

## LEGISLATIVE COUNCIL

Tuesday, October 13, 1970

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

## QUESTIONS

## PARLIAMENTARY PROCEDURE

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

Leave granted.

The Hon. R. C. DeGARIS: I noticed, and probably most other honourable members did also, a report in the *Advertiser* that the Premier, when addressing the Fabian Society in Brisbane, advocated a change in procedure for this Parliament. He referred particularly to "the waste of time" in reading a Bill three times. Can the Chief Secretary say whether this matter has been discussed in Cabinet or whether this opinion expressed by the Premier was just a personal view expressed for the benefit of the Fabian Society?

The Hon. A. J. SHARD: I can tell the Leader that the question has not been discussed in Cabinet. For whose benefit the remark was made, I will leave it to the Leader to use his own imagination.

## TAXATION ON SHARES

The Hon. C. M. HILL: I seek leave to make a short statement prior to asking a question of the Chief Secretary as Leader of the Government in this Chamber.

Leave granted.

The Hon. C. M. HILL: In the *Advertiser* of Saturday, October 10, the Canberra political correspondent (Reg. MacDonald), dealing with the meeting of Premiers last Thursday in Canberra, said the following of the Premier of this State:

He suggested that all States should impose a stamp duty of \$2 in every \$100 on share transactions. He cogently argued that if this rate of tax—it is five times the present rate—was introduced, the Commonwealth should cease to levy income tax on capital gains from share dealings.

In general terms, income tax is levied on capital gains when shares are sold and after, of course, those shares have been bought with a view to speculation and profit making. My question is this: is it the policy of the present State Government that share speculators who play the market should be released from income tax on profits from share transactions if stamp duty on all share transactions, no

matter how small, be increased by 400 per cent?

The Hon. A. J. SHARD: As this is a question mainly concerning the Treasury Department, I should like to get a considered reply for the honourable member. I will bring this back for him as soon as possible.

## DROUGHT RELIEF

The Hon. D. H. L. BANFIELD: Some time ago the Government expressed concern about the plight of farmers in the drought areas and made an approach to the Prime Minister on this subject. Has the Minister of Lands any information regarding what relief can be given?

The Hon. A. F. KNEEBONE: Yes. The Premier has received a reply from the Prime Minister following his representations for Commonwealth participation in drought relief measures. He had also taken the opportunity of discussing the matter personally with Mr. Gorton whilst in Canberra last week. The Prime Minister indicated that Commonwealth policy is to assist in such relief when the disaster is upon such a scale as to require large expenditures beyond the reasonable capacity of the State. Consistently with what had been agreed for other States, the Prime Minister had offered to share with the State expense in excess of \$1,500,000 for drought relief upon the same terms and conditions as applied in the case of the previous drought. As a result of the recent rains, the South Australian situation had been considerably improved but there still remained areas where assistance would undoubtedly be required. It seemed fairly certain, however, that the necessary costs would be less than \$1,500,000. The State Government has accordingly decided that it will make available, as necessary, carry-on finance for drought-affected farmers upon substantially the same basis as during the previous drought. The finance will be available only to farmers who, with the assistance provided, have a reasonable chance of recovery and of becoming again self-supporting. Government loans will be made only where the finance is not available through the normal banking and rural finance houses. Interest will be payable upon the normal basis at 6½ per cent a year, and any question of concessions in interest or repayment will be considered in individual cases on their merits as payments fall due.

In appropriate cases Government departments will defer without penalty payments due by drought-stricken farmers for Crown rents and taxes, treating each case on its merits. At the

present time there would seem to be no substantial justification for special fodder or water subsidies, or subsidies on the transportation of starving stock. There are no prospects of there developing any large pockets of unemployment of farmers which would call for special unemployment relief works, but both councils and the Highways Department are being asked to give reasonable preference in employment and in petty contracts to farmers seeking local work.

It is expected that the banks would, as in previous cases, continue to make carry-on loans under normal conditions to viable farmers, so that the relief problem falling upon the Government would be kept to a minimum. The Premier appealed to them to continue to grant such loans in all appropriate cases. All applications for drought assistance should be addressed to the Lands Department in Adelaide.

#### ORANGE JUICE

The Hon. V. G. SPRINGETT: I remember that during the last Parliament questions were asked concerning the supply of orange juice for schoolchildren. Bearing in mind the over-production of citrus fruit at present, will the Minister of Agriculture ask the Minister of Education to consider supplying free orange juice to children in those schools where milk is not provided?

