LEGISLATIVE COUNCIL

Tuesday, February 28, 1967.

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

ASSENT TO BILLS.

His Excellency the Governor, by message, intimated his assent to the following Bills:

Aboriginal Lands Trust,
Adelaide Workmen's Home Incorporated Act Amendment,
Cottage Flats,
Education Act Amendment,
Health Act Amendment,
Hire-Purchase Agreements Act Amendment,
Hospitals Act Amendment,
Local Government Act Amendment,
Marketing of Eggs Act Amendment,
Mental Health Act Amendment,
Money-lenders Act Amendment,
Motor Vehicles Act Amendment (Registrar),
Motor Vehicles Act Amendment (Registration),
Motor Vehicles Act Amendment (Tow-trucks),
National Parks,
Pastoral Act Amendment,
Phylloxera Act Amendment,
Police Pensions Act Amendment,
Potato Marketing Act Amendment,
Prohibition of Discrimination,
Renmark Irrigation Trust Act Amendment,
Rowland Flat War Memorial Hall Incorporated,
Statutes Amendment (Housing Improvement and Excessive Rents),
Supreme Court Act Amendment (Salaries),
Workmen's Compensation Act Amendment.

HARBORS ACT AMENDMENT BILL.

His Excellency the Governor, by message, informed the Legislative Council that Her Majesty the Queen had signified her assent to the Bill.

CLERK OF RECORDS AND PAPERS.

The PRESIDENT: I have to inform the Council that, acting under the powers conferred by Standing Orders, I have arranged for the Third Officer in the Legislative Council, Mr. C. H. Mertin, presently styled "Clerk of Records and Papers", to be accommodated at a table on the floor of the Council to the left of the Chair. Honourable Ministers and members will appreciate the need for a rearrangement of the work at the table to enable the services of the Clerk to be made more readily available to them in respect of Council procedures. I am confident this arrangement will facilitate the work of honourable members and the Council.

QUESTIONS

SITTINGS.

The Hon. Sir LYELL McEWIN: I ask leave to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. Sir LYELL McEWIN: I notice that a press report of yesterday afternoon stated that the remainder of this session would consist of a number of late and all-night sittings. It went on to refer to three new Bills to be introduced by the Government—one to set up a gas pipeline authority, one to amend the Licensing Act, and another to amend an Act of last session. The article continued:

As well, there are 25 other Bills on the Notice Papers.

I have studied the Notice Papers of both Houses and cannot find more than four Bills on the agenda for discussion. Can the Chief Secretary say whether it is not perhaps an accurate report that the Government has a number of Bills to introduce, and can he indicate which Bills it is intended to proceed with—because I understood that one of the Bills on the Notice Paper in another place was not to be proceeded with?

The Hon. A. J. SHARD: First, let me say that I am not responsible for what the newspapers print. The older I become the more shocked I am at the untruths printed by newspapers; it is not confined to one paper, either. I do not know of 25 Bills to be introduced. The main items have been set out. The Bill concerning the gas pipeline is essential. We hope that the amendments to the Licensing Act will reach the second reading stage in another place, but we do not think that it will reach here. The four Bills set out on the Notice Paper have to go through. There are also some minor Bills to be introduced, one of which is to correct a drafting error and I will give notice of that Bill today. I believe that that is the sum total.

The Hon. A. F. Kneebone: I will be introducing one Bill.

The Hon. A. J. SHARD: I hope honourable members will not hold the Government or myself responsible for what the newspapers print.

LOCAL GOVERNMENT ACT REVISION COMMITTEE.

The Hon. M. B. DAWKINS: I ask leave to make a short statement prior to directing a question to the Minister of Local Government.

Leave granted.

The Hon. M. B. DAWKINS: I have recently attended some local government conferences and I have met citizens who are particularly interested in local government. I have found considerable interest, which I believe is shared by all honourable members here, in the work of the Local Government Act Revision Committee, and I believe that all concerned understand the need for this committee. In view of the interest displayed, can the Minister inform the Council what progress has been made by this committee? Will the committee meet again this financial year, and when will a report, and possibly a draft Bill, come from the committee?

The Hon. S. C. BEVAN: Honourable members know that this committee has been meeting regularly in relation to a complete revision of the Local Government Act. The committee will continue to meet at least weekly, and often more frequently. Committee meetings do not last merely an hour, but very often they commence at 9 a.m. and finish at 6 p.m. or 6.30 p.m. The committee's inquiries are nearing an end. At the same time, the committee is considering the tremendous amount of evidence given by individuals and obtained by it when visiting several parts of the State and hearing the views of various communities. I expect that this consideration will be completed soon and that the committee will then sift the evidence with a view to rewriting the Act.

I know it is appreciated that this work will take some time. It necessitates the services of a draftsman, for which there is a vacancy at present. I do not know when such an officer will be available. I hope that a full report from the committee will soon be made available to honourable members and that a draft Bill will be presented. Certainly, it will not be dealt with in this present portion of the session because of the amount of Government business. However, it is hoped that the Bill will be introduced during the next session. I assure honourable members that if it is not possible to deal with it then, and if honourable members have insufficient time to obtain a full appreciation of a completely new Local Government Bill before then, I shall introduce a Bill in the session after the next election.

AGINCOURT BORE SCHOOL.

The Hon. C. R. STORY: I ask leave to make a statement prior to asking a question of the Minister representing the Minister of Education.

Leave granted.

The Hon. C. R. STORY: A school, which was formerly known as the Agincourt Bore School and which is now known as the East Murray Area School, has been completed. It is located centrally amongst a number of small towns in the Murray Mallee. Some towns served by a feeder bus service are 18 or 19 miles from the school. The nearest town is four miles distant. This necessitates teachers living away from the school, with which there is no telephone communication at present. Representations have been made to the department about this matter and its officers have been most sympathetic.

An approach has been made to the Commonwealth member for the district about whether the Postmaster-General's Department can do something, but it all comes back to the cost of erecting the line to the school. Will the Minister request the Minister of Education to examine the position and ascertain whether some special grant can be made in order that the school can be connected to the telephone service, first because the absence of telephone communication is injurious to health, secondly because lack of a telephone makes administration by the headmaster extremely difficult, and, thirdly because the parents consider that insufficient safety precautions are provided in the event of fire occurring at the school, the nearest telephone service being about four miles away?

The Hon. A. F. KNEEBONE: I shall be pleased to convey the honourable member's request to my colleague, the Minister of Education, and bring back a reply as soon as possible.

BOLIVAR TREATMENT WORKS.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question of the Minister of Labour and Industry representing the Minister of Works.

Leave granted.

The Hon. L. R. HART: Some months ago a committee of inquiry investigating the

utilization of effluent from the Bolivar treatment works presented a report to the Government. I believe it is still with the Government Printer. Over recent months I have had numerous requests from constituents concerning the ultimate outcome of the utilization of effluent from the Bolivar treatment works and there has been considerable speculation about the Government's plans. Will the Minister ascertain when it is expected that the report will be available? Can he say whether the Government has considered the recommendations in the report, and, if it has, what is the Government's attitude towards them?

The Hon. A. F. KNEEBONE: I could say something on this matter, but I think it would be better for my colleague to give a considered reply. Because of that, I will convey the honourable member's submission to my colleague and endeavour to obtain an early reply.

MONEY-LENDERS ACT.

The Hon. F. J. POTTER: I ask leave to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. F. J. POTTER: At a legal seminar held last week, at which there was a large attendance of members of the legal profession and judges, several speakers referred to the urgent necessity to have a complete review of the Money-lenders Act. Honourable members will recall that a measure to amend the Act was before this Council when it last sat and that amendments dealt with the question of mortgage finance. They were not pressed because the Chief Secretary gave an undertaking that the Government would urgently examine the subject matter. Can the Chief Secretary say whether the Government has considered the matter of an amendment to the Act, or to withdrawing the Act? Can he indicate the present position?

The Hon. A. J. SHARD: Speaking from memory (and I would like to check this), I do not know that it has been under discussion. I would like a day or two to consider the matter and give a reply later.

MILLICENT NORTH PRIMARY SCHOOL.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question of the Minister representing the Minister of Education.

Leave granted.

The Hon. R. C. DeGARIS: An editorial appeared in the *South-Eastern Times* of last week referring to the promise made by the Education Department to erect a prefabricated primary school at Millicent North. The editorial pointed out that the cost of such a school would probably exceed the cost of a solid construction school, utilizing local materials and tradesmen. If the claims made in the editorial are factual—and on examination I believe them to be so—will the Minister of Education have the matter investigated, or is he adamant that a prefabricated school shall be erected at Millicent North?

The Hon. A. F. KNEEBONE: I shall be pleased to convey the honourable member's question to my colleague and obtain a reply.

BEDFORD PARK HOSPITAL.

The Hon. C. M. HILL: Can the Chief Secretary say when the Government expects to begin building the south-western districts teaching hospital at Bedford Park, which the Government in its policy speech in February 1965 said would be provided?

The Hon. A. J. SHARD: I cannot say exactly when it will be commenced, but I know that a planning committee is preparing plans for hospitals. I know also that a deputation from the Australian Medical Association met the Premier last week to try to have the year's education programme at the university commenced, so that the hospital will be built by the time the students are ready to go into the clinical centre. The whole matter has been deferred until consultations can be held with the Public Buildings Department for a programme to be arranged. The hospital in the south-western districts will have top priority after extensions to the Queen Elizabeth Hospital are completed.

