

LEGISLATIVE COUNCIL

Tuesday, September 16, 1969.

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

QUESTIONS

ABORTION LEGISLATION

The Hon. R. A. GEDDES: Has the Minister of Local Government obtained from the Attorney-General a reply to my recent question about his plans for introducing legislation dealing with abortion?

The Hon. C. M. HILL: My colleague reports that the Government proposes to revise the Bill that was introduced into the House of Assembly last session. It is expected that this will be done soon after the Budget debate is completed.

GIFT DUTY

The Hon. Sir NORMAN JUDE: I ask leave to make a short statement prior to asking a question of the Chief Secretary, representing the Treasurer.

Leave granted.

The Hon. Sir NORMAN JUDE: About eight months have elapsed since the Gift Duty Bill was assented to. Our leading lawyers and accountants have expressed grave concern about the interpretations to be placed on portions of it, and they admit that they are at a loss how to advise their clients. This is an incongruous position. I understand that certain submissions have been made to the Treasurer for clarification and amendment. In view of the serious nature of the delay in handling people's estates, coupled with the anxieties and fears of hundreds of property owners, will the Government inform honourable members when they can expect a statement from the Treasurer or an amending Bill?

The Hon. R. C. DeGARIS: I think the easiest way to answer the question is to say that an amending Bill will be introduced this session.

CHEMICALS

The Hon. V. G. SPRINGETT: In view of the trouble that occurs nowadays in connection with pesticides, weedicides and fertilizers that contain hormones and other chemicals and in view of the great concern being expressed generally, can the Minister of Agriculture say how adequate are our knowledge and control of these substances in this State? As the hormones being used seem to have a disastrous

effect on tomato crops in certain parts of the State, is the present legislation controlling these and similar substances adequate to protect the community? Is the legislation adequate to protect the community from pollution of the air, the land and the sea and from the consequent ill effects upon people?

The Hon. C. R. STORY: I should like to consider the three parts of the honourable member's question before I reply.

GRAIN

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to my recent question about the coming cereal harvest, especially in the light of the alarming report given in an Australian Broadcasting Commission news bulletin this morning? It was stated it was expected that New South Wales would have a surplus of more than 100,000,000 bushels of wheat in the coming harvest.

The Hon. C. R. STORY: The honourable member asked me previously whether I could give him some details, division by division, of the situation in this State. I cannot do that at present because the department compiles these figures and issues its final estimate for the year at the end of October. However, I can tell him that the outlook for the coming season is excellent in all districts, the growth and the development of the crops indicating that the harvest will be at least as good as the record year 1968-69. Yesterday I attended a specially convened meeting of the Agricultural Council in Sydney to deal with the Wheatgrowers Federation's request to the Commonwealth Government that legislation should be passed to allow the Wheat Board to negotiate prices at less than \$1.71 a bushel, which is the home consumption price, for stock feed and for commercial use. At that meeting the various Ministers reported on the situation in each State.

The situation in Queensland, which is experiencing a severe drought, is fairly grim. It seems that Queensland's harvest will be seriously affected. That State, which has a quota of about 31,000,000 bushels, estimates that the harvest there may reach 20,000,000 bushels. New South Wales is confident that it will have a wheat harvest of between 120,000,000 bushels and 130,000,000 bushels. Victoria will certainly be well and truly over its quota of 65,000,000 bushels, although I cannot say by just how much. South Australia's quota is 45,000,000 bushels, and if things continue as they are at the present time we will certainly have a harvest exceeding 65,000,000 bushels.

With our carryover of 40,000,000 bushels, we will have about 110,000,000 bushels at the end of this harvest intake. Western Australia, which has a quota of 85,000,000 bushels, will have a harvest of between 55,000,000 bushels and 60,000,000 bushels, depending on the rains from now until harvest time. That State will be able to take into the silos all of its wheat quota. Therefore, with the exception of Western Australia, a tremendous amount of the wheat in Australia will not be able to be put into silos.

The conclusion of the meeting in Sydney was that all States, with the exception of Victoria, agreed to the Wheatgrowers Federation's request to the Commonwealth Government that the Wheat Board should be allowed to negotiate prices for feed wheat, particularly for the drought-stricken areas, at somewhere between 141.3c a bushel, which is the minimum price, and \$1.71, which is the fixed price for home consumption wheat, and that the board should also be allowed to negotiate with starch makers a price for some 6,000,000 bushels of wheat a year and so make it possible for them to continue to use wheat rather than to go to some other cereal that is not controlled by the board.

I do not know whether this is an absolute cure to black market dealings, but it will at least give the board a chance to negotiate with the millers of Australia and with the providers some lesser price in order to reduce black market trading.

AGRICULTURE DEPARTMENT

The Hon. M. B. DAWKINS: Has the Minister of Agriculture a reply to the question I asked on August 26 regarding the replacement of the present headquarters of the Department of Agriculture?

The Hon. C. R. STORY: Consultant architects have been engaged by this department to prepare sketch plans and estimates so that the project can be submitted to Cabinet for reference to the Public Works Standing Committee. It is expected that revised sketch plans and estimates will be available for submission to Cabinet by early October. Assuming favourable recommendation by the Public Works Standing Committee, preparation of full contract documents is expected to take 16 weeks from that time.

BILLBOARDS

The Hon. A. F. KNEEBONE: Has the Minister of Roads and Transport a reply to the question I asked recently regarding the removal of billboards and the effect that such

a decision will have on the revenue obtained therefrom?