The Hon. T. M. CASEY: I will refer the question to the Minister of Education and obtain a reply.

#### SICK AGED

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. M. B. DAWKINS: I refer to a public statement made about nine days ago by the Rev. Erwin Vogt that was, I imagine, made available to other honourable members, too. It concerned the question of "Who will care for the sick aged?" In his statement Mr. Vogt said that the plight of these people in our community is of crisis dimensions. On the face of it, that might seem to be a somewhat extravagant statement, but my inquiries of various interested persons, including the retired principal almoner of the Royal Adelaide Hospital, lead me to believe that it is not. In his statement the reverend gentleman said:

Whilst the numbers are not known, we have good reason to believe that there are many people in this category occupying beds in the Royal Adelaide Hospital who should be dis-

charged to long-stay infirmary care, but the almoners are unable to find placements for them.

He went on to say:

There are some things the Government could do right away to ease this situation. The Morris Hospital has empty wards which could be made available for the sick aged.

I understand the previous Government was aware of this problem and had in mind a plan to reconstruct the Morris Hospital in order to use it for this purpose. I hope that the present Government is aware of the situation. Is the Chief Secretary aware of the plan which the previous Government had for the use of the Morris Hospital? Does the Government intend to proceed with such a plan and, if so, when does it hope to do this?

The Hon. A. J. SHARD: I read with some concern that statement about the hospital and the problem of the sick aged. Although the word "crisis" may sound out of place, I am afraid that until something definite is done we shall always have this crisis with us. The problem cannot be solved in five minutes. It is all very well for the reverend gentleman, whom I know well, to bring his troubles to us, explain them to us and get a good reception, submitting facts and details to us and criticizing us before we can take any action, but the only thing that will relieve this position is more money. We cannot act until we see where the money is coming from or what we can do with it. If we had a large amount of money available, we could solve some of these problems.

I take second place to no-one in my concern and sympathy for the aged. I think my record and that of the Government over the past decade or so will bear that out. So far as the hospitalization programme is concerned, I have not heard (I may be wrong; I do not want to be unfair, but my knowledge of it, since I have been away for some little time, is not as great as it might have been) anything about the Morris Hospital, unless it is the Northfield Hospital that is referred to.

The Hon. R. C. DeGaris: They are the same in this connection.

The Hon. A. J. SHARD: I see. I understand we have to look, with whatever money is available in this field, both from the Commonwealth and from our own State funds, to the highest priority. I do not want to commit Cabinet but I think the very first improvement in caring for the aged, from the State's point of view, will be an improvement in the Northfield wards wherever possible, with more beds being made available in accordance with the policy laid down by the previous Government and agreed to by me.

## PORT PIRIE STATION

The Hon. A. M. WHYTE: I understand the Minister of Lands, representing the Minister of Roads and Transport, has a reply to a question I asked on September 2 about closer co-operation between the Railways Department and the passengers on the Port Pirie railway station because of the length of platform along which people have to carry their luggage.

The Hon. A. F. KNEEBONE: My colleague reports:

It is most likely that the incident referred to by the honourable member occurred in respect of a passenger alighting from the train from Alice Springs, which must stop at the extremity of the Port Pirie platform on those occasions when the "East-West" passenger train is also there. At present there are 12 hand passenger trolleys on the Port Pirie platform available for use by passengers to convey their hand luggage from one train to another or from the train to the main station building. Prior to the arrival of each passenger train, an employee places these trolleys along the platform at regular intervals, although it is realized that the use of such a trolley to the lady in question would have been of very little assistance. However, in cases such as hers and often when incapacitated passengers are involved, the Port Pirie staff endeavours to give every assistance possible provided that their plight is noticed or that they seek such assistance.

Apparently on this occasion such assistance was not given through, I feel confident in saying, ignorance and not through lack of consideration. In future, it is proposed to add to the current station announcements that are made upon arrival of trains at Port Pirie the further information that luggage trolleys are available on the platform for the passengers' use. At the main station building there is a direct telephone line to a local taxi-cab service; whilst this is at the northern extremity of the platform it is not thought there would be any advantage in having an additional call box along the platform, because passengers would still be required to walk to the northern end to join the cab.

## WEEDS

The Hon. H. K. KEMP: Has the Minister of Agriculture a reply to my question of September 23 about weeds?

The Hon. T. M. CASEY: The information furnished by the honourable member on the presence of three-corner garlic and kikuyu grass along Greenhill Road has been forwarded for the attention of the local governing body concerned; weed control officers of the Agriculture Department will follow up the matter to ensure that effective control is achieved.

