LEGISLATIVE COUNCIL

Thursday, August 24, 1967

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

GAUGE STANDARDIZATION

The Hon. R. A. GEDDES: It was reported in today's *Advertiser* that the Minister for Shipping and Transport in Canberra (Mr. Freeth) had stated that an agreement was still to be reached with the South Australian Government on some aspects of the Broken Hill to Port Pirie railway standardization undertaking. Will the Minister of Transport indicate what agreements are still necessary in that regard?

The Hon. A. F. KNEEBONE: I saw the reference in the newspaper this morning. I think somebody was trying to make political capital out of Mr. Jessop's interpretation of what the Commonwealth Minister said. I am not sure whether it may not have been a Dorothy Dixer for some purpose or other.

The Hon. R. A. Geddes: Not from me.

The Hon. A. F. KNEEBONE: No, not from the honourable member; but, because I feel that what appeared in the newspaper may have been misinterpreted, I have prepared a statement, which will appear in another paper later today. I propose to read it now to the Council, because it gives the story fairly and squarely.

The report did not give a true indication of South Australia's position. There are admittedly some points on which agreement still has to be reached between this Government and the Commonwealth on some aspects of the Broken Hill to Port Pirie undertaking. These are matters of quite some financial importance to South Australia which are not being fully appreciated in other quarters. This Government would not be capably serving the State if it entered into arrangements that finally reacted to the State's disadvantage. The State, over 12 months ago, strongly suggested to the Commonwealth that a conference at Ministerial level was essential. It took nine months for this conference to be held.

Mr. Jessop, who asked the question on rail standardization of the Minister for Shipping and Transport, stated, after he had received the answer quoted in the *Advertiser,* that he understood this to mean that South Australia was not as ready as the Commonwealth Government to finish negotiations and open the way for other projects to begin. It should be clearly understood that South Australia is quite ready to complete negotiations on Broken Hill to Port Pirie, but not under terms where it will be "railroaded". It is also in a position for immediate negotiation on other projects such as the Peterborough division, including a Port Pirie to Adelaide connection and the provision of a standard gauge line between Port Augusta and Whyalla. The Commonwealth has since April, 1966, been in possession of detailed proposals from the South Australian Railways as to the manner in which the State considers the Peterborough division should be standardized. Mr. Jessop would be doing his own State a greater service if he informed himself of the facts before commenting.

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

Leave granted.

The Hon. R. A. GEDDES: The Minister stated in his reply that agreement still needed to be reached on some points, mostly of a financial nature. It was about such points that I asked my earlier question. Will the Minister state the points on which agreement has still to be reached?

The Hon. A. F. KNEEBONE: I think the answer should be obvious to anyone who knows the situation concerning the line from Broken Hill to Port Pirie. The present standardization agreement relates only to the portion of the line from Cockburn to Port Pirie. So, agreement must be reached concerning what will happen to the portion of the line between Cockburn and Broken Hill, which is outside this State. These are the problems on which agreement still has to be reached: who shall operate this portion; who shall build it; and what will happen to the private company that now operates it?

WATER RESTRICTIONS

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

Leave granted.

The Hon. L. R. HART: In today's press the Hon. C. D. Hutchens, the Minister of Works, suggests ways in which water can be saved in this State. I am sure that we all regret that water restrictions may be imposed this year. As we should do everything possible to save water, I point out that in Parliament House there are at least six blocks of triple toilets that flush for 24 hours a day on seven

days of the week. This undoubtedly happens in other Government buildings and in many public toilets. Will the Minister ask his colleague to consider this situation with a view to saving water?

The Hon. A. F. KNEEBONE: I know that all measures for saving water have been investigated by my colleague and that he is most concerned about the quantity of water wasted in South Australia. I shall ask him to investigate the situation referred to by the honourable member.

The Hon. Sir ARTHUR RYMILL: Has the Minister obtained from the Minister of Works a reply to my question of August 22 concerning pumping during the winter months?

The Hon. A. F. KNEEBONE: I regret that I have not yet obtained a reply.

BUCKLAND PARK

The Hon. L. R. HART: Has the Chief Secretary a reply to my question of August 22 regarding the Port Gawler beach within Buckland Park?

The Hon. A. J. SHARD: The Minister of Immigration and Tourism reports:

There have been suggestions from a number of sources concerning the reservation of various portions of Buckland Park. Because of this, the Chairman of the Land Board, in company with Mr. H. G. Brooks, will be making an inspection of the estate with a view to determining the possibility of obtaining some portions and the approximate cost involved. The area situated along the Port Gawler beach will be considered at this time and details of this and any other areas considered suitable will be included in a report which will be submitted to the Minister of Lands.

GILES POINT

The Hon. C. D. ROWE: I ask leave to make a statement prior to asking a question of the Minister representing the Minister of Works.

Leave granted.

The Hon. C. D. ROWE: I do not think a question has been asked on this aspect of the construction of bulk loading facilities at Giles Point. I understand an announcement was made that this work would be done by day labour and not by contract, but I think it could be done more expeditiously and cheaply by the latter means. Can the Minister say why the Government has decided to have this work done by day labour?

The Hon. A. F. KNEEBONE: I shall discuss this matter with the Minister of Works and bring back a reply as soon as possible.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

Second reading.

The Hon. S. C. BEVAN (Minister of Roads): I move:

That this Bill be now read a second time.

At page 30 of the report of the Royal Commission into the law relating to the sale, supply and consumption of intoxicating liquors and other matters, the Royal Commissioner made certain recommendations, which may be summarized as follows:

(*a*) that there should be a new statutory offence for "any person who drives a motor vehicle while the percentage of alcohol in his blood expressed in grams per hundred millilitres of blood is .08 grams or more";

(*b*) that there should be provisions for making regulations for approval of types of breathalyser;

(*c*) that there should be provisions enabling a member of the Police Force to require a person whom that member "believes" on reasonable grounds (i) within two hours to have driven a motor vehicle, and (ii) to have consumed alcohol so as to have impaired his ability to drive, to accompany that member to the nearest available police station and there to submit to a breathalyser test; and

(*d*) that the reading shown by a police breathalyser be *prima facie* evidence that the person tested had a blood alcohol concentration equal to that reading at the time of the test and for two hours prior thereto.

In addition, the Royal Commissioner further recommended a review of these proposals in not less than 12 or more than 18 months hence with particular reference to:

(*e*) the desirability of lowering the prescribed blood alcohol concentration; and

(*f*) the introduction of random roadside tests,

but these further recommendations are not germane to the present Bill. This Bill, then, among other things, gives effect to recommendations of the Royal Commissioner that I have summarized above. There is not the slightest doubt that there is a demonstrable co-relation between consumption of alcohol by drivers and levels of road accidents, and in so far as this measure will assist in the reduction of these accidents it may be regarded as a contribution to road safety.

Numerous scientific studies have shown that as the concentration of alcohol in a person's bloodstream rises so does that person's ability to drive decline. At the lowest concentrations the impairment is imperceptible, but at the higher concentrations the impairment is obvious. It is now accepted that a concentration of .08 grams per hundred millilitres of blood is a critical concentration, in that above this concentration impairment will generally exist to a marked degree. Some experts, incidentally, suggest that this critical concentration is as low as .05 grams. It is also established that a driver's ability may be impaired before the driver demonstrates the obvious physical symptoms of being affected by liquor. The effect of this Bill then will be to arm the courts with the power to deal with the driver who, while not necessarily exhibiting marked signs of intoxication, is by reason of his consumption of alcohol a potential danger to himself no less than to other road users.

I shall now deal with the Bill in detail. Clauses 1 to 3 are quite formal. Clause 4 inserts in the principal Act a statutory definition of a breath analysing instrument. Clause 5 strikes out from the principal Act subsections (5) and (6). These subsections are reinserted in the principal Act by this Bill at a more appropriate place. Clause 6 proposes a number of new sections in the principal Act, and since these proposed new sections represent the substance of the amendment they will be considered in order.

Proposed new section 47a provides for a definition of "prescribed concentration of alcohol", for although the method of expressing this concentration as a percentage is acceptable to scientists, and in fact it is expressed as such a percentage in the legislation of other States, it has been felt desirable to put the matter beyond doubt by indicating clearly what is involved in the question of comparative concentration.

Proposed new section 47b creates by subsection (1) the statutory offence of driving etc. while there is present in the blood the prescribed concentration of alcohol, and it will be noted that the act of "attempting to put a motor vehicle in motion" has also been included, since this act is in itself bound up with actually driving the motor vehicle. The penalties for this offence are severe, but nevertheless somewhat less than for "driving under the influence", and in common with that offence for a second, third or subsequent offence, minimum penalties are provided. Subsection (2) provides that evidence of a given concentration within two hours of the commission of the offence will be *prima facie* evidence of that concentration being present at the time of the commission of the offence; this presumption, of course, may be rebutted by other evidence. Subsection (3) provides that only offences committed within the preceding five years shall be taken into account when determining whether or not an offence is a second, third or subsequent offence.

Proposed new section 47c provides, in effect, that a conviction for the statutory offence under subsection (1) of new section 47b will not of itself be regarded as a conviction for being under the influence of intoxicating liquor etc. within the meaning of a policy of insurance.

Proposed new section 47d provides for a convicted defendant to be required to bear certain costs etc. associated with his apprehension. This is not a new provision, being merely a repositioning of subsection (5) of section 47 of the principal Act which was removed from that section by clause 5 of this Bill. It now applies both to driving under the influence and to the "statutory offence".

Proposed new section 47e provides for a compulsory breathalyser test in the circumstances set out in subsection (1), provided that the test can be taken wthin two hours either on the spot or at least at the nearest police station at which facilities exist. In relation to the circumstances set out in subsection (1), it is not necessary that the police officer requiring the test need be satisfied that the impairment resulted from the consumption of alcohol, as proposed in recommendation (*c*) of the recommendations summarized. Since a purpose of the Bill is to deal with the case of the driver whose ability is impaired but who is not necessarily exhibiting overt signs of intoxication, it would be illegal to limit the first step in a possible prosecution to drivers who, in effect, manifested observable signs of intoxication. The actual offence and penalties are set out in subsection (3), and in this regard attention is directed to the very broad range of penalties there set out; no minimum penalty is provided, but the maximum penalty approximates that for a third or subsequent conviction for the statutory offence. If these penalties were appreciably less than those proposed, no person who had been convicted more than once of the statutory offence would comply with a compulsory requirement, since the penalty that the refusal would attract would be markedly less than

the penalty for a second or third conviction of the statutory offence. Subsection (4) provides a defence for a refusal to take the test; a defence which showed that there were no reasonable grounds for the defendant being required to take the test would succeed here, as would a defence that the defendant had a "reason of a substantial character" within the meaning of that subsection.

Proposed new section 47f provides that a person required to submit to the breathalyser may request a sample of blood to be taken by a medical practitioner of his choice. Under subsection (2), the appropriate member of the Police Force is required to facilitate the taking of the sample. Subsection (3) provides for the first steps in the identification of the sample to be taken, so as to make the sample useful as evidence. A request under this section does not absolve the person from submitting to the breathalyser test.

Proposed new section 47g deals generally with matters of evidence. Subsection (1) provides that the results of analysis by breathalysers may be admitted and that the results will be evidence of the concentration of alcohol two hours before the sample was taken. This admission of evidence is subject to the admission of rebutting evidence referred to in relation to new section 47b (2). Subsection (1) also provides for persons to be authorized to operate breathalysers. Subsection (2) restricts the admissibility of breathalyser evidence unless the operator gives to the person whose breath is analysed written notice of:

(*a*) the concentration of alcohol indicated; and

(*b*) the date and time of the analysis.

