

LEGISLATIVE COUNCIL

Wednesday, September 17, 1969.

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

QUESTIONS

BATTERED CHILDREN

The Hon. V. G. SPRINGETT: I seek leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. V. G. SPRINGETT: Yesterday afternoon I received a reply from the Chief Secretary about the treatment of the parents of battered children, suffering from the battered children syndrome, containing these words:

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.

Can the Chief Secretary say "on demand" by whom and in what circumstances? Can he enlarge on that?

The Hon. R. C. DeGARIS: Yesterday, when replying to the honourable member's question, I did use the words "on demand". Psychiatric services for parents with the battered children syndrome are available at short notice, and that is the context in which the words "on demand" should be applied. Parents can make themselves available for treatment through their own voluntary actions or through advice and guidance from social workers and probation officers, or through appearing before the court where their children are charged with being neglected and the court's taking action to compel treatment. One way of this being achieved by the court would be to release the parent or parents on a bond, one of the conditions being to undergo psychiatric treatment. The use of the words "on demand" means that the services are available virtually on demand on a 24 hours a day, seven days a week, basis.

ABORIGINES

The Hon. H. K. KEMP: I believe the Minister of Local Government has a reply to my question of August 28 about Aborigines.

The Hon. C. M. HILL: My colleague, the Minister of Aboriginal Affairs, advises as follows:

1. There has been an outbreak of influenza at Marree which affected a large proportion of the adult population. Aborigines appear to

have been less affected than the European portion of the population. No serious cases were reported.

2. At a meeting of the Hospital Committee of which the patrol officer for this department is Chairman, on September 2, 1969, the two nursing sisters at the Royal Bush Nursing Hospital at Marree did not mention the influenza outbreak as having created an emergency situation for them. When approached on September 4 for a specific comment, they advised that they had been able to cope and that, if there had been an emergency, they would have advised their own headquarters in Adelaide.

3. The Marree School was closed on August 26, 27, 28, and 29, 1969, because the headmaster and one assistant were absent with influenza and the third teacher was attending a conference in Adelaide. Some of the children were also affected, but it was the absence of the teachers that was the real cause of the school closing.

4. On the recommendation of the Director-General of Medical Services, all Aborigines who were age or invalid pensioners, suffering from a heart condition or in other cases considered necessary, received Hong Kong flu injections several months ago. This apparently reduced the incidence of infection amongst the Aboriginal population.

5. The epidemic is abating in Marree and where necessary patients are being treated with antibiotics.

6. There have been no reports from other northern areas of a serious influenza epidemic at this stage.

WILPENA POUND TELEPHONE

The Hon. R. A. GEDDES: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture, representing the Minister of Immigration and Tourism.

Leave granted.

The Hon. R. A. GEDDES: Last Sunday I had need to ring the chalet at Wilpena Pound when, to my dismay, the girl in attendance there told me that no telephones were available at the Wilpena Chalet and that the only way that one could get a message through was by a telegram through Port Augusta, which would not be delivered on a Sunday. As there is a 44-unit motel there, as well as many hundreds of campers or people with caravans using the facilities at the Wilpena Pound, can the Minister say whether every effort will be made to have a telephone installed there, if not for the benefit of tourism, then certainly for the benefit of those who use the area as a holiday resort?

The Hon. C. R. STORY: On the occasions I have stayed at Wilpena Pound one of the great redeeming features was that no telephone was connected there. It is one of the charms of the chalet that one is cut off from the

normal telephone service. There are ways and means for one to get a message through to Wilpena in case of an emergency; either by wireless or by telegram. However, as the honourable member is worried about the matter, I shall most certainly take it up with the Minister of Immigration and Tourism and see if a telephone can be connected.

PORT PIRIE TRUCKING YARD

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Roads and Transport.

Leave granted.

The Hon. M. B. DAWKINS: I should perhaps apologize to the honourable members for Northern for asking this question as I am referring to the sheep trucking yards at Port Pirie. I am not sure whether these yards are owned by the Commonwealth or by the State Government, because it is difficult, unless one is knowledgeable railway-wise, to know where State ownership ends and Commonwealth responsibility begins.

I believe that, on occasions, these yards are used for detrucking stock from the State railway vehicles and loading on to Commonwealth railway vehicles and that they are used also for loading stock from road transport vehicles on to Commonwealth railway vehicles. Unfortunately, these yards are in a poor condition: they are not sheep proof and at present have many shortcomings. Recently some very valuable stud merino sheep from several States were loaded at the yards, and a day or two later large numbers of stud stock of other breeds from other States as well as from South Australia were loaded there also. I should be grateful if the Minister would inquire whether these yards are shared by the Commonwealth and State Governments and which railway system controls them. Will he, therefore, be kind enough to bring this matter to the attention of either the State or the Commonwealth Railways Commissioner, as the case may be?

The Hon. C. M. HILL: I shall bring this matter to the notice of the authorities concerned.

