LEGISLATIVE COUNCIL

Wednesday, July 27, 1966.

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

QUESTIONS

SCHOOL TRANSPORT.

The Hon. H. K. KEMP: I ask leave to make a short statement prior to asking a question of the Minister of Transport.

Leave granted.

The Hon. H. K. KEMP: Schoolchildren travel from Tailem Bend to Murray Bridge on school days in old-type rollingstock without either toilet facilities or lights provided. The carriages are arranged one at each end of the guard's van, with the boys at one end and the girls at the other. Considerable time is taken up in travelling, and it is not unusual for these carriages to be shunted to a side line to allow passenger express trains to go through. The children concerned are secondary school students and in order to catch the train they have to hurry their breakfast, run for the train and, on arrival, travel about three-quarters of a mile before reaching school toilet accommodation. On the return journey it is not unusual for these carriages again to be shunted off in order to allow other traffic through, and the train arrives at Tailem Bend after dark, with the students travelling in the dark. Will the Minister please look into the position and provide more suitably equipped rollingstock as soon as possible?

The Hon. A. F. KNEEBONE: I will call for a report on this matter and when it is available I will let the honourable member know what it is possible to do in the circumstances.

SABIN VACCINE.

The Hon. M. B. DAWKINS: Has the Minister of Health a reply to my further question of July 12 regarding Sabin oral poliomyelitis vaccine?

The Hon. A. J. SHARD: I have a rather lengthy report from my department but the reply to the question can be stated briefly. I shall be pleased to allow the honourable member to read the whole report if he so desires. As the occurrence of poliomyelitis in the past in South Australia has not followed any definite seasonal pattern, this is not a significant factor in the timing of the changeover from Salk to Sabin vaccine. The proposal to make the change in early autumn was influenced largely by administrative factors but, in addition, there is some evidence that Sabin vaccine may be more effective if given during the cooler months of the year. However, it is important to emphasize that the proposal to delay the changeover until early next year in no way increases the risk of members of the public contracting poliomyelitis, as Salk vaccine, which has proved to be fully effective, will continue to be available.

LAND AGGREGATIONS.

The Hon. G. J. GILFILLAN: Has the Chief Secretary an answer to the question I asked on July 20 regarding the Crown Lands Act?

The Hon. A. J. SHARD: My colleague, the Minister of Lands, informs me that investigation into this matter is not yet complete and that at this stage he is unable to add to his earlier report. He hopes to be in a position to make a recommendation to Cabinet soon.

UNLEY PARK CROSSING.

The Hon. C. M. HILL: Has the Minister of Transport an answer to my question of July 19 regarding Unley Park railway crossing on Cross Road and the possibility of the erection of modern traffic barriers at that crossing?

The Hon. A. F. KNEEBONE: The position is that the work of installing protective equipment at the Unley Park level crossing was deferred because of a decision by the authorities concerned to remodel the local roads. The new warning devices will be installed as soon as the roadwork has been completed.

STRATA TITLES.

The Hon. JESSIE COOPER: Has the Chief Secretary an answer to my question regarding legislation dealing with strata titles in South Australia?

The Hon. A. J. SHARD: My colleague, the Attorney-General, informs me that the Bill should be ready for introduction during this session of Parliament.

DRAIN No. 10.

The Hon. C. M. HILL: I ask leave to make a statement prior to asking a question of the Minister of Local Government.

Leave granted.

The Hon. C. M. HILL: I refer again to the South-Western Suburbs (Supplementary) Drainage Bill, which was passed by this Council on March 1 last. Its purpose was to control and prevent flooding along the Seacombe Road area in the suburbs of Darlington and Seacombe Gardens by the construction of Drain No. 10. The Hon. Mr. Bevan then said that the Bill was

important and one of urgency. On June 28, in reply to a question, the Minister said that no plans for Drain No. 10 were in hand, that plans for the outlet to the sea had to be considered and that he had no doubt that, when plans were completed, Drain No. 10 would be commenced. In view of the very wet weather at present and the great concern of electors in the subject neighbourhood, can the Minister give further information about when that drain will be commenced?

The Hon. S. C. BEVAN: I hope this drain will be commenced very shortly, but there is a conflict of opinion between the councils about whether it should be commenced or other work should be given preference. Drain No. 10 will be commenced as soon as possible, as I have told the honourable member previously, and the outlet into the sea will be the first project in relation to that drain.

SUPERANNUATION.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: In the debate on the Superannuation Act Amendment Bill last session the Chief Secretary gave an undertaking regarding the payments of overpaid contributions that would be made to the widow of a contributor compared with those made to the widow of a pensioner. He then said that the Act covered the position and that no anomaly existed. Can he assure me now that the position is covered by the Act and, if it is not, will he say whether the Government will introduce amending legislation?

The Hon. A. J. SHARD: I will examine the matter, find out the exact position, and let the honourable member know.

WINE GRAPES.

The Hon. C. R. STORY: Has the Minister of Local Government obtained a reply from the Minister of Agriculture to a question I asked on July 19 about a Commonwealth plan for wine grape marketing?

The Hon. S. C. BEVAN: My colleague, the Minister of Agriculture, advises that he has brought this matter to the notice of the Australian Agricultural Council on the last two occasions when it met in Sydney and Perth. The Ministers of Agriculture of New South Wales and Victoria and the Minister for Primary Industry have had no direct request from the industry for a Commonwealth stabilization plan. The South Australian Government has expressed itself in favour of Commonwealth legislation to control the wine grape industry. In the meantime, the recommendation of the Royal Commission to set up an advisory committee is proceeding.

VICTORIA SQUARE.

The Hon. Sir NORMAN JUDE: I ask leave to make a short statement prior to asking a question of the Minister of Roads.

Leave granted.

The Hon. Sir NORMAN JUDE: A few days ago I noticed a press report about some meeting (probably a committee meeting) of the Adelaide City Council about projected plans for providing stopping places for buses in Victoria Square, and the impression I formed was that we might have something like a large amphitheatre there to provide a starting and stopping place for buses. As the Metropolitan Adelaide Transport Study survey is not yet completed, and as in that study no fewer than 58 separate zones are being considered in relation to traffic in the inner metropolitan area, will the Minister of Roads draw the Adelaide City Council's attention to the fact that, before any direct action is taken, it may be advisable for the city council to await the result of the transport study, which is costing the taxpayer about $500,000?

The Hon. S. C. BEVAN: I will convey the honourable member's request to the Adelaide City Council, and ask it to consider it.

SOUTH ROAD.

The Hon. Sir ARTHUR RYMILL: I ask leave to make a brief statement prior to asking a question of the Minister of Roads.

Leave granted.

The Hon. Sir ARTHUR RYMILL: I referred last session to the apparent slowing of the work on the South Road, which of course is a most desirable work. I think the Minister at that stage said that the work had not slowed down, but it has now become obvious that even though it may not have slowed down then it has slowed down since. Will the Minister tell the Council of the programme on that road and where and when the road is likely to reach to in its new form in the predictable future?

The Hon. S. C. BEVAN: The best answer I can give the honourable member at the moment is that some progress is being made on this road. Although he has said that the work "has slowed down" I think he appreciates that much land acquisition is involved in the rebuilding of the whole of the South Road. These acquisitions are continually taking place, which means that progress

is still being made. As a matter of fact, a considerable amount of land is now being acquired in the Aldinga district for the purpose of by-passing the township of Aldinga. All this work is in progress at the moment. I do not agree with the honourable member that it has slowed down. However, I will get a report for him and bring it down as soon as possible.

The Hon. Sir ARTHUR RYMILL: As, during the last session, we passed an amendment to the Compulsory Acquisition of Lands Act whereby the Government no longer, as I understand it, has to wait for all the formalities to be completed but can take possession of land as soon as notice has been served, can the Minister say whether this should not obviate the difficulties to which he has referred?

The Hon. S. C. BEVAN: Here, again, I do not agree that it does obviate the difficulties. There is such a thing as co-operation between the landowners and the department on these matters of acquisition. In all cases a good relationship between the department and the landowners is highly desirable. At all times the department attempts to maintain that relationship between the landowners and itself: hence, negotiations are taking place between the department and the landowners to reach amicable agreement on land acquisition. However, when it becomes difficult to maintain this relationship, because of the attitude of the landowner who demands about three times the value of his land, the department is then forced into the position of using powers of compulsory acquisition.

In those circumstances, the Act, as now amended, enables the department to move in immediately; then the matter of compensation takes its course through the courts. Whereas previously the department could not move in until the matter had been settled, the Act now gives the department the right to move in immediately. In the few instances where it has been necessary to enforce compulsory acquisition, the department has moved in immediately. The settlement of compensation has been left to the court, and takes place when a decision is given on the matter. I assure Sir Arthur that the department does not wait but moves in immediately to do the work as soon as possible.

The Hon. Sir ARTHUR RYMILL: I ask leave to make a further statement prior to asking a further question of the Minister of Roads.

Leave granted.

The Hon. Sir ARTHUR RYMILL: I did not quite understand the Minister's reply to my last question because I understood him to say that public relations demanded that the department did not immediately move in as authorized during the last session. I further understood him to say that the department was moving in in this manner. I ask the Minister, first, why this power was asked for during the last session if the department was reluctant to use it and, secondly, in relation to his answer to my first question, whether it is not a fact that all the land has been acquired, at least as far as a town called Hackham.