The Hon. H. K. KEMP: I seek leave to make a short statement before asking a further

question on this matter of the Minister of Agriculture.

Leave granted.

The Hon. H. K. KEMP: One of those weeds, kikuyu grass, has been a very dangerous and costly weed indeed in the irrigation districts along the Murray River. It has also proved a very costly grass elsewhere, and many lawns have been removed as a result. It is now common in country districts and on the outskirts of Adelaide where garden rubbish has been dumped. There is a definite possibility that it will become a very great problem where the soil is sandy and the rainfall is reasonably high. At the same time another aggressive grass is being promoted in Adelaide as a lawn grass for garden planting; it is salt water couch (*paspalum vaginatum*).

This grass grows in salt swamps along the sea coast and it can be extremely difficult to contain where it grows under fertile conditions with adequate summer water. Will the Minister consider the problems created by these two grasses with a view to their being proclaimed noxious weeds or their use at least being restricted?

The Hon. T. M. CASEY: I do not go along with the honourable member's suggestion that the weeds should be proclaimed as noxious weeds. In many areas in the North of the State the salt water couch is being grown in bowling greens. If it were declared a noxious weed country people would be deprived of an opportunity of preparing a bowling green in those remote areas, but I will take up the question with my officers and see what can be done with regard to the other grass.

## HACKHAM CROSSING

The Hon. C. M. HILL: I have been waiting patiently since August 18 for a reply to my question concerning signs near the famous Hackham crossing. As I understand the Minister of Roads and Transport has given a reply to the Minister of Lands, will he now give it to the Council?

The Hon. A. F. KNEEBONE: I regret that the honourable member has been kept waiting for so long but I assure him that there was no ulterior motive. My colleague reports:

The signs remaining at the approach to the Hackham railway crossing are the standard approach warning signs erected by the Highways Department. At intervals South Australian Railways track vehicles are used on this line during inspections to ensure that railway assets have not been the subject of vandals. In these circumstances, the onus is

on the railway employee to ensure that the level crossing is free of vehicular traffic before crossing and he must also give way to such traffic. However, until the line carries no traffic at all it is mandatory to have the two railway warning signs.

There is another reason for the reply's being delayed a little: it is usually another honourable member who asks questions regarding the Hackham crossing.

#### WHEAT QUOTAS

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to my question of September 23 regarding whether section 49 of the Wheat Delivery Quotas Act, which deals with shortfalls, will be repudiated?

The Hon. T. M. CASEY: I have no knowledge of any moves to repudiate the provisions of section 49 of the Wheat Delivery Quotas Act, 1969. However, I point out that the policy in relation to shortfalls in wheat quotas will be decided from year to year by the Australian Wheatgrowers Federation, and the Wheat Delivery Quotas Advisory Committee will review the position in relation to shortfalls in South Australia in accordance with that policy. South Australian growers are in the fortunate position of being able to claim full allowance in the 1970-71 season for shortfalls in their 1969-70 quotas; this is not the case in some other States.

The Hon. R. A. GEDDES: Responsible people have said that there will be a further 20 per cent cut in wheat quotas for the 1971-72 wheat harvest. Can the Minister of Agriculture establish, as a matter of urgency, what the policy will be regarding wheat quotas for the coming 1971-72 harvest?

The Hon. T. M. CASEY: The information given by the honourable member is a complete surprise to me. I have not yet heard from anybody about whether or not there will be a cut in wheat quotas. Judging by the discussions I had with members of the Australian Wheat Board just recently and the very good sales that we have had overseas and the contracts that have been signed, I would think that in present circumstances a cut in quotas is most unlikely. Nevertheless, I am prepared to see what I can find out for the honourable member and to bring back a reply as soon as possible.

#### PERU EARTHQUAKE

The Hon. V. G. SPRINGETT: Has the Chief Secretary a reply to my recent question regarding the care of children who were orphaned as a result of the Peru earthquake?

The Hon. A. J. SHARD: The Department of Social Welfare and Aboriginal Affairs is not aware of any project to bring Peruvian children to South Australia either as foster children or for adoption. However, the department has received some correspondence on the subject from International Social Service. This is an international agency with headquarters in Geneva and with consultative status with the United Nations. Frequently the department works closely with the agency in cases concerning children where overseas factors are involved. In a letter dated July 1, 1970, International Social Service has expressed its views on the possible fostering or adoption of Peruvian children by people in Australia. These views are shared by the Department of Social Welfare and Aboriginal Affairs. Briefly, the agency considers that, where children have had a fearful and damaging experience through war, rebellion or natural disaster, it is important to ensure, if possible, that any proposed solution does not mean further disruption and trauma. Thus, ways and means may be sought to keep such children within their own country, their own culture, customs, racial and language group and available to be found by any kinsfolk or friends. At all times the concern should be not only with the immediate but with the long-term ultimate life of each individual.