The Hon. C. M. HILL: The total revenue received by the Railways Department from advertising during the last financial year amounted to \$43,450. Annual revenue from advertisements with road visibility was about \$14,000, the majority of this being derived from signs within the metropolitan area or within 35 miles an hour speed zones.

The signs to be removed as contracts expire are those outside the 35 miles an hour speed zones. The revenue from these signs is about \$2,000 a year. I believe the revenue lost by the railways could be offset by more active promotion of advertising signs in more suitable locations. It is widely accepted by planning authorities that outdoor advertising should be kept out of rural and residential areas. The Government believes that modern town planning practice should be implemented wherever possible.

BATTERED CHILDREN

The Hon. V. G. SPRINGETT: Has the Chief Secretary a reply to the question I asked last month regarding the battered children syndrome?

The Hon. R. C. DeGARIS: It is felt that the psychiatric facilities for the treatment of obviously distressed and ill parents concerned with the so-called battered children syndrome are adequate and they are readily available on demand. The children of parents concerned are almost always referred by the Adelaide Children's Hospital rather than through the Social Welfare Department or the Women Police. The Department of Child Health at the Adelaide Children's Hospital has readily admitted the children during periods of risk while the parents are being treated. In these cases the services of a mental health visitor are available on a 7-day week, 24-hour basis for the parents.

The Mental Health Services has treated several cases of this nature and it is felt that the lack of punitive treatment has produced considerable success in the cases which have been treated.

TRAFFIC ACCIDENTS

The Hon. L. R. HART: Has the Chief Secretary a reply to the question I asked recently regarding negligence and liability without fault following traffic accidents?

The Hon. R. C. DeGARIS: The problem of long delays occurring in payments to hospitals for vehicular accident cases has caused considerable difficulty for a long time. The matter of

liability without fault is dealt with in the report of the New Zealand Royal Commission of Inquiry into compensation, and this report is currently being studied by the Government here. The difficulties associated with such a scheme are apparently very great, and almost certainly involve consideration between State and Commonwealth Governments. There must be a considerable lapse of time before a decision can be given as to legislation along the lines suggested.

BUSH FIRES ACT

The Hon. Sir NORMAN JUDE: Can the Minister of Agriculture say whether it is the Government's intention to introduce an amending Bill to the Bush Fires Act this session and, if it is not, will the Government, in the interests of the very large number of interested laymen such as fire controllers, order the 1967 principal Act to be consolidated with the amendments that have been made?

The Hon. C. R. STORY: I have referred to the Bush Fires Advisory Committee certain amendments that have been suggested by local government and Emergency Fire Services personnel. I know they are working on them and I hope they will be able to refer them back very soon. I think it will be necessary to incorporate in the Bush Fires Act at least three of the amendments brought forward, in which case I would seek approval for them to be introduced into Parliament. Secondly, I am keen to see the Act consolidated, because I know it is difficult at the moment for people when fighting a bush fire to have to look at so many Acts and amendments. I know what the honourable member means and appreciate his interest in the matter. We would certainly like to have the Act consolidated, and I think these amendments are sufficiently important to warrant an amendment of the Act this year.

YORKE PENINSULA WATER SUPPLY

The Hon. M. B. DAWKINS: Has the Minister of Agriculture an answer to my question of August 20 about the Yorke Peninsula water supply?

The Hon. C. R. STORY: My colleague the Minister of Works has advised me that the Carribe Basin has not yet been adequately assessed. The pluviometer survey necessary to evaluate recharge of the aquifer has not been started because the equipment has not been available from the Commonwealth Bureau of Meteorology. Geological studies so far made indicate that a maximum draw-off rate may be of the order of 1,000,000 gallons a day and the

annual safe yield could be in the vicinity of 150,000,000 gallons. However, because of the low piezometric height of the ground water, ingress of sea water is a very real danger if the aquifer is overpumped. Thus, there seems to be little hope of developing a widespread scheme from this source, but it may be economically possible to gain some degree of augmentation. During the coming summer, now that appropriate metering will be available, it is proposed to carry out an overall study of distribution and storage on Yorke Peninsula. Consumption south of the Clinton pumping station in the past has reached almost 600,000,000 gallons per annum and, if this figure is approached or exceeded this year, some valuable information will be obtained.

TOURIST FACILITIES

The Hon. V. G. SPRINGETT: Has the Minister representing the Minister of Tourism a reply to my question of August 27 about tourist facilities on main roads?

The Hon. C. R. STORY: The Tourist Department has no plans to construct toilets and barbecues along some of the main South Australian roads. Apart from the normal problems of cost and capacity, the difficulty of adequate maintenance and protection against vandalism would be serious deterrent factors in so far as the Tourist Department is concerned. The Government operates a subsidy scheme under which financial assistance is given to local governing authorities for the provision of better tourist facilities. Under this scheme a small amount of assistance has been given for facilities on main roads. Most of the councils prefer to provide toilet facilities in the township itself.

ABORIGINES

The Hon. A. F. KNEEBONE: Has the Minister of Local Government, representing the Minister of Aboriginal Affairs, a reply to a question I asked on September 2 about the report of the Select Committee on the welfare of Aboriginal children and what action this Government proposed to take about the committee's recommendations?

The Hon. C. M. HILL: I am informed by the Minister of Aboriginal Affairs that the committee's recommendations are receiving careful consideration.