UNDERGROUND WATER SUPPLIES

The Hon. A. M. WHYTE: I ask leave to make a short statement prior to asking a question of the Minister of Mines.

Leave granted.

The Hon. A. M. WHYTE: Recently the Commonwealth Minister for Primary Industry was quoted in the *Australian* as saying:

We must look for ways to make it possible for the maximum number of farmers to protect their properties against drought. There are literally thousands of sites suitable for small water storage projects, but in many cases they would be beyond the borrowing capacity of individual farmers.

Some time ago I asked the Minister of Mines whether it would be possible for a financial allocation to be made to assist farmers to bore for water on their properties. It has long been thought that, if financial assistance could be given not in respect of successful bores but in respect of unsuccessful bores, it would lead to further investigation by individual farmers and to better water supplies throughout the drier areas of the State. In view of the Commonwealth Government's attitude toward water supplies on individual properties, can the Minister of Mines say whether there is likely to be an increase in the allocation to the State and, if there is not, will he consider whether this is an appropriate time to request an increase in our allocation?

The Hon. R. C. DeGARIS: Some parts of the honourable member's question do not involve my role as Minister of Mines. As all honourable members know, the Mines Department conducts much research into underground water supplies in this State. I have not read the report referred to but I will take up the matter and bring down a considered reply for the honourable member.

The Hon. A. M. WHYTE: To clarify my question, I point out that the Commonwealth Government has for some time done in the Northern Territory what I am asking be done in this State—it has subsidized unsuccessful boring.

WATTLE BLOSSOM

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

Leave granted.

The Hon. H. K. KEMP: One of the most spectacular displays of wattle blossom has taken place this year in the south-eastern areas of the State. The display has been good in many areas, but along the coastal roads, particularly between Beachport and Robe, it is probably unequalled, with golden wattle and coastal wattle lining the roadways for many miles in a solid mass of colour. I have never seen this unique and beautiful feature mentioned in any publication issued by our Tourist Bureau. It is unparalleled and would attract many oversea and interstate tourists if it

were publicized. In order that it may be preserved, it must be recognized for the very valuable natural feature that it is. It would be tragic if this unique feature was allowed to waste away. Over a great part of the State, where the golden wattle was indigenous, it is now practically extinct. It would be a very serious loss if this was allowed to occur in this area for want of appropriate conservation measures. Will the Minister take up this matter with his colleague?

The Hon. C. R. STORY: Yes.

SEISMIC SURVEYS

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

Leave granted.

The Hon. R. A. GEDDES: I noticed that the report by the Director of Mines that was tabled yesterday related, amongst other things, to the department's difficulty in retaining specialized staff for seismic survey work. Will the Minister say whether the Mines Department is still able to maintain a seismic survey group, or teams, in the field?

The Hon. R. C. DeGARIS: I thank the honourable member for giving me prior notice of this question, and I have pleasure in stating that one Mines Department seismic crew has been continuously engaged on field surveys since early March, in the area from Oodnadatta to south of Coober Pedy. Due to shortage of geophysical staff, operations will cease within the next week or so, to enable results of work to be brought up to date and studied before the next field season scheduled for early 1970. The most encouraging results of this work are: (1) the outlining of interesting structures in the Arckaringa sub-basin 100 miles south of Oodnadatta, which will be tested by a farmout from the licensees, Delhi and Santos; and (2) the discovery of two major troughs south of Coober Pedy, one extending south-easterly, and the other westerly. These are in areas not under licence at present, and it is planned to survey them in detail in 1970.

Expenditure during the calendar year 1969 on seismic surveys is approximately \$135,000, and it is estimated a further \$200,000 will be spent during the rest of the financial year 1969-70. To try and partially overcome the serious shortage of professional staff and to speed up the compilation of basic geological and geophysical maps, the Mines Department has been recently making much greater use of helicopters for field surveys.

During the calendar year 1969 helicopter gravity surveys and geological surveys have been carried out in the central and northern portions of the State. With the assistance of the Bureau of Mineral Resources, it is planned to try and complete gravity coverage of the whole State by the end of the calendar year 1970. This will provide very valuable geophysical background to further assist the mineral and oil search in South Australia.

Mines Department expenditure on helicopter surveys during the calendar year 1969 to date is \$68,000, and it is estimated that a further \$50,000 will be spent by the Mines Department during the financial year 1969-70. The Bureau of Mineral Resources financial contribution in 1969-70 will substantially exceed that of the Mines Department.

REFLECTORS ON RAILWAY TRUCKS

The Hon. G. J. GILFILLAN: I ask leave to make a short statement prior to asking a question of the Minister of Roads and Transport.

Leave granted.