International Social Service will assist only with inter-country adoptions if the matter can be handled well in both countries and if there is irrefutable evidence that the child's best interests will be met by the proposed inter-country adoption plan. The attitude of the Government of Peru towards children leaving that country is not known. In some countries where there is a strong sense of family and of tradition, the feeling may be against inter-country adoption. In any event, if sufficient financial and other assistance is given, it might be possible to place many of these children on a fostering or adoption basis with families in Peru. This might result in far more children and families being helped.

#### VIRGINIA BASIN

The Hon. L. R. HART: I seek leave to make a short statement prior to asking a question of the Chief Secretary representing the Minister of Mines.

Leave granted.

The Hon. L. R. HART: My question relates to the underground water basin in the Virginia area. In order to protect the supplies of water for this basin, it is Government policy that

quotas be applied to each bore and that meters be installed on the bores to register the quantity of water taken from them. The date for the coming into effect of these regulations has already been deferred several times. Also, there has been a great deal of resistance by some landowners to having meters installed on their bores. On the other hand, many of the landowners have readily agreed to the installation of these meters.

Recently, correspondence went out to certain landowners in the area who had not objected to the installation of bores informing them that unless the meters were installed within a certain time legal proceedings would be taken against them. However, that must have been as a result of some mistake in the office. The questions I wish to ask the Minister are these: how many meters have been installed; how many are still to be installed; and when is it considered that the restrictions should apply?

The Hon. A. J. SHARD: I shall be pleased to refer the questions to the Minister of Mines and bring back a rep'y as soon as practicable.

#### STOBIE POLES

The Hon. C. M. HILL: I seek leave to make a short statement prior to asking a question of the Minister of Lands representing the Minister of Local Government, who is the Minister responsible for planning.

Leave granted.

The Hon. C. M. HILL: As a positive measure to enhance the urban environment and to reduce the number of stobie poles to be erected in metropolitan Adelaide, the previous Government earlier this year agreed to give the Director of Planning and the particular local council involved the right to insist that street electricity supply be undergrounded by and at the expense of subdividers of land prior to final approvals for subdivisions being given. The regulations were being drawn up to give effect to this decision. Is the Government proceeding with this matter? If so, when can we expect the regulations to be tabled?

The Hon. A. F. KNEEBONE: I shall be happy to refer the question to my colleague and bring back a reply as soon as it is available.

#### PORT WAKEFIELD ROAD

The Hon. M. B. DAWKINS: On September 24 I asked a question of the Minister of Lands, representing the Minister of Roads and Transport, regarding the continued reconstruction of the Port Wakefield Road. Has the Minister a reply?

The Hon. A. F. KNEEBONE: My colleague reports that design and other preconstruction activities are currently in hand for the Port Wakefield Road from the Cavan area to Dublin. It is expected that work will start from Dublin southwards early in 1971. Second front operations working northwards from the vicinity of the Salisbury Highway turn-off are also planned for commencement in about March, 1971.

#### DAIRYING INDUSTRY

The Hon. C. R. STORY: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. R. STORY: For some considerable time now this State, in common with the other States, has been negotiating with the Commonwealth Government regarding the dairying industry rehabilitation scheme. Can the Minister say whether South Australia has yet been able to agree to the terms and conditions of the Commonwealth Government in this matter?

The Hon. T. M. CASEY: The answer to the honourable member's question is "No". We have not yet been able to agree in this matter. However, I should like to tell the honourable member that last week I went to Canberra especially to see Mr. Anthony. Unfortunately, he was called away to Fiji to attend the independence celebrations in that part of the world. Nevertheless, I had discussions with Commonwealth departmental officers, and we have at least got this dairy farms rehabilitation scheme off the ground. We are now waiting on certain information which we referred to the Commonwealth regarding this matter and which was applicable to South Australia and not to the other States, namely, that we have an equalization scheme in operation in South Australia which the other States do not have, at least not to the same degree.

The Hon. R. A. Geddes: That is, the equalization scheme for the metropolitan area?