NAILSWORTH PRIMARY SCHOOL

The Hon. D. H. L. BANFIELD: Has the Minister of Local Government representing the Minister of Education a reply to my recent question regarding the inadequate playing

space and cover available to children attending Nailsworth Primary School?

The Hon. C. M. HILL: It is true that Nailsworth Primary School occupies a most restricted site together with the Nailsworth Girls Technical High School. It is surrounded by housing and only the purchase and demolition of solid construction houses can increase its area. This is a most costly business, and of course would involve the transfer of the residents against their wishes.

However, investigations are proceeding into the practicability of reorganizing the Nailsworth Boys Technical High School as a coeducational school. If this proves feasible, the Girls Technical High School will be closed and the girls will be enrolled at a new coeducational Nailsworth Technical High School on the site of the present boys' school. It will be appreciated that such a transformation will require extensive rebuilding, and the change if decided upon is not likely to be effective for at least three or four years.

AUDITOR-GENERAL'S REPORT

The PRESIDENT laid on the table the Auditor-General's Report for the financial year ended June 30, 1969.

ELIZABETH TECHNICAL COLLEGE

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Elizabeth Technical College.

LICENSING ACT AMENDMENT BILL

Second reading.

The Hon. C. M. HILL (Minister of Local Government): I move:

That this Bill be now read a second time.

It makes a number of amendments to the Licensing Act, 1967, designed both to repair anomalies in the Act and to make a number of substantive alterations and additions to its provisions. The amendments are of a widely divergent character and I shall deal with them as they arise under the Bill. Clause 1 is formal.

Clause 2 makes two amendments to section 6 of the principal Act. The first of these empowers the judge of the court to make rules of court prescribing and providing for the payment of fees for copies of evidence, judgments, and other documents supplied by the court. The second amendment provides that, if the members of the Full Bench of the court are divided in opinion as to the decision

to be given on any question before them, the question shall be decided according to the opinion of the majority. This latter amendment is necessary because of a decision of the Full Court of the Supreme Court that judgments given by the Licensing Court must, in the absence of any statutory provision to the contrary, be unanimous.

Clause 3 amends section 13 of the principal Act. This section of the Act deals with the exceptions to the application of the Act. The amendment inserts a new subsection (6) which exempts from the provisions of the Act wine sold or supplied for the purpose of sacramental or other like observances in the course of religious services.

Clause 4 amends section 15 of the principal Act. This provision deals with the proposal to establish premises in the Windy Point National Pleasure Resort from which liquor and other refreshments may be supplied to the public. In its amended form the clause will provide that a full publican's licence, a limited publican's licence or a restaurant licence may be granted to the proprietor or the lessee of premises situated upon the resort at Windy Point or, with the approval of the Minister of Lands, to the proprietor or lessee of any premises situated upon lands that constitute a national pleasure resort or a national park. The present procedure existing under this section, whereby the Governor has to declare by proclamation under the Licensing Act that certain lands constitute a national pleasure resort or a national park before a licence is granted in respect of premises upon those lands, is simplified by substituting for the proclamation the requirement that the Minister of Lands is to approve the grant of the licence.

A new subsection (2) is also inserted empowering the Minister of Lands to declare by notice published in the *Gazette* that the holder of a licence granted under this section shall be exempt from the provisions of section 168 of the Act. This is the section that imposes an obligation upon the holder of a licence to supply food and lodging. The plans for Windy Point do not include provision for lodging and, consequently, if a full publican's licence is to be granted in respect of those premises, the holder of the licence will have to be exempted from the provisions of section 168.

Clause 5 inserts a new section 17a in the principal Act. This new section provides that a limited publican's licence may be granted to the Workers Educational Association in respect of the residential college known as "Graham's

Castle" under the control of the association and situated at Goolwa. This college is used for the purpose of tuition in a wide variety of subjects and the association feels that it will be able to carry out its educative functions in a more satisfactory and attractive manner if a licence can be granted in respect of the college premises. Subsection (2) of the new section provides that it shall be a condition of the licence that liquor shall not be sold or supplied pursuant thereto except to persons in residence at the college.

Clause 6 amends section 18 of the principal Act. A new subsection (2a) is inserted empowering the court to grant a licence once in every year to the Wine and Brandy Producers Association of South Australia authorizing it to sell and supply wine and brandy to the public at the Royal Show. The association has in the past, before the enactment of the Licensing Act, 1967, exercised this privilege and the amendment restores the position to that formerly existing.

Clause 7 amends section 19 of the principal Act. The purpose of this amendment is to enable a person who has bought liquor during the hours within which liquor may be sold pursuant to a full publican's licence, to carry liquor away from the licensed premises within 30 minutes of the termination of the licensed period. It is at present possible for a person to consume liquor during this grace period, and it is somewhat anomalous that a person cannot also carry liquor away during that period. This amendment therefore remedies this anomaly.

Clause 8 amends section 21 of the principal Act. A recent decision of the Supreme Court has held that the only criterion by which the character of business as wholesale or retail is to be determined is the quantity of liquor that is the subject of the sale. It was the intention of Parliament in enacting section 21 that a wholesale storekeeper's licence should not be granted except to a person whose business consisted substantially of sales to liquor merchants. Indeed, in the original Bill as introduced into the House of Assembly, clause 21 provided that a wholesale storekeeper's licence should authorize sales only to persons authorized to resell the liquor.