LYELL McEWIN HOSPITAL.

The Hon. C. R. STORY: Has the Chief Secretary finished considering the request of a deputation that waited on him recently for some relief from financial obligations to be given to the three contributing councils in relation to the Lyell McEwin Hospital at Elizabeth?

The Hon. A. J. SHARD: No. Immediately after the deputaion, as promised, I had a full inquiry made into the financial position of the hospital and the councils concerned. However, as the matter has to go through the Hospitals Department and the Auditor-General's Department, and as this takes some time, I have not yet had a report.

PRINCES HIGHWAY.

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

Leave granted.

The Hon. Sir NORMAN JUDE: On November 15 last I asked the Minister a question about the state of the Princes Highway near Dawesley Hill and pointed out that thousands of dollars had been spent on major works connected with straightening out the highway at the very difficult bridge at the bottom of the hill. I asked whether it would be possible to complete sealing the road and improving the bottleneck on the road, which carries heavy traffic, and the Minister said:

I shall make the necessary inquiries, as Sir Norman suggests. However, I hazard a guess that he would be dead lucky to get the sealing done before Christmas.

We have now arrived at the ides of March, and the Princes Highway still has this bottleneck. Large quantities of rubble are on each side of the road, but there are no signs of work being done. Will the Minister take up this matter with the department forthwith with a view to having the work completed as soon as possible?

The Hon. S. C. BEVAN: Yes.

ORE FREIGHT RATES.

The Hon. Sir LYELL McEWIN: I ask leave to make a statement prior to asking a question of the Minister of Transport.

Leave granted.

The Hon. Sir LYELL McEWIN: In the last few days we have read press reports regarding the freighting of ore from Broken Hill to Port Pirie. One statement implied that the rate was cheaper for 784 miles to Newcastle than for the 218 miles to Port Pirie. I do not know whether that statement related to the total cost or to the cost a mile, so will the Minister indicate the comparative freight rates to these two destinations?

The Hon. A. F. KNEEBONE: In view of the publicity given to this matter, I expected that a question would be asked. I ask leave to make a statement in an endeavour to reply to the honourable member.

Leave granted.

The Hon. A. F. KNEEBONE: The Broken Hill mining companies have made several representations in the past 10 years for adjustments to the freight rate for the carriage of concentrates by rail from Broken Hill to Port Pirie. As a result of representations at the end of last year the Government last month offered the following concessions:

1. To suspend the operation of the escalation clause in the agreement in respect of adjustments to the rate based on the average hourly rate of wages paid by the South Australian Railways. The suspension operates for two years from January 1.
2. To reduce the rate between Cockburn and Port Pirie by 30 cents a ton.
3. To extend the rebate for increased tonnages to 40 per cent for tonnage in excess of 800,000 tons a year.

The immediate effect of this is a concession to the mining companies of $230,000 per annum. However, with the rate held at a static figure for two years, the companies are receiving additional gains. Under the terms of the agreement the rate would undoubtedly be increased again in March because of the effect of the interim margins decision, and during the next two years the rate would have been further increased by basic wage and other wage adjustments, which could be expected to eventuate in that period. It is obvious that the final gains to the mining companies will substantially exceed the present figure of $230,000 per annum. It is not true to say that the concession is small.

The Government considers that these negotiations would best have been kept between the companies and the Government and not given the present publicity, which was not of the Government's doing. It has caused a lot of uneasiness in the minds of South Australians, whose security depends on this traffic and the processing of and export of concentrates at Port Pirie. The problems involved in this matter are continually in the minds of my colleagues and myself and whatever reasonable steps are necessary to retain this valuable business in South Australia will be taken. I expect there will be further discussions with the mining companies in the very near future. Unfortunately, it has now developed into a public topic with some uninformed press comment. A "leader" yesterday referred to South Australian rail freight rates being generally higher than those in other States. I suggest that when talking about freight rates in general the newspaper concerned check the facts, which clearly show that in almost every instance South Australian rates are substantially below those of all other State railway systems.

In reply to the honourable member's question, the freight rate a ton-mile is higher in South Australia than in New South Wales, but the distance from Broken Hill to Newcastle is

between 700 and 800 miles compared with between 200 and 300 miles to Port Pirie. The rate for concentrates resulted from an agreement between the mining companies and the previous Government. The mining companies made a submission to the Royal Commission on Transport Services and subsequently came to the Government before Christmas with a proposal. The Government considered it and as a result agreed to vary the present agreement. This became public property before we had ever received a reply to our submissions. That is a bad feature of the present publicity. We should at least have been advised what the mining companies thought of our present concessions before this thing became public property in the newspapers and was subject to all sorts of statements, not in the best interests of the good feeling that has existed between the mining companies and the Government. Both the previous Government and this Government have been able to talk courteously with the mining companies rather than have this sort of thing happening. I am concerned about it.

The companies have assured me that there was no ulterior motive behind the matter that appeared in the paper. They have said that they have spoken to the newspapers correcting some submissions proposed to be put forward. It is still not clear to me: how did the newspapers get hold of a submission that was confidential between ourselves and the mining companies? All honourable members, with me, are concerned about this matter. I think I have said enough to indicate to honourable members that I am concerned that anything should jeopardize the work being done at Port Pirie. I am prepared to talk to the mining companies again to see whether an area of agreement can be reached in this matter.

The Hon. Sir LYELL McEWIN: The Minister seems to have missed the main point of my question, though he may not desire to answer it. The meat of my question was: is it true that the freight over the 784 miles to Newcastle is cheaper than it is over the 218 miles to Port Pirie? Is the freight charge so favourable in New South Wales that it is cheaper to go the extra mileage than it is to come to Port Pirie?

The Hon. A. F. KNEEBONE: The situation is that I have been informed by my advisers that the distance to Newcastle is greater and the rate per ton may be considerably less than our rate per ton, but overall, considering the distances and the rates involved, it is not cheaper to go to Newcastle. If this proves to be wrong, we shall have to look at it. We are looking at everything to see what we can do to retain the traffic and keep the mining companies satisfied. A considerable amount of this concentrate is going away from South Australia. This is the main concern at the moment: whether, because of our rate, because of the distance between Port Pirie and Broken Hill and between Broken Hill and Newcastle and because of the rates offered by the New South Wales railways, it is cheaper for the mining companies to go to Newcastle than to Port Pirie. This is mainly in relation to export. We have to look at this, and we are looking at it. From the statement I have made, I hope it is clear that the Government is prepared to do anything reasonable to retain this trade in South Australia.

IMPOUNDING ACT.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question of the Minister of Local Government, representing the Minister of Agriculture.

Leave granted.

The Hon. L. R. HART: On July 12 last year in answer to a question I had on notice, the Minister stated that it was the intention of the Government to bring in amending legislation to the Impounding Act in relation to straying stock. The Minister also stated that instructions would be issued that there should be no more prosecutions under this section of the Act until amending legislation had been introduced. Then on November 17, in reply to a further question asking what progress had been made in relation to the proposed amending legislation, the Minister stated that he would refer the matter to his colleague the Minister of Agriculture. I again ask the Minister whether he is in a position to state whether it is the intention of the Government to bring in amending legislation to this Act and when it is expected that this legislation will be brought forward?

The Hon. S. C. BEVAN: It is the intention of the Government to bring down amendments to the Impounding Act. I am not in a position to answer the second part of the question today as regards when this will be done. I will refer this to my colleague, the Minister of Agriculture, and obtain a reply for the honourable member as soon as possible.

LEVEL CROSSINGS.

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

Leave granted.

The Hon. D. H. L. BANFIELD: It appears that recently there have been many accidents at railway level crossings, some of which have, unfortunately, been fatal. They have been occurring fairly frequently. Has the Minister anything to tell this Council about whether these accidents are the fault of the Railways Department or whether they occur because of negligence on the part of road users?

The Hon. A. F. KNEEBONE: I anticipated that honourable members were concerned about level crossing accidents as much as I am and that somebody would ask me a question about them. I notice that my faith was not misplaced in that respect, and that an honourable member has asked a question. The Government is most concerned at the current frequency of accidents at railway level crossings. Since the beginning of this year there have been six accidents involving 10 fatalities. My colleague the Minister of Roads and myself recently conferred with the Railways and Highways Commissioners and technical officers to discuss further ways and means of ensuring that every reasonable protection was provided at level crossings. As a result of this, intensive investigations are at present jointly being conducted by the two departments. Protection at crossings varies from boom gates, flashing lights and warning bells to "stop" signs and standard warning signs and, in addition, signs of approach to level crossings are frequently painted on the roadway itself, together with, at times, further signs on roadways some distance before a crossing is reached.

All these signs are a clear warning to motorists of the danger ahead and are quite conspicuous. I have recently inspected a number of level crossings where accidents have occurred and, with the exception of one case, the railway line was visible for considerable distances on each side of the crossing. In the other case, although visibility of the line to each side was not as good, nevertheless the railway approaches were clearly visible from the road approximately 100 yards before the crossing. It is regrettable that, even so, the accidents continue, bringing distress to the families of those involved and also extreme strain on the train crews concerned.