The Hon. G. J. GILFILLAN: Some time ago I asked a question of the Minister regarding the use of reflector material on the sides of railway trucks in an endeavour to overcome the danger to motorists using railway crossings. At that time the Minister gave me an undertaking that he would bring this matter up at a meeting of Transport Ministers to be held in Darwin, and that meeting has now taken place. Will the Minister say whether he is in a position to report any further progress in investigating this matter?

The Hon. C. M. HILL: I brought the matter up at the conference in Darwin, but I regret to say that I could not obtain support from any of the State Ministers of Transport, or from the Commonwealth Government Ministers present, for the proposal that we should all join in and take some positive action in this matter.

I am still very gravely concerned about the whole question, but honourable members will appreciate that, unless other States agree, it is not going to be particularly effective if South Australia "goes it alone" and applies some reflective material on the sides of its railway freight trucks.

As an example, I passed an interstate freight train only last week in the northern areas, and about 90 per cent of that long freight train comprised waggons from either the Western Australian railway system, the Commonwealth railway system, or the Victorian railway system.

However, the South Australian Railways Department is still pursuing its investigations and experiments in an endeavour to find some suitable method by which effective reflectorization can be applied to freight trucks.

I am told by the Railways Commissioner that the latest experiment is to apply reflective paint that includes some reflective granules, which the Commissioner hopes may prove successful when put to the test. However, the report I have read about it indicates that it has not been as successful as was hoped.

My present view is that we must continue with experiments of this kind. I am firmly of the opinion that throughout Australia as soon as possible some form of reflectorization must be applied to the sides of freight trucks; I think this will come about. If we in South Australia can find a suitable solution that we believe will be successful on South Australian railway waggons, we shall go ahead and apply it; but we have not yet reached that stage and are still working on the problem.

SACRILEGIOUS ACTS

The Hon. A. M. WHYTE: I ask leave of the Council to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. A. M. WHYTE: Some letters have appeared in the newspapers criticizing police action in dispersing demonstrators attempting to lay a wreath and a photograph of the late Communist leader of North Vietnam on the State War Memorial. The Leader of the Australian Labor Party of the State made certain statements on television defending these people who attempted to lay the wreath and the photograph. Can the Chief Secretary tell the Council what action the Government will take to prevent further sacrilegious acts of this type, either on the State War Memorial or on the Cross of Sacrifice?

The Hon. R. C. DeGARIS: I think I made a very clear statement to the press on this matter, a statement that I hope has the unanimous support of honourable members of this Chamber. I did not see the television programme referred to by the Hon. Mr. Whyte, but many people have spoken to me on this matter expressing some concern at the attitude that the Leader took in that programme. However, it is his political right to decide which way he goes.

As far as any action taken to prevent a similar occurrence is concerned, I point out the extremely difficult position that is created. I believe that the police, in this situation, acted

with a good deal of restraint, skill and precision to maintain public order. I should like to state again that I have no sympathy for any group that takes a course of action deliberately planned to incite an emotional reaction. I hope the public understands the extremely difficult situation in which the police were placed, and that in instances like this the police will always act with restraint, skill and precision to maintain public order. I emphasize that it is a difficult situation in which people can take a course of action that will excite a reaction that I believe is planned with that end in view.

DRILLING

The Hon. H. K. KEMP: Is the Minister of Mines in a position to report on the progress of drilling in the Kingston district?

The Hon. R. C. DeGARIS: No.

POTATO MARKETING ACT REGULATIONS

Order of the Day No. 1: the Hon. F. J. Potter to move:

That regulations 3 and 4 of the proceedings of the South Australian Potato Board Regulations, 1969, made under the Potato Marketing Act, 1948-1966, on May 22, 1969, and laid on the table of this Council on June 17, 1969, be disallowed.

The Hon. F. J. POTTER (Central No. 2) moved:

That this motion be now discharged.
Motion discharged.

OPTICIANS ACT AMENDMENT BILL

The Hon. R. C. DeGARIS (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Opticians Act, 1920-1963. Read a first time.

PUBLIC PURPOSES LOAN BILL

Adjourned debate on second reading.

(Continued from September 16. Page 1485.)

The Hon. A. F. KNEEBONE (Central No. 1): Although I do not agree with all the provisions of this Bill, I support its second reading. In doing so, I draw attention to one or two provisions that I think could have gone a little further than they have. During the period from 1962 until 1965 the previous Liberal and Country League Government indulged in a degree of spending on a number of capital works projects that would have committed it, had it remained in office, to a level of continued spending that would have been

most difficult, if not impossible, for it to maintain. When the Labor Party came into office in 1965 it undertook to honour, if it were financially possible, the commitments of the previous Government, and this was done. However, at about that time there commenced in South Australia as well as in the Eastern States a series of bad seasons and droughts, which caused not only a drop in revenue for the Railways Department, but also increased costs for departments such as the Engineering and Water Supply Department by reason of the almost continuous pumping it was carrying out to ensure that adequate water was available in our reservoirs.