This provision was amended because a number of wholesalers carried on a retail business that was subsidiary and ancillary to the wholesale trade that constituted the major part of their business. The amendment to section 21 provides certain restrictions on the amount of retail trade conducted in pursuance

of the licence and thus clarifies the original intention of Parliament.

Clause 9 amends section 26 of the principal Act, which deals with vigneron's licences. The section is amended by providing that, if the vigneron uses not less than 1,000 tons of grapes in the course of his business, then he may sell and dispose of brandy in pursuance of the licence. This new subsection thus obviates the necessity for vigneron's who carry on an extensive business and who manufacture brandy in the course of that business to seek a further licence in order to dispose of the brandy produced by them. The vigneron is also permitted to deliver liquor to licensed retailers.

Clause 10 repeals and re-enacts section 29 of the principal Act. There are two significant variations in the section as re-enacted. Firstly, the licence is not to be granted in respect of specified premises. This amendment is made because holders of this kind of licence who previously conducted business pursuant to the proviso to section 161 of the old Licensing Act carry out sales and delivery from bulk tankers. It is thus inappropriate to require that liquor shall be sold and disposed of on specified premises. The amendment thus restores the rights existing under a five-gallon licence to those previously existing under the proviso to section 161 of the old Licensing Act.

Secondly, the amendment provides that the holder of a five-gallon licence may sell and dispose of liquor to a person who is not licensed under the Act if that person purchases or acquires the liquor for the purpose of sale or disposal to persons outside the State, and sells and disposes of it accordingly. Problems have arisen with respect to sales to interstate merchants who, in strict conformity with the Act, would have to be licensed under our Licensing Act before liquor could be sold to them pursuant to a five-gallon licence. The amendment therefore rectifies this situation.

Clause 11 amends section 31 of the principal Act. This amendment enables the court to grant a restaurant licence subject to conditions and, in particular, conditions limiting the types and kinds of liquor that may be sold and disposed of pursuant to the licence, and limiting the hours during which liquor may be sold and disposed of pursuant to the licence. Many persons holding permits originally granted under section 197a of the old Licensing Act and temporarily continued in force under the new Act have expressed concern because they have felt

unable to provide the facilities necessary for a full restaurant licence, and in any case desire only to sell wines in the course of their business.

The amendments thus provide for a restaurant licence limited by conditions which will cast a less onerous burden upon the holder of the licence and will thus enable many restaurateurs to carry on their present business. The court is also empowered to limit the hours during which liquor may be disposed of pursuant to the licence. At present a restaurateur is subject to a statutory duty under section 168 of the Act to provide meals for those who may resort to his restaurant. This provision has proved impracticable because, in fact, the trade that some restaurants are able to perform during some periods is so slight that the restaurateur is not justified, either by his financial returns or by the negligible public needs that he may possibly satisfy, in keeping his premises open during these periods.

Clause 12 amends section 33 of the principal Act dealing with theatre licences. The period during which liquor may be supplied pursuant to such a licence is altered from a period commencing at 7 o'clock in the evening and ending at 11 o'clock in the evening to a period commencing at half-past 7 o'clock in the evening and ending at half-past 11 o'clock in the evening. This period conforms more closely to the needs of theatre business. The requirement that all the persons whose words and actions constitute this performance must be physically present in the theatre is altered to a requirement that most of such performers must be so present.

Clause 13 is a consequential amendment to section 41 of the principal Act which deals with applications for licences. This amendment is consequential upon the fact that 5-gallon licences are no longer to be granted in respect of specified premises.

Clause 14 amends section 48 of the principal Act. When the Act was passed in 1967, by error certain words which had been inserted in the Act by the Legislative Council and disagreed to by the House of Assembly remained in the Act. This amendment removes these words, thus restoring the text of the Act to the text that was passed by Parliament.

Clause 15 inserts new section 48a in the principal Act. This new section provides that, where the holder of a licence applies for a variation of the conditions of his licence that could significantly affect the nature or extent of the business carried on in pursuance of the licence, the court may order notice of the

application to be given in such manner as may be prescribed by the Rules of Court. Sub-clause (2) establishes a right of objection to the application. Clauses 16 and 17 amend sections 51 and 52 of the principal Act respectively. The amendments bring these sections into conformity with section 55, as amended by the Bill.

Clause 18 amends section 55 of the principal Act. This section was transposed uncritically from the old Licensing Act. It is inappropriate in the context of the new Act and, indeed, the time limits that it prescribes for the performance of certain actions have proved impossible to comply with. The section deals with the transmission of licences, and the amendment removes the requirement that a person entering upon the licensed premises upon the occurrence of certain events set out in the section should obtain a certificate from the court. The amendment generally simplifies the procedure under the section.

Clause 19 makes a consequential amendment to section 56 of the principal Act. Clause 20 amends section 57 of the principal Act by removing from the Act words which, again, were not duly passed by Parliament. Clause 21 makes an amendment to section 58 of the principal Act. The amendment is merely consequential upon the amendment to section 55. Clause 22 amends section 65 of the principal Act by enabling the court to grant booth certificates under that section subject to such terms and conditions as the court thinks fit.

Clause 23 amends section 66 of the principal Act. The amendment inserts two new subsections. The first of these provides that, where an entertainment is to be held by a *bona fide* club, association, society or public body formed for certain purposes set out in the section, the court may grant a permit for the supply and consumption of liquor at the entertainment. Liquor may be supplied in pursuance of the permit but only if no charge is made for it or if the cost of the liquor is included in the cost of admission to the entertainment and no further charge is made for the liquor. New subsection (2b) is to some extent consequential upon the insertion of new section 66a by the following clause of the Bill, and this new subsection is considered in the context of that new section.

