heads of departments, was issued to the two men concerned. Dr. Gillis takes it upon himself to maintain that Dr. Rollison failed to read properly this document and he gave specious reasons for forming this opinion. Herewith we have a further example of Dr. Gillis's propensity for forming his own interpretation of what other people do or think or feel and what he himself should do. Dr. Rollison did not sign the papers without proper care; indeed, the evidence is that he was most careful before signing.

Regarding the specific instruction of May 19, 1961, the Minister agreed to this inquiry conditionally upon Dr. Gillis complying with the instructions. Dr. Gillis did not comply. He saw Mr. King and he wrote letters and said the Minister understood he was not to comply, etc. I find nothing at all to indicate that the Minister or Mr. King had in any way agreed that Dr. Gillis was excused from his obligations, which had been issued through and by the several heads of departments. I was not aware of this until half-way through the inquiry, otherwise I would not have commenced. It is beyond my understanding how one man can flout the lawful instructions given to him.

These extracts from Dr. Birch's findings constitute but a few of the criticisms which he found himself bound to make of Dr. Gillis's attitudes, his lack of co-operation with other members of the Public Service, his refusal to accept proper direction from his superiors, and the campaigns he carried on in flagrant breach

of the Public Service Act. In 1962 Dr. Gillis commenced a campaign concerning the appointment of Dr. J. H. Kneebone to a position of Assistant Medical Superintendent of the Northfield Wards of the Royal Adelaide Hospital, a post for which he was also an applicant. Dr. Gillis approached individual members of the board, wrote a vast number of letters, circularized members of Parliament, and threatened scandal and public harm if the refusal to appoint him were not rectified. In the course of this campaign he alleged that misrepresentations had been made concerning himself and improper procedures by the Public Service Commissioner and the board, and made accusations concerning the actions and attitudes of members of the Executive Council. This culminated in a letter to Dr. Gillis from the Under Secretary, on the direction of the Hon. Sir Lyell McEwin, on August 3, 1962, which stated:

The proceedings of Executive Council are confidential, and information of the nature which your letter demands cannot be supplied. I am further directed by the Chief Secretary to inform you:

(1) that as you are a public servant, any complaints which you may desire to make concerning any matter affecting your position in the Public Service should be transmitted in the normal manner through the head of the department to which you belong. No notice, except of a disciplinary nature, will be taken of communications not so forwarded;

(2) that the suggestion made in the last paragraph of your letter is insulting and unbecoming to a professional man of your standing. You will in future refrain from offensive remarks of this nature in your correspondence.

However, this directive did not deter Dr. Gillis. A large file concerning the relations betwen Dr. Gillis and his superiors exists, in which it is clear that he once again circularized members of Parliament, including all members of the Liberal Party, with voluminous correspondence protesting at the proper directives given to him in the Public Service. This matter was finally referred by the previous Government to the Crown Solicitor for advice, and the Crown Solicitor advised on May 21, 1963, that Dr. Gillis had been clearly guilty of a breach of the Public Service Act on several scores. No action appears to have been taken by the previous Government on this report. When the present Government took office, members of the Government received further voluminous correspondence sent directly to Ministers, complaining about improper directives given within the Public Service as to Dr. Gillis's duties and protesting about the appointment of Dr. Kneebone. Again, these letters included the most scandalous remarks about senior public servants on allegations which had been the subject of inquiry years before and which had been found to be baseless. Dr. Gillis made it perfectly clear that he intended to continue campaigns, concerning which he had had ample warning previously.

Dr. Gillis was informed in both April and May that the Government did not propose to take any further action about the matter about which Dr. Gillis had circularized members of the Government, and concerning which he had continued to pepper members of the previous Government despite the directives to the contrary. This was the background in which the Government had to deal with Dr. Gillis's actions in a particular case of a woman under his care. In September, 1964, the Director of Tuberculosis recommended that an order be sought under section 146 (*f*) of the Health Act for the removal of a woman referred to in this report as "Mrs. X" to the Morris Hospital at Northfield for a period of six months. A resolution of the Central Board of Health authorizing the Director-General to apply to a special magistrate was made on November 3, and approval was given by Sir Lyell McEwin on November 19. An application was duly made to the magistrate, and an order was made by His Honour Judge Gillespie on December 14, 1964.

Mrs. X was taken to the hospital, but a warrant pursuant to the order was not issued at the time of the making of the order. Dr. Gillis wrote to the Crown Solicitor drawing his attention to the fact that it was unsatisfactory to have her in the hospital under the order without a warrant, as she had at times previously left the hospital when it was not proper for her from the public health point of view to do so. The letter was acknowledged on December 24 by the Crown Solicitor, and that letter contained the following two paragraphs:

The special magistrate has made an order against Mrs. X and this order is that she be detained at the Morris Hospital for a period of six months and offered treatment there. She is not entitled by her own action to terminate that treatment. If she does so then her actions would, I think, be sufficient justification for an application to be made for the issue of a warrant. I think this application would be successful.

The interval between Mrs. X's leaving hospital and the issue of a warrant could be only two or three days. I appreciate that even this break in her treatment is unfortunate.

The period of six months commences from December 14 and the issue of a warrant during this period of six months will not prolong the effect of the order beyond June 14, 1965.

On January 4, Dr. Gillis informed the Crown Solicitor in a letter that the order had to extend for the duration of the order—in this case six months—and that that started from the date upon which a warrant was executed. On this score Dr. Gillis apparently considered himself more of an authority on the law than the Crown Solicitor. However, arrangements were made for the issuing of a warrant, and in January the judge signed a warrant which was forwarded to the Commissioner of Police on January 25. It was in fact executed on Mrs. X on January 26. In March Mrs. X wrote both to Dr. Woodruff and to the Attorney-General concerning her detention in the hospital. Dr. Gillis was informed of the intention to reply to Mrs. X that the order for her detention would expire on June 15. He wrote to Dr. Woodruff disputing the date concerned, and the matter was referred to the Crown Solicitor. The Crown Solicitor, upon full investigation of the matter, again stated that unless a further order under section 146 (*f*) (2) were obtained concerning Mrs. X, Mrs. X's hospital term—pursuant to the special magistrate's order of December 14—would end on June 15, 1965, or such earlier date as she could be lawfully released.

Mrs. X was written to by the Director-General of Public Health and by the Attorney-General. Dr. Gillis saw the Attorney-General's letter in which, acting upon the advice of the Crown Solicitor, with which he completely agreed, and after full investigation of the matters in the file, he informed Mrs. X. that the date upon which she was due for release was June 15. The Director of Tuberculosis wrote to Dr. Gillis on May 6 to inform him of the position, and the first paragraph of that letter reads as follows:

> Dr. Woodruff has requested me to advise you of the Crown Solicitor's opinion regarding the date of termination of Mrs. X's compulsory period in hospital, which is that unless Mrs. X obtains an order under section 146 (*f*) (2) of the Health Act, her hospital term—pursuant to the special magistrate's order of December 14, 1964—will end on June 15, 1965, or on such earlier date as she may be lawfully released.

Dr. Gillis then directed a letter to the Attorney-General, dated May 21, not only disagreeing with the directives which he had received but stating that it would appear that what he considered to be the mistaken opinions of the Crown Solicitor and the Attorney-General had been based upon a failure by his superiors to supply sufficient information to the officer and the Minister. The Attorney-General then requested that the Minister of Health should draw Dr. Gillis's attention to the Crown Solicitor's opinion but was informed that this had already been done. On June 15, Mrs. X left the Morris Hospital, as she was legally entitled to do. Despite the clear directives to Dr. Gillis as to the legal position, at 8.30 a.m. on June 15 Dr. Gillis called the Police Missing Persons Bureau and informed Senior Constable Fletcher that Mrs. X had left the hospital without permission; that there was a warrant outstanding which had not expired; and that Mrs. X could be returned to the hospital on the warrant already in existence. He specifically asked that Mrs. X be returned to the hospital by the police. He made no mention of the Crown Solicitor's or Attorney-General's opinions to the officer. The constable concerned depended upon the advice and direction of Dr. Gillis, and with Woman Police Constable Hansberry arrested Mrs. X and returned her to the Morris Hospital, purporting to act on the warrant.