These factors prevented the Labor Government from initiating necessary improvements in a number of directions, one of which came to my notice when I was Minister of Transport. I was approached by train travellers from the South-East and Mount Gambier, as well as by district representatives of that area, who were seeking some improvement in the passenger transport facilities on the Mount Gambier train. I agreed with the representations made to me that there was a need for improvement and that air-conditioned coaches should be added to those trains. The plans for these types of coach had been brought to me before I left office. There were plans for two types of coach. I agreed that these should be provided and that, when Loan funds were available, I would see that these plans came to fruition.

The Hon. C. M. Hill: Did you take this to Cabinet?

The Hon. A. F. KNEEBONE: Yes, it was mentioned in Cabinet. The extra funds were asked for but were not available at that time from Loan funds. I promised that when the money was available these plans would come to fruition. Last year and again this year, since leaving office, I looked at the Estimates, only to find that no provision had been made for this type of improvement on this line. I find this, despite the fact that apparently surplus Loan funds are available.

The Hon. D. H. L. Banfield: But it is only \$12,000,000!

The Hon. A. F. KNEEBONE: This money should have been used for such things as school buildings and hospitals, but the funds for such projects have not been provided. It was reported in the press that when spokesmen from the Labor Party had said that the Government was salting away sums of money (and the sum of \$12,000,000 was referred to), the Premier denied that this

was so. However, we find in yesterday's *Advertiser* that the Premier, when addressing a meeting arranged by the Liberal Party at Naracoorte, said the following:

The South Australian Government was looking down a gun barrel in its financial outlook this year, the Premier (Mr. Hall) said at an L.C.L. sponsored public meeting here—

that is, at Naracoorte—

tonight. He told a crowd of 200 people that if the High Court judgment in the Western Australian stamp duty case were to deprive South Australia of stamp duty revenue, Government finances would be in chaos. We have reserved \$12,000,000 which would otherwise be used for building schools and hospitals.

When the decision was taken to salt away this \$12,000,000, the High Court decision had not been made. Indeed, it came some time after this. Now the excuse is that the \$12,000,000 was put away because it was thought that the High Court decision could affect South Australia. Then, on the same day in Adelaide, the Treasurer (Hon. G. G. Pearson) said that the High Court ruling that the Western Australian Government could not charge stamp duty on iron ore sold to Japan would not create any material problems for South Australia.

The Hon. D. H. L. Banfield: There is no liaison between them.

The Hon. A. F. KNEEBONE: That is what I was going to say: it seems to me we are getting back to the previous position where Cabinet Ministers were not talking to one another. One would have thought that, before making such an inconsistent and completely contradictory statement, the Premier would have at least let the Treasurer know what he proposed to say.

Now, after having heard it admitted that the \$12,000,000 was put aside from Loan funds, I wonder what will happen next year when we ask the Commonwealth Government for further Loan funds. We will be told that we did not even use what we got this year; that is what worries me. However, I agree with the Premier's statement that the Government is looking down a gun barrel; the gun will go off whenever the Government goes to the people, whether it be this year, next year (as we have been threatened), or in March, 1971—the normal time for the next State election to be held.

Regarding the amount provided for the up-grading of railway track as a result of the report of the derailment committee, I point out that between 1963-64 and 1967-68 inclusive

there were 116 derailments in the Eyre Peninsula Division and 60 derailments in the Peterborough Division. These derailments constituted about 60 per cent of all derailments, despite the fact that narrow-gauge track comprised only 35 per cent of the total mileage of track in South Australia.

From the viewpoint of mileage covered for each accident, the narrow-gauge divisions were also proportionately worse than the broad-gauge divisions. In 1966-67 there were 392,000 miles travelled over the Eyre Peninsula Division and there were 36 derailments; this figure is equivalent to 80 derailments for each million miles travelled. In 1966-67 there were 1,123,000 miles travelled over the Murray Division and there were 13 derailments; this figure is equivalent to 11.6 derailments for each million miles travelled. These figures can be verified from the report of the derailment committee.

Because of the many derailments in the narrow-gauge divisions I inspected them soon after I took office as Minister of Transport. I found that the Eyre Peninsula Division had been originally laid with light rails and with the sleepers generally laid directly on the ground with little or no stone ballast. I was told by enginedrivers that the lack of proper ballasting had caused many of the light-weight rails to be crippled after only a short period of use. Lack of resistance from the road bed allowed the ends of the rails to bend down and they gradually developed permanent downward bends. When trains travel over such rails at economic speeds they set up spring oscillations that lead to many derailments and broken drawbars.

When I made my inspection the department was carrying out a programme of strengthening the track by replacing the old light-weight rails with heavier rails and by ballasting the track with crushed rock. The rate of progress was about four miles a year. Many sections of track in this division that had not been strengthened were in very poor shape. Trains on such sections were restricted to very low maximum speeds, resulting in long delays. Nevertheless, derailments still occurred.