The Hon. S. C. BEVAN: With regard to Hackham, I understand that the amount of land at the Hackham crossing required to alter the crossing would perhaps eventually meet with the desires of the honourable member and has already been acquired. However, that is not the only land required in order to continue with the South Road as such. I am sorry if I did not make myself clear to the honourable member previously, but I will reiterate my remarks in relation to land acquisition.

The department first of all informs the owner of the property that it desires certain land for road widening or road building. A Land Board valuation is obtained and the amount decided is offered in compensation. Negotiations then take place between the owner of the land and the department in order to reach an amicable agreement. Where such agreement is reached, there is no necessity for further action and there is no long delay before the matter is finalized. In most instances the landowner is reasonable and an amicable agreement is reached and the work proceeds. Where amicable agreement is not reached is where the compulsory acquisition comes in and the landowner is served with a notice for compulsory acquisition. In such a case the department does not wait until the settlement of compulsory acquisition but moves in immediately and proceeds with the work in hand. It does not have to wait until compensation is fixed by the court.

Previously the Act did not give authority to the department to do what was required in so far as the South-East freeway was concerned because of the attitude of property owners who required more than double the valuations placed on the properties concerned, and they refused to budge from that attitude. The department was restricted in that matter. Therefore, we sought the amendment to the Act and instead of handling only one or two compulsory acquisitions at a time it enabled the department to

serve a number of landowners with notices and immediately move in so that the work could proceed.

ROADSIDE VEGETATION.

The Hon. H. K. KEMP: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. H. K. KEMP: Recently I asked the Minister of Roads a question regarding the clearing of roadside vegetation when improvements are being made to roads in the hills area, and the answer he gave was that this was entirely a matter for the district council concerned. I am sure there is some misunderstanding—

The PRESIDENT: I must again draw the attention of the honourable member to the fact that he must not debate his question.

The Hon. H. K. KEMP: I am sorry, Sir. There is certainly some misunderstanding in the hills area because I am sure that the councils concerned think they must improve the roads and roadsides to a certain degree before being subsidized for the work in question. Will the Minister again look at this subject and advise whether this is so?

The Hon. S. C. BEVAN: I can say immediately that it is not so. The position is that, in so far as grants are made to district councils to assist them in their roadworks, such grants are made at the commencement of the year and they do not have to wait for an allocation to be made or a subsidy to be given until after they have completed certain work. The procedure is that a council submits its proposed programme of work and that programme is examined by the Highways Department and an allocation made from available funds if the programme is approved. The council concerned is then in a position to go ahead and do the work within its own jurisdiction in its district if it so desires. The council would not have to clear the roads (and it is within its power to proceed with the work) before getting the grants referred to. I think the honourable member has his wires crossed in this matter when he says that councils must do a certain amount of work before qualifying for a grant.

PUBLIC RELATIONS OFFICER.

The Hon. Sir NORMAN JUDE: My question is directed to the Minister of Roads. In view of the fact that the funds of the department administered by the Minister are probably in a more creditable position than others, will the Minister (following his remarks to Sir Arthur Rymill) suggest it would be desirable to appoint a public relations officer to his department?

The Hon. S. C. BEVAN: In the circumstances, I could take this up with the department having in mind the request of the honourable member and perhaps appoint him as public relations officer. I assure him that we have some good ones in the department, as the Hon. Sir Norman Jude is well aware.

PARLIAMENT HOUSE.

The Hon. R. A. GEDDES: I ask leave to make a statement prior to asking a question of the Minister representing the Minister of Works.

Leave granted.

The Hon. R. A. GEDDES: There is evidence of a lot of seepage of water on the western side of this building, and I wish to draw the attention of the Minister to this to see whether it is possible for action to be taken to prevent any deterioration of the building.

The Hon. A. F. KNEEBONE: I will convey the question to my colleague and bring back a report as soon as possible.

The PRESIDENT: I point out to the Council that the leaky roof has already been the subject of an inspection by the department.

WATER STORAGE.

The Hon. M. B. DAWKINS: I ask leave to make a statement prior to asking a question of the Minister representing the Minister of Works.

Leave granted.

The Hon. M. B. DAWKINS: I am quite sure that honourable members on both sides of the Chamber have been gratified and relieved by the rains we have been having in the last week or so, but the position of water storage has given great cause for concern as to the amount of pumping that has had to be done from the Murray River. In dry years this pumping is far too high for our liking and it is very costly. On previous occasions I have, in view of the expansion of the areas north of Elizabeth, Smithfield and Gawler, asked the Minister to investigate further the possibility of constructing water storages on the North Para River and the Light River where there is a very considerable flow of water when the season is wet, as it is at present. Will the Minister find out whether further investigations have been made into providing additional storages?

The Hon. A. F. KNEEBONE: I shall convey the honourable member's question to my colleague, and bring back a report as soon as it is available.

LAND SALESMEN.

The Hon. C. M. HILL: I ask leave to make a statement prior to asking a question of the Chief Secretary, representing the Attorney-General.

Leave granted.

The Hon. C. M. HILL: The Land Agents Act now provides that licensed land agents must pass an examination or have qualifications of an equivalent educational standard before being granted land agents' licences. However, that does not apply to licensed land salesmen. Can the Chief Secretary say whether consideration has been given to providing that a comparable educational standard be a prerequisite to the granting of licences to land salesmen? If such is not the case, will the Government consider introducing legislation on this basis?

The Hon. A. J. SHARD: I shall refer the question to my colleague, the Attorney-General, and let the honourable member have a reply as soon as possible.

GAS.

The Hon. R. A. GEDDES (on notice): Is it the intention of the Government to develop natural gas deposits and pipelines in the State with foreign capital?

The Hon. S. C. BEVAN: No.

FOOD AND DRUGS ACT REGULATIONS.

Adjourned debate on the motion of the Hon. F. J. Potter:

That the regulations under the Food and Drugs Act, 1908-1962, in respect of labelling of milk containers with date, made on February 3, 1966, and laid on the Table of this Council on February 8, 1966, be disallowed.

(Continued from July 20. Page 563.)

The Hon. Sir LYELL McEWIN (Leader of the Opposition): This motion was moved by the Hon. Mr. Potter on July 20 and he spoke on behalf of the Subordinate Legislation Committee. We have had two speeches in opposition to the motion but, although I was expecting to hear something from the Government side today, there has been no statement from the Minister or from any representative of the Government. This is despite the fact that the regulations have been approved by Executive Council and sponsored by the Government. Apparently, a statement from the Government is not forthcomng, so I am put in the position of expressing certain opinions in the hope that the Minister will make a statement regarding the Government's sincerity about the proposal. Both Houses of Parliament and both Parties are represented on the committee and some explanation should be given by the Government.

The Hon. S. C. Bevan: Was it a unanimous decision of the committee?

The Hon. Sir LYELL McEWIN: I am concerned not about the committee but about receiving some explanation of why the regulations are necessary and why the Government has changed its views since the regulations were approved by Executive Council and gazetted. In Executive Council the Governor approves matters as recommended by the Government. It is rather extraordinary that there has been neither defence nor withdrawal of the regulations, which were not initiated by this Council or by a private member; they were initiated by the Government, and I desire information that will assist me in making up my mind.

However, I have opinions of my own on this occasion and do not wish to twist on those ideas. However, if the Government is changing its ideas, I should like to know why. I have sought information, because I, and I suppose every other member, have received communications from the two opposing parties. They have been opposing parties for a long time. I refer to the Metropolitan Milk Board and the Metropolitan County Board. The milk board has always been rather jealous of the importance of the work carried out by the County Board and the Central Board of Health, and I hope that we shall not have different authorities handling matters affecting the community, such as has occurred in the relationship between these two authorities.

I think the circular from the Metropolitan County Board sets out the position fairly, honestly and truthfully. I have checked on these matters, because the Hon. Mr. Potter gave much information in moving this disallowance, and I have confirmed that information and have had both sides of the question. Let me ask those who have been giving lip service to local government just where they stand, because the Metropolitan County Board comprises representatives of local government, who are perhaps nearer to the people than we are, however well we keep in touch with our constituents. Local government surely represents the house owners and the people interested in matters such as daily deliveries of milk.

The Metropolitan County Board says that it comprises representatives of all metropolitan

councils except Woodville, which drew out a few years ago because it appointed inspectors of its own and considered that it would operate independently. During the past five years the board, backed unanimously by the constituent bodies, has sought to have milk containers clearly marked with the date of bottling. Let me make it clear that I am not discussing hygiene, the age of milk, or anything like that. As I see it, the argument is purely a matter of whether we have on the bottle a code or a date. Trade interests may make other representations and say that it will cost more, but in some States and in some places in this State this is already being done. The letter from the Metropolitan County Board states:

This is considered very desirable as a help to improve the hygiene of milk handling by facilitating the identification of stale bottled milk, particularly when sold by shops.