Subsection (3) allows for *prima facie* evidence of certain matters to be given by certificate. It is emphasized that this evidence can be rebutted by contrary evidence. Subsection (4) is merely a redraft and a repositioning of section 47 (*b*) which was omitted by clause 5 of the Bill. It deals with certificates of analysis by the Government Analyst or his officers and is subject to subsection (6). Subsection (5) provides for the giving of a certificate by an authorized person operating a breathalyser. Subsection (6) provides that the certificate referred to in subsections (4) or (5) will not be admissible unless the party against whom it is proposed to use the certificate is given notice of the fact at least seven days before the trial and has not at any time before the trial notified the complainant that he desires the person signing the certificate to be present. In short, whether or not the certificates are admitted is a matter entirely for the defendant.

Proposed new section 47h provides for the notification of the approval of an apparatus as a breathalyser. Clauses 7, 8 and 9 amend the principal Act to bring the "lighting up times" into line with those suggested in the National Road Traffic Code. Under the principal Act as it stands at present vehicles are required to display the appropriate lights between half an hour after sunset and half an hour before sunrise. The proposed amendment extends this period by half an hour each way—that is, to provide for the display of appropriate lights from sunset to sunrise. Clause 10 amends section 176 of the principal Act, the regulation making section, by setting out the power to make regulations relating to the breath analysing instruments. Clause 11 is a general decimal currency amendment to change old amounts still expressed in pounds, shillings and pence to the equivalent of those amounts in decimal currency.

The Hon. F. J. POTTER secured the adjournment of the debate.

PUBLIC PURPOSES LOAN BILL

Adjourned debate on second reading.

(Continued from August 23. Page 1522.)

The Hon. M. B. DAWKINS (Midland): I rise to discuss this Bill with considerable disappointment because I am unable to see the evidence of progress that I would like to see in this State at present. My disappointment has been caused by the general slowing down of the economy over the last two years. Last week the Hon. Mr. DeGaris said that the amount of money available for disbursement under this Bill was actually less than the amount available in 1964-65, even though an extra $13,000,000 had been made available by that much-maligned Commonwealth Government which has treated this State (according to the Treasurer) so badly.

The Government tells us that it balanced the Budget but, actually, it manipulated the figures to balance the Revenue Account at the expense of further development in this State. Development can take second or third place as long as the Government can say it has balanced the Budget. I liken this to a firm in a town having one account with, say, a private trading bank and another account with the Commonwealth Trading Bank. In order to balance the account with the former it borrows money from the latter

to repay the former, and then it says it has balanced its accounts. I wonder how gullible this Government thinks the people are. Does it really imagine that the South Australian public is so gullible that it will swallow this type of transaction?

I do not intend this afternoon to deal with the Bill in great detail, because it has been dealt with competently by other speakers; but I shall refer to one or two matters. I turn first to page 8 of the Treasurer's statement, which deals with afforestation. Briefly, I endorse the remarks of my colleagues, the Hon. Mr. Hart and the Hon. Mr. Story, about timber supplies. In company with those honourable gentlemen and the Hon. Mr. Kemp, I attended a meeting in 1965 concerned with casing timber. A deputation was subsequently arranged to wait on the Minister about that matter but, unfortunately, no solution was found; and no attempt was made to find one. Here we are today using Bruce boxes. While they may be very good for casing the products of the fruitgrowing industry, every Bruce box used means money going out of the State and being paid for work being done elsewhere, at a time when people are out of work here. I am sorry that something was not done at that time to provide for the continuation of casing timber supplies from South Australian sources, because now we have stocks of South Australian timber building up and men being either dismissed or in danger of being dismissed from work. However, for the moment I say nothing further on that.

I come now to harbours accommodation. In passing, I see nothing in the Treasurer's statement about a passenger terminal at Outer Harbour. Three or four years ago this matter had the attention of Parliament and the then Government and something was then mooted about having a modern passenger terminal at Outer Harbour. This is something that the whole State needs. Although, on the face of it, it would be a terminal for the city of Adelaide, it would also be a terminal for oversea ships for the whole State. We badly need modern facilities in the outer port of Port Adelaide. Any honourable member who has had the good fortune to see facilities provided elsewhere (for example, at Fremantle) will agree with what I say. I am sorry that this is just another thing that has been left on one side. In some ways I am surprised, because, on the face of it, this facility would seem to be in a district that this present Government would be inclined to look after, but evidently the facility is to be postponed to some future date. In common with my colleagues, I should like to express satisfaction that the Giles Point installation is now going ahead. Although I am sorry it has taken two extra years, I endorse what the Hon. Mr. Story said—that the installation now to be erected will be an improvement on the original scheme. I compliment the Minister on that.

Coming to waterworks and sewers, with the Hon. Mr. Whyte I express regret that there is nothing in the financial statement about the Kimba main from the Polda Basin or about the extension of the Keith main, which is, of course, in Southern District. I noted what my colleague Mr. Whyte said, that out of the $677,000,000 total Australian borrowings South Australia is to get over $92,000,000, which I consider is, proportionately, a good share; yet no allocation is made for these country development projects. I also notice that Mr. Whyte said:

> However, it always plagues me to know that so much money must be used to drain excellent water from the southern part of the State, in many instances into the sea. Why this type of work takes precedence over the provision of water in many other areas of the State is something that concerns me.

Why it should take precedence over the provision of water for developmental purposes is of great concern to me, too. I could not agree more with that statement made by Mr. Whyte. I have said previously that, had we not by and large given up in this State drinking rainwater, we would have largely minimized in the built-up areas the amount of run-off from paved surfaces and, to some degree at all events, the need for drains. I know it will be said that, if there was a 2,000-gallon tank in every house in Adelaide, it would still mean an infinitesimal amount of water saved compared with the overall storage, but this type of household facility is drained or nearly drained and refilled several times in a normal year, so it probably means that the total saving is, in effect, equivalent to several times the size of the actual tank; that the consumption of rainwater would be several times greater than the capacity of the tank. This would limit to some extent the amount of money needed for drains, so presumably we would have more money available to spend on getting more water into areas needing it for further development, such as the areas I have mentioned.

I refer now to the unfortunate temporary (as I hope it will be) stopping of the construction of the Chowilla dam. I should like

to quote a few remarks of the former Liberal Premier (Hon. Sir Thomas Playford) who in an address made in a country town three years ago said:

It would be well to examine the necessity for Chowilla dam; why its planning and constructing? That gives some clues to what will occur after it is completed. South Australia is the driest State in the Commonwealth, and the Commonwealth the driest continent in the world. We have no permanent good river. The importance of the River Murray, therefore, is obvious. It is our lifeline. We now supply water from this source far and wide. Every year reticulation extends further, and shows the water being harnessed for more important industries, with a growing demand.

Unfortunately this has not happened so much in the last few years. Continuing:

Notwithstanding the additional water into the Murray system from the Snowy Mountains Scheme there will be only two-thirds of the water coming down the Murray in the next 20 years to that which came down in the last 20 years.

I point out that Sir Thomas Playford said: "It is our lifeline," and I believe every honourable member who is conversant with the situation will agree with this. It is vital for South Australia to have this facility; we want it by 1970 because we have only a temporary stop-gap arrangement with the New South Wales Government for water from the Menindee Lakes until that time. We all know that Sir Thomas Playford perhaps had more to do with the arrangements for the construction of the Chowilla dam than anyone else had. And what does the present Premier and Treasurer, the Hon. D. A. Dunstan, say about this? In the *Advertiser* of August 14 the honourable gentleman is reported to have said:

We will be all right for a time without the dam but, if it is not started within 10 years—

and I point out that this means 1977, and presumably it will not be finished earlier than 1980 or 1982—

we should be in trouble later.

When I read this article I thought the Premier and Treasurer might have been misreported but I later saw it in two other papers and I have not seen any statement that this was an incorrect report of his comments. Could we ever expect to get a more unrealistic statement from a Premier of a State than that? Would it be possible to find a man in such an important position more out of touch with such a drastic need, a man who does not begin to understand South Australia's position in this regard? It is the Premier and Treasurer who says we may be in trouble later—in 15 years' time! We all know that we will be in trouble at least 10 years before that time unless we get this facility. I very much regret that the project has been halted for the time being and I trust that it will be resumed as soon as possible. I am glad to know that the Government and the Opposition in another place finally agreed on a resolution to this effect and I am glad that the final resolution was stronger than the original motion.

The extensions in water supply for the Two Wells and Virginia areas, which are part of the Barossa water district and which have been on the books in the past, do not appear this year. I endorse the remarks of the Hon. Mr. Hart, because the facilities at Two Wells and through the Gawler River area are extremely old and inadequate. As the honourable gentleman said, it is not possible for any extensions to be made until the present facilities are renewed. This area is growing continually and badly needs new facilities. I endorse the honourable member's protest.

The Hon. L. R. Hart: It has stopped growing now.

The Hon. M. B. DAWKINS: Yes, and it will not start growing again until something is done about the provision of further reticulated water supplies and of facilities for irrigation, possibly by the use of effluent from the Boliver treatment works.

I am alarmed about the recent announcements that water restrictions may be imposed in this State during the coming summer. South Australia has largely forgotten about such restrictions as a result of the Playford Government's good administration. Despite the fact that this is the driest State in the Commonwealth, it has had a better water supply than some other States have had. In the more closely settled areas at least we have forgotten what water restrictions are. Now, in this dry year we are told that we may have water restrictions in the coming summer. I remind honourable members that there were some very droughty years during the last decade, particularly 1957—and 1959 was even worse—but we had no water restrictions in those years.

What is the reason for the possible restrictions recently announced? We have facilities for pumping but I am reliably informed that on not one day in June was maximum pumping carried out by this Government, nor was maximum pumping carried out on 11 days in July, despite the fact that the first half of this year was one of the driest such periods on record. If water restrictions are imposed this summer the blame will rest fairly and squarely on the shoulders of this Government because it

did not pump sufficiently during the winter months. There has been no maximum pumping during the periods mentioned.

The Hon. A. J. Shard: You are very wise after the event.

The Hon. M. B. DAWKINS: The same situation occurred in 1957 and 1959.

The Hon. A. J. Shard: You wait until I reply.

The Hon. M. B. DAWKINS: Normally, the Chief Secretary talks while other honourable members are speaking, but I am glad he is going to reply: it will be an improvement if he does so.

The Hon. L. R. Hart: He did not reply on the insurance Bill.

The Hon. A. J. Shard: You will get a reply next March.

The Hon. M. B. DAWKINS: The honourable gentleman, when in Opposition, welcomed me to this Council (and I thank him for it) and he said that, whilst he might criticize me inside this Chamber, outside it we would be good friends. He did criticize me, and it was his right to do so. But, now, every time we criticize him he wants to have a go at us.

The Hon. A. J. Shard: All I am saying is that you are not fair and reasonable.

The Hon. M. B. DAWKINS: We could say the same about the Chief Secretary when he was in Opposition.

The Hon. D. H. L. Banfield: You said it was only a late season, not a drought.

The Hon. M. B. DAWKINS: One still has to prepare for a situation ahead.

The Hon. D. H. L. Banfield: Why doesn't the honourable member be consistent?

The PRESIDENT: Order!

The Hon. M. B. DAWKINS: The Government did not prepare; it was cheese-paring in order to save money on pumping. Consequently, if water restrictions are imposed the blame will rest fairly and squarely with it.

The Hon. R. C. DeGaris: Do you think the Government took a gamble on it?

The Hon. M. B. DAWKINS: I think so. The Chief Secretary said yesterday, when it rained for five minutes, that if it carried on for a long time some people would eat their words. I have been informed that the catchment area had its best intake for some time last night; eight points of rain! I commend the Chief Secretary for the fact that there is at long last an allocation for the Strathmont Hospital. When we were in office we used to be criticized for the fact that these facilities were not provided. Even though it is only $130,000, and the total cost will be nearly $6,500,000, it is something.

The Hon. R. C. DeGaris: It might pay for a sign to be painted.

The Hon. M. B. DAWKINS: It might.

The Hon. A. J. Shard: We do not need to paint a sign or buy a paddock.

The Hon. M. B. DAWKINS: If you have all these things, I commend you.

The Hon. A. J. Shard: Your Party did absolutely nothing for 10 years in this direction.