The Government is not being complacent about this matter and, as I said earlier, has called for immediate investigations into this problem. Some facts, however, should be placed in their true perspective. Since July, 1965, there have been 127 accidents at level crossings. These comprise:

Train hit the road vehicle	on 58 occasions
Road vehicle hit the train	on 33 occasions
Road vehicle hit wing fences, warning signs, etc., and in almost all cases in the absence of any train in the vicinity	on 36 occasions.

It will be seen that more than a quarter of the accidents at level crossings occur when there is no train in the vicinity of the crossing and where motor vehicles have hit wing fences, warning signs, etc. Approximately one accident in three occurs at a protected crossing and, if the cases not associated with a train movement are ignored, the ratio is a great deal higher, being almost one in two. This clearly shows that there is need for the motorist to exercise much more vigilance than he is using at the present time.

Two of the fatalities in the last two months have occurred at signalized crossings, one being a collision with a motor vehicle at Nurlutta, near Salisbury, and the other being the unfortunate case on February 17 when a woman walked in front of a train at Marion Road. Departmental statistics indicate that over the past 10 years the number of motor vehicle registrations has increased by about 66 per cent, whilst train miles have dropped 10 per cent. For the same period the number of level crossing accidents each year has, on the average, shown a decline of about 12½ per cent. I don't suggest, however, that these figures give any justification for complacency and, as I said before, urgent investigations into this problem are proceeding.

FARINA ROAD.

The Hon. Sir LYELL McEWIN: I ask leave to make a brief statement prior to directing a question to the Minister of Roads.

Leave granted.

The Hon. Sir LYELL McEWIN: On December 5 I wrote to the Minister concerning a proposal for the re-routing of the road at Farina to the eastern side of the railway line, which is some distance from the town. This matter has caused local concern, and the Minister said that he would investigate it. Has he any further information?

The Hon. S. C. BEVAN: I have no further information at present, but I will make inquiries and obtain the desired information as soon as possible.

TRAIN SIREN BLASTS.

The Hon. F. J. POTTER: I ask leave to make a brief statement prior to directing a question to the Minister of Transport.

Leave granted.

The Hon. F. J. POTTER: My question follows on the statement that the Minister has just made about the inquiry into level crossing accidents. I refer the Minister to a letter in *The Mail* of February 11, 1967, that was written by a Mr. Gordon of Hawthorn. The writer complained, on behalf of people living in the vicinity of level crossings, about the blasts that the train must give. I believe that three blasts must be given as the train approaches a level crossing. The writer goes on to ask: if the signs, signals and electrical devices at level crossings are insufficient to prevent accidents, how can the blasts of the train siren be effective? I imagine that the Railways Commissioner made a direction in this matter many years ago, but I ask the Minister to investigate this problem or refer it to the committee investigating this matter to see whether directions can be given to reduce the noise from the sirens as the trains approach level crossings.

The Hon. A. F. KNEEBONE: This suggestion is directly opposed to those that have been made by people who say, "When we are in a motor car and the windows are closed and the radio is on and we are talking, we cannot hear the sirens or the whistles of the train." Such people want the sirens or whistles to be more piercing than they are at present. I believe that the warning whistle or siren contributes to safety because it brings some people back to earth and makes them realize that a train is near. If they are not going too fast and are far enough away from a crossing, they can pull up in time to avoid the train. I will discuss the honourable member's suggestion with the Railways Department's experts to see whether anything can be done.

TRAIN HEADLIGHTS.

The Hon. M. B. DAWKINS: I ask leave to make a short statement before asking a question of the Minister of Transport.

Leave granted.

The Hon. M. B. DAWKINS: My suggestion arises from the discussion during this question time about level crossing fatalities. We are all concerned about such tragedies. When I was in New Zealand recently, one of the first things I noticed was that the trains had their headlights on during daytime. It may seem funny to honourable members, but it is the first thing one notices when driving in the country in New Zealand. I inquired why the headlights were left on, and I was told that it was another contribution to safety. This practice is needed in Australia as well as in New Zealand. Accordingly, I suggest to the Minister of Transport that he consider whether train headlights should be left on all day as a further contribution to road safety. If it is done in New Zealand it could be done here.

The Hon. A. F. KNEEBONE: I am very pleased to hear that the honourable member keeps his eyes open when he is in other countries; I suggest that he look at the trains here. He will find that their headlights are on; this practice has been followed since before Christmas.

PUBLIC WORKS COMMITTEE REPORTS.

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

Hardwicke Sewerage System,
Laurel Park Technical College,
Mannum-Adelaide Pipeline (Additional Pumps and Associated Works).

POLICE OFFENCES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 15. Page 3003.)

The Hon. C. R. STORY (Midland): I rise to oppose the Bill. It is always nice to know where one is going right from the start, and I have no compunction about opposing the measure. The Minister said in his explanation:

Its principal object is to remove the loitering provision from the Lottery and Gaming Act and to make appropriate provision in its logical place, namely, the Police Offences Act, in lieu thereof. From time to time objections have been raised to the presence of the loitering section in the Lottery and Gaming Act, and, accordingly, clause 4 removes this provision from that Act.

That is not the position at all, as we can see when we read the Bill. It is not as simple as removing the loitering provisions from the Lottery and Gaming Act and making appropriate provision for them in the "logical

place", the Police Offences Act. We find that the loitering clause is taken out of the Lottery and Gaming Act under the provisions of this Bill but that we do not get it back in its logical place in the Police Offences Act. Instead, we get a watered-down, anaemic amendment in place of something that is vital to the law and good order of this State.

The Hon. Sir Lyell McEwin examined historically the various provisions that it was necessary to include in the Lottery and Gaming Act in the first place. Let us compare the position today with the position as it was in 1907, when the legislation was first mooted. We have had coming to this country in the last few years people to whom our Australian way of life and conditions and our form of democracy are entirely strange. Many of these people are of a volatile nature because they have come from countries where the people are of that type. They have come to a fairly placid country and I consider that they have to be encouraged on the one hand and educated on the other. Then there is another group of much later Australians, who have recently been given new privileges and powers and who have had such privileges and powers virtually thrust upon them in the last two years. They, too, need the guidance and protection of the law. I believe both categories will benefit as a result of the provisions of the Lottery and Gaming Act and I have no objection to this provision being placed in the Police Offences Act, if put there as a whole.

In his second reading explanation the Minister further said:

The present provision makes it possible for a police officer without cause to order a citizen going about his business with perfect propriety to move away from the place where he needs to be for that business, and if the direction is not complied with an offence is committed.

A person going about his normal legitimate business has nothing to fear from the police. The law in this case has been provided, in my opinion, for a small minority of people not going about their legitimate business. In fact, they would be doing anything but legitimate business. Therefore, most people have nothing to worry about concerning the power a policeman has when ordering people to move on. I do not think that the power has ever been used in a nefarious way because the police cherish the power to act in dire circumstances. I believe they should retain such power.

The second reading speech of the Chief Secretary seemed to be loaded in favour of the wrong-doer. That is wrong, because the wrong-doer should have the edge put on him at all times. I do not think the decent citizen receives sufficient credit for behaving himself. This measure should be carefully examined. Section 63 of the Lottery and Gaming Act reads:

No person standing in any street shall refuse or neglect to move on when requested by a police constable so to do, or shall loiter (whether such loitering shall cause or tend to cause any obstruction to traffic or not) in any street or public place after a request having been made to him by any police constable not to so loiter.

Penalty—Twenty pounds, or imprisonment for two months.

It is suggested that the police have sufficient power, or almost sufficient power, to deal with any situation that may arise under section 18 of the Police Offences Act, which reads:

Any person who lies or loiters in any public place and who, upon request by a member of the Police Force, does not give a satisfactory reason for so lying or loitering shall be guilty of an offence.

There, a police officer does not seem to be armed with sufficient power. The Bill seeks to insert a new subsection, which reads:

Where three or more persons are loitering in company in a public place in such circumstances or in such a manner as to lead a member of the Police Force reasonably to apprehend that an offence has been committed or may be committed, or that a breach of the peace may occur, or that pedestrian or other traffic is being obstructed, such member of the Police Force may order such persons or any of them to cease loitering and to move on from the vicinity in which they are loitering. Failure to comply with such an order shall be an offence.

This not only makes the police officer a person who has to arrest people and keep law and order in a physical way, but it also makes him a judge. He has to be judicial in his approach to what has been told him by the people whom he has asked to move on. He must be able to assess whether the reply he has received is, in fact, a legitimate excuse for their remaining where they are. That is time-wasting and where a riot may be developing there may not be time to decide whether to say to the people concerned, "Don't get into any trouble until I have decided whether you are committing an offence, about to commit an offence, or whether you are decent fellows just gathering here". My opinion is that a policeman should act first and ask questions afterwards.

I believe this Bill stems from an incident involving a prominent Minister. Going back through history, it will be found that in 1963 reference was made to that matter in a debate

in another place. Reference was also made to the subject in newspaper articles, and it was part of the policy of the present Government when it came to power to remove the section from the Lottery and Gaming Act. There were two incidents on the Norwood Parade. However, I shall not mention names, because that is unnecessary. As this measure has been introduced by the Government, the Government as a whole is responsible for it. I do not know whether the Government wants it, but I know that it is not generally welcomed by many members of the public or the Police Force.