With the rapid development of Eyre Peninsula as a wheat-producing area and with the need to transport the grain to silo sidings, this situation could not be tolerated. I issued an instruction that the rehabilitation of the division be speeded up. Consequently, the length of track upgraded annually was increased to 28 miles. As a result of the recent greater use of diesel locomotives and the consequent

increased tonnage, longer trains and faster speeds, much greater stress is naturally placed on the track. Since 1962 there has been a significant development of fast freight services to Melbourne and Mount Gambier.

The faster and heavier trains have produced some spectacular and damaging derailments which, fortunately, have involved freight trains rather than passenger trains. However, the lives of the train crews have been endangered. Although the greatest numbers of derailments have not occurred on these lines, the derailments that have occurred have been highlighted because of their spectacular nature and because these lines carry fast-moving and well-patronized interstate passenger services. The greater speed and weight of the trains calls for a greater measure of maintenance on all lines where these developments have occurred.

Figures recently given in another place indicate that the number of railway personnel employed on track maintenance has decreased. At June 30, 1954, 891 men were employed in maintenance gangs, and at June 30, 1969, 744 were employed. In June, 1954, there were 189 gangs and in June, 1969, there were 144. It has been said that since 1954 a policy of amalgamation of gangs has been in force, with each gang maintaining an increased mileage of track. I realize that, because of the closure of certain lines, there has recently been a reduction in the total length of main lines. However, this reduction is only minor because the services recently curtailed have been mainly passenger services, with freight services being continued on some of these lines. I realize, too, that some mechanical plant has been introduced for track maintenance.

I would have thought that, as a result of the heavier and faster trains now operating, it would be necessary to increase the number of employees working on maintaining the track rather than reduce the number, despite the fact that some mechanization was taking place. Indeed, I believe that the report of the derailment committee bears out my contention. The amalgamation of gangs has brought about a reduction in the total number of men employed and it has extended the area of their responsibility. The committee's report referred to Matisa track recording vehicles that are used in New South Wales and Victoria for swiftly assessing the condition of the track in those States. I do not know whether the Queensland Railways Department has such a vehicle. However, last week the Chief Mechanical Engineer of the Western

Australian Railways Department told me that this type of vehicle was used in his State.

Apparently the authorities in three States believe that the cost of the vehicle is completely justified by the results obtained. It is not claimed that the vehicle will prevent derailments; indeed, there have recently been some derailments in New South Wales. I understand that the reason for the most recent derailment there is that a rail snapped. Perhaps a Matisa car might not have been able to detect this fault, but it might have done so. We do not know what records are kept by the New South Wales Railways Department.

The Hon. C. M. Hill: The Matisa car is another form of trolley that carries out track inspections.

The Hon. A. F. KNEEBONE: Recorded information can quickly indicate areas where further investigation is necessary to ascertain potential derailment points. I would have thought that the procurement of one of these vehicles would be one of the first steps taken by the Government. That is why I asked the Minister recently where the \$600,000 provided by this Bill was to be spent. As we were recently informed that it would cost about \$8,500,000, to put the tracks in order and to upgrade them to a reasonable state, and as it was also stated it was proposed to spend that sum over a period of, say, six years, \$600,000 is a small provision for this work this year. If the work is to be completed in six years, then some very big improvement in the amount of money available will have to be made in succeeding years.

The "Railways" line on the Loan Estimates shows a proposed expenditure of \$120,000 on new residences. If that amount is to provide new houses for employees in country areas, I agree with the proposal, because the condition of some houses in which employees are expected to live in some country areas leaves much to be desired. I have inspected some of these houses in recent years and I am aware of their standard. This is a major factor contributing to the difficulty in obtaining adequate staff in country areas, and I think that possibly the policy being pursued by the railways of reducing the number of gangs and amalgamating some of them may have had to be instituted because of an inability to get adequate staff in appropriate areas.

In recent days I have had the opportunity of seeing the type of accommodation provided for Commonwealth Railways employees in such remote areas as the Nullarbor Plain between Adelaide and Perth. In those areas most of

the houses appear to be equipped with Portagas and other amenities, and I think they leave houses provided by the South Australian Railways far behind in this regard. I also noticed that most of the houses in those areas were occupied; apparently the Commonwealth Railways does not have the same problems as we do in getting people to work in remote areas.

The Auditor-General's Report was laid on the table of this Chamber yesterday and, although I have not studied it fully, I noticed that the Auditor-General referred to railway cottages; he said there were 2,224 cottages for the use of employees, and that 387 of them were vacant at June 30, 1969. He said that difficulty in obtaining employees prepared to live in some locations accounted for a number of country vacancies. I believe that the type of house as well as the locality has much to do with this difficulty. The Auditor-General continued:

However, in the suburbs there are 54 vacant houses out of the 155 remaining of the post-war purchases to accommodate migrant employees; 31 of these have been unoccupied for over a year, three being vacant for over three years. Although some cottages have been sold in recent years, it seems, in view of the periods which many have remained unoccupied, that further action by the department is necessary.