Clause 24 enacts new section 66a in the principal Act. This new section enables the proprietor of a reception house in which wedding receptions and other like social gatherings are conducted to apply for a permit

permitting him to keep, sell and supply liquor upon the premises. At present these reception houses are in difficulties because the proprietors have no liquor trading rights and are not able to keep liquor upon the premises of the reception house. This new section enables the proprietor of a reception house to obtain a supply of liquor and to sell the liquor to the holder of a permit under section 66.

Section 66, as previously mentioned, has been amended to enable the holder of a permit under that section to supply the liquor to his guests provided that no charge is made for the liquor or the cost of the liquor is included in the cost of admission to the entertainment. This amendment, in conjunction with new section 66a, will enable the proprietor of the reception house to exercise limited trading rights which are necessary for the sake of expediency and convenience and for liquor to be supplied subject to certain limitations in pursuance of the permit under section 66.

Clause 25 amends section 67 of the principal Act. This amendment establishes a right of objection to a club permit under the Act. Clause 26 inserts new section 67a in the Act. This new section enables certain clubs to apply for and be granted a permit permitting members of the club to keep liquor upon the club premises and to consume the liquor on such portion of the club premises as is specified by the court. Several clubs do not want trading rights in pursuance of the permit but merely want a right for their members to keep liquor upon the club premises and to supply it to their guests.

Clause 27 amends section 72 of the principal Act by enabling the court to grant a licensed auctioneer a permit to sell and dispose of liquor for such purposes, or in such circumstances, as justify, in the opinion of the court, the grant of a permit. Clause 28 amends section 73 of the principal Act by inserting a new subsection that creates an offence if an applicant for a permit or a certificate makes a false statement in the course of his application for that permit or certificate.

Clause 29 amends section 82 of the principal Act. Some doubt has been expressed about whether a society registered under the Industrial and Provident Societies Act, 1923-1966, is competent to hold a licence under the Act. The amendment inserts a new subsection that removes these doubts by providing that such a society shall, for the purposes of the Act, be deemed to be and at all times to have been a company incorporated under the laws of the State.

Clause 30 inserts a new section 86a in the principal Act. This new section establishes a right for the holder of a licence, with the approval of the court, to surrender his licence.

Clause 31 amends section 88 of the principal Act, which deals with the rules of a club licensed under the Act. Some clubs are managed by a committee that is not elected by the general body of members but is nevertheless elected in a perfectly regular and proper manner. This amendment enables the court to grant a licence to a club managed by a committee that is elected in a manner of which the court approves. Under section 42 of the Act, the court may give an intimation to a person who has not yet erected the intended licensed premises of whether it will grant a licence in respect of the premises, when erected. The court has been prevented from exercising this power in relation to a club by the form of section 88. The amendment makes it clear that the court may give a decision under section 42 notwithstanding that the conditions of section 88 have not, at the time of the decision, been complied with.

Clause 32 amends section 118 of the principal Act. This section establishes a duty for every person holding a full publican's licence or a wine licence to keep his Christian names and surname legibly painted on the front of his licensed premises. This provision is obviously inappropriate where the licensee is a company, and the provision is amended accordingly.

Clause 33 amends section 131 of the principal Act. The effect of this amendment is that music can be provided to accompany the supply of meals or refreshments on Sunday, Good Friday or Christmas Day on licensed premises if the music is not provided by more than one live artist and that a permit can be granted for more extensive entertainment on those days in the discretion of the court. Clause 34 makes a drafting amendment to section 136 by striking out words that are meaningless in the context of that section.

Clause 35 permits the employment of boys of or above the age of 18 years in bar-rooms. This was permissible under the old Licensing Act, and the amendment restores the previously existing position. Clause 36 amends section 158 of the principal Act. This amendment limits the provisions relating to *bona fide* travellers to premises in respect of which a full publican's licence is in force. Clauses 37 and 38 repeal sections 160 and 163 of the principal Act, which are redundant.

Clause 39 permits liquor to be carried away from licensed premises in certain circumstances in which liquor could not previously be carried from licensed premises. Clause 40 repeals section 187 of the principal Act, which is obsolete. Clause 41 extends the provisions of section 198 of the principal Act, relating to service of notices, to service upon companies.

Clause 42 amends section 210 of the principal Act by providing that all actions, prosecutions and other proceedings against any person for anything done in pursuance of the Act shall be commenced within 12 months after the act, rather than three months as at present. This amendment brings section 210 into line with the corresponding provisions existing in other Acts.

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

REAL PROPERTY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 3. Page 1400.)

The Hon. S. C. BEVAN (Central No. 1):

This Bill has two objectives, the first of which is to amend the Real Property Act. Clauses 2 to 8 make these amendments, which have the effect of bringing certain sections of the principal Act up to date and which are long overdue. The remaining clauses deal mainly with the strata titles sections of the principal Act, which were first enacted in 1967. It was stated then that we should give the legislation a try and iron out later any anomalies that might occur. It appears now that this has been done. For instance, clauses 16 and 17 amend sections 223mf and 223mg by eliminating the administrative procedures involving both the Commissioner of Land Tax as a valuer of properties and the Registrar of Companies, and it appears that a service will be afforded to those seeking to register strata titles. Although several amendments to the principal Act are in the Bill before us, I have found nothing to which I could take exception. I looked for the nigger in the wood pile, but I could not find even the wood pile. I support the second reading.