The Hon. T. M. CASEY: Yes. I am very hopeful that we can come to some agreement. I can tell the honourable member that Western Australia and Queensland have accepted this scheme, although only on the condition that if any other State gets something better than what they already receive they will then as a consequence get what other States are receiving. At present, New South Wales and Victoria have not entered into any discussions at all in this matter, nor, so far as I am aware,

has Tasmania. I am very hopeful that the negotiations that took place last week in Canberra will bear fruit and that it will not be too long before we can take part in this scheme also.

#### FAUNA CONSERVATION

The Hon. R. C. DeGARIS: On September 17, I asked a question of the Minister of Agriculture concerning fauna conservation. Has he a reply?

The Hon. T. M. CASEY: As the honourable member will be aware, export controls over Australian fauna are administered by the Commonwealth Department of Customs, which will not authorize exports until the State Fauna Authority has first issued an appropriate export permit. The Customs Department and the State Fauna Departments (including South Australia) are becoming increasingly active in their efforts to prevent the export of Australian fauna. Only recently, Commonwealth officers, in association with departmental staff, seized a consignment of foreign birds which had been illegally imported into South Australia.

The brolga, which was the subject of recent press reports in this connection, is listed as a "rare" species in this State under the Fauna Conservation Act, and its capture is prohibited. The penalties at present prescribed by the Act for taking the eggs of protected birds are not less than \$10 or more than \$100 for a first offence, and twice those amounts for a subsequent offence. Section 75 of the Act also provides that where a person is convicted of an offence involving the unlawful taking, keeping, possessing, selling, importing, exporting or otherwise dealing with a protected animal or bird or eggs, the court shall, in addition to imposing a fine, impose an additional fine based on the number of animals, birds, eggs, etc., proved to have been unlawfully taken, etc. The additional fine shall be not less than \$2 and not more than \$10 for each animal, etc. Even heavier penalties (\$10 and \$40) can be imposed when the species is a rare one as defined in the Act. As the honourable member has raised this question, I shall be happy to examine the relevant parts of the legislation to see whether the law in this regard should be tightened, particularly in respect of the penalties for breaches.

#### BALAKLAVA HIGH SCHOOL

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a

question of the Minister of Agriculture, representing the Minister of Education.

Leave granted.

The Hon. M. B. DAWKINS: For some time efforts have been made to secure a Matriculation class at the Balaklava High School, particularly as no school (to my knowledge) within a reasonable distance of that school has a Matriculation class, and it is not easy for children living in that area to proceed to Matriculation. Will the Minister of Agriculture ask his colleague when the much-needed Matriculation class will be provided at the Balaklava High School?

The Hon. T. M. CASEY: I will refer the question to the Minister of Education and bring down a reply when it is available.

#### SUCCESSION DUTIES

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about succession duties?

The Hon. A. J. SHARD: The Succession Duties Act, while it does not contain any express power to postpone the payment of duties upon an estate, does give power to the Commissioner to postpone the date from which interest begins to run. Accordingly, where a reasonable case has been made out for action for collection to be held over, in order to give a breathing space to arrange finance to pay the duty with interest (if running) to be chargeable in the meantime, this is granted by the Commissioner. The period of any deferment must, of course, be fixed by the Commissioner with discretion and with proper regard for protection of the revenue and for the obligations laid down by the Act: it obviously cannot be given at large. Experience has shown that, in this manner, it has been possible in proper cases to give some help in avoiding immediate undue pressure on an estate. The Act provides for interest at 6 per cent a year, which is not a high penalty rate, it being lower than the current bank lending rate.

#### POLICE PENSION FUND

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about the Police Pension Fund?

The Hon. A. J. SHARD: Certain recommendations were recently submitted to the Police Association and the Commissioned Police Officers Association for consideration, and their replies are awaited. For the information of the Leader (and I am sure my colleague did not have this information) I

point out that I received a deputation of members of these associations, and placed before them certain facts that had been made available by the Public Actuary. The deputation said that this proposition would be considered. I know that a reply recently arrived, but I have not yet read it. However, I hope that a solution to this problem will be reached soon.

#### ABORIGINAL WELFARE

The Hon. V. G. SPRINGETT: Has the Chief Secretary a reply from the Minister of Aboriginal Affairs to my recent question concerning Aboriginal welfare?

The Hon. A. J. SHARD: The Social Welfare and Aboriginal Affairs Department has no information regarding the unnamed American cattleman from the Northern Territory who, press reports stated, appeared in a British Broadcasting Corporation's television programme claiming that he could shoot an Aboriginal "and get away with it". Should any such incident occur in South Australia it would be investigated by the police and appropriate action taken under the criminal laws. Where necessary, officers of the department assist Aborigines to obtain legal representation through the Law Society or otherwise.