I will not discuss matters of hygiene and health; I will deal only with a code *versus* a date, which I think is all that is involved. Codes are usually associated with the secret service, and they provide a method by which a message can be conveyed to and understood by only those who have a code book. This is the strict interpretation of the word. The only argument that occurs to me is whether the markings should be understood only by those educated in deciphering a code or whether they should be capable of being read by anyone who has passed Grade II. This is not a matter of health or hygiene; it is a matter of the public's knowing what it is getting. If I buy a packet of cigarettes, I know whether they contain Virginian tobacco: at least, I know what the label states. I do not like buying something branded in a language I cannot understand. We do not buy milk in bottles branded with an animal picture or preserved fruit branded in some other way, so what is marked on a milk bottle should be understood by everybody. The letter continues:

This move has had the support of the Food and Drugs Advisory Committee which, in turn, has been supported by the Central Board of Health. These two organizations are appointed by the Government to advise on and to administer matters of public health.

We are asked to disregard the advice of these people, yet we have not heard a word from the Government on why the regulations should be disallowed. We have every confidence in the committee appointed by Parliament, but it can decide only on the evidence presented to it. It does not live alongside these problems, as do the bodies appointed by the Government, but apparently the Government is not prepared to support those bodies. At least, it has not said a word about whether it supports the regulations, which it has already put into operation, or whether it desires them to be disallowed. I think we should have this information to help us make up our minds. The letter continues:

There can be little doubt that the pressure of groups concerned with milk production and sale has outweighed advice concerned with protecting the health of the consumers and, at present, citizens in the metropolitan area are deprived of a simple means of protection by the refusal to provide a clear means identifying the ages of milk they consume.

That is all that is involved—a simple means of protection. As the Government approved the giving of this protection when the regulations were promulgated, why does it not now consider them necessary and desirable? Without having had the benefit of the Minister's assistance, I have tried to find out the pros and cons of the matter. I think I have all my arguments marshalled but, if I have not, perhaps someone else will raise a point I have missed. First, I will deal with the points against the regulations, the first of which is that the date of bottling bears no relation to the quality of the milk when it is properly stored. My comment on this is that the date of the code does not, so that does not help. The second point is that the code system enables the authorities to check complaints, but why is it necessary to worry the authorities? Do we want to build up more and more authorities and have the public more ignorant about what is going on? The public cannot complain until something happens, and then the authority must institute an inquiry. Why should not the public know?

If people do not want to drink stale milk they should know when it was bottled, but they do not know the code. I do not care two hoots if the date on the bottle is not the exact date of milking. It is the date of bottling, and that is all the code indicates. However, the date can be understood. I do not care if there is a delay of five days between milking and bottling so long as people can understand what is marked on the bottle, but no member of the public knows what the code signifies. The trade knows it, but the public does not. The code has to be altered every day, and that is all that would be necessary if the date were placed on the caps.

Another point against the regulations is that the late afternoon deliveries to shops are dated one day later than the early morning deliveries, but this is so under the code, and

24 hours will not make much difference. Milk that is branded with the date is now being supplied as far away as Alice Springs, where there is about a fortnight's delay, and Eyre Peninsula, where there is a delay of seven to 10 days. However, the label can be understood by the consumer. Under the Food and Drugs Act all other commodities are branded so that the consumer knows what he is consuming, and I do not know why this should be denied the consumer of milk. I should like the Minister to explain whether there is any changed attitude by the Government since the regulations were promulgated and, if so, why. It is said that the replacement of dies is expensive. I do not know what is involved in that. The Minister may be able to tell us that, but at least it is operating in an industry about which I know something in the North, which has been putting the date on bottle tops for three years.

Returning to the argument in favour of the legislation, let me extend that last remark and say that in other States the date of bottling is stamped on in Queensland, Tasmania and New Zealand, while it is not in New South Wales, Victoria and Western Australia. So New Zealand and the five other States in Australia are equally divided on this. Therefore, we do not get much help in this matter from that source. Can it be that the Government wants these regulations disallowed so that it can have one more excuse for saying that the Legislative Council has interfered with the legislation of the Government? I do not know. The Minister shakes his head. I only want him to tell us. I want to know what he thinks. We want to be able to cast an intelligent vote on this matter.

The Hon. S. C. Bevan: Why was this altered previously?

The Hon. Sir LYELL McEWIN: I am asking the Minister to tell the Council what he thinks.

The Hon. S. C. Bevan: Why did you change it previously, under your own regime?

The Hon. Sir LYELL McEWIN: We never changed it under our own regime. You are a little bit out in your information, because my Government did not change it. In all 15 local authorities were asked for their opinions on this matter. Do members opposite believe in local government or not? You boast about services to the community, to the housewives—

The PRESIDENT: Order! I think it is desirable for honourable members to address the Chair and not debate across the Chamber.

The Hon. Sir LYELL McEWIN: I hope I am addressing honourable members through you, Mr. President, but sometimes my head may get turned the wrong way when some interjections are made. However, I am still on track when I am asking the Government for information. I hate repeating myself but I have to because there is no indication that this Council will receive certain information. I am asking the Government, which claims to represent a democracy—householders and everybody else—why, of the local authorities consulted about these regulations, 15 commented on the proposal, of whom 12 supported it, one was satisfied with a code and two did not answer. So if we group together the two who were uninterested and did not care, and the one that was satisfied with a code, we have a vote of 12 to 3. I have always understood (we have heard so much of this from members opposite) how votes counted. If 12 to 3 does not constitute a majority, I find it hard to understand what does.

The metropolitan local authorities, through the Metropolitan County Board, were strongly in favour of the proposal. Those are my submissions. I think they deserve a reply or explanation from the Minister. The Government cannot be indifferent to these regulations: either it is in favour of its own regulations or it is not. If it is not and there is a reason, let us have it, and I will admire the Government for giving a reason. If it will admit to a mistake, let it say so; but we have not the benefit of that information.

Of the trade organizations, the Food Technology Association supported the proposal. This association covers the whole food industry. That industry is private enterprise and is in favour of the proposal. I understand that the National Council of Women has indicated its support for the proposal. I believe there are other women's organizations, such as the Housewives Association and the Elizabeth Branch of the Australian Labor Party. They thought this proposal was all right and supported it. Yet, by this dumb silence on the part of the Government, we are asked to defeat regulations that the Government itself has put forward. I thought I was supporting the Government but I do not know whether I am—

The Hon. S. C. Bevan: That will be the day!

The Hon. Sir LYELL McEWIN: —because I do not know what its attitude is. If it is any help to the Minister, I will support the regulations. I convey that information through you, Mr. President, to him. Dating is already used by Golden North Dairies Limited, at Laura. This company supplies bottled and

cartoned milk to Mid-North and Northern districts. Let us return to another good area, represented by a Government member in another place—Port Pirie. The local authorities at Port Pirie and Port Lincoln have made by-laws under the Health Act requiring bottled milk to be date-stamped. The local authority at Loxton has recommended a similar by-law.

They are the main points I want to put forward. The points put to the Joint Committee on Subordinate Legislation in favour of the proposal I have covered. It was appreciated that with pasteurized milk the day of bottling did not exactly relate to the quality of the milk, but it was considered reasonable that the purchaser should be informed about the age of the contents, that it was desirable to obtain milk as fresh as possible and that marking with the day of bottling would enable the consumer to use bottles in sequence. That is considered an advantage but, as I have said previously, the date of bottling need not represent the age of the milk.

The Hon. C. R. Story: Do you think you have convinced the Minister that he ought to give us some information?

The Hon. Sir LYELL McEWIN: I hope so. It is a new circumstance that a Government proposes regulations and a few months later, when it has recommended their disallowance through the Subordinate Legislation Committee, it remains silent. We have had speakers, one to move for the disallowance, from the Opposition, but no voice from the Government. We are being asked to vote on something that has not been defended, and apparently will not be as far as the Government is concerned. Otherwise, we should have heard from the Government. If it does not intend to allow the regulations, surely before voting we should be informed by the Minister why the regulations that he himself has sponsored should be disallowed by Parliament. It is an unusual circumstance; I do not remember anything similar to it. I appeal to the Minister to give this Council the information it should have in order that it can give its usual careful consideration to this matter before us.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I have risen rather reluctantly because I, too, expected the Minister to give the Government's explanation of its action on this matter, but apparently he is not going to do so. I think that is a pity because it leaves me in a state of confusion as to what I should do myself. Ever since the Labor Party gained power in this State I have said that I would support it unless I had good reasons to the contrary, and that if I had reasons to the contrary and opposed any action of the Government I would give those reasons.

Here is a Government regulation; it is a regulation passed by Executive Council and I can see no good reason for not supporting it. The Hon. Mr. Potter has moved that the regulation be disallowed. This is a motion that stems from the Subordinate Legislation Committee wherein it was a unanimous decision. I see, on the contrary, many good reasons why I should support the Government's regulation. Those reasons were expressed last week by my colleague, the Hon. Mrs. Cooper, and today by our Leader, the Hon. Sir Lyell McEwin, and very eloquently in both instances. They certainly have persuaded me (if I needed persuasion) more abundantly that I should support this Government's regulation and vote against the motion; but now the Government seems to be sitting on the fence. It will not tell us its attitude. This is a most extraordinary thing to me because here I am in the position where I have said I would support the Government unless I had good reason for doing otherwise. I don't know now whether, if I vote for the Government's regulation, I am supporting the Government or not because it has given no indication of its attitude although urged very vigorously by the Hon. Sir Lyell McEwin to do so, and the Minister is still sitting quite silent.