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

ELECTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 4. Page 1444.)

The Hon. H. K. KEMP (Southern): I wish to speak briefly in support of this Bill. The section dealing with postal voting has, I think, been sufficiently debated. The provisions

proposed in the Bill will certainly reduce any uncertainties that might arise regarding the admissibility of postal votes and, at the same time, will disfranchise many people who have conscientiously done everything possible to register a vote. In this case the convenience of the electoral officer is not the first consideration. Indeed, the principle that must be followed is that every vote conscientiously lodged in the proper manner should be counted. The Hon. Mr. Gilfillan's foreshadowed amendment will do this simply and effectively, as it will provide a foolproof safeguard and at the same time guard the State from the costly procedures that were involved at the last State election.

Another section of electoral procedure that warrants attention is the form and keeping of the electoral rolls. This matter is not, perhaps, precisely covered by the Bill. In my opinion, the present methods that have grown around the keeping of the rolls stultifies the intention of Parliament and gravely contaminates the intention of the Constitution of this State.

I believe there must be three entirely separate rolls: one for the Commonwealth electorate, for which enrolment and voting are compulsory; one for the State House of Assembly electorate, enrolment for which is wholly voluntary but for which, once enrolled, voting is compulsory; and a third roll for Legislative Council electors, voting and enrolment for which is voluntary. These are very deep and important differences, which must be preserved.

The present means of keeping and adding to the rolls does everything possible to break down these differences. The excuse has been made that the rolls must be computerized for economy, and the excuse for enrolling in the present manner is again economy and convenience. Having seen the huge volume of paper now involved in the compilation of the rolls and realizing that only limited numbers can be printed at a time, I question whether any real economy has been obtained. Whether or not this is so, I believe we must insist that separately printed rolls be reverted to in each case so that these important differences can be preserved. It should be pointed out to a prospective enrollee that there are differences in the need for enrolment in each case. I support the Bill.

The Hon. A. M. WHYTE secured the adjournment of the debate.

PUBLIC PURPOSES LOAN BILL

Adjourned debate on second reading.

(Continued from September 4. Page 1449.)

The Hon. M. B. DAWKINS (Midland): I support the Bill, which is the usual measure that is brought forward at this time of the year to deal with Loan moneys, which are used in the main for the developmental purposes of the State. I hasten to compliment the Government, and particularly the Treasurer, on the introduction of the Loan Estimates. In my opinion a general improvement in this State's position has been effected over the last 18 months. This has been shown by the improvement in employment figures, by the return of confidence in the community, by the expansion of industry that has taken place, and also by the establishment of new industries that are being developed here. All these measures have resulted in a general improvement of the State's economy. I look forward with confidence to further development and improvement, and I believe these Loan Estimates are well directed and placed with this aim in view.

I wish to comment on some individual items listed in the Estimates. First, \$1,400,000 has been allocated to loans to producers, and it is expected that about \$1,700,000 will be available in the current financial year to enable the State Bank to continue financing capital extensions by co-operative enterprises. The sum of \$1,400,000 will be provided from the Loan Account, and \$300,000 will be raised from semi-governmental loans. I mention this merely to remind honourable members and the general public of the progress that has been made over the years in areas that have been served by co-operative societies. The improvements that have occurred in the fruit-growing areas both in the Adelaide Hills and on the Murray River are only two instances of development that has occurred in the long term in South Australia.

A relatively small but necessary provision of \$200,000 is made for roads and bridges so that the Government can ensure that the State will qualify for the maximum matching Commonwealth grant. If money happens to be short at certain times and we are not able to match the Commonwealth grants, we miss out on them. This has happened in the past, and the Government is ensuring that it will not happen again. This is, therefore, a wise provision.

I pass on to the line dealing with irrigation and reclamation of swamp lands, where

\$430,000 has been allocated. My only comment here is that I note that new works are to be carried out at Cadell. The proposed expenditure for 1969-70 includes \$40,000 for a new pumping station there. This I am pleased to see, because Cadell is one of the Murray River districts to which I referred a few minutes ago in which, over a period of time, there has been considerable development. I am glad to see that the Government has been able to provide the money to complete the necessary replacement of the pumping station.

I come now to afforestation and timber milling. I see that nearly \$2,500,000 has been provided for the overall work to be done during the coming financial year. I note that over \$900,000 is required for the preparation of land and planting, and about 6,000 acres will be planted during the financial year. I believe this provides for the necessary development and expansion of the Government forests. Also, adequate provision has been made for the purchase of land suitable for forestry when it becomes available.

Over \$7,500,000 is provided in the line for railway accommodation. I notice that a considerable portion of this (amounting to nearly \$2,000,000) is provided for sundry works, such as track re-laying. We are reminded of the necessity of keeping the track up to standard as not only in this State, but also in other States, serious accidents have occurred (and especially one in the last 24 hours) owing to deterioration of the railway track. These works are an important part of keeping the track in good order. Some of the money is available for signalling and safety devices. I have in recent times reminded the Minister of Roads and Transport (although I know he needs no reminding of this) of the lag that has occurred in the installation of these devices. We must find some solution of the problem whereby we can only put up about nine of the flashing light types of signal in 12 months.