I completely agree with the Auditor-General: it was at my direction that some of these houses were sold in recent years. I can see no reason for the department hanging on to houses that remain unoccupied for such long periods. Despite the number of unoccupied houses, I had on more than one occasion to step in and prevent the department from using every endeavour to evict employees who had occupied some of the houses. They had been permitted to do so on compassionate grounds for restricted periods, but when the specific period had expired the department would seek to evict these people despite the fact that there were many other houses empty at that time.

I realize that a certain number of houses should be available in the metropolitan area for departmental purposes where personnel may be temporarily transferred and required to live in the metropolitan area during a regrading period, for educational purposes, or perhaps before transfer to another area. However, when houses are vacant for three years it would seem to indicate that the number exceeded requirements.

I also noticed in the Estimates the provision of \$700,000 towards building a festival hall. Without commenting to any great degree on

the suitability of the site, I believe that the site suggested by the former Premier, the Hon. Don Dunstan, would have caused much less inconvenience to people than the proposed site will cause. I believe the Hon. Mr. Dunstan's suggested site would have been more suitable, and I am yet to be convinced that a hall built in the proximity of the present railway station and proposed underground railway can be insulated against vibration and noise emanating from those sources.

I am also concerned at recent statements made by the Minister of Roads and Transport in reply to my questions about the Railways Institute, and to other statements made relating to the festival hall. It appears that Railways Institute members have been promised that, if they behave themselves like good boys and put up with the demolition of their various facilities, they will get some other accommodation later. The Minister has said this is likely to be satisfactory to the institute. As I have already said, activities of the institute are of great importance not only to its members but also to the Railways Commissioner. To deprive members of accommodation and facilities for some indeterminate length of time without providing adequate replacement is, to say the least, most inconsiderate of the Government. We have heard that all these buildings are to be demolished by June next year, and no provision has yet been made for an alternative site and we have not heard any details of when an institute will eventuate. I support the second reading.

The Hon. H. K. KEMP secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 16. Page 1481.)

The Hon. A. J. SHARD (Leader of the Opposition): I support the second reading of this Bill. Its introduction by the Minister left much to be desired: the introductory remarks preceding the Bill were the shortest I have heard for some time, and I will read them in order to make my point. The Minister said:

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.

The Minister then mentioned the various clauses and gave a brief explanation of them.

Unless we looked at the amendments and saw what they proposed to do, we would have very little idea of what they meant.

When we get into the Committee stage, I hope the Minister will display a better knowledge of the clauses than he did in his second reading explanation of them; otherwise, no-one will be any the wiser, because the explanation of the various clauses was brief and left much to be desired. In a Bill of 42 clauses, the explanation given was brief and not very informative. If we are to debate this type of Bill, which is so very important to the community, we must do some thinking about it and be told what the clauses set out to do.

The Hon. C. R. Story: We did not get much explanation from the then Minister when the original legislation was introduced.

The Hon. A. J. SHARD: I just give that as a warning, because of the way in which this Bill was introduced. It is largely a Committee Bill and, if honourable members are to know something about the various clauses, they need to be better informed on them than they have been by the second reading explanation. Otherwise, we shall not know very much about them. The Licensing Act of 1967 has, for the most part, given the people of South Australia general satisfaction. It created a vast change in that legislation and I am not in the least surprised to see an amending Bill of this nature with so many clauses in it because, when we make a major change in any Act dealing with something that the people have been used to for so many years, we must expect some anomalies. One would be foolhardy to think that an Act that has transformed the whole licensing picture in such a major fashion as this Act has done would not create anomalies and cause dissatisfaction amongst some people.

The Licensing Court has been under criticism. I have not been happy with everything the Licensing Court has done but, overall, it has done a reasonably good job. I have only one complaint to make about it: I wish we could transmit to the Licensing Court Parliament's intentions rather than that the court should place its own interpretation on the various provisions of the Act. Only a night or two ago I was told of something that the Licensing Court proposed to do, which I thought was never intended by Parliament and was not desirable. The Act should be looked at properly and fairly and consideration should be given to the points raised by Parliament and to Parliament's intentions. I have discussed the Licensing Act with many people and have discovered that, while the Act may not have

given complete satisfaction to everybody, the general impression is that it is a vast improvement on the previous legislation. I only hope that the correction of any anomalies by the amending Bill will do nothing to interfere with that form of approach to an Act that gives general satisfaction. With those few remarks, I reserve the right to speak in Committee when I have examined the amendments.

The Hon. C. M. Hill: You will be informed about them in the Committee stage.

The Hon. A. J. SHARD: I hope so; if not, I shall be in trouble. I have taken the opportunity of reading what took place in another place and have observed the unanimity of the members there (which rather surprised me on a measure of this nature). I was surprised that members with so many different points of view could so readily agree on a Bill of this nature. I hope that when we get into the Committee stage we shall enjoy similar success. That will happen if the Minister gives us the right information.