I should like to ascertain from the Chief Secretary whether any request has been made by the courts or the Commissioner of Police for the existing law to be altered. I can readily see that a provision of this nature would be better placed in the Police Offences Act, because it would be better, when dealing with a matter under that Act, to have these powers contained in it. I do not think this Council has altered the opinion it held in 1964 when dealing with an Act to amend the Lottery and Gaming Act. That Bill, I think, dealt with totalizators, but tucked away at the end was a little clause to remove section 63. Once again the sting was in the tail! At that time the Council removed any doubts that the proposer of the measure in another place may have had by voting 15 to three against the clause. That was a fairly conclusive vote. I shall not say what I intended to say, as it is almost personal.

The Hon. A. J. Shard: You were not looking at me.

The Hon. C. R. STORY: No. We should be grateful that we have a Commissioner of Police and a Police Force that have carried out their duties as they have, and I want to see that the police are armed with the proper powers to deal with offences. The Hon. Sir Lyell McEwin has foreshadowed some amendments, but I shall not deal with them. I think section 63 should remain in the Lottery and Gaming Act, because we do not know what will happen with the advent of the totalizator agency board system of betting any more than people knew what would happen when the totalizator was introduced.

There is no reason for removing this section from the Lottery and Gaming Act, but I believe there is a need for the provision to be in the Police Offences Act, because what we have now is not stringent enough. I saw a recent press report of a big brawl in the city in which we were extremely lucky that we did not lose two or three of our very good policemen. It is fortunate that their courage prevented what could have been a major riot. The idea seems to be abroad that the law has been broken down. Because of the press announcement that this provision was to be removed, some people seemed to assume that it had been removed, so it is our duty to ensure that they are acquainted with the law. Otherwise, it will be bad for them and for the police. I think this provision should be in the Police Offences Act so that nobody can be under any misapprehension.

The Hon. C. M. Hill: This type of trouble seems to be increasing throughout Australia, and particularly in Sydney.

The Hon. C. R. STORY: That is so, and it is interesting to know that South Australia is the only State that has a law such as that contained in section 63 of the Lottery and Gaming Act. If that provision were in the Police Offences Act, I believe it would be a strong Act for the police to work under. The Chief Secretary, in his second reading explanation, said that South Australia was the only State that had retained the provision. This is the only State that does many things. We are not all keen on uniformity, but, if there are advantages to be gained by having uniformity, let us have it. However, we were asked to adopt a law in relation to axle weights simply for the sake of uniformity. At one time this State was unique; it had the lowest taxation in the Commonwealth and the highest savings bank deposits, but for the sake of uniformity it dropped back into the rut. Once something starts going back the brake cannot be put on, but I shall not get off the path, Mr. President. We have been told, in effect, that this State is a "monster" and that the rights of the individual are not respected. Section 63 was put into the Act a long time ago, and if the architects of this Bill—

The Hon. C. D. Rowe: The architect!

The Hon. C. R. STORY: I have to say "architects" to bring them all in and find out who it is.

The Hon. A. J. Shard: This is policy. Let us face up to it.

The Hon. C. R. STORY: I have the greatest sympathy for the Chief Secretary in this matter. I have to get the point over that, when we are dealing with something like this and a number of other up-to-date social questions, we are shockingly worried about the rights of the individual. In some fundamental things where the

rights of the individual are involved, we find all sorts of things being taken away. Which individuals are involved in this? They are the people who have made little contribution to the wellbeing of the State, people who in the main scarcely earn their living, when we get down to the real core of this piece of legislation. It is not designed for the good citizen who goes about his normal business: it is to protect a class of people without whom we would be much better off.

I was reading this morning an article attributed to a Roman Catholic bishop. If honourable members have not read it they should, because it is a very good summing up of the way he feels about Britain at the present moment, about the way things are running down there. It is in today's *Advertiser*. He attributes the trouble largely to this "new look", the welfare State sort of thing, the approach where people should have their individual rights. There should be no inhibitions about anything. If a child wants to shoot its father, we must not restrain it or we may be upsetting its little head, which will be bad for it later. It is just like the old story about allowing a child to write with its left hand if we want to improve it. We are starting to get towards that a little bit in Australia at present. The sooner it is checked, the better.

The Hon. C. D. Rowe: I do not know why you said "a little bit".

The Hon. C. R. STORY: We are tending to get towards it. It behoves our leaders, whether they be Parliamentarians or Ministers, newspaper men or commentators on television, to appreciate that they have a great responsibility to get down to fundamentals and to a degree of decency, because at present we are drifting badly morally. This sort of thing does nothing at all to improve upon the moral set-up of a country. We must have law and order—that is fundamental. Therefore, I intend to oppose the removal of the provision in the Lottery and Gaming Act. I am prepared to support its inclusion, as it is, in the Police Offences Act but I am not prepared in any way to yield to watering down the powers that the police have under the provision.

The Hon. A. J. Shard: Isn't what you said in your final words what Sir Lyell's amendment means?

The Hon. C. R. STORY: Yes.

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

PLANNING AND DEVELOPMENT BILL.

Adjourned debate on second reading.

(Continued from November 15. Page 2995).

The Hon. C. D. ROWE (Midland): In rising to speak to this Bill, I am glad to have the Chief Secretary's assurance that the Minister of Local Government will be here, because he is the appropriate Minister to speak to on this Bill. I want at the outset to congratulate the Hon. Mr. Hill on his speech on it. My recollection is that circumstances were much that he had to make it so long ago that it is not as fresh in our minds as it would have been had he made it recently. I have in recent hours read through the whole of his speech, including the adjourned portion of it. I think he set out the arguments on this Bill very clearly. I do not say that I go along or agree with everything that he said.

The Hon. C. M. Hill: You are not the only one!

The C. D. ROWE: This Bill covers much ground. The kind of speech made by the honourable member is appropriate to open the debate on this matter, because it places the pros and cons of the various matters clearly before us. It has given us ground on which we can decide for ourselves how to act and vote in respect of the many matters set out in the Bill.

Because of the speech of the honourable member, I shall not make my remarks as extensive as I otherwise would have; but, before dealing with the Bill itself, I want to say a few things about what has been done in town planning in this State, because it seems to be a common pastime today for some people to suggest that only now have we reached the stage where anybody is interested in town planning and where anyone has done anything worthwhile about it. The inference is that there was great neglect in this matter by the previous Government over the years. However, I point out that it was in 1955 that the previous Government amended the Town Planning Act and set up a committee to produce a plan covering the metropolitan area of Adelaide as it was defined in the 1955 Act. That appointment and that legislation in 1955 were really the commencement of the work that has come to fruition today. Had it not been for the action of the then Government in setting up that committee and charging it with the responsibility of preparing a metropolitan development plan, the present Government would not now have been able to bring in this Bill. So as long ago as 10 years an

effective step was taken in this matter. It is common ground that the plan then prepared was comprehensive, covering practically all the aspects needing attention.

I regret that in the Minister's second reading explanation prompt credit was not given to the previous Government for the work it did in placing the present Government in a position to proceed. My complaint is that, although all that preliminary work was done and this plan was prepared for about $60,000, it has taken almost two years to bring it to the floor of this Chamber. If there is any unnecessary delay, it occurred after rather than before 1965.

On December 12, 1963, we passed an amending Bill stating:

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

That Bill did a very proper thing: it gave people 12 months in which to make any recommendations about or criticisms of the submissions of the committee. They had 12 months in which to consider those matters. That period of 12 months expired in December 1964, a matter of only three months before the new Government took office. By the time that period of 12 months had expired in December, 1964, the last session of the old Parliament had been completed, so there was no opportunity for the previous Government to bring in a Bill. At that time it was left for the new Government. So, if the criticism has been made that the old Government should have done something about the Town Planning Committee's report, it falls to the ground when we look at the time element involved. I believe that about 190 representations were made to the committee in that 12-month period and most of them did not convince the committee that the plan should be altered. I hope that I am right in what I say. There is a general inference by some people that virtually little was done about town planning by the previous Government. A considerable amount was done, and a considerable amount was achieved.

First, I want to refer to the city of Elizabeth which was established by the previous Government and which represents one of the most successful town planning efforts that could be found in Australia and, maybe, elsewhere. Proper town planning principles were observed in connection with that city; I believe that all visitors to that city would agree with me. I realize that the establishment of a main road through the centre of the city may be criticized and, looking back, I concede that it may have been better if a deviation had been made. However, the question of finance must be considered, and money is not found as easily as some people think it is found. Nevertheless, the development of Elizabeth is practical evidence that proper town planning was considered when that work was done.

Under the legislation and powers that were then possessed by the Government, by councils and by other people, it was possible to do much satisfactory town planning. One has only to look at the city of Adelaide and see the development that has occurred: wider roads, parking areas and parklands have been established. One then realizes that within our existing framework we can do much to improve amenities in that area. I congratulate the Adelaide City Council for the forward-looking moves it has made.

I regret that the proposal under consideration when the previous Government was defeated in 1965 for the erection of a multi-storey block of flats on East Terrace has been shelved. If that kind of development had gone ahead, it would by now have given the green light to private enterprise to go ahead with similar development; areas that have become run-down and that need to be demolished and rebuilt would by now have been replaced by similar developments. It is unfortuate that that development has not taken place.