The matter was later in the day brought to the attention of the Minister of Health and at 2.45 p.m. on June 15 Dr. Gillis was instructed by the Assistant Secretary of the Department of Public Health that Mrs. X must be released and that she must be provided with a taxi service order to enable her to travel to any destination she desired. In fact, it is understood that Mrs. X had missed a train connection to a country town as a result of her wrongful arrest and detention, and it was necessary for the Government to endeavour to do all that it could to rectify any damage or inconvenience caused to her. Dr. Gillis demanded written confirmation of the telephoned instruction, which was not given, but the Secretary of the Hospitals Department drew his attention to the advice of the Crown Solicitor which had been communicated to him on two occasions as to the time at which the effect of the magistrate's order expired. Dr. Gillis subsequently telephoned the Police Department and endeavoured to obtain action by the police to carry out what he alleged to be the effect of the warrant. The telephone call was carefully recorded by Sgt. Daws and the effect of it was, in fact, confirmed in a subsequent letter addressed to the Commissioner of Police by Dr. Gillis repeating statements in his telephone conversation. In his letter to the police Dr. Gillis alleged:

Neither has the Local Court changed, either by telephone or letter their statement to me over the telephone that of course the police and I must complete our legal obligation by detaining her up to July 26, 1965.

Investigation by the Local Court Judge reveals that no such statement or instruction was given to Dr. Gillis by any officer of the Local Court Department. Dr. Gillis then addressed letters to the Crown Solicitor and to the Minister of Health, dated June 16, stating:

I have carried out written instructions from the court under the law and notified the police of this fact that Mrs. X left the hospital yesterday afternoon, so that the police can carry out their legal instructions and return her to the hospital, and I will continue to do so up to July 26, 1965, when the warrant expires.

Dr. Gillis thus made it clear that he would not accept the opinion of the Attorney-General and the Crown Solicitor, that he would not accept directions of his Minister and his superiors in the Public Service, and that he would continue to follow a course endeavouring to get officers of the Police Commissioner's department to carry out what would be a further wrongful arrest and false imprisonment of Mrs. X. In these circumstances, the Public Service Commissioner recommended to the Government that Dr. Gillis's appointment in the Public Service be terminated forthwith under the general power of the Crown as an employer. A recommendation was made to His Excellency the Governor in Executive Council, and that was done.

The Government was advised that publication of these matters would not only be contrary to the public interest on a number of obvious grounds, but also could draw attention to the fact that an action lay for wrongful arrest and false imprisonment for substantial damages by Mrs. X against innocent police officers. As the whole background of Dr. Gillis's actions and activities in the Public Service was well known to the Opposition, and as it was felt that publication of all these matters would certainly not be helpful to Dr. Gillis in obtaining employment elsewhere, the Government accepted advice tendered to it that no public statement such as has been made here today should be made.

As, however, the Government has been questioned by Opposition members concerning this matter and as Dr. Gillis has continued a campaign alleging that he has been unjustly treated, the Government feels it proper in all the circumstances that this statement should now be made available to Parliament. If there is any portion of the files on this matter which honourable members wish confidentially to examine, the files will be made available to them.

QUESTIONS

ANZAC HIGHWAY.

The Hon. Sir ARTHUR RYMILL: Last week I asked the Minister of Roads a question about the Anzac Highway. Has he a reply?

The Hon. S. C. BEVAN: Yes. Most of the points raised in the honourable member's question of August 24 have been answered in the reply to his question of May 25. I have a report as follows:

The responsibility for the maintenance of the Anzac Highway and its bicycle tracks is defined in the Anzac Highway Agreement Act, 1937. Clause 4 of the schedule to the Act stipulates that the Commissioner of Highways shall maintain the road pavements and the bicycle tracks for a period of 28 years from the date of the issue of a certificate. This occurred on April 1, 1940. The schedule defined the complete cross-section of the road, and it would seem that an amendment to the Act would be needed to allow the removal of the bicycle tracks before April 1, 1968. If the bicycle track is ultimately removed, additional pavement widths would be available for road vehicles. However, the capacity of the intersections would have to be examined in order to determine whether much advantage would be obtained. The expenditure involved in the bicycle track removal would be considerable as there are public utilities accommodated on the verge between the bicycle track and the road pavement. Furthermore, the existing stormwater drainage system would need extensive alterations as the pipes have only a minimum cover at present and would have to be lowered if the pavement were extended. The trees also would need a considerable lopping as they overhang the bicycle track and would interfere with the effective use of the area as road pavement. There have been no recent counts of bicycles using the tracks and these can be undertaken if deemed necessary.

The installation of isolated parking bays or a continuous parking bay would involve the removal of the bicycle track. This would contravene the schedule under the Anzac Highway Agreement Act, 1937. The conversion of the bicycle track into a parking facility would be extremely costly, as it would mean the re-laying of an extensive underground stormwater drainage system that occurs under the present kerbing. The trees may have to be removed to allow the parking bays to operate efficiently. In any case, they would have to be lopped heavily, thus detracting from their appearance and the general aesthetics of this memorial highway.

The number of bicycles using the track is extremely variable, and depends on the season. The number varies along the length due to the

large number of short distance trips carried out, particularly adjacent to the schools abutting the road. There is no doubt that the number of cycles using the track is decreasing and that the track is not operating at capacity conditions. However, in view of the agreement, the large expenditure involved, and the aesthetic detraction by lopping or tree removal, the conversion of the bike track to car parking bays has not been placed on the immediate departmental works programme.

FORRESTON MAIN STREET.

The Hon. M. B. DAWKINS: On August 3 I asked the Minister of Local Government a question about the sealing of the main street in the township of Forreston. Has he a reply?

The Hon. S. C. BEVAN: Yes. Forreston main street forms part of the Gumeracha-Williamstown district road, which is listed in the five-year advance programme for construction and sealing to be commenced during 1966-67.

SCHOOL BUS SIGNS.

The Hon. R. A. GEDDES: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. A. GEDDES: It has come to my notice that many privately owned school buses have various sized signs with the words "School Bus" on them. Some of these signs measure about 2ft. 6in. x 1ft. and are quite small and hard to read, and some measure about 6ft. x 6in. I understand that there are certain regulations or rules relating to stopping or travelling slowly when a school bus is stationary so that children may alight, and it is extremely hard to recognize these signs on buses at stopping places. Will the Minister who represents the Minister of Education in this Chamber ask his colleague to consider setting a standard pattern for school bus signs and insisting on private bus operators placing them correctly on school buses?

The Hon. A. F. KNEEBONE: I will make the inquiry, although I am not sure that this matter is under the control of the Minister of Education.

STRUCTURE COLLAPSE.

The Hon. D. H. L. BANFIELD: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. D. H. L. BANFIELD: A report appeared in this morning's *Advertiser* about an accident that occurred yesterday when a steel shell of a prefabricated theatre crashed at the Memorial Drive, seriously injuring one person, while another 12 workmen jumped to safety. Will the Minister of Labour and Industry get a report on the cause of the accident?

The Hon. A. F. KNEEBONE: Yes. I agree with the honourable member that this accident has caused considerable concern. I have had an interim inquiry made and have the following report:

On August 31, 1965, a portal frame type steel structure at Memorial Drive Courts collapsed during dismantling operations. Unfortunately a workman was injured as the result of the accident. Preliminary reports indicate that the removal of certain knee-bracing between purlins may have affected the stability of the structure, which collapsed during gusty wind conditions. The circumstances are, however, being closely investigated by the Chief Inspector of Scaffolding with a view to establishing the actual cause of the collapse.

TOWN PLANNING.

Adjourned debate on the motion of the Hon. Sir Norman Jude:

That, in the opinion of this Council, the administration of the Town Planning Act should be placed under the care and control of the Minister of Local Government and Roads.

(Continued from August 25. Page 1235.)

The Hon. C. D. ROWE (Midland): I rise to support this motion. In doing so, I notice that we have no speeches on this matter from the front bench opposite. Whilst I should be presumptuous if I assumed that honourable members opposite agreed to the motion, nevertheless, I think it is true to say that at least they are considering what has been submitted; but, lest I be considered presumptuous, I propose to go on with my speech, because the additional evidence I can produce will, I am sure, remove any doubt those honourable members may have about the wisdom of this motion. I congratulate the Hon. Sir Norman Jude on the excellent way in which he presented the case. He covered the history of town planning legislation in South Australia and the details of the position whilst it was his responsibility as Minister. He mentioned the fact that requests were made even at that time that its administration be transferred from the then Attorney-General to his own department. I state firmly and definitely that I had no objection to that request, or to that request being approved. In fact, it may have had some merit.

I also compliment the Hon. Mr. DeGaris, who dealt with other aspects of the matter in his speech. I mention also the speech made

by the Hon. Mr. Banfield. I am afraid I cannot use the same congratulatory terms when speaking of him as I used when speaking of the other honourable members but, nevertheless, he said one or two things on which I desire to comment. He referred to something I could not understand—in relation to a "one-man band".

The Hon. D. H. L. Banfield: Your man introduced it!

The Hon. C. D. ROWE: I could see no justification for it, unless the honourable member was referring to the immediate position in which the Government finds itself, which may have some application.

The Hon. D. H. L. Banfield: The Hon. Sir Norman Jude mentioned it first!