The Hon. M. B. DAWKINS: The Government has not done much in two years.

The Hon. A. J. Shard: We have made this allocation. I can tell you a story on this. You had a grant for 10 years and never spent a cent.

The Hon. M. B. DAWKINS: The Chief Secretary said he would want to reply, but he seems to have forgotten that.

The Hon. A. J. Shard: That was in relation to water.

The Hon. M. B. DAWKINS: I thought he was going to reply on everything. He recently announced that quite a large hospital would be erected in the northern area and stated that at some stage or other a hospital would be built in the Flinders University area, but unfortunately there is no provision on the Loan Estimates for this work.

The Hon. A. J. Shard: I shall tell you why when I reply.

The Hon. M. B. DAWKINS: I shall listen with great interest. On February 19, 1965, the former leader of the Labor Party, the Hon. Frank Walsh, stated:

> Labor's proposals provide for a general hospital at Tea Tree Gully of 500 beds and a teaching hospital for the south-western districts of 800 beds—this must be at or near the university area at Bedford Park—and to provide for sufficient doctors this teaching hospital must be erected without delay.

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

The Hon. M. B. DAWKINS: A period of two-and-a-half years has passed, but I do not think that the plans have yet been submitted to the Public Works Committee, although another hospital, which professional people have rightly said is less urgent, is to take precedence.

The Hon. A. J. Shard: That's not a statement of fact, either.

The Hon. M. B. DAWKINS: Is the Chief Secretary prepared to tell me that the hospital at the Flinders University will be erected before the one in the northern area?

The Hon. A. J. Shard: At the same period. The building at Modbury will not interfere with the other.

The Hon. M. B. DAWKINS: That will be interesting. I shall be pleased to see what happens.

The Hon. R. C. DeGaris: Has the Government a mandate to build these hospitals?

The Hon. A. J. Shard: My word it has!

The Hon. M. B. DAWKINS: The Government has not done much about it.

The Hon. L. R. Hart: Have you the money for them?

The Hon A. J. Shard: Yes, we have the money. Don't come in on hospitals, because your record isn't too good.

The Hon. M. B. DAWKINS: The Government's record has not been too good, either. Some things approved by the Public Works Committee have not seen the light of day.

The Hon. A. J. Shard: In your day hundreds of things never saw the light of day.

The Hon. M. B. DAWKINS: I will deal with hospitals again in the Budget debate. I pass to the Agricultural College Department, which has been canvassed by the Hon. Mr. Story and the Hon. Mr. Geddes. As honourable members know, the Roseworthy Agricultural College is to have its latest buildings completed by means of a very generous grant from the Commonwealth Government. As the Roseworthy College is becoming more and more a university diploma type of college and men will have had to matriculate to get into Roseworthy, the State needs another similar facility. I am pleased that the Education Department has set up a course at the Urrbrae Agricultural High School that will mean the continuation of secondary education for young men who wish to go on the land but who, from the Intermediate stage, will have a considerable agricultural bias with the necessary basic subjects. This is not altogether out of line with what Roseworthy used to do, nor is it out of line with what the Dookie Agricultural College in Victoria used to do; that college continued to teach English and one or two basic subjects.

What is being done at Urrbrae is a step in the right direction. I also believe, as the Hon. Mr. Geddes said yesterday, that boarding facilities must be provided. I also consider that in due course broad acres must be provided. Mr. Peter Waite left that property for a boarding high school to be provided. I believe that the number of acres there is not sufficient, as the property has been largely taken over by the Waite Agricultural Research Institute. I believe that this school will have to be shifted to another location, where it will probably take young men only from the Intermediate stage onward for the two-year certificate course in agriculture. I believe that places could be found for this type of activity. Loxton has been suggested, and there could be a considerable horticultural influence there. The present Government farm at Struan and the Government farm at Turretfield have been mentioned. I believe that something along these lines must be done in the future and planned for now. I believe that Commonwealth Government money will be made available; this should be some attraction to this Government. If I have been correctly informed, no matching money would be required for this type of educational institution.

I commend those responsible for the work that has been done at Urrbrae. I hope that this will continue and that many more young men over and above those who go to Roseworthy or who attend agricultural science degree courses at the university will be able to have agricultural education prior to returning to the land.

The Hon. Mr. Hart referred the other day to a festival hall and, as a country member, he had the courage to talk about it. I shall be the second country member to speak on this matter, which affects us all, in the same way as a hall at Gawler or Port Pirie is not merely for the townspeople but is also for the whole district. The provision of proper facilities for the continuation of a Festival of Arts, which will bring tourists and revenue from all over the world to the State, thereby advertising it, should be the concern of every one of us, and it is for the whole State. I was very interested the other day when one honourable gentleman suggested that we have another look at Centennial Hall. Of course, much of what the Hon. Mr. Hart said about the Centennial Hall is quite correct. The hall does have an adequate seating capacity, and perhaps the suggested expense of $100,000 on that hall for extra facilities and better seating and so forth would be money well spent.

However, Mr. President, it would only be an interim expense. Of course, it would not be wasted, because the hall would continue to be used for many functions, because even in its present unsatisfactory state it is being used at the present time for large-scale concerts in the Festival of Arts, and it is much better—if we are obliged to use this hall for at least the next two and possibly three festivals—that it should

be in a far better condition than it is now for the reception of large crowds. More important still, there should be better facilities for oversea orchestras and artists. I would support the honourable gentleman in what we might term the interim improvements to the Centennial Hall, which would make it more suitable, pending the construction of the festival hall.

The Hon. Sir Arthur Rymill: There is a greater problem than you have mentioned, and that is the acoustics.

The Hon. M. B. DAWKINS: Yes; the acoustics, to my mind, are not good.

The Hon. L. R. Hart: That is debatable.

The Hon. Sir Arthur Rymill: No, it is not.

The Hon. M. B. DAWKINS: I have conducted a choir in the Centennial Hall, and I have sung in it. It is rather a dead hall to sing in.

The Hon. A. J. Shard: There are no acoustics there.

The Hon. M. B. DAWKINS: The honourable gentleman, being an authority on these matters, would know.

The Hon. A. J. Shard: You don't have to be an authority: you just have to go there.

The Hon. M. B. DAWKINS: I believe that some improvements could be made there, pending the construction of a new hall, with benefit to all concerned. I agree that the acoustics are not as good as they should be, and there are some limitations to the use of this building. I would not be prepared to support the idea that this place could be reconstructed into a suitable hall for use as a permanent festival hall. I know that in 1964 arrangements were made for $2,000,000 to be provided, and I believe that (having regard to the words of the late Professor John Bishop, which the Hon. Mr. Hart quoted the other day) we should be able to build quite a satisfactory and dignified festival hall for this amount or very little more. I believe it is all the extras and all the red herrings and all this talk of a dual purpose hall that have put up the price to more or less double the amount that was first provided.

If we had any more of these covered waggons that we saw in the newspaper, I would lose my enthusiasm for a festival hall. I have been connected in a small way for about a quarter of a century with promoting concerts in the city and in the country, in good halls and bad halls, in big ones and little ones, and I would say from my experience that no dual purpose hall is really suitable for concerts. I say that, after having been in all sorts of places. I believe that if a dual purpose hall is built the chances are that it will be booked up for theatrical productions and that it will be largely used for that type of production.

The question that then arises is: where do we go for large-scale concerts which are, after all is said and done, probably the most important feature of the festival? If that happened, of course, we would be back where we started. I believe quite sincerely that what we need more than anything else in this city at present is the provision of a hall that would measure up to oversea standards as a concert hall.

The Hon. A. J. Shard: How would the show hall at Tanunda measure up?

The Hon. M. B. DAWKINS: The honourable gentleman would know better than I do, because he has already expressed an opinion regarding acoustics, and I would listen to him with considerable interest about his opinion of country halls. I believe that that would be most unsuitable.

The Hon. L. R. Hart: How about the Shedley or Octagon Theatres at Elizabeth?

The Hon. M. B. DAWKINS: I believe that the Shedley Theatre, too, would be most unsuitable, although the Octagon Theatre would not be too bad. I believe that we must get away from this nonsense, I would call it, of talking about a dual purpose hall, because all we would get would be a hall that was suitable for theatrical productions but not really suitable for large concerts.

I refer now to what I consider to be the comparative lack of developmental works, owing to the Government's financial policy and owing to the transfer of moneys to balance the Revenue Account. I heard yesterday what I thought at first, at all events, was an amazing admission, and I believe that this is relative to the down-turn in industry, to the rising unemployment, and to the almost complete lack of overtime. When the Hon. Mr. Rowe was speaking yesterday he referred to a gentleman who was having some trouble through having lost his overtime. My honourable friend, the Chief Secretary, said, "Wages are based on a 40-hour working week, and there should be no need to receive overtime."

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

The Hon. M. B. DAWKINS: The honourable gentleman also said:

I believe the weekly wage should be sufficient and that a man should not have two jobs.

The Chief Secretary is one of the senior members of this Government.

The Hon. A. J. Shard: I have said that all my life.

The Hon. M. B. DAWKINS: Exactly. I thank the Chief Secretary for that interjection.

The Hon. A. J. Shard: And I don't run away from it.

The Hon. M. B. DAWKINS: We know you do not run away from it; you have told us that about 500 times already.

The Hon. D. H. L. Banfield: He is consistent, which is more than you are.

The Hon. M. B. DAWKINS: The Hon. Mr. Banfield nodded and intimated that he agreed with this. The Chief Secretary, who is the senior Minister of this Council and the Deputy Premier, and the Hon. Mr. Banfield, who aspires to the front bench as a future Minister of the Labor Government, are saying in effect that the Labor Party is not interested in overtime. It does not believe, apparently, in helping the people it is supposed to represent. Those honourable gentlemen apparently do not believe in the worker getting as much as he can: they apparently do not believe in overtime, either.

The Hon. D. H. L. Banfield: We cannot believe in what you are saying.

The PRESIDENT: Order!

The Hon. M. B. DAWKINS: I am not going to be drowned out, Mr. President.

The Hon. D. H. L. Banfield: You are not going to tell the truth, either, by the sound of it.

The Hon. M. B. DAWKINS: I am telling the truth.

The PRESIDENT: Order!

The Hon. M. B. DAWKINS: I am quoting what the Chief Secretary said and what the Hon. Mr. Banfield said, and I am saying what in my view this means.

The Hon. A. J. SHARD: Mr. President, I do not often ask for a withdrawal, but I think what the Hon. Mr. Dawkins is saying is completely untrue. He said that I said we did not believe in overtime and in a person having a second job. That is not true, Sir; what I said was that I believed that a man should have a weekly wage that entitled him to live and that there should be no need for overtime or a second job to give him a decent standard of living.

The PRESIDENT: Will the Chief Secretary state the words he objects to and not make a speech?

The Hon. M. B. DAWKINS: I said that the Chief Secretary said, "There should be no need for overtime." That is what he said, as reported in *Hansard*. I said that, in other words, it meant that they did not want the worker to get as much as he could. That is what it means.

The Hon. A. J. Shard: You are not allowed to put your interpretation on it.

The Hon. M. B. DAWKINS: All I can say is that we of the Liberal Party believe in the worker and we believe in his right to work overtime if he wishes. We also believe in his right to do as well as he can.

The Hon. A. J. Shard: Tell the truth.

The Hon. M. B. DAWKINS: As a result of this Government's policy, overtime is very largely a thing of the past, and it will not come back until we get back to a situation where we have an enterprising, forward-looking and confident community that will enable the worker to do his best and get the best return. I do not tell lies.

The Hon. A. J. Shard: You told a lie then.

The Hon. M. B. DAWKINS: I do not tell lies; I will leave that to the Chief Secretary.

The Hon. A. J. Shard: You did.

The PRESIDENT: Order!

The Hon. M. B. DAWKINS: We will endeavour, if we are returned next year—and I am confident that we will be returned—to re-establish conditions that will enable a man to do well; we do not believe in a situation that does not allow overtime. I am sorry that the Bill does not provide for sufficient developmental work; nevertheless, I support it.