The previous Government realized that subdivision and resubdivision had to be controlled. The desire to subdivide land was almost unrestricted during the days of the previous Government, and undoubtedly some subdivision was premature at that time. However, we did inaugurate a worthwhile system whereby we would not agree to the subdivision of land unless it could be economically and effectively provided with water and sewerage; that limitation went a long way towards preventing premature development. We went further than that: in the case of an area where it was uneconomic to provide sewerage and water supplies, we said to the person proposing the subdivision, "If you like to meet the full cost involved over and above the ordinary costs of providing water and sewerage, and if you enter into an agreement to pay that amount of money to the Government as the development takes place, we will agree to that proposition." That was often done, and I assume that

the same kind of development is taking place today.

The previous Government's firm policy was, as far as possible, to purchase land that was required for road widening, or for schools or hospitals, far in advance of the time when it was actually required for such purposes. One has only to look at the current development on the Two Wells Road to realize that the land for the widening of that road was purchased many years ago. I regret that funds were insufficient to make such advance purchases as often as we would have liked to make them. Possibly the present Government finds itself in the same position. The economic facts of life are that there is insufficient money to go ahead with all such projects. We had to acquire land in order that the city of Elizabeth could be established and also acquire land south of Adelaide so that we could have balanced economic and industrial development on the southern side of the city. When I realize the effect that this has had in ensuring that people living south of the city work in that area and people living north of the city work in that area (thereby saving through-traffic), I am convinced that a considerable amount of effective town planning was done by the previous Government.

When I was Minister I received applications from towns and cities throughout the State for officers of the Town Planner's Department to visit those towns and consider problems confronting them regarding development and zoning. The officers were requested to draft plans for those towns and cities. During the previous Government's regime 20 or 30 towns were visited by departmental officers to assist in the development of plans, and this service was gratefully received.

I believe that I have said enough to show that town planning is not something that has come to light only in the last few years. The previous Government was responsible for appointing the town planning authority and arranging for the development plan to be produced; the previous Government was responsible for a good deal of the advantages that are flowing to us now. When we look at the present Bill, we become convinced that there are many more difficulties in town planning than most people realize. From a practical viewpoint and from the viewpoint of interfering with private citizens' rights, it creates great problems. Many people who have a theoretical knowledge of this matter should get their feet on the ground and realize that money does not grow on trees. I will give one or two examples. When I was the Minister concerned, a man and his family had been living on the fringe of the metropolitan area and using their land as a grazing area for many years. However, development crept close to that property and, because of the ravages of dogs and the influx of people from other areas, it was no longer possible for him to use it for quiet normal grazing of sheep and cattle. He applied for permission to subdivide the land but the committee decided that, because of the steepness of the ground and for other reasons, the land could not be subdivided.

The man was left in the unfortunate situation that, because of the development that had taken place, the land lost its value for farming and grazing. On the other hand, he could not dispose of the land, because it could not be subdivided. It seemed to me that that man was suffering a heavy penalty, not because of anything he had done but because of development that took place around him in the course of the general progress of the State. That is the type of problem that we shall have to face up to, because a man in such a position is entitled to consideration and compensation.

Another case was that of a man who, some years ago, purchased a site on which he established a factory. He realized that at some time in the future he would want to expand and, consequently, he bought land adjoining the factory. With the passing of years his business did expand and the time came when he wanted to extend on to the adjoining land. However, he found that in the meantime an alteration had been made regarding the zoning of the area and he was not able to get consent from the local council to extend the factory. He was in a most difficult situation. To move the factory was beyond his financial ability and it was impossible for him to use the adjoining land. That is another type of problem to which we must face up.

Again, the establishment of a freeway to provide for the free flow of traffic may necessitate taking land from an established industrial undertaking and adversely affecting the egress or ingress of traffic from or to the factory. Such a circumstance can have serious financial repercussions. All these matters involve finance. Somebody suffers a loss from the implementation of town planning and that loss can be made up only by the provision of necessary funds. My first criticism of this Bill is that, while it provides for many things, it does not provide a means by which the finance can

be made available, and we shall not make that progress that we hope to make until we get a satisfactory method of providing the necessary money.

In other States, special development taxes have been imposed on property owners in order to provide finance for this purpose. In these days, a young man may say to his prospective bride, "I have a marvellous plan for a magnificent home in a lovely area. Everything is under control, but just at present I have no finance to enable me to go ahead with the project." I should like to know what proposals the Government has for the provision of finance to implement the Town Planning Act. That is one of the first considerations if this measure is to be effective.

I do not propose to speak at length on the clauses, first because the Hon. Mr. Hill has dealt with them and repetition is not necessary, and, secondly, because I think this is essentially a Committee Bill. I shall serve more purpose by saying what I want to say when we are dealing with particular clauses. The definition of the metropolitan planning area covers a wider area than that used in some Acts to define the boundaries of the metropolitan area, and I think that is good. Clause 8 deals with the State Planning Authority and gives certain powers to the authority. Subclause 2 (*c*) provides:

The Authority may, with the approval of the Minister, enter into any contract with any person to develop, or secure the development of, any land in any manner consistent with any authorized development plan, and may, in its name sue and be sued;

I take the intention of that provision to be not only that this authority shall be a controlling authority, giving decisions as to what can and what cannot be developed, but also that it will have the powers of a constructing authority. I am not satisfied that the powers should extend as far as that. I think the constructing power should be left to private people, the Housing Trust or other bodies that have the ability, experience and know-how to do the actual work of development. I think that the power given in this clause could be limited.

Regarding the membership of the authority, I am inclined to think that nine is rather too many members to have but, on looking through the list of those who will be represented, I cannot see who should be excluded. Therefore, while I think that nine is too many to enable the authority to work effectively, I cannot see how the membership can be adjusted. Clause 19, in Division 3, deals with the Planning Appeal Board. I do not know that the composition of the board is as widely representative as I should like it to be. I am satisfied to have as one member a local court judge, special magistrate or a legal practitioner of not less than 10 years' standing, and I also think that one member selected by the governing bodies of the Municipal Association of South Australia and the Local Government Association of South Australia is a satisfactory choice.

However, in regard to representation from the Australian Planning Institute, I have some doubts whether that is an appropriate body from which to select a member of an appeal board. It seems to me that most of the members are limited in technical knowledge of the subject. They are enthusiasts who have a bias in one particular way and, while I have no doubt about their good intentions—

The Hon. C. M. Hill: This is the professional group. I think you are perhaps referring to the other association.

The Hon. C. D. ROWE: I think I have been. I am glad of the honourable member's correction. The essence of an appeal board is that it comes to its task without any prejudices and looks at the matter from an entirely unbiased point of view. Therefore, it may be necessary over the years to consider the composition of the appeal board in order to ensure that it is completely independent and unbiased. Clause 26 provides:

(1) Any person aggrieved by a decision of the Authority, the Director or any council under this Act to refuse any consent, permission or approval or to grant any consent, permission or approval subject to any condition or conditions may appeal to the board, and the board shall hear and determine such appeal and shall in every such determination state the reasons therefor.

That is the power under the Act which gives the appeal board power to hear appeals. I was pleased to see that the board is required to give reasons for refusing to grant an appeal. An appeal may be made to the Supreme Court from a decision of that authority if, in the opinion of the court, a question of law is involved, and I think that is good. However, I think it would be wise if Parliament retained the right to have the ultimate say in such matters. I also think it would be wise if the decision of the appeal board had to be sent to a Parliamentary committee if the decision was not in favour of the person appealing. This would be the case if we retained section 19 of the present Act.

Parliamentarians are responsible to the people and they are also the final custodians of the rights of the individual. My experience with this committee has been (and I think I sat on it on two or three occasions) that it goes about its work thoroughly, competently and expeditiously. It was a cheap and simple method of obtaining a final decision. I have not had sufficient time to draft an amendment although I now indicate that I am considering drafting such an amendment, which will mean that if a person is dissatisfied with a decision of the appeal board on a matter of fact as opposed to a matter of law, then such a person should be able to go to a committee of Parliament for a decision. I believe such matters seriously affect the rights and privileges of many people. In such circumstances we must ensure that the individual is not limited with regard to his rights. It would be a simple, easy and quick method of getting ultimate justice.

Part III of the Bill deals with planning areas and development plans. I do not want to deal in detail with it at present because I shall have more to say about it in Committee. However, I have looked carefully at paragraphs (*a*), (*b*), (*c*), (*d*) and (*e*) of clause 29 which set out matters the authority shall examine when considering the question of establishing a planning area. Considerable problems arise in developmental plans and planning areas and I shall be interested to see how that section works when it becomes law because I believe many things can be learned on that aspect.

Dealing with the question of the implementation of authorized development plans set out in clause 36 of the Bill, I notice it sets out what a planning authority can do and what powers it shall have. I also notice that the subheadings run from paragraph (*a*) to paragraph (*u*), listing the separate powers. As it got as far as "(*u*)" I thought it should have completed the alphabet and so rounded it off. It should not have been difficult to think of another four clauses! However, something must be left for the future.

The Hon. R. A. Geddes: They are reserved for the next amendments.

The Hon. C. D. ROWE: The powers may be looked at in greater detail later, but I was interested in subclause (4), which reads:

Without limiting the generality of the powers conferred by subsection (1) and subsection (3) of this section, a planning regulation may—

(*a*) define any zone or locality for specified purposes and purposes ancillary thereto;

(*b*) regulate, restrict or prohibit, either absolutely or subject to any prescribed conditions—

(i) the development of any land or any class of land within any zone or locality;

(ii) the manner or circumstances in which or the purpose for which any land, buildings or structures or any class thereof may be used either generally or in specified zones or localities within the planning area;

(iii) the conversion or alteration or siting of buildings or structures or any class thereof and the general character of the external appearance of buildings and structures either generally or in specified zones or localities within the planning area or in any specified circumstances.