The Hon. H. K. KEMP secured the adjournment of the debate.

REAL PROPERTY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 16. Page 1481.)

The Hon. C. D. ROWE (Midland): I rise to support this Bill which, as far as I can see, raises no matters calling for very serious comment. In another place there was only one speech on it. The Bill seeks to do two things, in the main. First, its prime purpose is to improve, streamline and render less costly the procedure for dealing with strata titles. This is something relatively new for the Real Property Act. It is not surprising that, after it has been in operation for some time, some amendments should be required. Whilst we are amending the Act, opportunity is also taken to correct anomalies known to exist in the present Act.

Clauses 3 to 6 of the Bill are more or less of a drafting nature, requiring no particular comment. From clause 12 onwards the clauses relate to the provisions for strata titles. Clause 13 amends section 223mb of the principal Act, and paragraph (a) makes it necessary to distinguish the units shown on the strata plan by numbers instead of by numbers or symbols, as at present. It is far better that these units be distinguished by numbers rather than by a mixture of numbers and symbols. This is a desirable amendment.

Clause 14 will enable existing units to be converted to strata titles even though the units are still in the name of the registered proprietor. This seems to me to be good procedure from the point of view of administration. The clause also provides that an application accompanying the lodgement of a strata plan should be deemed a dealing in land and should be given the status of an instrument under the Act, with priority over other dealings. This is an important innovation, and I think it will solve some problems that have arisen in connection with administration. I agree with upgrading the status of an application accompanying the lodgement of a strata plan. Once it is dealt with as an instrument under the Act and given a number, it is given priority. I think that is desirable.

Clause 7 provides that, where a caveat is lodged, the address that is given need not necessarily be an address in Adelaide. This is advantageous to country people, because it means that they will not need to engage a representative in Adelaide to lodge a caveat. In these days of better communications, this is desirable. I direct the attention of honourable members to clause 36 of the Bill, which amends the Third Schedule of the Act by making an amendment to the form of caveat because of the amendment of section 39 of the principal Act by clause 7. Some confusion may arise amongst those people who are not aware of the amendment of the Act and they may continue to use the old form of caveat, so I hope publicity will be given to this amendment.

The Hon. F. J. Potter: Won't the old form be discontinued?

The Hon. C. D. ROWE: Yes, but some people will adopt the old procedure without realizing that there is a new form. I have the greatest confidence in the Registrar-General of Deeds (Mr. Collins) and his staff and in the efficiency of the department. From my experience over many years of watching the administration, I can truthfully say that it is the best administered Lands Titles Office in Australia and, possibly, the best in the world.

The Hon. F. J. Potter: Although it might not exactly have the best accommodation.

The Hon. C. D. ROWE: I certainly agree that something should be done regarding the accommodation, but no doubt that will be looked at at the appropriate time.

The Hon. C. M. Hill: It is already being looked at.

The Hon. C. D. ROWE: If the staff is working under difficult circumstances, that is

all the more to its credit. I know that, on occasions, Mr. Collins has been asked to go overseas to assist newly-developing countries establish their lands titles systems, and I know also that we delayed putting the strata titles legislation on our Statute Books because we wanted to ensure that we had a reasonably foolproof system. Although this may have caused some problems and anxiety, I think we were correct in doing so because it has ensured that the high reputation which this department bears and which it has earned over many years has been maintained. I have pleasure in supporting the Bill.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I should like briefly to refer to clause 9 of the Bill, which is important. It relates to compulsory acquisition and provides, in effect, that the acquiring authority, which means the Crown in right of the Commonwealth or the State, and includes a body corporate, and so on, can get a registered title to the land, whether under the Real Property Act or not, without producing the relevant duplicate certificate.

I have studied the second reading explanation in this regard, which is rather sketchy. It says that clause 9 inserts a new section that empowers the Registrar-General, in cases where the Crown or some other statutory body acquires land compulsorily or in whom land vests by operation of law, to issue a certificate of title to the land without the production of the relevant duplicate certificate or the usual formalities. The second reading explanation goes on to say:

This power was sought by the Commonwealth Crown Solicitor in relation to land compulsorily acquired by the Commonwealth, but the Government is of the view that the same principle should apply to any land compulsorily acquired by a statutory authority or vested in a statutory authority by operation of law.

However, the reason for this is not given; the second reading explanation merely says that the Commonwealth Crown Solicitor has applied for this power which, apparently, the present Government thinks it should also have and which should apply also in respect to any land compulsorily acquired by a statutory authority.