My confusion could be said to stem from this: as every honourable member knows, the Subordinate Legislation Committee consists of six members—three Liberal and Country Party members from this Council and three Australian Labor Party members from the other place. We are told that the recommendation that this regulation should be disallowed was the unanimous decision of the committee. This means that three Australian Labor Party members on that committee have voted for the disallowance of their own Government's regulation, which is an astonishing thing to me when I know the rules of the particular Party that they represent and the discipline that is exacted from those members.

The Hon. Sir Norman Jude: It is rather a reflection on the committee, I think.

The Hon. Sir ARTHUR RYMILL: I am not intending to reflect on the committee at all, but the honourable member's interjection makes my confusion more confounded because here we have a unanimous recommendation to disallow a Government regulation from three Liberal and Country Party members and three Australian Labor Party members. The latter members (although no doubt they have every

right to do so) have recommended the disallowance, but I have always understood that it was not in accordance with the rules of the Australian Labor Party that they should oppose something obviously promoted by their own Party.

The Hon. A. J. Shard: The honourable member is not the only one who has freedom!

The Hon. Sir ARTHUR RYMILL: I am glad to hear that; it is like a breath of fresh air.

The Hon. Sir Lyell McEwin: There might be reasons, if we knew.

The Hon. Sir ARTHUR RYMILL: But we are not told. The recommendation was solemnly passed by this committee. We know that it is a good committee and we have respect for all members of it, individually and as a committee, and yet here we have this confusion that the Government up to date (and I hope I am wrong in this) is not attempting to explain to the Council its attitude. When I say that I support the Government unless I have good reason for doing the opposite, where do I stand? How am I to vote on this motion? The Government has not as yet given us any idea of its attitude. We know it is a Government regulation promoted by the Government and therefore, initially, I felt I was supporting the Government by voting against this motion, or intending to do so. We find that three A.L.P. members have voted against the regulation and now we are in the position, I repeat, that none of the three Ministers in this Council has explained to us where the Government stands on the matter. I would like to ask them categorically: where do they stand on the matter? Has the Government changed its mind, or not? I want to know this before I cast my vote.

The Hon. D. H. L. BANFIELD secured the adjournment of the debate.

HOUSING AGREEMENT BILL.

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

Its object is to approve a draft Commonwealth-State Housing Agreement negotiated in Adelaide earlier this year with the Commonwealth and to authorize the Treasurer to enter into, execute and carry out the agreement. Clause 2 of the Bill so provides while clause 3 applies sections 3 and 4 of the Housing Agreement Act, 1956, to the agreement executed pursuant to that Act as amended by the 1961 agreement and the proposed new agreement.

Clauses 4 and 5 are machinery clauses empowering the Treasurer to provide for expenses incurred by the State under the amended agreement, clause 16 (2) of which refers to expenses in providing finance for home builders. Clause 5 enables the Treasurer to make advances to the Home Builders' Account up to $500,000 subject to the payment of interest at the current Commonwealth Housing Agreement rate and, as in 1961, is included so that approvals of loans from the Home Builders' Account can be continued without deferments if the account appears likely to run temporarily into deficit.

I have outlined the formal provisions of the Bill and now deal with the proposed agreement, the text of which appears in the schedule. As honourable members are aware the existing Housing Agreement expired on June 30 last. The new agreement will in fact extend the existing agreement for a period of five years with certain amendments agreed to at a conference of Commonwealth and State housing authorities and officers held in March of this year.

Clause 2 of the amended agreement provides for the extension of the definition of "member of the Forces" so as to include those persons who served on "special service" in South Vietnam or Malaysia, or in another area declared to be a "special area" for the purposes of repatriation and war service homes benefits. Clauses 3, 4, 5 and 6 extend the operation of the main agreement for a further period of five years. Clause 7 of the new agreement deletes the subclause of clause 11 of the existing agreement providing that, unless the Commonwealth and the appropriate State Minister agree, advances may not be used to erect, outside the inner metropolitan area, blocks of flats exceeding three storeys in height. The States considered this provision to be unduly restrictive and the Commonwealth agreed to its deletion.

Clause 8 of the new agreement proposes amendments to clause 13 of the existing agreement. Under the existing agreement there is some doubt whether the States may use advances to erect service dwellings in accordance with the approved scales and standards. The amendment removes these doubts. Clause 9 of the new agreement inserts additional provisions into the existing clause 16 to ensure that people in rural areas of certain States are not deprived of the benefits of the Home Builders' Account provisions because no building or housing societies operate in their areas. The amendment will permit such a State to

allocate, during the next five years, an agreed portion of the moneys available in the Home Builders' Account to a Government lending institution for lending to persons seeking to buy or build homes in rural areas.

As far as South Australia is concerned persons in rural areas have always had at least equal access to Home Builders' Account moneys as have people in the metropolitan area. The greater part of Home Builders' Account money is allocated each year through the State Bank which is, of course, in a position to handle housing finance in rural areas and ensure that those areas are under no relative disability whatsoever.

The existing Housing Agreement has been of great benefit. Acceptance of the new agreement will mean an extension of these benefits for a further five years. During the conference of Commonwealth and State Ministers of Housing, at which the agreement was negotiated, the attention of the Commonwealth Minister, Senator the Honourable Dame Annabelle Rankin, was drawn to the necessity of additional Commonwealth funds being made available for inner suburban re-development and also for the Commonwealth to provide additional funds through this agreement specifically for the proper housing of elderly people.

I think it is fair to say that the Commonwealth Minister was impressed with the necessity for such works, and she undertook to consider the representations made by the States. No provision for such is included in the agreement now presented for approval but, in the event of the Commonwealth agreeing to assist in such matters, this matter would be handled in a supplementary agreement. I commend the Bill for honourable members' consideration.

The Hon. C. M. HILL secured the adjournment of the debate.

UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 26. Page 635.)

The Hon. L. R. HART (Midland): I rise to speak to this Bill with considerable interest, as I live in and adjacent to areas that are experiencing the effect of over-development of underground water resources. Furthermore, I dealt with this subject at some length in my Address in Reply speech last year. The responsibility for the over-development that is taking place in some areas (and I refer particularly in the area adjacent to Virginia) must be accepted to some extent by the Government because of the basis on which it assesses land for land tax purposes. When land is assessed at about $400 an acre unimproved value, it ceases to become rural land that can be farmed on a broad-acre basis.

The logical alternative is for landholders to subdivide their properties into intensive farming units. For these units to be economical, irrigation farming is essential, particularly when it is realized that many of them have no alternative means of water supply. Consequently, this area of land is pock-marked with bores that are drawing from the underground basin hundreds of millions of gallons of water daily. We, having created the problem, must set about trying to correct it. If we are unable to correct it, then we must try to control it. It has been said by a prominent authority that, when the social history of this century in Australia is written, the past decade will be singled out as being of major significance in the water revolution that has occurred in professional and political thinking.

We see nearing completion the great Snowy Mountains scheme, which we are told is one of the seven engineering wonders of the world. The Ord River scheme has been commenced and, coming nearer home, the Chowilla dam is in its early stages of development. Perhaps these schemes have little to do with the Bill but they indicate an awareness of the need to conserve our limited water supplies. This Bill is not the brain child of the present Government and the Government does not claim that it is. Somewhat similar legislation was introduced in 1959. In fact, in 1957 an attempt was made to legislate for the control of underground water resources.

The exploitation of the underground water resources in many countries, particularly in the States of North America, has resulted in major economic losses and the virtual abandonment of irrigation farming in some areas, and even for stock and domestic supplies. Our own experience of the serious depletion by flowing bores of the great artesian basin is a warning of the need to conserve and prevent wastage from these limited but valuable assets. I think it fair to say that this Bill is an attempt to bring into operation some of the objects of the Australian Water Resources Council, as well as to control the underground resources on the domestice front.

In 1962 the Australian Governments agreed to the formation of that council. It comprises the Commonwealth Minister for National Development as Chairman, the Commonwealth

Minister for Territories and the Minister in charge of water supplies in each State, with a proviso that there is power to co-opt Ministers responsible for closely-related activities when problems of particular concern to their departments are under discussion. The council is assisted by a standing committee of Commonwealth and State officers. In addition, there is a technical subcommittee of the standing committee, consisting of engineers, hydrologists and geologists throughout the Commonwealth.

Its constitution on an Australia-wide basis in recent times is an indication of the importance attached to subsurface water. The prinicpal objective of the council is to provide a comprehensive assessment on a continuing basis of Australia's water resources and the extension of measurement and research so that future planning can be carried out on a sound and scientific basis. The Commonwealth Government is making available finance on a long-term basis to assist with this work.

Following a recommendation by the council, the Commonwealth Government passed the States Grants (Water Resources) Act of 1964, which provided financial assistance for the States to assist with the measurement and investigation of surface and subsurface water resources. Investigation of underground water is very complex. It involves geological and geophysical exploration, drilling of bores, and recording of water levels, yields, quality and rate of recharge. To do this considerable resources of staff, funds and time are required, and South Australia's share of the Commonwealth financial assistance for underground investigations and measurements is 12.4 per cent of the total funds allocated for this purpose. This money is paid into a trust account, and it can be identified in section B of statement H of the Auditor-General's report. The departments (mainly the Mines Department and Engineering and Water Supply Department) are reimbursed from this account for any moneys expended.