The opening lines in the subclause are common to many types of legislation but they sometimes cover a multitude of sins. The power there is wide, and I can see power leading to considerable hardship in some circumstances. I will elaborate on that in Committee. If a person occupies a house property and it is decided by this authority that he shall not convert it or alter the siting of the building or structure, or the general character or external appearance thereof, then such a person is stuck with it, even though he may want to modernize the building or perhaps add a room. That could impose a great hardship on that person. He cannot sell it unless he advises the would-be purchaser of the existing control, and because of that he would be unable to get his capital out of it, as I imagine he would wish to do.

Those comments bring me almost to my concluding remarks on this Bill. The satisfactory working of the measure will depend on a sane and sensible approach by the committee, by the appeal board and, above all, by the Minister concerned. I believe in the responsibility of Ministers of the Crown and I also believe that a Minister in such circumstances should exercise a reasonable and proper discretion. In so many circumstances the ultimate decision as to what is to happen with regard to subdivision and development and numerous other questions rests with the Minister.

The Hon. C. R. Story: The honourable member may be assured of that if it is the present Minister.

The Hon. C. D. ROWE: I am not speaking of particular Ministers. We have been told that the Minister of Local Government is going on indefinitely in that office, and I want to congratulate him upon moving from one Party to another because he must realize that there will be a different Party in power after the next election.

So much rests with the Minister and it is because of this that I think we should have the right of appeal to a Parliamentary committee, because every Minister is always looking over his shoulder in an effort to discover what members of Parliament think of a certain matter. The Minister is aware that if he goes beyond what is the proper thing to do he will be subject to examination and questioning in Parliament; I believe that would be a salutary thing. I also think it would be a comfort to him because he may have to make unpopular decisions but he would be backed up by all members of Parliament if they were wise decisions. Because of the responsibility resting on the Minister in this matter, we should carefully consider which Minister would be the most appropriate to assume the responsibility for the administration of this Act.

I speak now without reference to the existing situation and without reference to any particular Minister. I am taking what I consider to be a sensible approach. Originally the Town Planning Act was placed under the control of the Attorney-General. That was done at a time when the functions of the Town Planner were very different from his present functions—when he was the only officer in the department and had merely to approve one or two plans. The department was then situated in the same building as the Lands Titles Office, and it was convenient to have the two associated so that plans could be sent from the Town Planner's Office to the Lands Titles Office without much difficulty.

The Stamp Duties Office was then situated in the same building because it was a convenient arrangement. Some years ago, because of a re-organization, the Stamp Duties Office was moved. With the advent of this Bill, the powers, duties and responsibilities of the Director of Planning, as the Town Planner is to be called, have increased tremendously. I think everyone agrees that we are fortunate to have a person with the capacity, ability and integrity of Mr. Hart to carry out these tremendous responsibilities. However, I believe that, because of the greater responsibilities, the greater demand and the need to have more information and assistance at his disposal, it would be better to have this legislation under the control of the Minister of Local Government, who has at his disposal all the information available in the Highways and Local Government Departments and whose technical officers deal with these matters every day. His officers are familiar with road locations in various areas and know the development that is taking place. I think the Minister of Local Government would find this matter easier to administer than the Attorney-General would.

The Hon. S. C. Bevan: It is suggested that the Commissioner of Highways be represented on the authority.

The Hon. C. D. ROWE: Yes, he and the Director and Engineer-in-Chief of the Engineering and Water Supply Department will both be members of the authority and we shall get the benefit of their advice, with which I agree. However, the ultimate responsibility for many aspects of this legislation rests on the Minister. Therefore, the Minister who has the best knowledge and advice should be the Minister in charge, and I believe, leaving personalities out of the matter, that the Minister should be the Minister of Local Government. A request along these lines was made when I was the Minister, and I was wholeheartedly in favour of the matter being transferred to the Minister of Local Government. This is still my view.

The Hon. S. C. Bevan: You should be careful or you might persuade the Government to make a change!

The Hon. C. D. ROWE: If I can, I shall be extremely happy. Like the Hon. Mr. Hill, I do not want it to be assumed from what I have said that I oppose planning, and I do not disagree with the statement that perhaps we have been a little late with implementing this matter.

The Hon. C. M. Hill: That is nothing to be ashamed of.

The Hon. C. D. ROWE: It is better to make a late decision that is correct than to make an early decision that may be incorrect. I think the time taken has been well spent. I emphasize that I believe town planning is a difficult matter, because it affects a person's rights, homes and businesses to a greater degree perhaps that does any legislation with which we have to deal. In other words, we are dealing with a person's freedom of movement, the way he lives and the way he conducts his business, and in those circumstances it behoves us to be very careful in what we do. I do not think anyone who has not had the

experience of trying to administer the Act can realize the problems involved, and for this reason I think this Bill should be considered very carefully.

If town planning is to be successful, finance must be provided. Whatever Government is in power (and there will be a change some day), I do not think we can expect that this legislation can be financed from ordinary revenue sources or from Loan moneys available to us if we are at the same time to maintain the standard of public services which we have and which everyone seems to want provided. Consequently, some methods must be used to provide this finance, and I should like to know how this Government proposes to finance this matter. I am always interested to know where the money for any proposal is to come from. When one knows that, one can talk about the details. However, this Bill does things the other way—it sets up a grandiose scheme but says nothing about the means of financing it. If the Minister can tell us what the Government proposes with regard to finance I shall be very happy. I support the measure.

The Hon. A. M. WHYTE (Northern): As this is my first attempt to express myself in this Chamber, I should like to thank you, Mr. President, every honourable member and the members of the staff for the splendid way in which I was welcomed and assisted from the time I entered this Parliament. I very much appreciated it. I represent a very large area where many people following various trades and professions have many requests, and it is my desire to work in close co-operation with all honourable members, Ministers and Government departments for the betterment of these people and the progress of the State. I shall make every attempt to fulfil this desire.

I am aware of the splendid example set by my predecessor, whose untiring efforts and ability are things the people in the Northern District will not forget. I can only hope that I shall be able to give some of the service that the late Dudley Octoman gave. I am often thanked not because what I say is very interesting but because all my speeches are very brief.

I turn now to this controversial Bill. I think that this legislation has not been introduced before time and that it is necessary for some alteration to be made to the Town Planning Act to bring it more into line with our requirements. The State in general, and possibly the metropolitan area more particularly, has grown to such an extent that the present machinery is not geared to handle the growth, and alterations are necessary. I can give some instances to substantiate this statement. However, at this stage that is not necessary. I merely state that, generally speaking, I agree there should be some renovation of or advancement of this authority. I interpret the Bill as giving extraordinary authority and power to the Minister. Regardless of how good that Minister may be, I doubt whether this is exactly what we want. It is true that a nine-man authority, widely selected, should be able to cope with the requirements of the new machinery, but it appears that in each instance the final say will be with the Minister. I do not agree with this.

I notice that the appeal board comprises one legal man, one from the Local Government Association and one from the Planning Institute Incorporated. A member from the Local Government Association is good, but this member need not necessarily understand the position of the person appealing. In my opinion, an appellant should have the right to nominate a member from the Local Government Association, who would have a full appreciation of the particular area with which he was concerned.

I can give an instance that happened some time ago. Kimba was denied any further subdivision because we did not have a sewerage system, although in that country we had been begging for many years for a water supply. That seemed quite funny. I say this without reflection on any of the officers concerned, but it emphasizes that they did not fully appreciate the area with which they were dealing. That could easily happen again. If an appellant had the right to name an officer of the Local Government Association, he could feel that he was being represented by a person who understood the case.

I agree in part with the Bill. It is necessary. I congratulate the Hon. Mr. Rowe and the Hon. Mr. Murray Hill on the manner in which they have investigated and so ably thrown open to criticism the various clauses. I, for one, appreciate the work they have done so capably. It is not their desire to stop this Bill's passage; they want to put it into such a shape that it will be acceptable and will fill the bill in regard to the new machinery that is so necessary. The issue is complex. Many speakers more able than myself will express themselves on it. I conclude by saying that this Bill is worthwhile. I hope it passes but that it is dealt with by honourable members

in such a manner as to put it into a form that will satisfy not just one side but both sides of the Council.

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

ROAD TRAFFIC ACT AMENDMENT BILL (GENERAL).

Adjourned debate on second reading.

(Continued from November 15. Page 2971.)

The Hon. Sir NORMAN JUDE (Southern): Before proceeding with the debate, I thank the Minister for his courtesy in the closing hours of our last sitting in deferring this matter so that we could have more time to look at it rather than rush it through on the final sitting day. The Bill can be said to introduce a number of minor alterations to the Road Traffic Act but, nonetheless, some of them are important and far-reaching. Before I identify them, I want to make some general remarks about the Road Traffic Act as it is at present. It is continually necessary to emphasize the fact that we not only have to keep the Act up to date but also have to be more and more realistic about it if we are to deal not only with the present-day traffic problems but also with the unfortunately high accident rate associated with the modern motor vehicle.