Honourable members will recall that in 1956 this Council passed an amendment to the Compulsory Acquisition of Land Act, a section of which provides, in effect, that where any land is required by the Crown (and this apparently means the Crown in the right of the

State—it is not defined in the amendment) the Government may by proclamation, not less than 28 days after notice to treat has been given, or in any case where inquiries have been made and the Minister does not know to whom to address the notice to treat, declare that the land was acquired for the purposes mentioned. The section goes on to provide that the land shall thereupon become vested in the Crown or the Minister and that the right of the previous owner shall be converted into a right for compensation under the Act.

I am rather at a loss (because this is a fairly complicated legal matter) to understand why this provision is necessary, first, if "the Crown" includes the Commonwealth or State statutory bodies and, secondly, if the power is required, why there are not more protective provisions such as existed in relation to the acquisition by the State of these lands. I mention this matter now in the hope that the Minister will be able to enlarge on the second reading explanation when the Bill is in Committee, particularly on those parts of the second reading explanation that do not give me the information I would like. As honourable members will realize, this is an important clause.

I recall when the 1966 amendment was made to the Compulsory Acquisition of Land Act that, in common with other members, I had to think for some time before deciding to support the amendment. However, I supported it, as acquisition of land had been considerably delayed before then because the machinery was not sufficient; at times this acted to the detriment of the acquiring authority and at other times to the detriment of the person from whom the land was being acquired.

An outstanding example of this was the acquisition of the area on which the Adelaide Airport is now situated, which occurred just after the Second World War. In that case land was acquired for \$80 an acre, and the people from whom the land was acquired were told, "You can buy equivalent land anywhere for much the same sum." Of course, that was true at the time of acquisition, but by the time those people were paid their money they could not acquire equivalent land for that sum. Indeed, by that time such land could have cost 10 times more, and not much later, even one hundred times more.

I am perfectly aware of the need for streamlining this procedure, but on the other hand this legislation is the type of thing that

this Council has consistently regarded as being one of its classic duties to study carefully: that is, to supervise matters of this nature to ensure that the rights of the landowner are protected. This is why, although it seems to me that in principle (in view of the 1966 amendment) this clause is supportable, I would like to have more information regarding its implications and, if necessary, I can speak on it again later. I hope the Minister will examine the questions I have raised, in which case I will ask him in Committee to report progress so that he can obtain further information for the Council.

I think the remainder of the Bill is largely technical. Strata titles are, of course, fairly new not only in Australia but in other parts of the world. Naturally, there is much to learn in practice about the operation of such legislation. I have accepted the investigations of others in connection with this matter because it is a very detailed subject. It is clear that the Government's thinking on it is fluid and, if it transpires that the legislation needs amending from time to time, it is obvious that the present Government (as was the previous Government) will be prepared to amend the legislation. New legislation always involves difficulties because what Parliament thinks the legislation means is not always what the courts think.

Other technical points are dealt with in the Bill, which I find quite acceptable. At this stage I merely repeat that I should like more information about clause 9; otherwise, I support the Bill.

The Hon. C. M. HILL (Minister of Local Government): I thank those honourable members who have spoken on this Bill and, indeed, I thank all honourable members who have considered it. As I pointed out earlier, its main purpose is to streamline, improve, simplify and render less costly the procedures connected with strata titles. I think the Hon. Mr. Bevan said that it was not long since the parent Bill was introduced and it was foreseen then that it might be necessary to amend it and iron out the problems that were expected. Obviously, some problems have arisen, and it is proper for the Government at this early stage to amend the legislation to overcome the difficulties.

The point raised by the Hon. Sir Arthur Rymill can, of course, be dealt with in greater detail when we reach the Committee stage. It appears to me at present, however, that clause 9 simply deals with the issue of a certificate of title in connection with the registration of a transfer of land to the Crown. It seems that the Commonwealth Government saw fit to ask that the procedure of the production of the duplicate certificate of title be dispensed with, and the State Government is now simply seeking the same right, too.

However, some of the misgivings mentioned by the honourable member may go much more deeply than this, so we can have further discussions in the Committee stage upon this point. I again thank honourable members for the attention they have given to the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—"Issue of certificate where land is vested in acquiring authority by operation of law or compulsorily acquired."

The Hon. Sir ARTHUR RYMILL: I think my question to the Minister can be addressed in quite simple terms. Is this clause merely a machinery clause to enable section 23a of the Compulsory Acquisition of Land Act to be put into effect in the Lands Titles Office, or does it mean something else? The Minister's second reading explanation does not give any detail: it merely says that the Commonwealth Government requested that this amendment be made and that the State Government agreed. The Minister's explanation does not give any reason why the amendment is necessary, and I think I can be pardoned for not being certain in my own mind, either.

The Hon. C. M. HILL (Minister of Local Government): The honourable member has very kindly summarized his thoughts by his last question. He made many points in his second reading speech that ought to be considered very carefully. Consequently, I ask that progress be reported.

Progress reported; Committee to sit again.

ADJOURNMENT

At 3.41 p.m. the Council adjourned until Thursday, September 18, at 2.15 p.m.