The technical committee of the standing committee of the Australian Water Resources Council has strongly recommended that all States bring down appropriate legislation covering a number of subjects designed to control and protect underground water. In order to implement various proposals, it was recommended that each State should provide for a system of licensing of all drillers and the licensing of all bores, and should have the right to apportion the available underground water between the various licensed users and public authorities. The committees and the Australian Water Resources Council considered it essential in safeguarding the nation's underground water resources that each State should also vest the right to the use and control of underground water in the Crown. Queensland is the only State to declare such water the property of the Crown. This Bill does not provide that all underground water shall become the property of the Crown, but by the very nature of the controls imposed it virtually has this effect.

The title of this legislation has been amended by the inclusion of the word "conserving", but surely "conserving" has a greater meaning than merely restricting withdrawal from the underground basin. Unless something can be done to assist natural replenishment, the people living in the area may face disaster. Recharging is a matter to which we should be directing our attention. Means by which a higher rate of recharge may be induced are governed by the depth of the aquifer. Where aquifers are fairly shallow and conditions for recharging are favourable, weirs in rivers can be an effective means. The spreading of water where similar conditions exist is also an effective means. However, where aquifers are deep, or where infiltration conditions are unfavourable, bores or wells can be used for recharging purposes, but a major problem here is that any suspended matter in the water may rapidly clog up the surface of the aquifer. The view is very strongly held by technical men that the lower aquifer is charged through faults in river beds, in addition to other known faults. We are unable to determine the extent to which the underground aquifer is recharged through rivers because of the absence of weirs in river beds. It is necessary that these weirs be constructed so that an accurate measurement can be made of the water passing given points at given times.

The lower aquifer can be recharged through bores if the quality of the water is suitable. This was proved in 1959, when bores that had been sunk by the Engineering and Water Supply Department to supplement Adelaide's water supply in the dry year of 1956 were used to recharge the underground basin with surplus reservoir water. The immediate effect, however, was to cause other bores in the near locality, particularly those on lower ground, to overflow. It must be appreciated, therefore, that the artificial recharging of the underground basin presents some problems. Many bores over a wide area of country would need to be sunk, as at each recharging site a coning effect is built up.

It is generally accepted that some forms of control are necessary. We know that over-development is occurring, but we can never be certain about the point of time at which we should consider imposing restrictions, as we have never been able to establish accurately the ground water potential or the rate of recharge that is taking place or at what points it is taking place. It should be realized that the concept of safe yield should be equivalent to the flow through the aquifer. Where there is a permanent stream flow and direct connection with the aquifers, higher rates of recharge may be induced by lowering the ground level by heavy pumping. Lowering the water level also provides water storage which, in wet seasons, may be recharged with water that would otherwise be lost through run-off.

When the great artesian basin was first tapped, the recharge in Queensland was estimated at about 65,000,000 gallons a day. As the number of bores increased and the pressures fell, the steepening of the hydraulic gradient away from the intake or recharge areas allowed a greater quantity of water to enter and be transmitted. The present recharge is estimated at 125,000,000 gallons a day. Reversing the hydraulic gradient can, of course, present some problems where the area being pumped is near the sea coast and the static water level is below sea level. This is largely the position with the basin in the Adelaide Plains, particularly in the Virginia and Two Wells area. Test bores in the Virginia area, including one at the Virginia school, vary from 35ft. above sea level in winter months to 85ft. below sea level in the summer months.

It can thus be seen that the possibility of sea water entering the aquifer is very real, particularly if the aquifer is of an impermeable nature with a consequent slow stream movement through it. Carbon dating tests of water from the eastern side of the great artesian basin have established that the age of underground water obtained has varied from 50 years to 20,000 years. Thus, it can be seen that when we extract underground water from these greater ages we are eating into capital, just as in mining. The basin is not the sole concern of the people who are drawing water supplies from it: it is a very valuable national asset, and it is the responsibility of all members of Parliament to preserve the basin not only for this generation but also for generations to come.

This Bill makes several far-reaching additions and alterations to the principal Act, which, incidentally, has never been proclaimed, so justification for these changes can hardly be claimed on the ground of inadequacy after due trial. One of the first changes made by the Bill is in clause 5. This clause strikes out Part III of the principal Act, which deals with the Advisory Committee on Underground Water Contamination and inserts a new Part III, covering well drillers. I believe an advisory committee was probably the body necessary to advise the Minister on matters pertaining to this Act. Which will be the body to advise the Minister on such matters from now on? I agree we should not have a multiplicity of authorities but there should be a body competent to advise the Minister on these matters.

Some further interpretations have been advanced. One is the prescribed depth, which is related to a well being of the prescribed depth in relation to the area in which it is situated. We accept that there must be some guidance on the depth to which wells may be sunk in certain areas, as the depth may well differ from property to property. Therefore, I take it that some variation in these prescribed depths would be permitted. Section 9 deals with the power of the Minister to refuse permits. The previous section dealing with this had been deleted and an entirely new provision had been inserted. It is not mentioned here whether a fee will be charged for a permit, but I assume one would be required, because section 44 states that, if a permit is lost, a duplicate permit may be issued on the required fee being paid. There should be a schedule to this Bill setting out the fees required for different purposes. On whose authority does the Minister refuse a permit? Is it the authority of the Mines Department, of the Director of Mines, or of whom? It is not stated in the Bill. Some sound guidance should be required if the Minister refuses a permit. Clause 7 (2) states:

An application shall not be refused except on any of the grounds mentioned in subsection (1) of this section.

Subsection (1) states:

The Minister may refuse an application for a permit or revoke a permit if he has reasonable cause to believe that the work or the use of the well for which the permit is sought would:

(a) be likely to cause contamination or deterioration of any underground water; or
(b) be likely to cause inequitable distribution of any underground water; or
(c) be likely to cause undue loss or wastage of underground water; or
(d) be likely to deplete unduly the supplies of underground water.

We have had placed on the table of the Council recently the report of the Sewage Effluent Disposal Committee, which sets out certain schemes that are recommended. Those areas recommended for irrigation by the use of sewage effluent would surely be areas where the Minister would be entitled to refuse a permit for the sinking of a bore. It would be superfluous to grant a permit to sink a bore in these areas if within a short time they were to be used for irrigation purposes with sewage effluent. Also, there are areas at present zoned as rural areas, but it is well known that they will shortly be built up and re-zoned as residential or development areas. Here, again, it would be competent for the Minister to refuse permits for bores in these areas.

Section 11, too, has been amended. It is an important section because it deals with the conditions that may be laid down in a permit. We know that in some areas throughout the country, when a bore is sunk to get to a level where there is good quality water, it is often necessary to pass through strata bearing salt and water, layers of water and material that tend to corrode the casings, causing them to rust through. Some of these areas are well known to boring contractors. I believe that one of the conditions here should be that, where it is known that a bore will penetrate these strata, it should be encased in a cement sleeve. Possibly, the Minister has power to do this under this provision, but I suggest that this angle should be looked at.

Clause 11 of the Bill deals with artesian wells. It gives the Minister power to control them. Previously, artesian wells could be controlled on pastoral leases under section 111 of the Pastoral Act, but we know that artesian wells can occur at a number of places, not always in areas controlled by that Act, so we accept that it is necessary to have this power to control these wells. Clause 12 sets out to repeal and re-enact Part III of the principal Act. Part III at present deals with the licensing of well drillers. The important part of Part III is subsection (1) of what will now be new section 21, which states:

> A person shall not—
> (*a*) construct a well to a depth greater than the prescribed depth;
> (*b*) deepen or enlarge a well so that it becomes deeper than the prescribed depth;
> (*c*) deepen or enlarge a well which is already deeper than the prescribed depth;
> (*d*) remove, replace, alter or repair the casing or lining of a well which is deeper than the prescribed depth,
>
> unless he holds a driller's licence.

We accept that a driller should be licensed and, if he is licensed, he can then be permitted to do these particular jobs, provided a permit has been obtained for them. There is another aspect here that I think has not been taken into consideration (though, possibly, it has been) but I want to be sure of this from the department or the Minister—the problem arising when pumps are lowered into wells. At present, a well may be 400ft. deep but the pump in that well, be it a turbine pump or submersible pump, may be down only 100ft. into the water. At some stage it is found that the maximum amount of water obtained from this well is not sufficient for the job in hand. Then the property owner lowers his pump to a greater depth in the well and obtains a greater supply of water. Eventually he may be down 200 or 300ft. or even more. What I want to be clear on is this: is he still allowed to do this without a permit? Also, is a well driller permitted to do this without a licence because, according to the Act as it now stands he would be so permitted? New section 21 (2) deals with the well driller and the matter of a licence. It reads:

> The duty to hold a driller's licence shall apply to persons employed by or working for the Crown as well as to other persons, but shall not apply to a person doing any work mentioned in subsection (1) of this section on land of which he is the owner or occupier, or to a servant ordinarily employed by such person.