The Hon. C. D. ROWE: Another point he raised was that something could have been done about transferring the administration of the Act previously, and that was not done; he asked me to deny that if I could. I cannot deny that nothing was done, and the position remained as it was, but we are today in a completely different position with regard to the administration of town planning from what we were six months ago. If the honourable member had taken the trouble to read the Town Planning Act, he would have seen the reason for that. Nevertheless, he was entitled to say what he did, and I have no objection to his comments on this motion.

I do not propose to go through the whole history of town planning, because that has been adequately done by my colleague Sir Norman Jude, but I do propose to go back as far as 1955, because it was in that year that the Playford Government introduced an amendment to the Town Planning Act, its purpose being to look after the position of town planning in the metropolitan area of Adelaide. Parliament in that year passed that amending Bill, clause 3 of which defined the metropolitan area, which was to be the subject of an investigation by the committee to be appointed; and clause 4 provided that there should be a different town planning committee, which was to consist of a Town Planner and four members, who were to be appointed by the Governor.

Then clause 7 of that Bill set out the powers of the committee with regard to withholding approval for subdivisions if it was not satisfied on certain matters: those were that the committee was to withhold approval if the subdivision was subject to inundation by drainage waters or floodwaters; if the allotments, reserves or parcels of land could not be satisfactorily drained; if the proposed subdivision would destroy the natural beauty of the spot concerned; and it had to look into other matters regarding the width of roadways, and so on. But the main purpose of the 1955 amendment was to provide for a development plan for the metropolitan area of Adelaide. Clause 10 of that Bill introduced a new section 26 (1) into the Act, which reads as follows:

The committee shall, as soon as may be, make an examination of the metropolitan area and an assessment of its probable development and for that purpose shall have regard to the following matters:

Then follow paragraphs (*a*) to (*e*), dealing with all the matters to which the Town Planning Committee shall have regard in preparing this new plan. I shall not read them all but shall mention one or two. It had to take into consideration the provision likely to be necessary for public transport and whether the existing principal highways were adequate for the needs of the metropolitan area—what provision should be made for them. It had to consider whether open spaces, such as parks, playgrounds, sportsgrounds, public gardens and other public reserves were adequate; it had to consider the classification or zoning of districts for industrial purposes and for the proper segregation of noxious trades; also, it had to consider the provision of public services such as sewers, water supplies, electricity supplies, gas supplies and like facilities.

Following the passing of that Act, the new Town Planning Committee was appointed and proceeded about its work. In due course, it presented what is now the Report on the Metropolitan Area, a comprehensive and thoroughly compiled document. I compliment the Town Planner and all the members of his committee on the work they did in connection with it. When the report of the Town Planning Committee became available in 1963, the Playford Government found it necessary to further amend the Town Planning Act, and on December 12 of that year the amending legislation was passed. Clause 3 of that amending Bill inserted the following provision in the Act:

The committee shall within 12 months from the passing of the Town Planning Act Amendment Act, 1963, call for, receive and consider objections and representations from any person relating to the report of the committee submitted to the Minister pursuant to section 28, or any matters referred to therein.

There was to be a period of 12 months from the passing of that Act in December, 1963, during which representations could be made

regarding proposals in the report. When I was Minister many representations were made to me (and I presume that numerous representations have also been made to the present Minister), objecting to the proposals in the plan and asking for modifications. The period of 12 months expired in December, 1964, which was after Parliament rose last year, and, therefore, nothing could be done to implement the proposals. We have now reached the stage where it is the responsibility of the Government of the day to implement the proposals. We did not reach that stage during the life of the Playford Government. If we are to believe what is being said, now is the time when "teeth will be put into the Town Planning Act".

That is why the present situation is different from what it was when the previous Government was in office. We have reached the stage where the proposals can be put into effect, and that leads us to the question of which portfolio is best suited to enable assistance to be given to the people concerned in the administration and implementation of the legislation. Sir Norman Jude's motion, in effect, says that the Minister who can do this most effectively is the Minister of Local Government and, I think that when we look at the situation, there can be no argument about this. It is not a question of personalities but one of how most assistance can be given to the Minister to carry out the necessary work.

When we look at the organization of the Highways and Local Government Department, with the specialists that it has in many branches of work immediately related to town planning, and compare that with the position in the Attorney-General's Department, where there are no officers who can carry out the detailed work, we see that the obvious thing to do is to transfer the administration to the Minister of Local Government. The Highways and Local Government Department has fairly successfully tackled many problems associated with town planning. For instance, it has already provided a dual highway from Adelaide to Gawler that will serve the needs of the State for a long time. It has taken action to acquire land following decisions that something should be done in accordance with the recommendations of the Town Planning Committee. It is already engaged (and this may be through independent people) in a survey of the traffic problems in the metropolitan area, and this is related to future town planning.

It also works in conjunction with the Engineering and Water Supply Department where it is necessary for a subdivider to contribute towards the cost of sewers and water supplies. Under the previous Government an effective arrangement was arrived at (and I understand that it is being continued by this Government) that, where it became necessary to provide water and sewers above what one would normally expect in a flat area, the subdivider was expected to meet the additional costs. The Engineering and Water Supply Department, in conjunction with the Highways and Local Government Department, is doing important work in that respect. In town planning, the people responsible for attempting to solve problems invariably have to consult the local governing bodies concerned. These bodies have particular knowledge of their areas and of the types of development going on. In point of fact, the Minister in charge of this Act at present has already made a statement, to which much publicity has been given, to the effect that he is asking for the co-operation of these bodies in working out schemes for the development of areas and for the implementation of the Town Planning Act.

All these matters come under the control and direction of the Minister of Local Government and, as we have to look to these bodies for co-operation and assistance, and as there is direct liaison between the Government departments and the local governing bodies, it is logical that the Minister in charge of the Act should be the Minister of Local Government. Indeed, that is only common sense. The Highways and Local Government Department, left as it was in very excellent state by my colleague, the Hon. Sir Norman Jude, has a large and competent staff possessing knowledge of the various aspects of town planning. I repeat, therefore, that it is logical that they are the people who should look after this particular matter, and for those reasons I support the motion.

There are two other things to which I should like to draw attention. First, when Sir Norman Jude was the Minister he had the responsibility of three portfolios—Local Government, Roads and Railways. At that time he was more than fully occupied and it was not easy to transfer the Ministerial responsibility from the Attorney-General to the Minister of Local Government without a complete re-arrangement. At the time the Attorney-General had only two portfolios: he was Minister of Labour and Industry as well as Attorney-General. I am not expressing an opinion on this, but it was

said that he did not assume some of the responsibility that he should have.

The Hon. C. R. Story: You did your own public relations, didn't you?

The Hon. C. D. ROWE: I did my own public relations, and I relied largely on the opinions of the Crown Solicitor rather than on my own. If I may say so, I found that a satisfactory attitude, particularly when I was considering the question of exempting Eyre Peninsula from the provisions of the ton-mile tax.

The Hon. D. H. L. Banfield: Does that come under this motion? It is not mentioned.

The Hon. C. D. ROWE: No, but that does not matter; I have already said what I wanted to say. The other matter is that under the new set-up the Attorney-General has large and responsible portfolios. He has been given the portfolios of Aboriginal Affairs and Social Welfare, although I do not think he has been given the money to do all he wants to do, but that may come in due course, and perhaps we shall hear all about it in the Budget tonight. In addition, the Attorney-General has the important portfolio dealing with town planning. We have a Minister solely responsible for local government, and we have great respect for him. He possesses competence and, although these are not the main grounds on which I argue, the logical thing to do is to transfer town planning to the Minister of Local Government. If that is done, we can hope that all the work done under the direction of the Playford Government in the production of the excellent report and the preparation of the blueprint for the future development of South Australia will not be wasted. I sincerely hope that action will be taken immediately and not delayed for two years until the next election comes up, when, of course, we shall be back in office and will attend to the matter ourselves if it has not already been done. I have much pleasure in supporting the motion.

The Hon. C. R. STORY secured the adjournment of the debate.

ABORIGINAL AND HISTORIC RELICS PRESERVATION BILL.

Adjourned debate on second reading.

(Continued from August 31. Page 1335.)

The Hon. R. A. GEDDES (Northern): I congratulate the Hon. Mr. Kemp on the initiative he displayed in submitting this Bill for our consideration. I also congratulate previous speakers who have commented upon it, and I agree with them that it is not perfect. Some amendments could well be made to make it more effective. I listened with interest when the Chief Secretary said that the Government had possibly four amendments—two minor and two major—that could be made to it. He also mentioned that the Government wished to bring in a Bill of similar intent at a later stage.

One of the problems in Australia is the procrastinating and lackadaisical attitude adopted towards preserving things of the past. That is not a new matter, for Australians have been noted for it for many years. We have an opportunity to pass legislation so that links with Aboriginal forebears may be preserved. They are becoming fewer and fewer each year. Wherever possible they should be preserved. There is an urgent need to act now and not leave it for somebody else to do it later. Many Governments in the past have been accused of being like the ostrich that buries its head in the sand, particularly in relation to little things. They have been prepared to not do things today and leave them until tomorrow. I am sure the present Government would not like that to be held against it. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Definitions."