The Hon. H. K. KEMP (Southern): I am sorry that I will have to try and make myself heard—

The Hon. A. J. Shard: Then the previous speaker should have told the truth; not all those lies.

The PRESIDENT: Order! Interruptions are distinctly out of order.

The Hon. A. J. Shard: Well, he should have told the truth.

The PRESIDENT: Order! I expect the Minister to support the Chair in maintaining order.

The Hon. H. K. KEMP: In speaking to this miserable document I say first that it is a disappointment to anybody who is interested in the welfare of the Southern District. Looking at the first line pertaining to the State Bank, I find it difficult to see how the people engaged in our fruit industries will be able to accumulate the necessary capital equipment in the next year or two in order to handle increased crops resulting from the hard work of growers during the last few years.

In our industry in the Adelaide Hills a revolution has occurred in methods of production. In previous years South Australia was content with an apple crop totalling about 1,000,000 boxes, but production has risen to over 2,000,000 boxes this year. Loans to producers provide the capital needed to process the increased production in these industries as well as in the canning, citrus and dairying industries. The provision is considerably reduced. That means trouble ahead in all those industries. I have said before that it costs about $2 in capital equipment in packing sheds to handle every bushel of fruit harvested; in addition, provision must be made for secondary processing such as canning, where the requirement is greater.

The Hon. C. D. Rowe: It amounts to $2 a bushel.

The Hon. H. K. KEMP: Yes, but that is the amount of capital equipment required to handle each bushel of the crop. The increase is considerably greater where canning or cold storage is required. In the line "Loans to Producers" from which this finance is very miserably provided—hence my use of that term originally—a much more important matter seems to have been entirely overlooked. Some weeks ago the Minister of Agriculture made a somewhat nebulous statement that funds would be available for people in distress because of drought, but I cannot see that any provision has been made.

The Labor Party has been accusing members on this side of the Chamber of "knocking" the Government on every occasion, but there is no excuse for the over-optimistic statements that the Government has made about the drought situation. It is hard to use the appropriate epithet to describe the hopeful attitude that rain is just around the corner while making no provision for the disastrous situation facing many of our farmers. Because of that, I foresee a great deal of trouble ahead. Apart from actual drought relief, many dairy farmers will not obtain adequate supplies of hay this year. There is no possibility of their obtaining supplies of hay from normal supply areas.

The Hon. C. D. Rowe: And that applies to many others who are not dairy farmers.

The Hon. H. K. KEMP: A need exists and must be dealt with. I do not know how to advise farmers on the Murray swamps. These people can only make full use of the green fodder grown on the swamps if they are able to obtain adequate supplementary dry feed. The only way to obtain hay will be to cut production drastically from the swamps and cut some of the irrigated area. That is because there will be no supply from the normal sources on the high land. The large quantity normally purchased from other districts will not be available. I have been asked again and again by such men in the Southern District where it will be possible to obtain hay. There is no answer, though perhaps a small portion of the West Coast may be able to cut hay. It is certain there will be no surplus even in those districts for the river settlements.

The Hon. R. A. Geddes: It would be expensive to bring hay from the West Coast.

The Hon. H. K. KEMP: It is now being brought from other States. Stocks of hay in the Southern District are almost completely exhausted, but I have not heard a whisper, or been given any indication anywhere, of any kind of plan to meet this situation. I know that a survey of requirements of people affected by the drought is being conducted but such a survey is being handled merely as a means of delaying effective action. I am sorry to have to use such strong terms, but that seems to be the position—asking the growers to submit a return of requirements and in the meantime doing nothing until those returns are received.

In our eastern sector feed grain stocks are nearly exhausted, but no indication has been given that stocks are being supplemented. Grain can still be bought from silos in other districts, but a tremendous amount will be used this year, and it has to be carted from elsewhere. I do not think any purpose will be served in overemphasis, but I am sure that if the matter had received proper consideration provision would be made somewhere in the Loan Estimates for a fund to finance the work that must inevitably be carried out on behalf of the areas so badly hit, both in Southern and in adjacent districts.

It can be said that at present many crops look amazingly well, considering the slight drifts of rain that have fallen to sustain them. It would not be expected that such crops could have been grown on the meagre quantity of rain this year, but there is no need to dig any further down than 6in. or 7in. to find the ground is dust-dry. It will take only a few days of stress for a large area of our district to be in a bad state. I believe that not only our district is involved. Thanks to the Citrus Organization Committee as regards oranges and thanks to the totally unexpected prices at which fruit has been sold in Britain, to which our apple crop was exported, it may be

thought our fruit industries should be able to cope with some of the troubles confronting them.

The true position is that no apple grower has yet received a cent for any fruit exported overseas, unless he was paid in advance from the reserves of the co-operatives through which he marketed his fruit. Most of our apples this year were exported under a system of guaranteed advance, which merely paid for the packing of the fruit, freight, insurance, and wharfage charges.

As we know, much of that fruit has been held up in the Suez Canal. We have received no advice from those ships about the condition of the fruit, and it is inevitable that, having been held in the canal for 11 weeks, its condition is poor. Even if its condition was good and it could be taken on to Europe and unloaded there, the fruit is now valueless because the seasonal market for it has gone. Until some insurance decision is made about that fruit, we shall get no money from Britain for it, except for a small percentage that was sold forward.

It means that all our apple co-operatives have paid the British shipowner, the carton-makers and the wages of the fruit packers. The growers have paid the wages of those who picked the crop, but they have not received one cent for it. We have no information whether any payment is likely, or whether we shall ever be able to recover any of the loss through insurance.

I thought about this when insurance was being discussed here earlier this week. We must not forget that last year, because of Government action, we were deprived of all our export income. That must be added to this year's disaster, making two years in which the export growers in the Adelaide Hills have really had little income.

Last year, too, even potato growers suffered greatly depressed incomes as a result of Government action. We are not supposed to knock the Government, but the Government has been knocking us in the Adelaide Hills when we have been in trouble. It is time when the Government adopts such a supine and spineless attitude that we knocked the Government.

I turn now to woods and forests. In the Mount Gambier area a statement has been made by the Labor representative of that district that it is the fault of the fruit industry that the locally made boxes it used to use are no longer used for packing apples, oranges and other fruit produce. The result is that unemployment in that area is serious. Again, this is an absolute lie. The present position is that, largely because of the action of this Government, we have been forced to turn to other containers and have stopped using the white wood box which was satisfactory for so many years.

We are now spending considerably more money on the packaging of our fruit, both citrus and apples; and all that money, except for the small makers' margin, goes out of the State instead of circulating within it, as it did when we were using our own white wood cases. For the all-pack carton in which we put our apples we are paying out considerably more. The money does not remain in South Australia as it did. The paper stock out of which these cartons are made sustains the Tasmanian and Victorian paper-making industries, and South Australia does not get a brass razoo.

The cost of the Bruce box used for packing oranges is not much different from the cost of the white wood box, but nothing used in that box is a product of South Australia. The wood comes from overseas and a fat royalty goes to the United States. We have heard a lot about the milk bar economy in South Australia. Our community lives largely not on a milk bar economy but by taking in each other's washing. When we consider the large amount of money spent on this simple wooden container that we use to pack fruit, it must be realized that the Government has taken millions of dollars out of circulation in South Australia. I am sure its actions were taken in complete ignorance of the consequences.

The Hon. Mr. Dawkins a few minutes ago referred to the Keith water main. Again, this reveals the complete ignorance of this Government. In this case we have approximately 1,750,000 acres of country of between 17 and 20in. of rainfall. The development of this land has gone as far as it can with the meagre water supplies available to it. It is interesting country. Fresh water is to be found there, but in small amounts.

It is in the form of fresh rainwater under the sandhills floating on the top of saline water. As soon as it is pumped to any degree, salt water comes in and it is sufficiently salty to be toxic to stock. So the development of this whole area depends largely on having sufficient fresh stock water to sustain the community that will be cropping that land. Roughly $2,250,000 has been spent on the Keith main so far. In providing the first and most important and expensive sections of it,

it has gone down 30 miles and ends in a storage tank near Coonalpyn. This sum of $2,250,000 is all Loan money and the interest bill is about $130,000 a year. When the scheme was first mooted the productive capacity of this land was estimated to increase to about $11,000,000 a year. At present the land is 20 per cent or 30 per cent developed at a very light stocking rate indeed. We are losing $11,000,000 annually from our economy and we are paying $130,000 a year for the privilege.

Is it any wonder that the Government has to spend an extra $250,000 near Keith on a temporary water supply? It is clear that it did not understand what it did when it shifted things around and stopped the last possible large-scale agricultural development in South Australia.

The Government is at last installing a pump at Tailem Bend to take water through the driest part of the area, which will be the least productive part. No Government can drag out of the air the pipes needed to complete the Keith scheme; they must be brought in over a period. They were on the site once, but were diverted elsewhere. I hope the people on the West Coast have made as much use of them as the people in the Southern District could have.

This has resulted in private financial trouble. In anticipation of the water scheme coming through (and its construction was proceeding very rapidly), farmers spent much money on clearing and expanding for greater production. They have been left with unproductive capital expenditure, which they cannot possibly use, because this land is generally unsuitable for cropping. I do not think the South Australian people realize just how much this has cost our economy: the cost is $11,000,000 a year, and we are paying $130,000 a year for the privilege of losing that money. This situation arises in exactly similar circumstances to the situation that upset the people in another big area of the South-East when somebody thought it would be a good idea, by Government action, to change over to Bruce boxes.

I do not want to labour the subject of the Chowilla dam because I do not think the Government is entirely at fault; I am sure that in part at least the fault arises through the Treasurer's lack of understanding of the true position and through his taking the decision without any great protest. As previous speakers have said, he is quite happy if the project goes on within 10 years. That might apply in regard to the quantity of water but the very serious problem confronting us is not the quantity but the quality of the water; unless this problem can be solved we can give away any thought of constructing further mains from the Murray River. The sum of $130,000 for surveying a main between Murray Bridge and Hahndorf may just as well be ruled out.

I should now like to turn to a subject that has not been put clearly during this debate. Last Friday's *Advertiser* contained a statement by the Chairman of the Water Research Foundation of Australia who, I think, can be regarded as probably the most experienced lay authority in Australia on water, and particularly on quality of water. His statement is as follows:

The only sure way to deal with "salinity slugs" in the River Murray was to have a large storage, such as the proposed Chowilla dam between South Australia and the source of the slugs, Mr. C. Warren Bonython said yesterday. Mr. Bonython is South Australian Chairman of the Water Research Foundation of Australia. "Salinity in the River Murray will be a more serious future problem for South Australia than total water availability," he said.

We are supposed to be worried about water availability. The greater worry this year concerns the quality of the water that will get to this State. This cannot be over-emphasized: we are in trouble in respect of the Murray River. A word of warning must be sounded to the people who are pumping south of Wellington and who have no water rights. They can pump when the water is there and the quality is good: serious trouble is ahead for these people.

South Australia has an allocation of 1,250,000 acre feet or, if the flow is insufficient for this, three-thirteenths of the flow of the Murray River. We have no rights in respect of the diversion from the Snowy scheme. An amount of 1,250,000 acre feet sounds a great deal of water but we are drawing almost half of it for irrigation, for the Morgan-Whyalla main, and for other pumping. The people in the Southern District are worried about the evaporation from the lakes and from the river between Morgan and Blanchetown. It amounts to 778,000 acre feet, or nearly two-thirds of our allocation.

There is no provision in the River Murray Waters Agreement to make this up. This is why no licences have been granted to people south of Wellington. Consequently, these people are in a precarious position, and it might amount to a disastrous position this year, not 10 years ahead. There has been much publicity concerning the encouragement that has been

given to a new industry established at Meningie, but I am sure it was not warned of this precarious situation.