I note with interest in this Bill that we are preparing for the arrival of the hovercraft and the necessary legislation, which, of course, is all to the good; but, while we are having the foresight to do that, what, for example, are we doing about the 4ft. wide private motor vehicles that drag along behind them on the main roads of this State 8ft. wide caravans? Section 137 of the Road Traffic Act states:

(1) Every motor vehicle must be equipped with a mirror or mirrors so designed and fitted as to be capable of reflecting to the driver a view of the approach of any vehicle about to overtake his vehicle.

(2) Such mirror or mirrors must be affixed to the outside of the vehicle if—

(*a*) the vehicle is designed for the carriage of passengers and has seating accommodation for eight passengers or more; or

(*b*) for any reason the driver cannot obtain a view of an approaching vehicle by means of a mirror affixed to the inside of the vehicle.

That means an overtaking vehicle. I had not noticed the verbiage previously—"approaching" from the rear. This is a practical fact that is left in abeyance every day, certainly during the summer. Virtually, on every day of the year no action is taken about this, yet the Act specifically provided a few years ago that the attachment of a mirror to the outside of a car was perfectly in order, provided that the total width of such vehicle did not exceed 8ft. and some inches. If that is the position, why is it not acted upon without the Minister having to give directions that people should carry these extension mirrors when using small cars to pull caravans?

We wonder why the unfortunate person who is overtaking (after having followed such a person travelling at 25 miles an hour on a holiday) has a head-on collision with somebody else on a main road. It is too late then to inquire why, and the reason may not be known and may not become known. That is what I mean when I say that we should look realistically at the Act as it is. The fact that we are up to date in certain directions and that we make provision for these points emphasizes the necessity for their being properly policed. In many cases a suggestion by an inspector that alterations be made may be all that is necessary. We do not want everyone to be booked; however, if people persist, they should be dealt with appropriately.

This is basically a Committee Bill and gives members an opportunity to hear a wide consensus of opinion and to form their own views about the desirability or otherwise of the amendments. Consequently, because I am the first speaker, I shall postpone detailed consideration until the Committee stage. I believe that the most important amendment made by this Bill is that setting out a new definition of the term "cross road". The Minister dealt with this matter at length in his second reading explanation. Due to modern traffic trends and increased traffic congestion, the rule applying to cross-overs has become more and more obscure to the average layman, and even more obscure to the interstate or long distance driver, because this is the only State where the definition of "cross-over" varies from that in the National Traffic Code. Whatever are the merits or demerits of giving way to the right or to the left, it is surely desirable in this age of long distance driving and interchange of vehicles between States that there should be uniformity on this point.

I have taken the liberty of assisting members without the need for them to read the principal Act and compare the amendments with it. I have placed a small chart, which was designed at my request by the Traffic Committee, upon the board to illustrate what the change in this definition will mean. The

Minister in his second reading explanation referred at length to the desirability of people thinking in terms of giving way rather than right-of-way, and I believe that this is a desirable improvement; it educates people to think about these matters in the right manner. This idea that "I am right and I should be going on" is getting us nowhere, except six feet under the ground (for some people, anyway). Let us consider the practical position concerning giving way, and particularly the signs used by the Road Traffic Board. Let us consider the Main North Road where it passes through Brahma Lodge, approaching the intersection of the road from Para Hills to Salisbury. I realize that a "give-way" sign has been placed at that intersection, but it is a 50-mile-an-hour divided highway.

The Hon. S. C. Bevan: What are you speaking of? The main intersection into Salisbury has traffic lights now.

The Hon. Sir NORMAN JUDE: Anyhow, I believe that the Minister will agree that there are similar intersections farther up the highway. I am not complaining; I was using it as an example. We can consider the intersection at the approach to Elizabeth. I know, and local people know, (but the interstate driver does not know when he sees a driver approaching from the right) that there is a "give-way" sign there: there may be half a dozen people following the interstate driver who do know. The result is a design for disaster—a chain collision. We have a few "firsts" in this State occasionally: we have reflectorized score boards for sports matches.

Surely it is not beyond human capability to devise a "give-way" sign that can indicate to the person approaching it at right angles that such a sign exists. Let us apply ourselves to the practical requirement; I know that it has been done in various places. In some places there is a succession of dotted lines on the straight-through road, but it is not good enough: it is only a palliative. We should turn this State's brains to this sort of thing. Possibly my suggestions today will fall upon the ears of some designer; a patent for his idea might be applied for, and we would be the first in Australia with the idea. I recently read an interesting book entitled *Unsafe at any Speed;* I suggest it is well worth reading. My illustration applies to motor vehicles; suitable pedestrian crossings also must be considered.

Other signs must be considered to prevent motorists from driving side-on into a train. We cannot protect every unthinking person and idiot from his own foolish actions, but at least we can do something to protect the sensible driver who wants to do the right thing and who has applied his brakes to give way to a person on the right when he does not know whether that person is going on or not. There is an interesting little word in clause 5 that is inserted in the main Act, the word "device", which may escape the notice of some members. This word is desirable because it prevents the use of certain cleverly thought-out but dangerous devices which are used by some garage proprietors to attract further custom. The Minister has referred to some of these articulated dummies. I have been wondering how long it will be before we see something from *La Modiste* displayed to the passing motorist to catch his eye. I think the amendment is highly desirable.

I have not made up my mind on clause 6, which refers to speed zones. I had considerable trouble in this learned Chamber on a previous occasion when honourable members insisted that the Minister take responsibility and that an appeal should be finally to him, not to the Road Traffic Board. My own experience has been that this is working fairly well. I have had discussions with other honourable members and shall be interested to hear their opinions in more detail when they speak. Clause 20 refers to the installation in a car of signals.

The Hon. S. C. Bevan: Turning indicators.

The Hon. Sir NORMAN JUDE: I was wondering whether it referred to turning indicators or to flashing lights. We know that it means an indication of turning to the left. I am entirely in favour of this provision but, again, I point out that hundreds of vehicles used on our roads have no devices to indicate an intention to turn to the right or to the left. If a turn to the right is being made, the driver can put out his arm but he cannot put out his arm to indicate a turn to the left.

In these modern days, provision for an indication to be given should be made, even at the risk of involving the owners of older vehicles in some expense. The matter of the time in which it should be done could receive the attention of honourable members. I consider that the Bill has considerable merit and I shall await with much interest the speeches of various honourable members and the opinions they give before deciding what I shall support in Committee. I support the second reading.

The Hon. G. J. GILFILLAN (Northern): I support this Bill in general. It has become almost a hardy annual because of the problems that arise from the increasing density of our traffic and the speed of modern vehicles. In general, this Bill appears to tidy up some anomalies that have occurred since the original Act and various amendments were passed. However, while I give general approval to the Bill, I query two or three clauses.

The Hon. Sir Norman Jude has referred to clause 6, which amends section 32 of the principal Act and gives the Road Traffic Board power to fix a speed limit for any zone at any time. This is a departure from the present practice whereby the board recommends a speed zone that is then brought into effect by regulation, subject to the scrutiny of this Parliament. The Minister, in his explanation, referred to the fact that emergencies could occur and, in particular, he mentioned section 20 of the Act. That section gives power to any Minister of the Crown, the Commissioner of Highways, any council, any other authority or company authorized by an Act to carry out work on roads, and in particular to the Police Force when making investigations on a road at a place where an accident has occurred, to erect signs showing that the speed limit is 15 miles an hour.

I agree with the Minister that, in many instances, this speed is unnecessarily restrictive, particularly on a main road where works in progress may take several weeks or months to complete. We have an instance of this at present to the north of Adelaide. I consider that the right approach is to amend section 20 to give a range of speed limits that can be used by these authorities at their discretion. To change the whole principle of the fixing of speed zoning is to take a big step. The procedure whereby zoning regulations are gazetted and take effect immediately can still be considered by Parliament at any time until 14 sitting days have elapsed from the time when the regulation was tabled.

This gives the authorities, local councils and people involved an opportunity to determine whether the particular speed zoning is working satisfactorily. In fact, there is a trial period. Evidence given by interested people with local knowledge has often revealed anomalies in regulations when they have come before Parliament. The Road Traffic Board has then made further investigations and has agreed to amend the speed zone provided in the regulations.

The Bill appears to provide for a departure from what in my opinion was the original purpose of section 15, which listed the functions of the Road Traffic Board. It is obvious from the list of functions that, in this context, the board is intended to be an advisory board. For instance, section 15 provides that the functions of the board shall be to make recommendations to the Minister and other authorities, to promote uniformity, to conduct research, to publish information, to supply information and advice, and to investigate and report. Clause 6 gives the board a completely different function: the board is given an authority to fix a speed zone. It is to be the final authority in this respect. True, any person may appeal to the board and the board may reconsider its decision, with the final decision being left to the Minister. Although it can be claimed that the Minister is responsible to Parliament, this is a new principle and a departure from Parliament itself being the authority. I have a query in respect of clause 8, which amends section 51 of the principal Act. This clause states:

> Section 51 of the principal Act is amended—
> (*a*) by inserting after the words "motor bicycle" in subsection (1) thereof the passage ", with or without a sidecar attached thereto,";

Section 51 would then read:

> A person shall not drive a motor bicycle, with or without a sidecar attached thereto, carrying any person in addition to the driver.

However, subsection (2) states:

> Subsection (1) of this section does not apply where the person other than the driver is carried in a sidecar.

The Hon. S. C. Bevan: A motor bicycle with a sidecar attached becomes a three-wheel machine, and is not then a motor bicycle.