The Hon. R. C. DeGARIS: I am in doubt about the interpretation of some of the matters in this clause. The definition of "relic" contains the words "any trace, remains or handiwork of an Aboriginal". If an Aboriginal died recently everything he owned, even his bones, would become relics within the meaning of the Bill. I cast doubts about the need to have this definition so wide. Is the Hon. Mr. Kemp happy with the definition of "relic"?

The Hon. H. K. KEMP: The definition was left intentionally in its present wide form to cover all the contingencies that might arise. Any of us could be relics in years to come, if it were read widely enough. A situation could arise, as has arisen in Tasmania, where Aborigines are now extinct. Many traces of them have been lost because of the failure to preserve their relics. Legislation of this nature remains in operation for a long time and I do not think that there is any harm in having the definitions as wide as possible, leaving it to common sense to exclude the impracticable.

The Hon. R. A. GEDDES: The definition contains the words "It does not include any handiwork made by a living Aboriginal for the purpose of sale." I emphasize the question

asked by the Hon. Mr. DeGaris. An Aboriginal may be still practising the art of Aboriginal workmanship in the northern parts of the State, or even in the more remote areas of Australia. He may not necessarily make articles for sale, although perhaps they may be purchased. If that Aboriginal should die the article would become a relic, because it would not be one that was made deliberately to put into a shop. It would be made by an Aboriginal, but by what I would term a modern Aboriginal. Could we define "relic" more clearly by inserting a date or an age?

The Hon. Sir ARTHUR RYMILL: This is an important aspect of the Bill. We do not want to interfere in any way with trading by Aborigines. The clause covers any handicraft made by a living Aboriginal, and I think it needs further consideration. I point out that it is customary for matters in a definition clause to be in alphabetical order. The definition of "relic" should be second to last. I have just been informed that some members would like to give further consideration to this clause, so I suggest that progress be reported.

The Hon. H. K. KEMP: I have no alternative but to ask that progress be reported.

Progress reported; Committee to sit again.

LOTTERY AND GAMING ACT AMENDMENT BILL.

The Hon. A. J. SHARD (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act, 1936-1964. Read a first time.

The Hon. A. J. SHARD: I move:

That this Bill be now read a second time.

The object of this short Bill is to enable what is in effect a transfer to be made from this year to 1966 of one of the available 17 days for which totalizator licences may be granted for the Morphettville racecourse. Section 19 of the principal Act provides in paragraph (*a*) that the total number of days for which a totalizator licence may be granted for the Morphettville racecourse in any one year is not to exceed 17 (subject to a special provision regarding charitable meetings).

The reason for the amendment lies in the unusual fall of dates—Saturdays and public holidays—in 1965. The total number of available days for racing throughout the metropolitan area permitted by the Act is 61. In order to make use of the full number, the South Australian Jockey Club would have to hold a meeting on Thursday, December 30, a day which is not a public holiday and on which no Melbourne race meeting will be conducted. In contrast to 1965, with the declaration of Monday, January 3, 1966, as a public holiday, there will be 62 available days. The club has therefore asked that it be permitted to hold an extra race day in 1966 and one less in 1965. The total number of days over the two-year period will in fact be the same.

The club applied for a transfer from December 30, 1965, to Monday, January 3, 1966, but there is no power in the Act to accede to the request, which the Government supports. Accordingly, this Bill will provide the necessary amendment to section 19. I think honourable members will realize that it is not in the best interests of all persons concerned for a metropolitan race meeting to be conducted on an ordinary week day during business hours, and I think it would be wrong to start the new year with no race meeting on New Year's Day. I therefore commend the measure to honourable members, and ask them to give it their speedy attention.

The Hon. Sir NORMAN JUDE (Southern): This short Bill needs little further explanation than that already given by the Chief Secretary. After glancing through it, I find that it means the transfer of a racing day of the South Australian Jockey Club in the closing days of 1965 to the opening days of 1966. I imagine that my strong anti-gambling friends will rejoice at the fact that people will be able to retain their money for another three or four days. However, the South Australian Jockey Club made this common-sense request, and one may describe the Bill as one for more orderly racing. It would be unsatisfactory to have a race day on Thursday, December 30, so the Bill transfers the day to January 3, which will be a public holiday. I have much pleasure in supporting the Bill.

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

NURSES REGISTRATION ACT AMENDMENT BILL.

Second reading.

The Hon A. J. SHARD (Minister of Health): I move:

That this Bill be now read a second time.

It amends the Nurses Registration Act and has two chief purposes. First, it provides for two additional members of the Nurses Registration Board, one as a representative of psychiatric and mental deficiency nurses and the other as a representative of the Mental Health Services. Secondly, it will allow former

mental nurses (that is, persons who were qualified to be registered as such before the commencement of the amending Act of 1963) to be registered on both the Psychiatric Nurses Register and the Mental Deficiency Nurses Register—the two new registers.

With regard to the first amendment relating to the two new members of the Nurses Registration Board, it has been urged for some time by the Australian Government Workers Association and the Director of Mental Health on behalf of psychiatric and mental deficiency nurses that these nurses should be directly represented on the board. The absence of any such representation on the board in the past has meant that the needs, interests and problems of psychiatric nurses and mental deficiency nurses may not have been adequately considered by the board. A particular bone of contention has been the standards of the examinations set, and the course of training conducted, by the board for psychiatric nurses and mental deficiency nurses. This proposal for direct representation was put to the board last year but was rejected since it was then considered that as registered mental nurses were accepted as members of the Royal Australian Nursing Federation (South Australian Branch) they were through this association well represented on the board. Experience has shown, however, that this indirect form of representation is inadequate and that psychiatric and mental deficiency nurses have been denied an effective voice on the board. It is thought that the needs and views of some 800 nurses in the psychiatric nursing field representing over 2,500 hospital beds deserve direct representation on the board by persons having psychiatric nursing experience or qualifications. The Government has accepted the proposals of the Australian Government Workers Association and of the Director of Mental Health for representation on the board as being fair and reasonable.

Clause 4 accordingly provides for a representative of the Mental Health Services to be nominated by the Minister and a representative of the Australian Government Workers Association to be on the board. Clause 5 makes a consequential amendment to section 10 of the principal Act increasing the quorum from four to five members.

The second amendment, relating to former mental nurses, may be explained as follows: On April 2 of last year (which is defined as the relevant day), when the principal provisions of the amending Act of 1963 came into operation, mental nursing was divided into two branches—psychiatric nursing and mental deficiency nursing. That Act provided for two separate registers to be kept—one for each branch—and further provided that the existing mental nurses would be required to elect as to which register they would be placed on. Honourable members will recall that when the Bill for that Act was introduced in 1963 it was stated that the training of mental nurses was inadequate in comparison with the greatly enlarged course of training in psychiatric and mental deficiency nursing which was then proposed to be introduced. However, the Nurses Registration Board has drawn attention to the fact that the certificates held by the mental nurses certify their proficiency in both psychiatric and mental deficiency nursing and has recommended that they should be entitled to be placed on both the new registers. The Government considers that to restrict the former mental nurses to one register would be to deprive them of qualifications duly granted to them, and therefore approves of the recommendation of the board.

The appropriate amendment is made by clause 6, which inserts four new subsections in section 19 of the principal Act. The new subsections provide that the former mental nurses will be entered on both registers without fee with effect from the relevant day (except in the case of a former mental nurse who, though qualified, was not in fact registered as such, in which case the appropriate fee will become payable). New subsection (6) makes special provision for nurses who commenced their courses before the relevant day but finished afterwards and who have been granted a certificate in the old form relating to both psychiatric and mental deficiency nursing. This particular class of nurse is now closed and future trainees will qualify in either one or the other of the two new branches of mental nursing. Clause 3, as a consequential measure upon clause 6, deletes the definition of "the former mental nurses register" in section 4 of the principal Act.

Clause 7 effects a minor revision of section 26 of the principal Act. The retention fee is now fixed by regulation at 10s. The reference to 5s. in the section is therefore misleading and is deleted. Clauses 8, 9, 10 and 11 are all consequential upon clause 6. Clause 8 repeals section 33p of the principal Act, which provides for an election by former mental nurses as to which of the two new registers they are to be registered on. This section has become redundant, any election now being unnecessary by virtue of clause 6. For the same reason, clauses 9 and 10 remove from sections 38 and

40 of the principal Act provisions designed to permit former mental nurses to practise until they are required to make the election, and clause 11 deletes from section 44 a provision enabling regulations to be made in respect of the election. I commend the Bill to honourable members for their consideration.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from August 31. Page 1329.)