We have heard many interjections whenever the question of pumping to our water storages has been raised. It discloses a complete lack of understanding on the part of the Government of just what that curve, which for many years has been used by the Engineering and Water Supply Department to govern pumping, really means. It is a simple graph; it is simply time and storage, week by week throughout the year. When I saw it some time ago it was always calculated bi-weekly, because it is so important. That curve represents the storages that must be held each week to ensure a water supply for Adelaide under average good conditions. It is a simple thing that takes into account the average year of rainfall. It is a curve of certainty: if pumps are not started when the storage is below the line, it is certain that there will be water restrictions in Adelaide. This year the pumps were not started—

The Hon. A. J. Shard: Have you any information to show that the pumps were not started when that happened?

The Hon. H. K. KEMP: They were not started in June when the curve dipped.

The Hon. A. J. Shard: I doubt that. I have information to the contrary. Unless you have reliable information, don't give it.

The Hon. H. K. KEMP: Mr. President, would it be in order for me to ask the Government to table that record in the Council? I put that as a question.

The PRESIDENT: Has the Minister any information to put before the Council?

The Hon. A. J. Shard: No, I have information to the contrary.

The Hon. H. K. KEMP: Mr. President, would it be in order for me to ask the Minister to table this curve in the Council?

The Hon. A. J. Shard: You have asked that very thing, and you will get a reply to it. My information is contrary to yours.

The Hon. H. K. KEMP: The proof of the pudding is in the curve and in the record this year. Mr. President, would it be in order for me to ask the Government to table this curve and record in the Council?

The PRESIDENT: The honourable member may ask questions on any subject at the appropriate time.

The Hon. H. K. KEMP: I am afraid there has been too much skirting around the truth in this matter.

The Hon. A. J. Shard: That is what I am afraid of, too.

The Hon. H. K. KEMP: I can assure the Chief Secretary that that request will be made to him.

I commend the Minister of Education and his department for the new courses at Urrbrae and for the co-ordination taking place between Urrbrae and Roseworthy. There is still a very regrettable practice going on, to which I have not found the answer.

Inevitably in the system of today, as soon as any student becomes committed to any of the technical courses, automatically his chance of higher education ceases. This is a difficult matter, because of the need to keep education widely based within what is economically possible to the State up to the stage where the student is really in a position to know where his further destination lies.

In agriculture, South Australia has surprisingly limited room for new people to go on the land, and I think there is a fair chance that in the present circumstances too many students are being encouraged to take an interest in agriculture. Many who are interested in agriculture can never find a place in agriculture or its ancillary industries. Our number of farms is limited.

The worst aspect is that no matter how good, bright and clever a student is, if he is committed to specialized study too early it cuts out the possibility for him to go further than a very limited education on the technical side. There is a desperate need in Australia's agriculture for the highest possible training of clever boys. We are falling back technologically very rapidly. This defect must be overcome, although at the moment I have no clues as to how this can be done. I support the Bill with regret.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I was hopeful that the Opposition, as a result of something I read in the press a little while ago about the Young Liberals in this State criticizing the Opposition for its purely destructive criticism that had been levelled at the Government in recent months, would say something constructive in this debate, but in most cases the criticism has been destructive, not constructive.

The Hon. L. R. Hart: You said "in most cases".

The Hon. A. F. KNEEBONE: Yes. The honourable member must have read the same article, because he was most careful yesterday when speaking on another Bill, and on this Bill, too, to say that he did not want to be

destructive and that he thought that he was not being so. He then proceeded to give less constructive criticism than we are accustomed to hearing from him.

The Hon. L. R. Hart: You're only here half the time.

The Hon. A. F. KNEEBONE: This is the type of procedure the honourable member adopts in most cases; he criticizes people for leaving the Chamber. I never take part in that sort of criticism, which is playing it low, as Ministers have to leave the Council at times. Getting these things recorded in *Hansard* is a low attitude, but this is what I expect from the honourable member.

The Hon. D. H. L. Banfield: He took his sheep to another State when we were sitting last year.

The Hon. A. J. Shard: He was away for a fortnight, yet he has a shot at someone who goes out for a cup of tea.

The Hon. A. F. KNEEBONE: The honourable member is very open in his criticism of the railways, but when he was in trouble as a result of a derailment when he wanted to get his stock to an interstate show, he rang me at home and asked for my assistance.

The Hon. L. R. Hart: I received no assistance, or compensation.

The Hon. A. F. KNEEBONE: I contacted the Railways Department and endeavoured to get assistance for the honourable member. The hold-up was remedied, and all I got from him was criticism. This is the sort of thing we can expect from him. I am usually fair in my criticism but, when I come up against the sort of criticism we have experienced here in the last few days from the honourable member, it gets under my skin. We hear from the Opposition about the loss of overtime in the State, and what we say is twisted to make it appear as though we are against workers in this State receiving reasonable wages for their work on a 40-hour basis. The trade union movement has never supported the position that a man has to work overtime to get a reasonable rate of pay.

The Hon. A. J. Shard: It never has.

The Hon. A. F. KNEEBONE: We fought for a 40-hour week, and we got it. We took a long time to get it, but we worked for it and we expect a man to get a reasonable rate of pay and reasonable conditions in a 40-hour week.

We hear the Opposition saying that it believes in overtime and that it is sorry to see overtime lost to the worker. Opposition members talk about having to keep costs reasonably low in this State so that we can compete with other States. How do we compete with other States on an overtime basis? We are more likely to compete on a basis where people get a reasonable rate of pay and more people are employed in industry. The Playford Government certainly believed in overtime; it employed public servants on overtime without paying overtime rates.

The Hon. D. H. L. Banfield: That is what they do on farms.

The Hon. A. F. KNEEBONE: Yes; they do not want farm employees to be able to approach the Industrial Commission in South Australia and get reasonable pay for a reasonable amount of work.

The Hon. R. C. DeGaris: You are not happy with overtime at all?

The Hon. A. J. Shard: It should not be needed; people should get reasonable pay.

The Hon. A. F. KNEEBONE: A man should be able to receive reasonable pay for his work and not have to work overtime in order to live. The Hon. Mrs. Cooper referred to unemployment. She spoke about the big depression of the 1930's, and she blamed the Scullin Government for it. I can only be charitable to the Hon. Mrs. Cooper and say that she was too young to remember.

The Hon. Jessie Cooper: I lived in Sydney then, and I do remember it.

The Hon. A. F. KNEEBONE: We had to live through it. I was out of work, and so were some of my colleagues. We know what caused that depression. If the honourable member would be honest she would realize that this was a world-wide depression and not one that was brought about by a Labor Government in Australia.

The Hon. R. A. Geddes: Jack Lang didn't have much to do with it, either!

The Hon. A. F. KNEEBONE: We did get a bit of a backhanded sort of compliment regarding Giles Point. One honourable member, after criticizing the delay that had occurred, went on to say that as a result of the delay we are getting something infinitely better. In those circumstances, the delay is justified. Someone else criticized the Treasurer for saying that we had a milk bar economy. This is an expression that refers to the fact that we have not got sufficiently diversified industry.

The Hon. Sir Arthur Rymill: Is that what it means?

The Hon. A. F. KNEEBONE: Yes. Then we had another honourable member saying that our economy was one in which we took

in our own washing. Is that not knocking the State? Some honourable members opposite knock the State much more than anyone else—more than the Treasurer. The Treasurer has not knocked the State once.

The Hon. R. C. DeGaris: You admit the Treasurer has knocked the State?

The Hon. A. F. KNEEBONE: No; I wish the Leader would listen to me. The Treasurer has never knocked the State. He has fought hard for the State, and has done a good job. Regarding Chowilla, another honourable member tried to tell us that the Government did not do anything regarding the motion that went through the other House, and that it was as a result of the Opposition's amendment that we got something worth while out of it. In fact, the amendment that was carried was moved by a Government member. Then we had a further criticism from the Hon. Mr. Hart regarding the Centennial Hall as a place for a festival hall. Was that supposed to be constructive criticism? One of his own colleagues answered him and criticized him on this.

The Hon L. R. Hart: Be fair.

The Hon. A. F. KNEEBONE: The honourable member spoke about the acoustics making it unsuitable.

The Hon. L. R. Hart: That is a debatable point. I can get you evidence on that.

The Hon. A. F. KNEEBONE: We heard criticism of the railways. Apparently some honourable members do not look at Parliamentary Papers or study the matters referred to in this Bill. The Hon. Mrs. Cooper said that we were not building carriages for sleeping accommodation for interstate traffic and that we were not caring for passengers at all. The honourable member was quite lavish in her remarks about essential projects that were not provided for in this Bill. She referred to the need for national reserves, the conditions of some schools, the need for a women's gaol, and a public hospital in the southern districts. Those matters are in the hands of the Chief Secretary, and I have no doubt that he will answer them.

The Hon. A. J. Shard: Not all of them.

The Hon. A. F. KNEEBONE: The Hon. Mrs. Cooper must remember that if there is any justification for her comments it relates well back into the time of her own Liberal Government, and if she was fair-minded she could not expect this Government to attend to all the previous Government's shortcomings in a short period of time.

Dealing with the Hon. Mrs. Cooper's remarks on the South Australian Railways, which are my responsibility, I think she should know that the Loan Estimates for this year provide for the construction of two twinette sleeping cars at an estimated cost of $332,000, from which it is obvious that the Government is taking reasonable steps to provide sufficient interstate sleeping accommodation. I am satisfied that the South Australian Railways Department is taking all steps within economic bounds to provide a good service on the Overland. The honourable member referred to bookings at short notice by the airways. Perhaps in this regard she may be interested to make some inquiries concerning the off-loading of passengers by the airways. This does not happen on the railways.

She also referred to the need for a dining car. In this respect, I do not think she can have her argument both ways—of wanting more accommodation and a dining car as well—as physical circumstances of the Adelaide Hills and other technical considerations impose a limit on the length and weight of a train. A dining car would weigh about 55 tons, which would mean that at times when the train operated to full capacity one passenger car representing between 20 sleeping-car passengers to 64 sitting passengers would have to be omitted. With the current patronage on the Overland, rejection of up to 64 bookings could not be contemplated. She should also remember that the Overland is owned jointly with the Victorian Railways, and that system's views regarding a dining car coincide with our own. To help her a little further with what we are doing on the railways, it may interest her to know that we are building 20 high-quality surburban railcars.

The Hon. C. D. Rowe: You referred to a cost of $332,000 for two twinette sleeping cars. Does this mean that the cost of a twinette car is $166,000?

The Hon. A. F. KNEEBONE: Yes. I shall go on now to what the Hon. Mr. Hart said. This was about the time when he was critical of the attendance of Ministers in the Chamber. He said I was the only Minister in the Chamber, and he made other critical comments.

The Hon. L. R. Hart: Was this in relation to this particular Bill?

The Hon. A. F. KNEEBONE: Yes.

The Hon. L. R. Hart: I think you are out of order; I think it was another Bill.

The Hon. A. F. KNEEBONE: No, the honourable member was talking about the Direk railway siding. He does not even know when he spoke and what he said. That was in the debate on this Bill.

The Hon. L. R. Hart: I still have not got my answer about Direk, have I?

The Hon. A. F. KNEEBONE: Apparently the honourable member knows it, so he will not want it now.

The Hon. L. R. Hart: I have not been given the official answer yet.

The Hon. A. J. Shard: Why do you want it if you already know it?

The Hon. L. R. Hart: I want it.

The Hon. A. F. KNEEBONE: The Hon. Mr. Hart is petulant because he does not get the answer, and he is afraid that something might be done before he gets it in *Hansard*. Either that, or he is trying to get kudos in his own district. The honourable member has said that he knows the answer and that the whole district knows it. I wish he would tell me!

The Hon. L. R. Hart: I will get you the correspondence on it.

The Hon. A. F. KNEEBONE: For the information of the honourable member, the work is proceeding. Work will be commenced in about three months' time. Does that line up with what the honourable member expected?

The Hon. L. R. Hart: I thank the Minister for that information.