Also, some of the money is being provided for minor buildings and improvements. In recent days we have heard of many complaints about old buildings, particularly in the Education Department. There are, of course, many old buildings in the Railways Department, not all of which are being used satisfactorily. Only yesterday I was inspecting a railway station where the staff is at present housed in the two worst rooms in that particular station, whereas there are several other rooms, previously used for other purposes, that are in better condition than the rooms now being used by the staff and which

should be fitted out, at little cost, for the purpose of running the station instead of the staff working under their present difficulties.

The Hon. C. M. Hill: Which station was that?

The Hon. M. B. DAWKINS: The Gawler railway station, to which I referred the other day. I think it is probably one of several instances where the existing accommodation is not being used to the best advantage. Also, I notice that a special provision of \$600,000 has been made for the betterment of the permanent way. This I have already mentioned as being of vital importance. I am sure no honourable member needs to be reminded of the overriding importance of keeping our railways safe because, even though in certain middle-distance travelling areas the railways no longer have a vital contribution to make from the point of view of passengers, they do still have a vital contribution to make to short-distance (suburban) travelling and long-distance passenger traffic between the capital cities of Australia. I believe also that the railways will have an increasing contribution to make to the long-distance hauling of large quantities of freight. Also, I notice the progress that has been made in the construction of the standard gauge line. We are gratified to learn that a scheme is now afoot to bring Adelaide within the scope of the standardization programming, and also that the city of Whyalla is probably to come within the scope of that programme. These things will be to the advantage of South Australia as a whole.

We have not many harbours within Midland District, but there are some important ones, nevertheless. First, I note the amount of money the Government is providing for widening and deepening the Port River channel between Outer Harbour and Inner Harbour. We are all aware that this is necessary because of the increasing size of ships today. I also remind the Government, as I have done on several previous occasions ever since I first saw the facilities of the passenger terminal at Fremantle, that we are long overdue in South Australia for adequate and proper passenger facilities at Outer Harbour. I believe this is one of the major problems facing not only the House of Assembly members for Semaphore and Port Adelaide and this Council's representatives of Central No. 1 District but also all other honourable members because Outer Harbour is really the front door of South Australia, and it is not a very clean or adequate front door at present. I ask the Government to keep in mind the

necessity of providing proper facilities at Outer Harbour for passenger traffic as soon as practicable.

I note with pleasure the provision of money for further work on the construction of the Port Giles installation, which is most important because we have a series of shallow ports in South Australia, which severely restricts the number of ships we are able to attract to this State to take away freight, and particularly grain. It is important as a short-term measure in one sense and as a long-term measure in another sense that Port Giles be able to accommodate ships of about 40,000 tons. Therefore, I hope that this new port will be completed as soon as possible and that some of these ships which would otherwise go elsewhere will be able to take on grain, in particular, in South Australia and top up at Port Giles pending the development of other deep sea ports.

Although these matters are not within Midland District, I believe they are of extreme importance to the development of the whole State. I am referring to the developments taking place under "Metropolitan Waterworks", where \$10,500,000 has been allocated for further construction. An amount of \$900,000 has been provided for additional pumping plant for the Mannum-Adelaide main, which has been a tremendous success and a most necessary installation. I am pleased to see the provision made for ensuring optimum capacity of the main, and I note that, as a result of the new pipeline from Swan Reach to Stockwell, the branch main to the Warren reservoir (which is a branch from the Mannum-Adelaide main) will now be, in effect, a stop-gap. This will mean that the quantity of water pumped into the Warren reservoir in the past will now be available for pumping through the Adelaide main to the city of Adelaide.

A large sum of money has been provided for further work on the Murray Bridge-Onkaparinga main as well as for further work on the Kangaroo Creek reservoir. All of these schemes are necessary for the development not only of the city of Adelaide but, indirectly, for the development of the State as a whole.

I am pleased that provision has been made for the development of country water resources, and I am sure my honourable colleagues representing Northern District will also be pleased with the amount of money provided to continue the construction of the main to Kimba. That water, as honourable members know, will be drawn from the Poldra

Basin, and it is a necessary development on Eyre Peninsula. The duplication of the Morgan-Whyalla main is also exceptionally important, and the Government is making provision in this regard. The Swan Reach to Stockwell main comes within the area that I represent, and I am pleased to see that this has been completed and that, rather than wait until the new permanent pumping stations can be completed, the Government has installed temporary pumping stations even though the large storage tanks have still to be completed. The pipeline is today serving South Australia, and that is an important advance.

This afternoon the Minister of Agriculture replied to my question about augmenting water supplies in southern Yorke Peninsula, and although it seems to me that progress is still slow, at least there is a possibility of 150,000,000 gallons of water a year being available in the bottom end of Yorke Peninsula from the Carribie Basin, with possibly some further augmentation from the Curramulka supply, recently referred to by the Hon. Mr. Rowe. If it is economically possible to provide a reasonable quantity of water in southern Yorke Peninsula to augment supplies, it may mean that the duplication of the long main along central Yorke Peninsula can be avoided. If that is so, and the water supplied to this area is sufficient, it is an advance that will be well worth while.

I am pleased to see that work on the extension of sewerage facilities to Gawler is to continue and that an amount of \$350,000 has been provided for this work. I have been asking that something be done on that problem ever since I have been a member of this Council, and I am happy that some progress is now being made. Having for some time listened to my constituents complaining that they could not get sewerage facilities, perhaps it will not be long before those same people are complaining to me about having to pay sewerage rates. However, this is a much needed and worthwhile improvement.