The Hon. R. C. DeGARIS (Southern): I support the Bill but should like to point out, briefly, what I consider are some of its disappointing aspects. I refer to Parliamentary Paper 11A, in which the Treasurer stated:

The Government in its first Loan Budget has had to face and overcome several serious financial disabilities. The outgoing Government in preparing its Loan Budget for its last year in office was fortunate enough to have in hand at the commencement of the year £1,698,000 of unspent Loan funds. The year 1964-65 finished, however, with an overspending of £30,000.

I wonder whether the overspending of £30,000 on last year's Loan allocations was entirely the responsibility of the previous Government. I believe that, while some mention has been made of the fact that there was over £1,250,000 of unspent Loan funds available, this is a commonsense way of going about the handling of the State's finances.

The important thing to realize is that last year the total amount of Loan funds used in the State was £36,820,000; this year the total Loan funds will be £36,964,000, which shows a rise of about £144,000 for the year 1965-66—an increase of about 0.3 per cent. It can be seen that this year in terms of actual work completed less will be achieved than in the previous year.

Following the policy of the previous Government, this Government has made a larger allocation than any other State towards housing but, because of the rise in costs in South Australia, which inevitably we shall face, fewer houses will be built in the financial year 1965-66, which means certainly that the waiting time for Housing Trust houses will increase in this financial year.

In particular, I refer to forestry in South Australia. For "Afforestation and timber milling" the estimated payments total £1,050,000. All South Australians take a great pride in their forest enterprises. We all know that South Australia is the driest State in the continent of Australia—in fact, one may say it is the driest State in the driest continent on the face of the earth—yet we have been able in this State through the foresight of our pioneers to develop a forest industry that stands as one of the most important forest industries in Australia. For example, in the district I represent (Southern) we have about 1 per cent of the total forest areas of Australia; yet we are producing about 10 per cent of the total forest products of Australia. We in Australia, of course, are poorly endowed with economic forests, when one compares them with the forest wealth of other countries.

Under timber and timber products, pulp is the largest agricultural product we import into Australia, running to about £100,000,000 per annum, which is several times higher than the figure for the next agricultural import, which, I think, is tobacco, running at about £13,000,000 a year. In Australia we have only slightly over 1 per cent of our total area devoted to economic forests. If we compare that with other nations' forests, we see how remarkably devoid we are of economic forests. In Europe 30 per cent of the total area is devoted to economic forests: in Russia it is about 55 per cent and in the United States 39 per cent, compared with our own 1 per cent, or slightly over. The import bill for forest products, both for dressed and for pulp timber, will increase because of our expanding population and also because of the greater use being made of forest products. Consumption in the United States of America runs at about 450 lb. of timber per capita per annum, whereas here in Australia it is somewhat below 200 lb., and this consumption per capita in Australia will increase.

The Hon. L. R. Hart: Do you think that the 8,000 acres that is to be planted in 1965-66 will be sufficient to cater for our increased needs?

The Hon. R. C. DeGARIS: No. Let me put it this way, that in Australia at present we have 500,000 acres under economic softwoods. Many authorities have commented on this question pointing out that we shall need to plant at the rate of 200,000 acres a year if Australia is to meet the increased demand. At present, the increased plantings over the whole of Australia are running at about 25,000 acres a year, so we can see how far we are going to lag in our forest development, not only as our population expands but also as our economy develops to the stage where we are using more forest products per capita.

The Hon. R. A. Geddes: Do you think the trade agreement with New Zealand will have some effect on our softwood industry?

The Hon. R. C. DeGARIS: It will have some effect, but not to any great extent. I think that will affect other primary industries rather than forestry. From the point of view of the cost factor alone, we can compete more than favourably with timber imported from New Zealand. I am certain that we should aim at self-sufficiency on this question for a certain period ahead. We must also recognize that the forest industry has a great capacity to assist in decentralizing population. Although many primary industries can be developed, they do not have the same ability to attract people to the area of production.

I have previously given figures in this Chamber to show that one worker could be suitably employed on 20 acres of forest plantation. The fact that we are desperately short of softwoods is no reason why we should accept that position because softwood, as far as Australia is concerned, is a very economic crop to grow; it is suited to Australian conditions. Growth rates of softwood plantations in Australia are extremely high by world standards. Our standing plantations also are returning much more than is achieved anywhere else in the world.

As I have pointed out, the present rate of expansion in the softwood industry will not keep pace with the increased consumption, without considering the increase in our population. The position in South Australia, in a nutshell, is that the department is planting at the rate of 6,000 to 7,000 acres a year. It is obvious that this rate cannot continue, the reason being that the department has not sufficient land to enable it to continue this rate of expansion of forest areas. Of course, the department is interested only in fairly large areas of land for forest development. It is not interested in a block of 100 or 200 acres, but requires blocks of thousands of acres in order that the proposition shall be economic as far as management practices are concerned.

For many years, I have advocated a comprehensive scheme to encourage tree farming in South Australia. This encouragement should be given to allow smaller areas of land on farms to be devoted to forestry. Therefore, it was with some gratification that I learned last year that a Bill was on the Notice Paper in another place providing for the implementation of such a scheme in South Australia. However, I understand that there were one or two difficulties and, because of that, the Bill was not proceeded with. Perhaps we should once again look at the position in this State. I estimate that in the South-East of South Australia alone, between 80,000 and 100,000 acres of land is suitable for softwood development. This land would be of little interest to the Woods and Forests Department. Much of it is quite unproductive at present; it is not used for any intensive cultivation.

Surely the Government could consider a scheme that would encourage use of this unproductive land for forestry purposes. Such an industry could give an excellent return to the acre and, in the existing circumstances, it should be our immediate aim to use the land. The question may be asked: if this land could be productively used by a farmer, why hasn't he got it under forestry at the moment? However, the answer is simple. First, forestry involves a long-term investment and most farmers are not interested in receiving a return 35 to 40 years hence. They look for an immediate return on the capital they invest. Secondly, there is the problem of taxation in that in a forestry enterprise, felling is carried out for a limited period of years, whereas the timber may have been growing for 40 years.

Therefore, there are definite reasons why this area of land, between 80,000 and 100,000 acres, is not being used for forest production. I consider that a scheme could be introduced to overcome the difficulties and bring this non-productive land into high production, giving great economic return. I am certain that the answer lies in assisting and encouraging the development of tree farming in South Australia. Such schemes exist in a number of countries, in particular in the United States and New Zealand. In the United States, in 1939, there were about 15,000 acres under tree-farm schemes. In 1960, there were some 50,000,000 acres under these schemes. When one compares the 50,000,000 acres devoted to these schemes in the United States with the total softwood area of 500,000 acres in Australia, one can see the fantastic growth that has taken place in the United States by a scheme of assisted tree farming.

The Hon. L. R. Hart: There are also good schemes in operation in Great Britain and the Scandinavian countries.

The Hon. R. C. DeGARIS: Yes. I could deliver a lecture on this but, for the sake of brevity, I mention only the United States and New Zealand.

The Hon. S. C. Bevan: Do you suggest that the Government should compulsorily acquire this land?

The Hon. R. C. DeGARIS: No, I am coming to that. I have a newspaper article in which the Minister of Forests, Mr. Bywaters, has a lot to say about it. He has gone into reverse about what I think is the best thing to do.

The Hon. L. R. Hart: He is cased up at present.

The Hon. R. C. DeGARIS: I am glad that somebody is, as a lot of tomatoes and other things are not cased up at the moment. Perhaps I could now give details of a reasonable scheme that could be introduced into South Australia. The idea is different from that operating in the United States of America, the United Kingdom and New Zealand, where tree farming has become an important section of farming enterprise. I speak of the question as it affects the South East because I know that area so well. It could also apply to other parts of the State where a farmer has, say, 500 or 600 acres of which 50 or 60 acres is low-production country, though suitable for soft-wood production. The farmer is not interested in planting trees for the reasons that I have stated—a long-term wait for returns and a difficult problem in taxation when those returns are received.

The first step is that he applies to the Woods and Forests Department to come under this scheme. The applicant's area is inspected and given what is known as a "site quality". The officers of the Woods and Forests Department can accurately assess the productive capacity of various soil types in the South East, and there are several such site qualities on which the annual returns can be assessed. Perhaps site quality No. 1 would be £15 an acre annually, site quality No. 2 £12 an acre annually, and so on down the various site qualities. On site quality No. 1 it can be shown that the return (after allowing for an interest rate of 6 per cent and also 8 per cent as a cover for fire insurance) of the plantation on a yearly basis would be about £10 an acre, which is possibly higher than any other form of production. This immediately overcomes the objection of the farmer in relation to tree plantation because he has tree farming down to the basis where he receives an annual return paid by the Woods and Forests Department.