The Hon. R. C. DeGaris: Could the Minister explain why the allocation from the Loan funds to the Railways Department is less this year than it was in 1964-65?

The Hon. A. F. KNEEBONE: Probably because of the state of the economy. I know that in this case we are doing all we can, all the work necessary, and proceeding with the building of rollingstock more than was done in the past. Some of the work on some projects in hand is tapering off and that is another reason for the reduction. I cannot deal with the comment, because I do not know the amount concerned in 1964-65.

The Hon. R. C. DeGaris: It is less this year than it was at that time, not only for the Railways Department but for other categories also.

The Hon. A. F. KNEEBONE: That may be the honourable member's opinion, but I do not think that is so. The money available has been spent in other directions, with perhaps greater advantage to the State. Nobody should select an amount allocated to one department as against money allotted to another; the money is allocated having regard to the overall importance of the demands. I regret that members of the Opposition have not been more constructive in their criticism. I think I have answered all points raised in connection with my portfolio. I support the second reading.

The Hon. A. J. SHARD (Chief Secretary): I want to reply only to one or two comments; for obvious reasons I shall not refer to one of the main topics (that is, matters affecting doctors, hospitals and medicine). I shall be able to reply in the Budget debate. At least I do not take advantage of people.

I want to deal with water supply because that is a serious problem. I do not think members of the public realize just how serious it is or how fortunate we in this State have been over many years.

The Hon. R. C. DeGaris: Hear, hear!

The Hon. A. J. SHARD: Politics do not enter into this, and I deplore the fact that certain honourable members have tried to make political capital from a position that nobody can control. I do not think the public in this State realizes that possible storage capacity has almost reached its limit, irrespective of Government. I do not believe that the previous Government, through its officers, with Mr. Dridan at the head, purposely avoided consideration of water storages. I think Mr. Dridan and other officers, including Mr. Campbell, whom I know personally, as well as the previous Government, attempted to provide storage to the maximum capacity possible. The present Government would do likewise. If that aspect had been neglected by the previous Government mine would have been one of the loudest voices raised in criticism, but at least I try to be fair and do not attempt to make political capital from an impossible position.

It is all very well for honourable members to complain in August about what they think should have been done in June; anybody can be wise after the event. All I hope is that members who have made such statements will be proved wrong, as I was proved wrong in 1959 on another matter. At that time I was not blaming the Government for not having the reservoirs full, but I was pointing out that provision was made in the Budget for pumping water. It appeared to me then that the amount was not inconsiderable, and I wanted to know where the money was to come from if it had to be spent on pumping. The Under Treasurer was good enough to explain the position to me, but I am simply pointing out the question I asked at that time. I was not then blaming anybody because water was not in the reservoirs when it had not rained. My comments

then were made much later in the year than the comments made this year. I believe my question was asked some time in September, probably just after the Royal Show, but bountiful rains fell and nearly filled the reservoirs at the end of September or in October. I was completely wrong, and I hope that all the wise gentlemen in this Chamber will also be completely wrong this year, for the sake of the State.

Last year the Hon. Mr. Rowe and I agreed (and he was not then trying to make political capital out of the position) that perhaps the Government had not provided enough money for pumping water. I am pleased to say that the honourable member was proved wrong by a superior Being, and I hope that the people who have been critical of the Government—and I believe unjustly so—will be proved wrong.

I am sorry the Hon. Mr. Kemp is not here to hear my comments concerning the graph. The same officers, apart from those who have retired, occupy positions in the department today that they held previously, and the same graph has been used as was used before. I inquired yesterday whether the same graphs had been followed; if that had not been the case, I would have wanted to know why. I was informed by the responsible person (I do not intend to mention names) that the graph had been followed exactly as in previous years. If that is so and we get into trouble, nobody can be blamed. I think that at some time in the future, irrespective of the graph (unless by some stroke of genius a scientific method is evolved for producing water) if we cannot produce more water the State will be subjected to water restrictions, irrespective of the Government in power. With the existing holding capacity, together with pumping from the River Murray, sooner or later (and I hope it is later), and irrespective of who is in control, the State will not be able to get through if it uses water as it has been accustomed to using it. That is a statement of fact, and the sooner the public in this State realizes that water is a valuable commodity the better off we will be. The onus is on each of us to save water until the overall position can be assessed, and I have my own ideas when water restrictions will be imposed if it does not rain soon. We must save all the water we can, by whatever means we can; if people have a conscience, a considerable quantity can be saved.

Hospitals have been mentioned. I do not read *Hansard* and am getting used to being criticized for doing nothing. Criticism does not worry me as long as it is fair and somewhere near the truth. The women's gaol has been mentioned. I can tell the Hon. Mrs. Cooper that, when we took office, nothing had been done and nothing was planned for the transfer of women from the Adelaide Gaol. However, there is some planning now but there is the problem of money being available. I believe that the sooner women are transferred from the Adelaide Gaol the better, but there is only a certain amount of money in the kitty for distribution. We have plans for a maximum security gaol at Yatala, and a new women's section is planned there, too. We want to abolish the Adelaide Gaol. I understand the Education Department desires it for sporting facilities for people attending the Western Teachers College. That will be a good thing, because we must sympathize with the poor unfortunate people who have to go to that gaol. However, until money is available, nothing can be done. I leave it at that.

I turn now to the living wage and hours. I have always said (and have never departed from it) that a person should not need to work overtime to get a reasonable standard of living. People can make their lying interpretations of that statement if it suits their sick minds so to do, but they have to live with their consciences. Ever since I became a trade union secretary in the bread industry I have never advocated overtime. I have stood up at meetings of the Trades and Labor Council and of the Australian Council of Trade Unions and have never entertained the thought of overtime to give a person a reasonable standard of living. I have always said (and I shall never depart from it) that there should be no need for a person to work more than a standard working week to attain a decent living wage.

The Hon. R. C. DeGaris: You would not object if a man was doing better than that?

The Hon. A. J. SHARD: I have never said that; somebody else did. I have said that this is our view and I have never departed from it.

The Hon. L. R. Hart: We have never disagreed with that.

The Hon. A. J. SHARD: But lying interpretations of what I said have been given.

The Hon. L. R. Hart: I did not.

The Hon. A. J. SHARD: No, but another member behind me did. No wonder my honourable friend, Mr. Kneebone, got cross.

I have never seen him as he was today. He said, "Fancy them trying to tag that on to you!" I believe, and I will say it on any trade union platform in Australia, that the objective of the trade union movement should be a standard working week of a certain number of hours with the maximum pay that can be secured to give the individual a real standard of living, to get which he has no need to work overtime. It is deplorable that through the years in some industries, because those conditions have not been present, people have had to work overtime to earn more money. I have no objection if a person wants to use his leisure time to get more money, because that is his privilege. I have never said he should not do that. I do not preach one thing and practise another.

I have never had more than one job at a time. I may have had several little jobs simultaneously in connection with the trade union movement, but I have had only the one weekly pay. That is how it should be. If people want to misinterpret that and get some satisfaction out of doing so, they can. I am not ashamed to go to any factory and tell them where I stand. I can still go back into the citadel of the Labor movement and be well received. I thank honourable members for their co-operation in getting this Bill through today.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—"Authority to spend Commonwealth Aid Roads Grants."

The Hon. Sir NORMAN JUDE: The clause reads:

All money received by the State from the Commonwealth by way of grants under the Commonwealth Aid Roads Act, 1964, or any amendment thereof, or any Act substituted therefor, shall be paid to a special account in the books of the Treasurer, and the Treasurer shall on the request of the Minister of Roads issue and pay out of the money so credited such sums as are required for purposes specified in the said Act.

I believe it is necessary to have that clause in this Bill because of the Commonwealth Statute and the agreement under which the money is paid from the Commonwealth funds under the Commonwealth Aid Roads Act, but I point out that it does not seem to tie in with the idea of the Treasurer then requesting the Highways Fund to repay it due to loans made in previous years when, as we all know, this is an annual diversion of revenue funds from the State and revenue funds from the Commonwealth. It seems to me extraordinary that it should be tied up with a direct repayment to the Treasurer in order to sustain his balance in the Loan Account, which he is using at the moment (as he has admitted) for the purpose of sustaining the Revenue Account. I should like the Chief Secretary's comment on that.

The Hon. A. J. SHARD (Chief Secretary): It is the usual thing.

The Hon. Sir NORMAN JUDE: If the Minister is not prepared to comment, I should like it to be noted in *Hansard.*

Clause passed.

Clause 13, schedules and title passed.

Bill read a third time and passed.

CATTLE COMPENSATION ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's suggested amendment, with an amendment.

ELECTRICAL ARTICLES AND MATERIALS ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

It has three purposes. In the first place it provides for the adoption by this State of what is known as the "One Certificate System of Approvals". In making the necessary amendments for this purpose the opportunity is being taken of improving the legislation, particularly the provisions dealing with the sale or hiring of proclaimed but unmarked electrical goods immediately following proclamation. In the second place the Bill provides for the prohibition by notice of the sale, hire or use of dangerous electrical articles or materials.

The Bill also makes alterations in the nature of Statute law revision to the principal Act. Under the principal Act the Electricity Trust administers a scheme for testing and approving electrical articles and material. The scheme is part of an Australia-wide control over such goods. Under the principal Act goods are brought under control by proclamation. Goods of a proclaimed class must be submitted for approval and allotment of a mark. On the sale or hire of goods of the proclaimed class the goods must have the mark affixed.

I deal now with the three types of amendment made by the Bill in order. The first is the adoption of the "One Certificate System

of Approvals". Under this system an approval by a State authority of an electrical article or material is accepted by other States. New South Wales, Queensland, Western Australia and Tasmania have all adopted the "One Certificate" system and in Victoria the necessary amendments to adopt the system are being considered. In South Australia the position at present is that application must be made for approval of an article approved by an interstate authority notwithstanding that it has been so approved. The procedure is only a formality but it causes unnecessary inconvenience to merchants and others.

Clauses 4 and 6 of the Bill make the necessary amendments to authorize the sale or letting on hire of an electrical article or material bearing an interstate mark without any formal approval of that mark in South Australia. Clause 8 (*b*) makes a consequential amendment to the regulation-making powers to authorize regulations relating to the fraudulent or improper use of interstate marks. For safety the right has been reserved for the trust to disapprove an article or material approved by an interstate authority (clause 6, new section 12 (2)).

In re-enacting section 12 of the principal Act (which is the main prohibition section requiring marks to be fixed to electrical articles or material) the opportunity has been taken to make improvements to this section, in particular to the provisions permitting sales or hirings of unmarked goods to continue after the declaration by proclamation of a class of electrical articles or materials for control under the Act.

At present under section 12 (3) it is not an offence to sell or let on hire an unmarked electrical article or material if at the time of the declaration of the class it was in the possession of the defendant for sale (paragraph (*a*)) or the article or material was delivered to the defendant in pursuance of a contract entered into before the declaration (paragraph (*b*)).

In other States there is no equivalent of section 12 (3) and the practice has been to delay the application of control over a class for a considerable period while giving the trade due warning and to adopt a uniform application date. South Australia has for uniformity followed the practice of the other States, and often the proclamation fixes a date for the declaration to take effect considerably later than the day on which the proclamation is made. The presence of section 12 (3) in our Act has meant that in South Australia even more time has been allowed and this has permitted dumping in South Australia. The alterations proposed are—

(*a*) to make the test under section 12 (3) (*a*) whether the goods were in the possession of the defendant for sale at the date of publication of the proclamation instead of the time when the declaration takes effect;

(*b*) disposal of goods delivered after proclamation to be limited to goods delivered within six months after publication of the proclamation in pursuance of a contract entered into before publication.

In both cases the exemption will relate to the date on which the intention to control is made public. This seems a more appropriate date than the time of declaration by which time a dealer who wishes to evade the control can acquire or order unmarked goods which he can sell later with impunity. These alterations still allow latitude that officers of the trust consider to be more than reasonable for the purpose.