The Hon. G. J. GILFILLAN: The words appear to me to be a little clumsy and almost contradictory. I understand that there is a distinction between a passenger being carried on a motor bicycle and a passenger being carried in a sidecar. However, it does not say specifically "on the motor bicycle". Perhaps the Minister can give a detailed reply on this matter. I have another query in respect of clause 22, which states:

> The following section is enacted and inserted in the principal Act after section 82 thereof:
> 82a. Notwithstanding the proviso to subsection (1) of section 82 of this Act a council shall not by by-law, resolution, or otherwise, authorize a vehicle to stand at any angle on any road unless the council obtains the prior approval of the board therefor.

I believe that local government bodies are often the most competent authorities to understand the traffic problems within their own areas.

The Hon. M. B. Dawkins: Don't you think the words "any road" are far too sweeping?

The Hon. G. J. GILFILLAN: Yes. The point I emphasize is that local government is a governing authority which takes its authority from Parliament through the Local Government Act, and I believe it is a departure from this principle when we make local government subservient to a board.

The Hon. S. C. Bevan: What about when dangerous situations are created on main roads?

The Hon. M. B. Dawkins: The clause uses the words "any road".

The Hon. G. J. GILFILLAN: Under the present system, by-laws cannot be adopted until they are authorized by Parliament. Parliament has a committee that examines all by-laws and regulations, and by-laws do not come into effect until they have lain on the table of the Council for 14 sitting days, so there is no risk of their becoming operative and causing a hazard before anything can be done about them. The committee to which I referred takes evidence from any interested persons, and if the Road Traffic Board does not agree to a proposed council by-law it has every right to tender evidence. I consider that there are quite considerable safeguards for the public. I feel quite strongly about this matter.

The Hon. S. C. Bevan: You have a number of areas where it is permitted.

The Hon. G. J. GILFILLAN: If the Road Traffic Board has not taken advantage of the present position, that is unfortunate. I repeat that in the framing of by-laws and regulations ample safeguards are provided for the public. In most instances areas set aside for angle parking or parallel parking are clearly defined by signs, and I have never seen any confusion amongst motorists in this matter.

Finally, the one other point I query concerns clause 28. I agree in principle to the wearing of safety helmets by riders of motor cycles. However, I think that in making the wearing of these helmets compulsory we are creating difficulties for many people. I think most members of Parliament have received a letter from an organization interested in this matter, and I believe that many of the arguments put forward by this organization are quite legitimate. As a country member, I am well aware that one of the major uses of the motor cycle in the country areas of this State is for the working of stock. Indeed, it is rare in these days to see a horseman working stock on properties which can be covered by a motor cycle.

It seems quite unreasonable to force people on a hot day to wear safety helmets, perhaps trailing behind some sheep on a road at five miles an hour, or travelling along a road from one part of a property to another, generally at a most moderate speed. These motor cycles have a low gearing and are not capable of high speeds.

The Hon. S. C. Bevan: Did you say a motor cycle was not capable of high speed?

The Hon. G. J. GILFILLAN: Motor cycles used for stock work have a low gearing.

The Hon. S. C. Bevan: And also a high gearing!

The Hon. G. J. GILFILLAN: They have a large sprocket on the back wheel, which gives them a maximum speed of about 20 to 25 miles an hour. Making the wearing of safety helmets mandatory will cause many people inconvenience. Therefore, although I agree that safety helmets are most desirable, I think that making compulsory their wearing by any person driving a motor cycle at any speed in any part of the State is unduly restrictive. I hope that some compromise can be worked out to give protection to people who need it, particularly those in the metropolitan area or where motor cycles travel at speed, while at the same time allowing some discretion to those people who are running little or perhaps no risk. Any moderation of this provision would give these people some relief, and certainly there would not be anything in such compromise to prevent any person from wearing a helmet if he wished to do so.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

SUPREME COURT ACT AMENDMENT BILL (DAMAGES).

In Committee.

(Continued from November 17. Page 3182.)

Clause 6—"Enactment of section 30a of principal Act."

The Hon. F. J. POTTER: At the end of the first part of this session the Bill was split into two parts. The point was made by the Hon. Mr. Rowe, who moved for this step, that insufficient time was being set aside for proper consideration of the matter

by Parliament and other interested parties, such as the Law Society, insurers and other people who may be concerned in the important and radical changes proposed in the Bill. I said during the second reading debate that this was a radical change and was likely to be looked at by other States and possibly other countries. I said it was an innovation that we should be careful about.

The action of the Council in splitting the Bill into two parts has been vindicated to the hilt, because in the interim since we last considered the measure this clause has been debated by all the members of the profession who are engaged in this kind of action in the courts and by the judges of the Supreme Court. It has also been the subject of close scrutiny by the Law Revision Committee of the Law Society under the chairmanship of Mr. Zelling, Q.C.

The Hon. C. R. Story: It has had the attention of people in other States, too.

The Hon. F. J. POTTER: Yes, and finally that of a legal seminar held last Monday that was attended by a large number of people, when a whole segment of the discussion was concentrated on this Bill. I think it could be said that there was general agreement amongst members of the profession, who had before them the proposals of the Law Society's committee in connection with the matter, that there was much merit in the idea propounded by this clause but that there were difficulties that had to be resolved. I know that the Law Society's committee has given much consideration to certain legal complications and technicalities involved and that an amendment to proposed new section 30b (7) has been prepared after much study. I know that the Hon. Mr. Rowe intends later to place before this Committee for consideration the amendment prepared by that committee.

I maintain (and I have much support for this from my colleagues and from the discussions at the seminar) that there are other aspects of the clause that need grave consideration. The basic concept behind this clause is to give the courts power to make interim awards in appropriate cases. That is generally supported by members of the profession, but the whole discussion and controversy is on the method to be adopted in achieving that change. It is the method that needs close examination. It appears that this idea of having an interim award payment or an interlocutory order, as it is called in this section—

The Hon. C. R. Story: It means the same.

The Hon. F. J. POTTER: Yes—originated with the judges of the Supreme Court. Their principal concern was to overcome two all too apparent disabilities evident in the existing method of assessing damages in cases of serious injury. To some extent, these difficulties will still be there even with this new procedure. The real problems for the judges are those people who, as a result of a vehicular accident, become paraplegic or quadraplegic, have limbs amputated and suffer mental disabilities or defects so bad as to render them almost totally disabled through injuries.

Perhaps honourable members who are not familiar with the difficulties facing someone injured in an accident will pardon me if I, just for a moment, draw their attention to the fact, that, when a person suffers bodily injury in a vehicular accident, wishes to bring a claim for damages and consults a solicitor about it, there ensues for him necessarily a protracted delay before he can recover his damages, under the present system. I am not now talking about the delay that arises merely through procedural matters, the comparatively small delay involved in the solicitor's advising his client whether or not he has a claim, actually getting around to issuing the necessary legal process and serving it, and getting the matter to the point where a statement of claim is rendered, the whole thing becoming formulated in a number of legal documents. That is a delay always present when formulating a claim. In that respect, no greater delay is involved in an accident case than perhaps in any other case.

However, I want to tell honourable members that the real delay arises because the medical practitioner concerned is not able in a case of serious injury to say when his client's medical condition has stabilized. In other words, the big delay occurs because the medical advisers to the legal practitioners cannot say, "This man's condition has stabilized; he will not get any better and he will not get any worse." We usually have to say to a client, "I'm sorry. You have been seriously injured. You have had a bad concussion. You have lost the use of a limb. You are not able to work. You need further operations. You will have to come back when all this is done and when we are in a good position to hear from your medical specialist a report that you are as good as you are ever likely to be. Then we shall be able to take the matter to court and ask it to award the appropriate damages." This is the difficulty and, unfortunately, because of the difficulty it is often necessary

to postpone the actual hearing of the case for perhaps two or three years from the date of the accident, and sometimes even longer than that, although of course an action has to be commenced within three years of the date of the accident. Nevertheless, it may be a further two years before the claim is heard by the court because of the difficulty of not being able to present final evidence about the man's condition.

Unfortunately, coupled with this difficulty is the fact that the claim has never been heard anyway, so there is the situation that, when the case finally comes before the court, we are trying not only to give complete medical evidence about the client's condition but to place before the court details of the accident, involving liability, through witnesses who saw the accident perhaps three, four or even five years previously. They are often asked to recall in the witness box the details of an accident—where the car was coming from, where it was stationed, how many yards it was away from the point of impact, and that sort of thing. So there is the difficulty of witnesses trying to recollect what happened in an accident occurring long ago.

Not only that but there are further difficulties. Sometimes witnesses go away, leave the State, or even die before the matter comes on for hearing. So this delay occasioned by waiting for the injured party's medical condition to reach a point of stability and predictability often causes much injustice. It is one reason why this clause has been placed before the Committee. I want to develop this matter further but at this time, having opened up the matter, I ask leave to continue my remarks at the next sitting of the Committee.

The Hon. A. J. SHARD (Chief Secretary): As the honourable member has said, during the recess there has been much discussion of this Bill. I do not want to reiterate now all the matters involved but I do know that the Government intends to bring down amendments to the Bill. Unfortunately, they are not yet ready, the Parliamentary Draftsman being busy and not having the staff he previously had. Because of that, I ask that the Committee now report progress.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 5.30 p.m. the Council adjourned until Wednesday, March 1, at 2.15 p.m.