In other words, the owner of a property is not required to obtain a licence to sink a bore. In fact, he may sink it himself. The owner of a property is not required to have a driller's licence to sink a bore although he is possibly required to have a permit. It would appear that this is something of an anomaly. On first thought, one would come to the conclusion that the owner of a property should be subjected to those conditions. However, on looking at some of the other sections of the Act, perhaps this is in order. In some areas it would be necessary to have a well only 10, 12 or 15ft. deep to obtain a water supply, whereas in other areas it might be necessary to sink a bore. However, if the owner of a property did not carry out the work of sinking a bore in a proper and workmanlike manner as laid down in section 17, the Minister could revoke the permit, as he is permitted to do under section 9, and possibly subsection (2), as it now reads, is sufficient.

New section 23 deals with two classes of driller's licence that may be obtained. An "A" class licence permits the holder to work on any type of well while a "B" class licence permits the holder to work on any type of well

other than an artesian well. I consider that there is some weakness in this definition, because who is to know whether a well is to be an artesian well or not until it is sunk? A well may be sunk in an area where normally artesian wells are not found, but suddenly an artesian well may occur. What happens? If the driller had not an "A" class licence would he have to cease functioning and a driller with such a licence take over? Then again artesian wells are governed by the number of other wells in the locality. When other wells are flowing, what is normally an artesian well may cease to be one because it is laid down in the definition given that it is one from which water flows naturally.

The Hon. R. C. DeGaris: If a bore flows for one day a year, is it an artesian well?

The Hon. L. R. HART: In certain areas that does happen. In some areas the question whether a well is an artesian well or not is governed by the tides: a well may overflow when the tide is in but may not do so when it is out. Is this regarded as an artesian well or not?

New section 23a states that a licence shall be issued after a man has passed certain examinations but it does not say what fee shall be paid for a licence by a well driller. Here again, as with a permit, I believe the fee should be stated. In other Acts, such as the Veterinary Surgeons Act, the Dentists Act and the Mining Act, the actual fee to be charged is stated in the Act. We should know how much the fee would be. There may be an endeavour here to improve the State's coffers by having a fairly high fee imposed. New section 23b reads:

A driller's licence shall, unless lawfully cancelled, remain in force for three years from the issue thereof.

I believe once a driller's licence has been issued it should remain in force until such time as it is cancelled. I see no reason why a driller should have to apply for a new licence every three years because, if he has been carrying on his function in a workmanlike manner, the Minister may "grant a licence by way of renewal without further inquiry into the qualifications of the applicant". I believe that section 23b should be deleted.

I wish to make brief reference to section 19, which is not mentioned in this Bill. I believe it has some connection with the Bill because it deals with the requirements of a permit holder to supply necessary details with regard to a particular bore that may be sunk on his property. I wonder whether the onus for supplying those details should not be upon the well driller because he is required to keep those details, and he is the person who obtains them. He keeps a record of the type of strata, the quality and quantity of water obtained in a bore, and possibly he should be the person who should supply that information. Scientists assessing underground water potential have a difficult enough task without depriving them of this basic data. Therefore, rather than having a duplication of work by the well driller telling the permit holder, who would in turn supply the information to the department, why not have the well driller supply it direct to the department?

Section 25 is amended by the Bill. It deals with the matter of appeals. An additional member is to be placed on the appeal board, and this member is to be a member of the Licensed Well Drillers Association; that is all it says in the Bill. It does not say whether the Well Drillers Association will nominate this person or whether the Minister will appoint the person. I suppose, in fact, the Minister has to appoint him whatever way we go about it. The Bill does not say whether the Licensed Well Drillers Association will submit to the Minister a panel from which he will make a selection. That paragraph inserted in section 25 by clause 14 should make it clear who is to nominate the particular person from the Licensed Well Drillers Association. When we relate this section to section 29, we find that a member of the appeal board shall not sit on the hearing of any appeal respecting a well in which he has any proprietary or financial interest. In this case, if the well driller had an interest of any sort in a particular well in relation to which there was an appeal, he would not be able to sit on the board. Is it competent for the association to nominate another member of the board, or will the board function without the association's nominee sitting on it? Here again, there should be some clarification.

It is provided in section 25 (*b*) that one of the other members of the appeal board is to be a qualified engineer, not being a person employed in the Public Service of the State. It does not say whether he should be a hydrological engineer, a mechanical engineer or an electrical engineer: it just says that he shall be a qualified engineer. I think there should be some qualification regarding the type of engineer to be appointed.

My observations on the Bill have been based mainly on the Adelaide Plains area, one that I know well, but they may also apply to other areas in the State. If the Bill is passed and

proclaimed, I trust that the Act will be administered with wisdom and understanding. Many people are earning their entire living today by irrigating from the underground basin. In the Gepps Cross to Two Wells area 7,000 glasshouses produce 750,000 half-cases of tomatoes a year, valued at more than $2,000,000. This represents about 70 per cent of the South Australian production of glasshouse tomatoes. In addition, many other types of vegetables are produced for local and interstate markets. Without the underground water, much of this area would be left high and dry, because there is no reticulated water supply. However, with a reliable underground supply, perhaps we could apply Isaiah's prophecy that streams shall appear in the desert and the desert shall blossom as the rose. I support the second reading.

The Hon. H. K. KEMP (Southern): I have approached the largest drilling contractor in South Australia, who has spent much time examining the Bill and the principal Act with officers of the Mines Department with whom he works and with his legal advisers. This man, Mr. V. W. Nitschke, of Hahndorf, trades as Dalmo Company and he has three rotary plants that have been operating on the western slopes of the hills in New South Wales, through South Australia and into the artesian basin, as well as in our Central District and as far west as the Nullarbor Plain. He, as an extremely experienced private contractor, has nothing but praise for the Bill. He merely makes two suggestions, one of which has been mentioned by the Hon. Mr. Hart. I foreshadow that an amendment may be moved regarding the other suggestion.

Mr. Nitschke has found that to work under the Act in New South Wales is much better than to work uncontrolled in South Australia. Our Bill is an improvement on the New South Wales legislation. One of the difficulties he is repeatedly faced with is that in New South Wales the onus is on the landholder to supply to the authorities the log of drilling that records the strata penetrated in the process of drilling. In most cases, the New South Wales law requires him to supply the farmer with a copy of the log. He has done this when required to do so but more often than not the farmer has put it aside and has lost it by the time the authorities ask for it. It is then necessary for the driller to go through the records to obtain an extra copy.

This Bill places the onus on the driller to supply the log and Mr. Nitschke considers that in that way he will be greatly relieved of much responsibility. Most of our drillers, of course, are already complying with much of what will be required, although there is no onus on them at present to do so. This has arisen largely from the good spirit of co-operation that has been built up over the years between drillers and the officers of the Mines Department. It is important that this good relationship be not disturbed when the Bill has the force of law and regulations are proclaimed under it. I do not think that is likely to happen, but the possibility should be kept in mind.

Regarding points of criticism, the first has been mentioned by the Hon. Mr. Hart and relates to the amendment to Part III of the principal Act. This precludes the need for a landholder or occupier working on his own land to hold a driller's licence. The spirit of the clause is good. A man drilling on his own land with hired equipment deserves some freedom.

However, it is feared that in the broader sense this clause may be interpreted as removing other obligations from landholders, even in restricted areas where there is a need to safeguard and conserve water supplies, or to restrict water bed exploitation. That is not good enough and I should like to see the uncertainty removed by the insertion of a short provision that the clause shall not be interpreted as removing the obligations imposed by other sections.

The other matter that the Hon. Mr. Hart mentioned was the engineer on the appeal board. There are all kinds of engineers today, such as sanitary engineers, automobile engineers, aeronautical engineers and electrical engineers, none of whom could be taken as being competent to serve on a panel to adjudicate matters dealt with by the appeal board. I think that the insertion of two or three words regarding drilling wells would cover the position.

The information that I have given is from the practical drilling contractor's point of view. He has said without hesitation that the Bill will not interfere with his large business, that it is more likely to help than hinder. I think we can take that as an authoritative statement by a man who will be affected in his overall business operations.

Summarizing, I think his opinion is that it will be helpful, but from the landowner's point of view, too, I think we must accept the Bill. As I have said before in this Chamber, apart from the basins north of Adelaide there are in Southern District several areas where underground waters are giving some anxiety. The investigations of the Mines Department show

how urgent it is that attention be given to the water beds fed by the South Para and Little Para Rivers.

Equal attention is needed for the water beds fed by the Bremer River, upon which Langhorne Creek, where industry is growing rapidly, depends. There is a need to give attention to all the beds that stretch over a wide area, some of which are not connected with the Bremer River beds but which are certainly of vast importance in the area between the hills and the lake frontages at Milang.

Certainly, there is at least need to study the position in the artesian area that is becoming very important just south of Reedy Creek. Several high-yield beds have been discovered in this area, and water is running very freely from them. We know very little about the yield there or about how long we can afford to allow this to run to waste. I think strict attention is needed in this area as well.

In other very large areas in the State there is no need for restrictions, as unnecessary restrictions in these areas may hinder development and production. We can only hope that restraint and commonsense will be used in the administration of this legislation. I think we can rely on this, if past records of the Mines Department are taken into consideration, but it must be appreciated that our underground waters are without any doubt our most valuable mineral resource, and that they are of value only when they are used. Unless the maximum use is made of water to increase production, it might just as well not be there, and this is the thing that I fear the Labor Government may not appreciate.