I deal next with dangerous articles and materials. Over the years from time to time the trust has found or received a warning that a certain electrical article or material, or batch of electrical articles or material is defective so as to be dangerous to use. So far where this has occurred it has proved possible, through the co-operation of dealers and others engaged in the marketing of electrical articles or material, to withdraw the dangerous goods from circulation before an accident has happened. The trust believes that there should be an emergency power to prohibit the distribution or use of electrical goods in circumstances such as these, and that the trust should not have to rely merely on the willingness of dealers and others in order to withdraw goods from distribution or use. At present, the only possible legal course would be to withdraw the approval. This requires the publication of a notice in the *Government Gazette,* with almost inevitably up to a week's delay, and there is serious doubt about the effect of withdrawal of approval on articles already marked.

Clause 7 of the Bill inserts a new section 12a in the principal Act which follows in general form provisions contained in the legislation of Victoria and Western Australia and provides for the prohibition of the sale or letting on hire or use of electrical articles or material by notice given by the trust either

generally or to a particular person. Lastly, I refer to Statute law revision provisions. Originally the principal Act, which was enacted in 1940, provided for the establishment of a committee called the Electrical Goods Approvals Committee that was to approve electrical articles and material declared by proclamation to be proclaimed classes for the purposes of the Act. The articles were to be marked with a mark authorized by the committee and provision was made for approval of marks affixed under the authority of a recognized authority of another State. In 1943, the Electricity Act, 1943, established the South Australian Electricity Commission, and section 19 of that Act provided that the commission should administer the principal Act in substitution for the committee provided for in the principal Act, and that the principal Act should be construed as if every reference to the committee were a reference to the commission.

In 1946, the Electricity Trust of South Australia Act established the trust, and section 39 of that Act provided in its turn for the substitution of the trust for the commission. The position now is that the trust has for many years past administered the principal Act, the principal Act still containing, however, provisions for the establishment of the Electrical Goods Approvals Committee and for the administration of the Act by that committee, notwithstanding that subsequent legislation has rendered these provisions out of date. Clauses 3, 4, 5 and 8 of the Bill make the necessary amendments to the principal Act to substitute the trust for the committee. It should be mentioned that the trust is guided in its administration of the Act by an advisory committee consisting of representatives of the trade and others.

The Hon. C. D. ROWE secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL

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

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

That this Bill be now read a second time.

The purpose of the Bill is to increase salaries that are fixed by Statute to accord with recent increases in other comparable salaries. No adjustment has been made to statutory salaries, except to those of judges, since July, 1965. In the interim, senior Public Service salaries have received a $2 a week basic wage increase from July 11, 1966, a 2½ per cent marginal increase from February 6, 1967, a $1 a week wage increase from July 3, 1967, and increases resulting from a classification review from July 3, 1967, to remedy anomalies. Generally, these adjustments in sum vary from $800 for salaries that, during 1965-66, were in the $7,500 range to $1,400 for salaries that were then in the $10,800 to $11,600 ranges. On the highest salary the increase amounted in all to an increase of 11 per cent.

Except for two cases, the Bill provides for adjustment to salaries strictly in accordance with the foregoing pattern. The President of the Industrial Court at present receives a salary that is $300 per annum below that of the Auditor-General and Public Service Commissioner, and as his duties have recently been extended, it is thought that the salaries for each of these appointments should be the same.

The Agent-General is paid both a salary and an allowance. It would be reasonable to authorize in his case an increase of 12 per cent in his salary component to accord with the increase of comparable local salaries and about 4 per cent of his allowance component to cover increases in English prices since his appointment. This would produce a total increase of about £560 sterling. However, as other Agents-General receive a relatively higher proportion of their total entitlement as allowance and it seems undesirable that the relative proportion of our Agent-General's allowance should be reduced, this increase has been spread between salary and allowance to preserve the present relativity between those two components of his total remuneration.

Clause 1 of the Bill is merely formal. Clause 2 amends section 5 of the Agent-General Act, 1901-1953, by increasing the salary of the Agent-General from £4,080 sterling to £4,460 and the allowance from £1,920 to £2,100. Clause 3 amends section 6 of the Audit Act, 1921-1966, by increasing the salary of the Auditor-General from $11,600 to $13,000. Clause 4 amends section 13 of the Industrial Code, 1920-1966, by increasing the salary of the President of the Industrial Court from $11,300 to $13,000. Clause 5 amends section 8 of the Police Regulation Act, 1952-1966, by increasing the salary of the Commissioner of Police from $10,800 to $12,200. The uniform allowance is increased from $110 to $120 to bring it into line with the uniform allowance paid to all members of the Police Force. Clause 6 amends section 17 of the Public Service Act, 1936-1966, by increasing the salary of the Public Service Commissioner from $11,600 to $13,000. Clause 7 amends section 4 of the Public Service Arbitration Act, 1961-1964, by

increasing the salary of the Public Service Arbitrator from $10,200 to $11,400. Clause 8 provides that the amendments are to come into force as from July 1, 1967, and clause 9 deals with the payment of arrears and with appropriation.

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

REAL PROPERTY ACT AMENDMENT (STRATA TITLES) BILL

Second reading.

The Hon. S. C. BEVAN (Minister of Local Government): I move:

That this Bill be now read a second time.

The main purpose of this Bill, which amends the Real Property Act, is to authorize and facilitate the ownership of, and the issue of titles for, home units. The Bill, as drafted, however, is not restricted to home-unit ownership but makes it possible for the same principle to be applied to the ownership of any other type of building unit that is approved (by the local authority of the area within which the building is situated) "for separate occupation".

Since the end of the last war there has been throughout Australia (and most certainly to a large degree in South Australia) a growing demand for home units that are capable of being "owned" by the persons who occupy them. Up to the present time, however, in this State it is doubtful whether it has been possible effectively to acquire absolute and separate ownership of a home unit independently of the land on which it stands or of the building of which it forms a part without resorting to expensive and complicated documents of title.

Since this Government took office it has devoted a considerable amount of time to working out an inexpensive and practicable scheme whereby persons would be able, with security of title and without infringing the law, to own their own home units. Although the scheme is broadly based on the scheme applying in New South Wales, the Bill contains a number of departures from the law and practice of that State which the Government considers are improvements on the New South Wales scheme. For instance, to mention one example, the New South Wales scheme applies only to a multi-storey building divided into units in different strata. This Bill, however, makes it possible to own a unit in a single-storey building as well, if certain requirements are satisfied.

In South Australia there are a number of single-storey home-unit schemes in existence. These schemes to some extent defeat the purpose of a provision of the Planning and Development Act recently passed by this Parliament which prohibits the division of an allotment of land except in accordance with a plan of subdivision or plan of resubdivision. It will be remembered that home-unit schemes comprising three or more units designed for separate occupation and approved by the local authority were exempted from the application of that provision of the Planning and Development Act because it was thought that, otherwise, the building of home units would be inhibited and the building industry would be adversely affected. It is felt, however, that home-unit schemes in future, whether comprising multi-storey buildings or single-storey buildings, should be regulated, controlled and brought within certain standards that would be prescribed by or under this Bill when it becomes law or by or under the Building Act or the Planning and Development Act. These standards will not necessarily apply to existing home-unit schemes unless the owners seek to convert their titles to titles under this Bill. Under the present law, home units can be acquired and held in a variety of ways, the most common being:

(*a*) by means of a lease or under-lease usually for an extended term (99 or 999 years) at a nominal rental but upon payment of a sum equivalent to the current market value of a freehold title in respect of the unit in question;

(*b*) by means of ownership of shares in a company which carry the right to occupy the unit in question; and

(*c*) by means of a title to the land which is vested in the owners as tenants in common.

In each of these cases the occupiers would be obliged to enter into numerous covenants and agreements *inter se,* but they all have inherent defects and lending institutions do not regard these methods of home-unit "ownership" as adequate security and are reluctant to lend money on that type of security.

The circumstances I have already mentioned are some of the factors which have created a need and caused a public demand for this Bill. It must be borne in mind, however, that ownership of home units within a home-unit scheme must carry with it, as between the owners and occupiers of those units, mutual rights and obligations, and this Bill accordingly also sets out to provide a code to be observed by persons who enjoy the privileges of home-unit ownership. The Bill makes other amendments to the principal Act which I shall explain

as I deal specifically with the clauses of the Bill.

Clauses 1 to 3 are formal provisions and need no explanation. Clause 4 (*a*) amends the definition of "assurance fund" in section 3 of the principal Act. This amendment is consequential on the repeal of section 201 of the principal Act by clause 9 of the Bill. Clause 4 (*b*) makes an amendment to the same definition that is consequential on the adoption of decimal currency in the State. Clause 4 (*c*) extends the definition of "court" to include the Master or a Deputy Master of the Supreme Court when exercising jurisdiction under the principal Act as amended by this Bill.

Clause 5 widens the objects of the Act to include matters covered by this Bill. Clause 6 extends the application of section 73 of the principal Act to certificates of title for units and common property and the forms of those certificates as prescribed in the new Twenty-fourth Schedule to be enacted by clause 17 of the Bill. Clause 7 repeals section 90a of the principal Act which is now redundant as the substance of that section is now contained in subsection (4) of section 55 of the Planning and Development Act. Clause 8 amends section 101 of the principal Act which requires a map or plan of every subdivision of land to be deposited with the Registrar-General. Paragraph (*a*) of the clause is consequential on the adoption of decimal currency in the State, and paragraph (*b*) removes from the application of the section a division of land into units in accordance with a strata plan deposited in the Lands Titles Registration Office under Part XIXB, which is enacted by clause 11.

Clause 9 repeals sections 201 and 202 of the principal Act. These sections deal with contributions to the assurance fund but, as these contributions have been discontinued, these sections are now obsolete. Clause 10 makes an amendment to section 220 of the principal Act that is consequential on the changeover to decimal currency.

Clause 11 enacts the new Part XIXB which deals with titles to building units designed for separate occupation. Under this Part it will be possible to issue separate titles for units as defined in new section 223m in accordance with a strata plan. Certain parts of the land and buildings comprised in a strata plan will be common property which will be vested in a corporation that will hold the common property as trustee for the registered proprietors of the units as tenants in common in shares proportional to a formula based on the relevant values of their respective units. The control and administration of the common property will be vested in the corporation which becomes formed automatically on the deposit of the strata plan in the Lands Titles Registration Office by the Registrar-General and to which the ordinary provisions of the Companies Act will not apply. The registered proprietors of the units for the time being and from time to time are the only members of the corporation. Rights and obligations of the registered proprietors of the units are regulated by certain provisions of this Part and by articles of the corporation which could be made, rescinded and varied by special resolution, but, on the formation of the corporation, the articles contained in the Twenty-sixth Schedule as enacted by clause 17 of this Bill will become the first articles of the corporation.

The new Part consists of new sections 223m to 223nr. New section 223m contains the definitions and explanatory matter for the purposes of the new Part. The definitions to which I should like to draw the special attention of honourable members are the definitions of "committee", "common property", "corporation", "deposited strata plan", "parcel", "site", "special resolution", "strata plan", "unanimous resolution", "unit", "unit entitlement", and "unit subsidiary". Under this new Part it will be possible to obtain a title to a unit approved for separate occupation within a building unit scheme consisting of two or more such units and laid out in a strata plan. The main principle underlying this legislation is that, while parts of the land and improvements thereon are held in common, the space contained within the walls, floors and ceilings of each unit is separately owned by the registered proprietor of that unit.

New section 223ma contains the general provision that land may be divided into units in accordance with a strata plan. The land, however, must be wholly comprised in one or more certificates of title issued under the Real Property Act. In other words, the land must first be, or be brought, under the provisions of the Real Property Act. New section 223mb sets out the characteristics of a strata plan. Two of the most important requirements of a strata plan are contained in paragraph (*g*) of subsection (2) of this section. This paragraph requires the plan to have endorsed thereon or attached thereto a surveyor's certificate that the plan is accurate and the written consent to the deposit of the plan in the Lands Titles Registration Office of every

person whose registered estate or interest in the parcel of land would be affected by the plan being so deposited. Subsection (3) of this section has been inserted with the object of enabling the legislation to apply to single-storey units without defeating the purposes of the Planning and Development Act. The subsection enables regulations to be made prescribing, for instance, a maximum area of garden (or unbuilt on) space to be held as a unit subsidiary that is appurtenant to a unit and a minimum area of such space to be held as common property.