It is also necessary in the organization of this industry that the Woods and Forests Department control the areas under this particular scheme. There is a need for control in order to plan the flow of pulp timber to the pulping mills and to plan the flow of the bigger timber to the various mills. I have seen private forests in the South East that have been placed in a good deal of difficulty because there was no way in which they could sell all their first thinnings or their second thinnings because the pulping mills were tied up with contracts in a particular forest area. It is necessary to know the volume of timber going to the mills each year.

The Hon. R. A. Geddes: Would this help the housing industry also?

The Hon. R. C. DeGARIS: It would in time but most housing timber comes not from younger trees but from the older trees. There would be an increase in building timber available after 30 to 35 years.

The Hon. C. R. Story: Would this scheme apply equally to other parts of the State and to other types of timber?

The Hon. R. C. DeGARIS: I cannot answer that as I do not know the economics of growing any other timber in a plantation. I know that in softwoods it is an economic proposition and I also know that certain hardwoods cannot be grown in plantations in high rainfall country of the South-East economically as the growth rate is too slow.

The Hon. C. R. Story: I was thinking of deltoides?

The Hon. R. C. DeGARIS: That is possibly economic. I have heard the Hon. Mr. Kemp speak on that recently and the necessity for developing the industry in South Australia. Having advocated this scheme for at least 10 years and having reached the stage where I thought I had convinced certain members of the Woods and Forests Department of the advisability of this scheme, I was overjoyed that at last we would see developments along those lines as a result of a Bill that was introduced last year in another place. However, after the change of Government I read this in the *Border Watch*:

Subsidy on pine land. If the Commonwealth Government agrees to subsidize a softwood programme, South Australia will ask that its subsidy be spent on buying land suitable for *pinus radiata*, instead of subsidizing plantings.

I point out that this idea of buying land for softwood development is all very well, but the only land that the Government could be interested in is land that at the moment is already producing highly in other forms of agriculture. The newspaper continued:

Stating this on his return from New Guinea on Sunday, the Minister of Forests (Mr. G. A. Bywaters) said South Australia had almost reached the limit of new plantings and in five

years there would be no land available. Mr. Bywaters attended the third meeting of the Australian Forestry Council in New Guinea last week. He said an extra 75,000 acres of tree planting each year in Australia was involved in the softwood programme, discussed at the meeting. The suggested programme would continue until the year 2,000. The conference had agreed that the Commonwealth Government should be approached for a £1 for £1 subsidy for the programme. He had proposed special conditions for this State. On his initial visit to the South-East at the end of last month, the Minister stated that the rate of progress in the softwood industry in this district would depend on whether land would be available at an economical figure for future plantations.

It can be seen that the attitude of the Minister of Agriculture at the moment is in complete reverse to the attitude that I think the Government should take. In other words, we should aim to develop this 80,000 to 100,000 acres of land which at the moment is not being developed for any other form of agriculture. It should be developed for softwood production rather than that the Government should purchase land for forestry development that already is highly productive in other forms of agriculture. If the Government does not make a move to develop and encourage a tree-farming scheme along the lines that I have suggested and have a productive forestry system, I am sure that private forestry companies in the South-East will do this, but it will be to the final detriment of the Government's industry in the South-East.

Finally, I turn to the question of fishing havens. The sum of £21,000 has been provided for expenditure on fishing havens in South Australia. I was disappointed with this allocation because not only is the fishing industry a very important industry in this State but there is a great need for its further development. This matter was dealt with yesterday by the Leader of my Party in this Chamber, the Hon. Sir Lyell McEwin. The previous Government constructed on the South-East coast an excellent boat haven at Robe. This has been of great benefit to the fishing industry there, but on the inhospitable coast of the South-East there is a need for the greater development of boat haven facilities. They are needed at Port MacDonnell, Carpenters Rock, South End, Beachport, Cape Jaffa and Kingston. Last year £42,000 was spent on developing boat havens along the South Australian coast, but this year the allocation has been reduced to £21,000. The fishing industry is developing rapidly and much more research is necessary, particularly on deep-water fishing. One can predict that with the provision of adequate fishing facilities along our coastline a great development will occur.

I support the Bill. I hope I have not appeared to be over-critical; I have intended what I have said to be as constructive as possible.

The Hon. R. A. GEDDES (Northern): I support the Bill. South Australia's share of the Loan Council allocation this financial year is £40,446,000 out of a total to all States of £295,000,000. The veiled criticism by members opposite that the previous Government left the coffers empty of Loan funds is actually a criticism not of the previous Government but of the present Treasurer. This criticism is hard to understand when one realizes that the allocation from Canberra this year is £686,000 more than it was previously, and that the Treasurer is planning for a deficit of £13,000. Although it was said that the previous Government had left the coffers empty and therefore sufficient Loan funds were not available to do all the work necessary, the Treasurer has allowed for a deficit for next year, so the problem will be a recurring one that he will now have to answer. Why blame the previous Government when our allocation of Loan funds is 13.71 per cent of the aggregate increase of all States, which is considerably more than it would be if it were determined on a population basis, which I believe would mean an allocation of about 9 or 10 per per cent? The allocation of £4,600,000 from the Commonwealth-State Housing Agreement for the building of houses is £725,000 less than last year's allocation. The building of houses to settle in young couples and migrants is of such vital importance that it is a crying shame that the allocation should have been cut to such an extent. The sum of £600,000 has been allocated for loans to producers, and this money goes to the State Bank so that it can make advances to distilleries, fruit canners, fruit packers and other kindred industries, as well as to the processors of fish and dairy products. This is a lending service that gives a great impetus to a large section of our rural industries. The allocation is £49,000 less than it was last year, yet it has been said on all sides that the allocation for loans to producers last year was insufficient.

The £25,000 set aside to meet the seventh and final advance to the Renmark Irrigation Trust is money that is sorely needed by that organization. The trust is doing a mammoth task in rehabilitating the total area under its control, but much more capital for works is needed in that area. I am afraid that the

apparent need to increase the water charges will put a greater burden on the people in the Renmark area and that the rates may possibly increase the cost of production so that it is greater than at Berri and Barmera and other areas. In his election speech the present Premier made the following statement about the railways system as administered by the Liberal and Country League Government:

Under our co-ordinated services, and speaking of passenger services, these must be completely overhauled. The Railways Commissioner has announced an improvement in the number of passengers travelling on suburban railways. He also mentioned that country patronage had declined, but he did not say that this was brought about by his inefficient administration in not providing a suitable type of rolling stock, or perhaps he is not passenger-minded in railway services. Rail freight must be increased. The tonnages for 1955-63, both years inclusive, have been static at almost 4,500,000 tons annually. This state of affairs cannot continue. More rolling stock is needed and must be provided. I have personally visited many places within the railways and declare that the Playford Government has failed in its obligation to the people of this State concerning this very important industry.

Despite this condemnation of the railways, the allocation to the Railways Department this year is about £400,000 less than last year; last year the allocation was £3,200,000 but this year it is £2,800,000. After the show adjournment we shall probably taste the bitter pill of having a restriction on the freedom of road transport and on transport operators, and on farmers and others who use the roads. I suggest that when these people are forced to use the railways the Minister of Railways will regret the remarks made by the Treasurer, as he will have less money to keep the rolling stock moving. The statement made by some people that some of our railways system has square wheels is no idle statement.

The Hon. A. F. Kneebone: Of course, those square wheels have been there for a long time.

The Hon. R. A. GEDDES: They have, but they will need to be replaced. The wharf building programme at Port Pirie is to be kept moving forward, and I am pleased that this is so. The granting of £353,000 for the programme to continue so that the Smelters wharf can be reconstructed, to provide improved facilities for the export of lead and zinc concentrates from the Broken Hill Associated Smelters, is sound policy. The Government must keep its eye on Port Pirie. There must be much planning and assistance so that new industries, which are most essential there, are encouraged. Port Pirie has a population suited for industrial growth, and it has an intense farming area surrounding it that provides large quantities of vegetables for the markets of Australia. Despite its location and its reputation, it is a bright spot on the map of this State. There is one problem that should be aired at this moment in relation to Port Pirie. Under the quarantine laws of the land all scrap that comes off ships from overseas must be burned, but at the moment there is no incinerator in Port Pirie capable of doing the job. I understand a contractor there, who has disposed of refuse from ships for many years, applied for a grant of £250 for the building of an incinerator at Port Pirie so that all ships' refuse could be burned and correctly disposed of, but the money was not granted. So ships' refuse, which cannot be landed in Australia unless it is burned, is stored on board for 10 or more days and then taken out to sea when the ship sails again.

The problem of foot and mouth disease entering this country is real. We cannot just stand aside and say, "It will not happen here." It is considered that Port Pirie, with the centre of the town right where the wharves are, and where primary products are a stone's throw from the wharves and the shipping, is the worst quarantine area in Australia to control. The blame seems to be passed from the State authorities, who look after the quarantine, to the Commonwealth, and the Commonwealth seems to pass the problem back to the State. So, when our Governments muddle along, as in this case, like an ostrich with its head in the sand, this is where we get a problem. If foot and mouth disease should enter the State, we would rue the day, possibly for ever.