The huge South-East water beds hold a potential for an increased income of many millions of dollars a year for this State. The small limited beds in the Para and Little Para areas are producing tomatoes valued at about $2,000,000 a year, apart from other produce equally dependent on these beds. However, this is a mere fleabite compared with the asset we have in the lower South-East, running almost as far north as Padthaway.

It has been estimated that in that area the water resources are sufficient to develop 250,000 acres. This is the find of a recent survey, the full details of which are not yet available, but it has been estimated that a development of this magnitude may occur over the next few years. It must be appreciated that profitable production will easily be accomplished to make use of this asset. A farmer may put down a bore and draw off millions of gallons of water a year, but it is sometimes difficult to make the operation pay.

Unfortunately, very large losses will occur while people are learning to make use of water in the South-East. Petty restrictions on landholders who are attempting to learn how to use the water will be a hindrance. The Government will be very grateful for the work these people are doing. Great wisdom will be needed in the administration of this Act so that there will be full exploitation of the water without there being any damage to an asset or a slowing down of the huge increase in income that can be won for the State by this development.

It must be appreciated that this State has made more use of underground water than has practically any other community in Australia. Probably few communities in the world have developed underground waters as well as we have. When travelling through country that is obviously good water-bearing country in other States I have asked people why they do not use it, and I have been told that they have not thought of using it.

We have used underground waters more than any other State has done, and this has been carried out without any Government interference. In many districts, where a high proportion of underground water is used and production depends on its being shared equitably, it is astonishing how this valuable asset has been shared and maximum production has been obtained without there being any regulation apart from the commonsense and community interests of the farmers. The Piccadilly Valley provides an extremely good example of this. It is now apparently getting much more water than it can use, however!

The Hon. R. A. Geddes: Is it artesian water?

The Hon. H. K. KEMP: No, it is from the heavens. Normally, however, this area relies on underground water, and the success of farming there rests upon sharing it. If this legislation interferes with communities of this nature, it will be a great pity indeed.

What I have said applies to most of the Adelaide Hills area, where huge quantities of underground water are used for irrigation. We have no exact record of it, but the indications are that in these districts it is increasing enormously each year. I am told that by the Electricity Trust.

In these areas we need to know much more about the occurrence of water. There seems to be very little fear of over-exploitation. The exploitation to be feared and which this legislation is designed to guard against is revealed

in the case of some country rivers, particularly the Para, the Little Para and the Bremer.

Further north we look at the borings in the Flinders Ranges, along the slopes above Port Pirie. We must look at where water pressure is occurring, not only in the artesian basins but also down in the South-East, and the area I have mentioned south of Reedy Creek. We must have restrictions acceptable throughout the whole State if we mean to safeguard these valuable assets.

However, I must admit to some degree of hesitation in my support for the Bill when I realize that much of this natural growth could be hindered if there were not wise administration of this Act. These urgent needs have to be considered now upon a much larger scale, and I must give the Bill my full support.

The Hon. R. A. GEDDES secured the adjournment of the debate.

POLICE REGULATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 26. Page 636.)

The Hon. C. R. STORY (Midland): I wish to refer to two things. First, I am a firm believer in giving legislation an opportunity to be understood by people outside Parliament. It is quite wrong to rush legislation through Parliament, so I think it is often wise to grant an adjournment so that members of the public who are interested can have an opportunity of putting their views to their members. This is a simple measure but I cannot understand something in the Minister's second reading explanation. I should like him to see whether or not I am on the right track in what I understand from the reading of that explanation. In introducing this Bill, the Minister said that the grades in the detective branch had been abandoned; they came under the normal seniority of the Police Force. I understand that. Then he said:

> Accordingly, the reference to the detective police is being removed from the principal Act. Provision has recently been made by amendments to the regulations for two grades of senior constable—senior constables who have qualified by examination for promotion to the rank of sergeant, third grade, and those who have not. Accordingly, the new rank of senior constable, first grade, has been provided for.

I do not quite understand that.

Clause 3 states:

> Subsection (3) of section 11 of the principal Act is amended by striking out the passage . . .

When we do that, the principal Act then reads in this way:

> Every appointment by the Commissioner of a member of the Police Force to any rank—

and then we delete the words referred to in the clause and insert others—

> above senior constable, first grade, shall be subject to the approval of the Chief Secretary.

I think the position probably is that there are provided now under the newly gazetted regulations two groups of constable. First, the senior constable who passes the examination for sergeant, third grade, shall upon passing such examination become a senior constable, first grade; and, secondly, a first-class constable who has served continuously as such for four years and has passed the examination for sergeant, third grade, shall on completion of the fourth year's service become a senior constable, first grade. Is that right?

The Hon. A. J. Shard: Yes.

The Hon. C. R. STORY: The second reading explanation does not, then, quite tie up with that.

The Hon. A. J. Shard: There is a correction; there is a further explanation.

The Hon. C. R. STORY: If the Minister has a suitable explanation, I do not want to delay the Council but it seemed that there was something wrong in the original explanation. It is important that we understand what we are supposed to be passing, especially when we have an explanation drawn up for us by the appropriate department. Therefore, I conclude on this note, that I think, as I have often said before, that we are most fortunate with our Police Force in this State, and we should do everything possible to power the arm of the law to enable it to carry out its functions properly. It is well served by the Commissioner and the senior officers right down to the man on the beat. We should see to it that our Police Force is properly looked after in every way. I have much pleasure in supporting the Bill.

The Hon. A. J. SHARD (Chief Secretary): I want to thank honourable members who have spoken. I make it clear that I have not read the speech of the Hon. Sir Lyell McEwin, because it was rather late when I got home last evening.

The PRESIDENT: Would the Chief Secretary like to adjourn this matter?

The Hon. A. J. SHARD: I was lucky to get home at all. I noticed when I opened my file this afternoon a further explanation on the Police Regulation Act Amendment Bill. If this explanation had been given to us in the first place, we should be better off. It reads:

Some elaboration of your second reading speech may be sought by the Opposition. Accordingly, I have spoken to the Commissioner of Police who has explained the amendment requiring promotion to a rank above senior constable, first grade, to be subject to the Chief Secretary's approval. At the present moment the Act provides that promotion to any rank above "senior constable" is subject to the approval of the Chief Secretary. However, under recently made regulations, there are two kinds of senior constable—namely, senior constable and senior constable, first grade. A person automatically qualifies for the rank of senior constable after he has served four years as a first-class constable. To qualify as a senior constable, first grade, he has to pass the examination for third grade sergeant and thereupon becomes a senior constable, first grade. Promotion to the next rank, namely that of sergeant, requires the approval of the Chief Secretary. It will be seen that, under the regulations as they now stand, appointment to the rank of ordinary senior constable is automatic and the Act therefore requires amendment to provide that the approval of the Chief Secretary is necessary only for appointment to any rank above that of senior constable, first grade. The amendment arises out of the fact that hitherto there has been only one grade of senior constable which in the past has required the Chief Secretary's approval. Under the new regulations there are two classes of senior constable, namely that of ordinary senior constable and that of senior constable, first grade, which is the rank next below that of sergeant. The Chief Secretary's approval has hitherto been required for a promotion to the rank of sergeant and this will be the effect of the present amendment.

I hope that that explanation satisfies Sir Lyell, after what was said yesterday.

The Hon. Sir Lyell McEwin: That conforms to what I said yesterday, that you did not mention clause 4 in your second reading explanation.

The Hon. A. J. SHARD: As long as this explanation covers the points raised, I am glad, because I have not read the speeches on this Bill.

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

STATUTES AMENDMENT (WATERWORKS AND SEWERAGE) BILL.

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

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I move:

That this Bill be now read a second time.

This Bill to amend the Waterworks Act, 1932-1962, and the Sewerage Act, 1929-1962, has a twofold object, namely, (*a*) to amend section 121 of the Waterworks Act to include the Coonalpyn Downs water district, and (*b*) to amend the Waterworks Act and the Sewerage Act to make provision for the payment of water rates and sewerage rates on a quarterly basis as from July 1, 1967. With regard to the amendment to section 121 of the Waterworks Act, the intention is to make special provision for rating in the Coonalpyn Downs water district (which has been recently proclaimed as a water district). In the Tailem Bend to Keith scheme 51 miles of trunk main runs parallel to the railway line, and if rating is not extended across this railway the estimated revenue from the scheme will decrease from $19,054 to $12,000, a reduction of about $7,000, or almost 37 per cent.

When evidence on this scheme was given to the Parliamentary Standing Committee on Public Works, on the revenue that would be derived from the main it was assumed that legislation would be made to permit rating across the railway. A similar situation arose on Eyre Peninsula when the Tod River trunk main was being constructed. The Waterworks Act was at that time amended by the insertion of the existing section 121 that has the effect of permitting rating across the railway which, in that case, runs alongside the trunk main for almost 200 miles. We are now faced with a similar problem in the Coonalpyn Downs water district. This amendment has become urgent, since the first sections of the scheme are already in operation. Clause 11 accordingly gives effect to the Government's proposals in this regard. With regard to the major amendments contained in this Bill and referred to already as its second object, the legislative proposal is designed primarily for the convenience of ratepayers, as experience over the last four years has shown to the officers of the Engineering and Water Supply Department that many ratepayers are finding it difficult to pay their water and sewerage rates in a lump sum on the due date. This is evidenced by the fact that an increasing number of ratepayers elect to pay by instalments or take advantage of a two-month deferment of rates granted by the Engineering and Water Supply Department. It should also be borne in mind that the department's accounts are rendered and become payable at the same time as council rates, and this does little to assist the spreading of the financial burden on ratepayers.