I turn now to the subject of school buildings, where nearly \$14,000,000 has been provided. In common with other honourable members who have recently received letters about outdated schools and inadequate facilities, I could instance many such schools. Some years ago when the Hon. Mr. Loveday was Minister of Education I visited the Brinkworth Area School, amongst others, and it is a credit to the parents, especially the splendid grounds. However, part of the school is in urgent need of replacement, and my colleague the Hon. Mr.

Hart mentioned that matter recently as being one of the urgent needs at present in the Midland District. Whilst speaking on this subject, I could add that the schools at Nuriootpa are in a similar position, and in recent times representations have been made from the School Committee of Two Wells School concerning the school there, which is on the main road. It is very old, and is somewhat inadequate now.

I believe these situations occur because of the great explosion in the number of students in South Australia over the last 20 years. I commend the Government, together with previous Governments, for the work they have done in providing schools. While no honourable member in his right senses would deny that there are deficiencies in the Education Department—as there are in other departments—the fact is that we live in a fast-growing State and it is difficult to cope with the advances and extensions needed. I believe that, by and large, despite complaints, the Government has done a reasonably good job in keeping up with necessary extensions. I go further and say that all South Australian Governments have done a good job that, generally speaking, compares favourably with the work done in most other States in constructing schools. Further improvements are, of course, most necessary.

I was also interested to note that the Roseworthy Agricultural College is about to have its wine cellars remodelled. A recent announcement indicates that the college is now to be recognized by the Commonwealth Government as a college of advanced education; this is a gratifying acknowledgment of the value of the college over a period of years.

I believe (although I am open to correction on this statement) that the oenology course at Roseworthy is the only one of its kind in the Southern Hemisphere. It is an important course, and the work that has been done at Roseworthy over the years has been an important contribution to the development of agriculture not only in South Australia but in the whole of the Commonwealth. I was pleased to obtain some information from the Minister of Agriculture this afternoon about a new headquarters building proposed for the Agriculture Department, the projected site to be at Northfield. As I have said before, I believe that such a step is long overdue. I was interested recently to read about a proposal to provide a new building for the Tourist Bureau. I consider this to be an important department, housed in an old building, although it has a pleasing appearance

from the front. The accommodation for the staff and tourists is not satisfactory, but the question arises whether tourism, with all the importance placed on it today, is as important as agriculture to South Australia; I am afraid I would come down heavily on the side of agriculture. I will be pleased when I can see the plans the Minister mentioned this afternoon showing signs of coming to fruition.

I notice that the Government Printing Office is to be shifted, and construction commenced on a new printing office at Netley. I do not know when the Government intends that this building should be completed but I should think that the project must be speeded up because of the need to demolish the old building behind Parliament House. It will be necessary to use the area occupied by the old building for parking and for other purposes if we have more members of Parliament than we have at present. I am not sure that Netley is the best location for the new Government Printing Office because it is some distance from Parliament House, but fast and efficient motor transport will probably overcome this deficiency, if it is a deficiency.

I am pleased that nearly half of the 1,900 houses completed by the Housing Trust during 1968-69 were built in the country. At present more than 55 per cent of the houses being built by the trust are in the country. The Electricity Trust, like the Housing Trust, has continued to function effectively as a semi-government, semi-autonomous body. I am pleased that the first stage of reinforcement of supply into the mid-northern areas will be completed this financial year with the commissioning of the Brinkworth substation. Provision has also been made for substantial progress on works to reinforce supply in the Loxton area. I am sure that the Electricity Trust will continue to assist in the development of the State through making electric power widely available. The sum of \$6,970,000 is provided for further work on the Torrens Island power station, probably the most important of the extensions and improvements listed in this section of the Treasurer's statement on the Loan Estimates.

I commend the Government for the assistance it has given and will give to non-govern-

ment hospitals and institutions, particularly the Burnside War Memorial Hospital, the Calvary Hospital, the Helping Hand Centre and Kuitpo Colony, all of which have played a valuable part in serving people needing specialized assistance. I am pleased that the Government is meeting the full cost of improvements to the Lyell McEwin Hospital. It is commendable that the Government proposes that the Maitland Hospital be rebuilt and it is providing \$2 for each \$1 raised locally.

In connection with the provision of \$300,000 for the Mines Department, I stress the vital necessity of developing our programme of exploration for new minerals in South Australia. Because we do not have the same amount of resources that other States have, we have all the more reason to develop our resources in this State. In connection with the provision of \$330,000 for school buses, I point out that I was a lad when, about 30 years ago (and you, Mr. President, would know this far better than I do), the very first school bus was operated in the Birdwood area. Now, we have a fleet of 645 buses; this means that secondary education is available to practically every child in the community.

It is clear that great improvements have been made over the years but, of course, more are needed. I have recently reminded some people that we do not live in heaven but in the fast-growing State of South Australia, in which there are many deficiencies; these have arisen because this State has progressed so rapidly that it has suffered a certain amount of indigestion in trying to carry out all the development that has become necessary. Generally speaking, this Bill reveals that the Government is doing a very good job. Its provisions will assist in promoting the many facets of development in this State. I support the Bill.

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

ADJOURNMENT

At 3.37 p.m. the Council adjourned until Wednesday, September 17, at 2.15 p.m.