I notice with interest the statements of the Hon. Mr. DeGaris about boat havens and the spending of some £21,000 in this regard—£16,000 for a jetty at Edithburgh and only £5,000 for minor works in the rest of the State. The honourable member mentioned the fishing industry of the South-East. I suggest that the fishing industry of the West Coast is of equal importance and should gain equal prominence in this regard. When we try to split up the sum of £5,000 for boat havens around our coastline, we come to an impossible sum for each, and the chances are that nothing will happen. Many of the jetties on the West Coast were built to assist in the ketch trade that did such valuable service for many years in the handling of grain. The jetties are still there, in fair condition, but they need constant attention to keep them in reasonable

repair for fishermen who may be eking out a living on that coastline.

Before the last election we heard the catchphrase "Live better with Labor". It makes some people wonder where they must live in order that they can live better, because the previous Government allocated £42,000 last year for this industry, but now we have £21,000 allocated *in toto*, with only £5,000 for the rest of the State. As regards the tuna industry at Port Lincoln, plans were well under way at the time of the election for a slipway and better loading facilities there for this thriving industry, which is so romantic in its own way and is doing so much for our export industry. As I say, plans were well under way for these things, but there is no mention of implementing the work at the moment at Port Lincoln.

The people of Lock, Kimba and the surrounding country must be most annoyed about the promises made by the Minister of Works in this Parliament in respect of water for Kimba and Lock and the country in between, when he said that the major part of the work for the reticulation in that area would go forward this year. We find that £10,000 only has been allocated, out of a total of £958,000 for the whole project. This £10,000 is, of course, only for preliminary works. It is to be hoped most sincerely that the work will go forward, because Kimba has been crying out for water for years. This area on Eyre Peninsula is becoming the agricultural mecca for wool and cereal growing in the State. The one thing lacking is water. Nature in her wondrous way has provided vast underground stores of water at Polda and Uley-Wanilla, and the supplies are sufficiently good to be tapped and pumped through a great part of this area. The needs of progress for the people there to live better, not necessarily with Labor but by themselves, must not be ignored.

Our country hospitals programme seems to be falling by the wayside. Port Augusta with its growing population, now possibly supplemented by a greater Aboriginal influx, has not received a mention. The previous Government had a firm programme about country hospital extensions one at a time—Port Lincoln, Port Pirie and Mount Gambier, all of which have benefited by this planning; and the next on the list was to be Port Augusta.

The Hon. A. J. Shard: You are not suggesting that this Government has stopped that forward planning?

The Hon. R. A. GEDDES: I am not suggesting anything. I am reminding the Government.

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The Hon. A. J. Shard: They are going ahead very fast.

The Hon. R. A. GEDDES: Yes, but there is nothing on these Loan Estimates.

The Hon. A. J. Shard: We are keeping on with it.

The Hon. R. A. GEDDES: Show it to us.

The Hon. A. J. Shard: We are talking about country hospitals.

The Hon. R. A. GEDDES: The needs of the country people must not be forgotten. That is a pertinent point.

The Hon. A. J. Shard: That is right.

The Hon. R. A. GEDDES: Also, education and the provision of facilities for schools is a major problem that we all have to face with common sense. But let us not be subdued by the fact that some £6,000,000 has been allocated this year. That is a fine feather to wave and it is all very well to talk of the replacement and renewal of schools within the metropolitan area, but let the programme also go forward in the country in the same way as I mentioned in regard to hospitals.

The Hon. A. F. Kneebone: But this is going on in the country. I answered a question here the other day about country areas.

The Hon. R. A. GEDDES: Unfortunately, if honourable members look through the Loan Estimates they will see that there is not as much money allocated for the replacement of temporary schools in the country as there has been in the past. I have said before that the tendency seems to be to catch the eye of the metropolitan elector, at his country cousin's expense.

The Hon. A. J. Shard: On examination, the honourable member will find that that is not true.

The Hon. R. A GEDDES: It is essential that education in the country should not be at variance with that in the city. I realize that what we have we must abide by, and that the progress of the State can be interpreted in many ways. I regret that country towns and cities possibly have not received as much from this Loan allocation as they deserve. I hope that the future will not stay as dark as it may appear to be and that next year the tables will be turned and a greater Loan allocation made for these areas. I support the second reading.

The Hon. C. R. STORY secured the adjournment of the debate.

TRAVELLING STOCK RESERVE: HUNDRED OF WALLOWAY.

Consideration of the following resolution received from the House of Assembly:

That the resumption of the portion of the travelling stock reserve, south of section 294, hundred of Walloway, and now numbered sections 340 and 341, hundred of Walloway, shown on the plan laid before Parliament on November 12, 1963, in terms of section 136 of the Pastoral Act, 1936-1960, for the purpose of being dealt with as Crown lands, be approved.

The Hon. S. C. BEVAN (Minister of Local Government): The portion of land proposed to be resumed contains an area of 6 acres 1 rood 13 perches, and is adjacent to Orroroo, on the travelling stock reserve between Orroroo and Wilmington. It is separated by the Pekina Creek from the main stock route. The resumption of this small area is not expected to interfere with the requirements of travelling stock, as modern methods of transport have reduced the need for wide stock routes. The District Council of Orroroo is seeking this small area for purposes of a swimming pool and for the site of a bore that has supplied water to the town of Orroroo. The Pastoral Board sees no objection to the proposal that this small area be resumed and made available to the District Council of Orroroo for the purpose of a swimming pool. In view of these circumstances, I ask members to support the resolution.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

JURIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 31. Page 1324.)

The Hon. C. D. ROWE (Midland): In dealing with the question of juries and who shall constitute them, we are probably dealing with one of the greatest safeguards that there is to the life and liberty of the individual, because, frequently, on the verdict of a jury depends whether a person loses his liberty and is placed in prison. Consequently, this is a subject of more than ordinary importance and something that calls for great consideration.

I believe a jury is one of the bulwarks of the continuance of our democracy. For that reason, I have given this measure careful consideration indeed, and in speaking on the matter I am expressing my own views and not those of my Party. This, of course, is in accordance with my view of what is the function of a Legislative Council. This is not a Party House, but a Chamber where everyone is entitled to express his own views. In some matters a member may express the views of his Party, but on this matter I speak my own views and accept responsibility for what I say.

Last year the Playford Government introduced a Bill to amend the Juries Act of 1927. That Bill lapsed because it had not been passed through another place at the time that Parliament rose, but this Bill as introduced by the Government this year is on similar lines to that introduced last year. In fact, the 33 clauses in the Bill are the same as the previous Bill, except clauses 8, 14b, 14c and 30. They differ in a substantial way from those in the previous Bill. In brief, the Bill has two particular objects, the first being to bring women under the age of 65 years within the scope of jury service and that is done by inserting the word "person" in place of the word "men" in the appropriate section of the principal Act. That was agreed to by the Playford Government and it was, in substance, in the Act of last year. The second proposal is to extend the franchise for jury service from the present Legislative Council roll to the House of Assembly roll, and it is on that aspect that I wish to speak.

In New South Wales legislation was passed in 1947 and brought into operation in 1950 to enable women to serve on juries. However, in that State there was no compulsion upon women to serve, and they could do so if they notified the appropriate authority that they wished to serve on a jury. In Tasmania legislation was introduced in 1957 and again it is not compulsory to serve. If a woman desires to do so she notifies the appropriate officer, whom I presume would be the Sheriff. The first of the States to extend the franchise for women to serve on juries was Queensland, where the necessary legislation was introduced in 1929. The last State in which this matter was considered was Western Australia, where legislation was introduced in 1957 and became effective in 1960. In that State women are required to serve if their names appear on the House of Assembly roll.

At this stage let me say that if jury service by women is to be based on the House of Assembly roll then I believe that it should not be left only to those women who desire to offer their names. There could be a variety of reasons for a woman wanting to serve on a jury panel and I believe that if this responsibility is to be extended it should be extended to all who are eligible. The main consideration in deciding whether the franchise should be

extended is the effectiveness of the system. Will we be any better served by the jury system if it is extended to cover the people on the Assembly roll as opposed to limiting it—as has been done in this State for many years—to those whose names appear on the Legislative Council roll? That is the only consideration that operates in my mind: what is best in the interests of the people of the State; what is best in the interests of the accused person; and what is best in the interests of people who are members of the public and who need to be protected? When I examined the situation from those viewpoints I found two matters of interest. The first is that I believe the people of South Australia have far greater confidence in juries that have functioned in this State than they have in the juries that have functioned in some other States. I do not remember an occasion when there has been a valid criticism of a jury in South Australia. I have heard people say that "so and so was a lucky person" when he escaped what perhaps they felt should have been a conviction.