The maximum and minimum areas would probably be prescribed as a proportion of the area occupied by the unit in question or a proportion of the area of the parcel. Without this safeguard it would be possible for any landowner who cannot get his land subdivided under a plan of subdivision or plan of resubdivision to resort to a physical division of his land into home units to which sections 44 and 59 of the Planning and Development Act at present would not apply. If proper controls were not imposed on home-unit schemes, it would be possible for unscrupulous home-unit promoters to take advantage of this situation to create a type of home unit which could well become a slum of the future. The Government accordingly intends to amend that Act to exempt from the application of those sections only existing home-unit schemes and future schemes which conform to standards to be prescribed under this Bill.

New section 223mc sets out the manner of applying for the deposit of a strata plan. Subsections (1) and (2) relate to strata plans for new building unit schemes, and subsections (3), (4) and (5) to strata plans for existing building unit schemes. In both cases the land must have been laid out in a building unit scheme consisting of two or more units designed for separate occupation and approved by the local council under the Building Act on or after January 1, 1940. This date is designed to prevent the conversion of the older, dilapidated tenements which are quite unsuited to this type of occupation and title. The conversion of a new building unit scheme requires an application by the registered proprietor or registered proprietors of the parcel in whose names the certificates of title to all the units will be issued. The conversion of an existing building unit scheme, however, requires application by all the persons who have any registered estates or interests in the land and by those who may be regarded as the "owners" of the existing units, and the certificates of title to the units will be issued in the names of those "owners" of existing units who would be named in the application as entitled to be the registered proprietors of the units. The different procedures to be followed in the case of the new and existing schemes are necessary in order to protect the persons who have estates and interests in the parcel or in any existing unit.

New section 223md provides the procedures whereby an applicant can obtain the necessary certificates of approval from the council and the Director of Planning. The section also sets out the grounds upon which a council or the Director may refuse the certificate. Subsection (6) contains a power to make regulations providing that, in relation to new schemes, the granting by the Director of an application referred to in subsection (2) of that section shall be subject to the payment of a sum not exceeding $100 (if the parcel is within the metropolitan planning area) or $40 (if outside that area) for each unit defined on the strata plan, such money to be used by the State Planning Authority for the acquisition and development of reserves. This provision is consistent with section 52 (1) (*c*) (ii) of the Planning and Development Act.

New section 223me gives an applicant a right of appeal to the Planning Appeal Board under the Planning and Development Act against the refusal of a certificate by the council or the Director or the granting of a certificate subject to conditions.

New section 223mf requires a strata plan to have a schedule of unit entitlements of the units. The purpose of this schedule (which must be approved by the Commissioner of Land Tax or by an approved valuing authority) is to provide a method of assessing the respective values of the units, not in terms of money but as proportions of an amount representing the value for the time being, and from time ot time, of the parcel and the improvements thereon. The unit entitlement of each unit can also provide a basis of liability of the owner for his contributions towards general upkeep of the common property as well as a basis for determining the respective undivided shares of the registered proprietors in the equitable estate in the common property.

New section 223mg provides for provisional registration by the Registrar of Companies of the corporation that will be formed of the registered proprietors of the units defined on the strata plan. The main reasons for the registration of the corporation by the Registrar

of Companies are to provide a ready means for records to be examined and to ensure that suitable names are given to corporations and whether floating charges are registered against companies. His office is also the appropriate repository for records relating to corporations. There would be no additional formalities and the fee is limited to $1. New section 223mh provides for the deposit by the Registrar-General of the strata plan in the Lands Titles Registration Office. New section 223n deals with the registers and records that will be kept by the Registrar of Companies for the purposes of the new Part.

New section 223na provides for the issue of certificates of title for each unit and the common property on the deposit of the plan. The section also provides for the necessary clearing of titles and the substitution of registered estates and interests for those that have to be extinguished. Subsection (9) of the new section empowers the Registrar of Companies, if he is satisfied that the purpose for which a company has been formed under an existing scheme no longer exists and that it has no assets or liabilities, to dissolve the company, and subsection (10) of the new section contains a provision that empowers the court, if it is satisfied that the purpose for which such a company had been formed no longer exists but that it has assets or liabilities, to dissolve the company and direct the Registrar of Companies to strike its name off his register and, at the same time, to give such directions as it considers just for the disposal of its remaining assets, if any, or to render its former members personally liable for its outstanding liabilities. New section 223nb prohibits any dealing with a unit subsidiary except where the dealing is part of a dealing with the unit to which it is appurtenant.

New section 223nc incorporates the registered proprietor or registered proprietors for the time being of the units defined on the plan. The section also sets out the powers and duties of the corporation as well as corresponding rights and obligations of the members of the corporation. This is one of the most important sections in this Part. This section, together with new section 223nk, also deals with the rights and obligations of the corporation and of registered proprietors of units in relation to insurance of the improvements on the parcel and of their units. The ability to effect adequate insurance against destruction of a unit or of the entire building comprising all the units is essential to the practicability of raising money on the security of a unit. These insurance provisions have accordingly been carefully considered by the Parliamentary Draftsman and by the legal advisers of the Fire and Accident Underwriters Association before being included in this Bill. Under subsection (15) of new section 223nc the liabilities of a corporation lawfully incurred are guaranteed by the members in accordance with the unit entitlements of their units.

New section 223nd deals with certain restricted powers of the corporation that may be exercised on the authority of a unanimous resolution. One such power is the power to grant to a member or any person who has derived an interest in a unit through a member any special privilege (other than a lease) in respect of a part or parts of the common property. Such a grant is determinable by notice in writing given by the corporation pursuant to a special resolution. Thus, it would be open to a promoter, who is unable to obtain the approval of the council to a part of a building as a unit for separate occupation, either to make that part of the building a unit subsidiary that is appurtenant to a unit or to make it common property with the object of dealing with it under this section. Subsections (3) and (4) of this section prevent the corporation from effectively carrying on any business for profit. This is an important safeguard as the corporation is not subject to the Companies Act.

New section 223ne provides for the formation and the duties and functions of the committee of a corporation. New section 223nf deals with the holding of, and procedure governing, general meetings of the corporation. New section 223ng deals with the powers of voting and the exercise of the voting powers. Subsections (11) and (12) of the section make provision for absentee voting.

New section 223nh deals with the common property. It provides that the common property shall be held by the corporation in fee simple in trust for the registered proprietors of the units as tenants in common in shares proportional to the unit entitlements from time to time of their respective units. The section also deals with the acquisition of further common property and prohibits a registered proprietor from dealing with his share of the equitable estate in the common property except where the dealing has effect as part of a dealing with the unit of the registered proprietor. The section also deals with the transfers of parts of the common property.

New section 223ni empowers a corporation, if authorized by unanimous resolution, to grant easements over the common property or acquire or accept easements for the benefit of the parcel. The section also confers and imposes on owners of units and of common property rights and obligations *inter se* which are essential for the protection of the owners of and dwellers in units within a scheme for community living such as is made possible under this Bill.

New section 223nj deals with the constitution of a corporation as contained in its articles, the extent to which persons are bound by, or bound to comply with, the articles of a corporation and how articles are made, rescinded and varied and how they can be enforced or their breach restrained. This is an important section which governs the mutual rights and duties of persons using units or common property.

New section 223nk deals with insurance of buildings and other improvements on a parcel. I have already briefly referred to this section in my explanation of new section 223nc. Briefly, this section makes it possible both for a corporation to effect insurance of the buildings and other improvements on the parcel to their replacement value and for the proprietor of a unit to insure his unit in a sum not exceeding the amount (if any) secured by mortgage on the unit.

The latter insurance is designed in effect to protect the mortgagee from destruction or loss of his security and the section accordingly provides that payment under such a policy is to be made to the mortgagee, but does not entitle the mortgagor to a discharge or partial discharge of the mortgage. On payment by the insurer to the mortgagee, however, the insurer is entitled, depending on whether the amount was sufficient or not to discharge the mortgage, either to obtain a transfer of the mortgage from the mortgagee or to obtain from the mortgagee a transfer of a proportionate share of his estate and interest in the mortgage. In other words the insurer becomes the mortgagee or a co-mortgagee with the mortgagee.

New section 223nl provides for the cancellation of a deposited strata plan. This can be done on the application of all the registered proprietors of the units or on the application of any person who has obtained an order of court declaring that it is just and equitable that the plan should be cancelled. Notice of intention to apply for the cancellation of the plan is also required to be published in the *Gazette* as well as in a daily newspaper circulating generally throughout the State or in a newspaper generally circulating in the area in which the parcel lies.

Upon the cancellation of a deposited strata plan, the parcel vests in fee simple in the registered proprietors of the units as tenants in common in undivided shares proportional to the unit entitlements of their respective units and the corporation consisting of those proprietors, by force of subsection (6) of the section, becomes dissolved. The section also gives the court power, when any building on a parcel is damaged or destroyed, to settle a scheme for reinstating the whole or a part of the building or for adjusting rights as between persons who may be affected by the damage or destruction or by the scheme. The section also provides that, upon the dissolution of the corporation, the persons who immediately prior to the dissolution were the members thereof shall, unless the court otherwise orders, become jointly and severally liable for the corporation's liabilities.

New section 223nm makes provision whereby the court may for good cause appoint a person to be the administrator of a corporation. The administrator will have all the powers, functions, duties and obligations of the corporation and would act in a role similar to that of the liquidator or receiver of a company. New section 223nn, which is based on a similar provision in the Planning and Development Act, vests in the relevant council without compensation all roads, streets and reserves shown on a deposited strata plan. This policy is consistent with the policy previously expressed in the Town Planning Act which was repealed by the Planning and Development Act.

New section 223no lays down a procedure for serving documents on a corporation. New section 223np deals with breaches of provisions of the new Part on the part of a corporation or the committee of a corporation. The section prescribes a general penalty of $50 where no other penalty is prescribed for an offence. Subsection (2) of the section gives a member of a committee or of a corporation a defence to a charge under the new Part if he satisfies the court before which he is charged that he took all reasonable steps to ensure that the offence was not committed or that it was committed accidentally or through inadvertence.

Subsection (3) requires the consent in writing of the Attorney-General before proceedings for any offence under the Part can be commenced. Subsection (4) of the section gives a person for whose benefit or for the

benefit of whose unit a requirement is imposed on a corporation by this Bill, a right to apply for a court order compelling the corporation to carry out that requirement.

New section 223nq gives persons entitled under any law to enter upon land power to enter any unit or part of the common property comprised in a deposited strata plan. New section 223nr contains the necessary regulation-making power for the purposes of the new Part.

Clauses 12 to 16 of the Bill make amendments to various sections of the principal Act that are consequential on the change-over to decimal currency. Clause 17 enacts three new schedules to the principal Act, namely, the Twenty-fourth Schedule, the Twenty-fifth Schedule and the Twenty-sixth Schedule. The Twenty-fourth Schedule prescribes the respective forms of certificate of title for a unit defined on a strata plan and for common property comprised in a strata plan. This schedule is complementary to section 73 of the principal Act as amended by clause 6 of this Bill.

The Twenty-fifth Schedule contains the form of the schedule of unit entitlement to be attached to and form part of a strata plan. This schedule is complementary to new section 223mf which is enacted by clause 11 of the Bill. The Twenty-sixth Schedule, which sets out the first articles of a corporation, is complementary to new section 223nj, which is also enacted by clause 11 of the Bill.

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

ADJOURNMENT

At 5.22 p.m. the Council adjourned until Tuesday, August 29, at 2.15 p.m.