The Government, being convinced of the justification for, and the merits in, a system whereby accounts for water and sewerage rates could be paid on a quarterly basis, and realizing that the present accounting system would not be able to handle the increased volume of accounts that would result from

a change to quarterly payments, has already installed data processing equipment at the Automatic Data Processing Centre. Investigations by departmental officers have shown, however, that, by reason of the considerable amount of preparatory work that has to be done before the new system of rendering accounts and collecting payments on a quarterly basis can operate, it will not be possible to introduce such a system in this State until July 1, 1967. Although the current practice overseas, particularly in America, is for accounts to be rendered throughout the year on a monthly, bi-monthly or quarterly basis, this State is, I understand, the first in Australia to introduce legislation to enable water and sewerage rates to be paid on a quarterly basis. I am, however, informed that the principal water supply authorities in certain other States are considering the introduction of a system enabling payments to be made throughout the year.

Before the new system can come into operation it is necessary that the existing Waterworks and Sewerage Acts be amended so that the changeover to payments on a quarterly basis will have legislative authority. I now deal with the proposed amendments in detail in the order in which they appear in this Bill. By clause 3, section 66 of the Waterworks Act is amended to enable the Minister to make an assessment for the purposes of this Act on January 1, 1967, and on January 1 in each succeeding year. The assessment, unless lawfully altered, will come into force on July 1, 1967, and on July 1 in each succeeding year, and will remain in force until the end of that financial year. If the assessment is altered, the altered assessment shall be regarded as having come into force from the commencement of that financial year. The object of those provisions is to provide time for the hearing of appeals against assessments to be made between the making of the assessment and the coming into force of the assessment in any year.

In subclause (4) provision is made for the Minister to direct by notice in the *Government Gazette* that the assessment in force on the last day of any year shall continue in force during the whole of the next financial year. Subclause (5) provides that, until the assessment made on January 1, 1967, comes into force, the assessment in force at the commencement of this legislation shall be the assessment for the purposes of this Act. Subclauses (6), (7) and (8) are concerned with the Corporation of the City of Adelaide assessment.

Subclause (6) enables the Minister to make such an assessment on July 1 in each year and to adopt either wholly or in part the assessment made by, or by the authority of, the Corporation of the City of Adelaide. Under existing legislation, the Minister and the corporation both make their assessments as at July 1 of any year, and by virtue of section 68 of the Act the Minister may adopt either wholly or in part any assessment in force made by any municipal or district council. It has long been the practice for the Minister to adopt the assessment then in force made by the Corporation of the City of Adelaide. This thus avoids unnecessary duplication of assessments in a complex and detailed municipal area. The Government wishes to continue this practice under the changed circumstances.

In clause 4 section 69 of the Waterworks Act is amended to permit the Minister to have access to and inspect land or premises within any water district. At present his power is restricted to the inspection of rate-books and assessment books relating to land and premises and other books relating to the assessment. It is considered by the Government that an extension of the existing power is both necessary and desirable so that a fair and just assessment can be made for the purposes of this Act. The power now proposed is in no way an exceptional one and similar powers are conferred upon assessing officers under other Acts, for example, the Local Government Act and the Land Tax Act. However, to reduce the inconvenience to occupiers of premises to a minimum, subclause (3) provides that the Minister or any person acting on his order shall not enter and inspect any premises unless the owner or occupier has been given reasonable notice of intention to enter the same.

Clause 5 amends section 73 of the Waterworks Act and its intention is to permit the Minister to re-assess any land or premises which have undergone any change by reason of the erection, alteration or demolition of any building or the subdivision or re-subdivision of any land or for any other reason. Under the existing legislation the assessment is only varied on the first day of July in each year and any variation in the state of the property during the year is not taken into account. The amendment to section 73 of the Waterworks Act also authorizes the Minister to alter not only an assessment in force but also an assessment to come into force in pursuance of the amendments proposed in section 66 of the Act. In addition, a minor drafting amendment has been

made to subsection (2) of this section to make the intention of the section more clear.

Clause 6, which amends section 82 of the Waterworks Act, is designed to make clear that the Minister may make and levy water rates on all lands or premises comprised in any assessment made under this Act in force on the first day of July in each year. It is not at all clear what the expression "the said assessment" in the existing subsection (1) of section 82 is intended to refer to. The subsection as re-drafted clarifies the basis on which rates will be levied on any assessment, whether it is an assessment made under section 66 or adopted thereunder or on a new or amended assessment made under section 73 of the Act.

Clause 7, which amends section 86 of the Waterworks Act, is designed to show the period of consumption to which the rates levied are to be applied for rebate purposes. For a proper understanding of this amendment perhaps I should explain that at present meters are read twice yearly—the first reading having no significance except that it is useful for the purpose of advising ratepayers what their consumption is up to the date of that reading and for checking to see whether the meters are operating efficiently. It is the final reading which matters as this is the reading which determines the quantity of water consumed in excess of the amount entitled to be consumed.

The present practice is to commence reading in March and finish by June 30 in any year. Under the new proposed system of quarterly accounts the final reading will commence in January and finish by June 30. The further amendment contained in this clause is to delete the reference to "through any one service and meter". The reason for this is that many properties are now supplied by more than one service and water consumption through such services are aggregated and offset against water rates payable on the whole property.

Clause 8 amends section 90 of the Waterworks Act in paragraph (*a*) thereof by deleting the reference to the Second Schedule. The effect of this will be that the section will apply to country lands water districts referred to in Part VI of the Act as well as township water districts. This is considered to be desirable in the interests of consistency and uniformity with regard to the imposition of water and construction rates. The clause further lays down in paragraph (*b*) thereof that water rates shall be payable in respect of land and premises within any water district from the first of the next following payment day mentioned in or prescribed in pursuance of section 94 of the Act according to the scale which is in force at the time such rates become payable. It may be remarked in this connection that the effect of this provision will be that there will be a slight reduction in rates charged but this reduction is expected to be offset by the amount of excess water charge if water is consumed.

Clause 9 is the important provision in this Part, for it repeals section 94 of the Act and enacts that all water rates and minimum charges for water supplied by measure under agreement shall be payable by equal payments on the first days of July, October, January and April in each year instead of on the first day of July in each year as at present proclaimed pursuant to section 94. In other words, it introduces a payment of rates on a quarterly basis instead of the existing annual basis. However, the Governor has power to change these payment days by proclamation, as in the existing section 94. However, by subclause (2) it is made clear that any ratepayer may choose to pay his water rates and minimum charges for water by measure under agreement in full in advance upon receipt of a notice for any quarterly amount that is due and payable. This provision would, of course, apply to owners of country lands by virtue of the amendment proposed in clause 10.

By clause 10, section 104 of the Waterworks Act is repealed and re-enacted. The intention of the new section is to ensure that the construction rate payable under Part VI of the Act shall be payable and recoverable in the same manner as water rates are payable and recoverable under Part V of the Act, thus achieving uniformity as between the collection of water rates and the collection of construction rates.

Part III deals with amendments to the Sewerage Act. I do not propose to deal in detail with the amendments covered by each clause in this Part, for the amendments to the Sewerage Act have the same effect with regard to sewerage rates as the amendments in the Waterworks Act have with regard to water rates. The reasons for the amendments to both Acts are substantially the same. I consider, therefore, that it will be sufficient for me to point out the amendments to the Sewerage Act and compare them with amendments already explained as regards the Waterworks Act.

Clause 13, which repeals section 61 of the Sewerage Act, has the same effect with regard to sewerage rates and is amended for the same

reasons that clause 3 amends section 66 of the Waterworks Act with regard to water rates. Clause 14 amends section 69 of the Sewerage Act and has the same effect with regard to sewerage rates and is amended for the same reason that clause 5 amends section 73 of the Waterworks Act with regard to water rates.

Clause 15, which amends section 70 of the Sewerage Act, has the same effect with regard to sewerage rates, and is amended for the same reason that clause 4 amends section 69 of the Waterworks Act with regard to water rates. Clause 16, which amends section 74 of the Sewerage Act, has the same effect with regard to sewerage rates, and is amended for the same reason that clause 6 amends section 82 of the Waterworks Act with regard to water rates. Clause 17, which amends section 78 of the Sewerage Act, has the same effect with regard to sewerage rates, and is amended for the same reason that clause 8 (apart from the amendment which has the effect of bringing country water districts into line with town water districts) amends section 90 of the Waterworks Act with regard to water rates. Clause 18 amends section 79 of the Sewerage Act, and has the same effect with regard to sewerage rates, and is amended for the same reason that clause 9 amends section 94 of the Waterworks Act with regard to water rates. I commend the Bill for the consideration of honourable members.

The Hon. Sir LYELL McEWIN secured the adjournment of the debate.

ADJOURNMENT.

At 4.56 p.m. the Council adjourned until Thursday, July 28, at 2.15 p.m.