The Hon. A. J. Shard: There was one case a few years ago that caused some comment.

The Hon. C. D. ROWE: If it has happened I make two replies to that form of criticism. The first is that in this country, unless a person is a member of the jury and hears all of the evidence, he is not in a position to pass judgment. Judgment cannot be passed from what is heard in the street or in a casual manner. The second point is that if, under this system, one or two people have escaped a penalty that perhaps should have been theirs, it is better to have that than to have somebody convicted when the correct verdict should have been "not guilty". In general terms, there has been great satisfaction with our system as it has operated in this State. I regret to say that that is not the position as far as the jury system in some other States is concerned and particularly, I think, in New South Wales. From time to time we read in the press criticism of the practices of juries in that State and when the stage is reached that letters appear in the newspapers about practices of juries it must be assumed that grounds for criticism exist. That has happened, unfortunately, in New South Wales and it has reached the stage there where, in some cases, the responsibilities of juries are likely to be taken away from them and the matter left in the hands of a judge. So on the one hand we have a jury system that has worked without criticism and in the best tradition of British justice, whereas in the other States, particularly New South Wales, a broader franchise operates but it brings forth criticism. On the evidence, it would be wiser to leave the selection of people to serve on a jury to those on the Legislative Council roll and not extend it to the House of Assembly roll. In making that statement I reiterate that that is my opinion and I am not speaking for anybody else on that matter.

From time to time criticism is made of the franchise of the Legislative Council, but it is not the responsibility of the Opposition that that franchise is as limited as it is today. The Playford Government introduced a Bill that provided, amongst other things, that the spouse of every person with a right to vote for the Legislative Council would also have the right to vote; in other words, if the husband was enrolled or had the qualifications to be enrolled, his wife could be enrolled. If that legislation had been accepted by the Opposition at that time it would have been a satisfactory system and I am at a loss to know why it was not accepted.

The Hon. S. C. Bevan: We could not accept that without accepting the rest of the Bill, and we would not do that.

The Hon. C. D. ROWE: I believe that you could have accepted it without accepting the rest of the Bill; there was no legal or procedural reason why it could not have been done, and I have no idea why it was not done. If that had been done, the franchise of the Legislative Council would have been wider and it would have entitled many more people to vote for the Legislative Council. I am of the opinion that that is desirable, and I hope it will eventuate in the not too distant future. If that is done, the number of people who will be qualified to serve on juries will be greatly increased. At this stage I am not prepared to say that I will support an extension of the jury franchise to voters on the House of Assembly roll. The jury system in this State has operated far more satisfactorily than anywhere else in Australia. I believe that when things are working efficiently it is well to leave them alone. It is my view that the franchise should be extended to women in accordance with the terms of the Bill brought down by the Playford Government last year. It is rather interesting to note that in Great Britain, which is the home of jury service, from which we derive so much that is good in our democratic institutions, and which is a country that has had centuries of experience

in these matters, there is still a very restricted franchise for jury service.

The Hon. Sir Arthur Rymill: Great Britain originated jury service.

The Hon. C. D. ROWE: It did, and that has operated there satisfactorily. As far as I know, the provisions in Great Britain go back at least a couple of centuries and, although there have been Conservative and Labor Governments there, they have not found it necessary to alter the qualifications for jurors. To serve on a jury in Great Britain a person must be the owner of a property of an annual value of at least £10, must hold a lease of leasehold property of an annual value of at least £20 for a term of not less than 21 years, or must be a householder residing in a property of an annual value of £30 in London and Middlesex and of £20 elsewhere.

The Hon. Sir Arthur Rymill: That is more restrictive than our franchise.

The Hon. C. D. ROWE: It is much more restrictive, but notwithstanding all its experience in managing democratic affairs and protecting the liberty of the subject Great Britain still has not seen fit to amend the qualifications for jury service, despite the different Governments. I am fortified in what I have said about the provisions in the English law, for which I have the greatest respect, because jury service works there more satisfactorily than elsewhere. I do not see why we should move away from a system that has operated perfectly satisfactorily here to a system that is subjected to open criticism in other States of Australia. I know that a Government does not announce all its policy in its policy speech but, as far as I am aware, extending jury service to women and more particularly extending it to people on the House of Assembly roll was not mentioned by the Premier in his policy speech. If he wants o push on with policy matters I can suggest several that were mentioned in his speech that he does not appear to be going on with. I should be happy if he went on with those and left this matter for the time being.

One other thing I should like to mention also fortifies my opinion on this matter—that notwithstanding the very restricted qualifications for jury service in Great Britain the law there still requires an absolute majority before a verdict can be given. In other words, if the jury is of 12, those 12 must favour a conviction. We do not have that provision here except in relation to capital offences. Under our legislation, if 10 can come to a decision, a majority decision is given. This seems to me to afford some protection, even assuming that one could get two people on the jury who, for reasons satisfactory to them, did not come into line with what other people thought should be the decision.

I do not want to say anything more about this measure at this stage. I repeat that, except in respect of altering the franchise from the Legislative Council to the House of Assembly roll, it is in the same terms as the Bill introduced by the Playford Government last year, and I support all the other provisions, particularly that which extends the time of giving notice from the previous four days to seven days. I understand that this can be done administratively without causing hardship anywhere. However, regarding the extension of the jury list to the House of Assembly roll, I come back to what I believe is in the best interests of the people concerned, and on examination I find that this State on its existing franchise has operated more satisfactorily in this matter than other States. Consequently, there does not seem to me to be any cause for extending the franchise to the House of Assembly roll.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

PETROLEUM PRODUCTS SUBSIDY BILL.

Adjourned debate on second reading.

(Continued from August 31. Page 1325.)

The Hon. Sir NORMAN JUDE (Southern): At the request of the Chief Secretary I am prepared to speak forthwith on this somewhat difficult measure, and I hope honourable members will bear with me if I am not as well informed as I should like to be. I have been able to obtain a certain amount of information about this measure in the last hour or so, and it appears that this Bill, which was forecast by the Commonwealth Government before the last election, provides for considerable differential subsidies in the price of petrol throughout the State. In fact, many of the areas are actually mentioned in the second reading explanation.

Half a loaf of bread is better than none, but three-quarters of a loaf, which this Bill seems to provide, is even better. It is really only an enabling Bill to be passed by all States to permit the Commonwealth legislation to operate for the whole of Australia, but I understand that the problem we have in the north of this State occurs also in the Northern Territory and in the remote areas of Queensland and Western Australia. Presumably these

areas will not enjoy any benefits. However, under this measure, some of the pastoral areas in the north of this State will be getting a differential subsidy. In these circumstances, I am prepared to accept three-quarters of a loaf as going somewhere along the way.

I have been told by a responsible person in a petrol company that a definite undertaking has been given by the Commonwealth Government that if it can get this matter working (to use a catch phrase) it will then make serious attempts to come to some satisfactory arrangements with the companies for the people not now included. I must express my regret that this measure does not cover everyone, but, as the Commonwealth Government wants to put it through in every State by October 1 and as we shall be adjourning for a fortnight for the Royal Show, I have no alternative but to say that I support it.

Bill read a second time.

In Committee.

Clauses 1 to 14 passed.

Clause 15—"*Appropriation.*"

The Hon. C. R. STORY: This clause states:

(1) All moneys paid by the Commonwealth to the State pursuant to the State Grants (Petroleum Products) Act, 1965, of the Commonwealth or pursuant to any other Act, for the purposes of the scheme, and all other moneys received or provided by the Treasurer from any other source whatsoever for and in respect of the scheme, shall be paid into a trust account at the Treasury, and the Treasurer is authorized to pay from such trust account without any other authority than this Act the amounts which are required to be paid in accordance with this Act.

(2) The Treasurer may, if he considers it expedient so to do pending receipt of grants from the Commonwealth, advance any moneys to the trust account for the purposes of this Act: Provided that the total amount of any moneys so advanced shall not at any time exceed twenty-five thousand pounds.

Provision is made for inspectors to supervise this scheme, and the expense incurred would normally be met by the Commonwealth. I take it that, if the occasion arises when the State Treasurer exercises his rights under subclause (2) we shall be called on for certain administrative charges. Can the Minister in charge of this Bill say whether this money will be forthcoming from the Commonwealth for administration during this period or whether the Commonwealth inspectors will continue to police the Act as such?

The Hon. A. J. SHARD (Chief Secretary): My understanding is that the whole of the moneys necessary to give effect to this Act will be provided by the Commonwealth Government.

Clause passed.

Remaining clauses (16 and 17) and title passed.

Bill read a third time and passed.

ADJOURNMENT.

At 4.53 p.m. the Council adjourned until Tuesday, September 14, at 2.15 p.m.