#### BUSH FIRES

The Hon. C. R. STORY: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. R. STORY: I am sure that the Minister appreciates that the season in which bush fires may occur is fast approaching. Before leaving office I discussed with the Bushfire Advisory Committee several amendments that I thought should be included in the Act, particularly concerning penalties, as some of its provisions are now out-dated. Will the Minister say whether he has taken this matter further by consulting the advisory committee and whether any amendments are being drafted at present?

The Hon. T. M. CASEY: I assure the honourable member that this matter is receiving my full attention, and I hope that something on these lines will be ready soon.

#### TRANSPORTATION STUDY

The Hon. C. M. HILL: Has the Minister of Lands a reply from the Minister of Roads and Transport to my question of September 24 concerning the recent visit of Dr. Breuning and other matters relating to the Metropolitan Adelaide Transportation Study?

The Hon. A. F. KNEEBONE: The honourable member's question was in five parts, and I have the following replies:

(1) The total amount paid to Dr. Breuning and his associate was \$9,263, comprising \$6,041 for consulting and travelling time and \$3,222 for air travel and accommodation.

(2) No payments are outstanding.

(3) The report has not yet been received by the Government.

(4) In the Highways Department's road programme for 1969-70 an amount of \$12,583,981 was spent on declared urban arterial roads, which are part of the roads and routes shown in the M.A.T.S. report.

(5) This figure included Commonwealth funds totalling \$7,780,000. The corresponding expenditure for the 1970-71 financial year is estimated to be \$12,896,850, including Commonwealth funds of \$9,450,000.

#### GAUGE STANDARDIZATION

The Hon. C. M. HILL: Has the Minister of Lands a reply from the Minister of Roads and Transport to the question I asked on September 24 concerning the proposed gauge standardization between Adelaide and the east-west line?

The Hon. A. F. KNEEBONE: My colleague has informed me that he has not discussed the full implications of the Maunsell report with officers from Maunsell & Partners. This has not been done because the Government believes that full and adequate consideration must be given to the alternative proposals of the South Australian Railways Commissioner. Negotiations are taking place with the Commonwealth Government concerning this examination, and it is as yet too early to predict when agreement will be reached between the Commonwealth Government and the South Australian Government on this most important State project. The honourable member can be assured that the present Government does not intend to allow a plan that does not fully satisfy South Australian requirements to be forced upon it by the Commonwealth Government, without proper investigation of all alternative proposals.

#### CAPITAL TAXATION

The Hon. G. J. GILFILLAN (on notice): In view of the current investigation by a Select Committee of the Legislative Council into the effect of certain forms of taxation upon the community, and a parallel but more limited inquiry by an economist sponsored by the Commonwealth, will the Government delay

the introduction of any legislation to increase these taxes until such reports are available to honourable members?

The Hon. A. J. SHARD: The Government has already specified in policy undertakings prior to the recent election its proposals in relation to land tax and succession duties, and it intends to proceed with both matters during the present session.

### CHAFFEY IRRIGATION AREA

The PRESIDENT laid on the table the final report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Chaffey Irrigation Area (Rehabilitation of Irrigation Headworks).

### KINGSWOOD RECREATION GROUND (VESTING) BILL

Second reading.

The Hon. T. M. CASEY (Minister of Agriculture): I move:

*That this Bill be now read a second time.*

It is intended to vest the Kingswood recreation ground (which is also known as the Kyre Oval) in the Corporation of the City of Mitcham. Somewhat more than 50 years ago, a group of public-spirited citizens joined with the Government of the day in purchasing the land adjoining what is now known as the Mitcham Girls Technical High School. The area purchased, called the Kingswood recreation ground, was vested in the Minister of Education upon trust to permit the ground to be used as a school recreation ground and also for public recreation.

The administration of the ground was vested in a committee of management. However, for some years past there have been difficulties in securing sufficient finance to ensure the proper maintenance and development of the area since, of their nature, grounds of this type do not usually generate sufficient revenue for these purposes. The Corporation of the City of Mitcham has expressed a willingness to take over the ground and conduct it as a recreation reserve, and it is clear that this would be a desirable arrangement.

Clause 1 is formal. Clause 2 provides for certain necessary definitions. Clause 3 permits the Minister of Education to fix a day on which the vesting shall take effect. The Minister is not to fix such a day until he is satisfied that suitable arrangements have been made to protect the interests of existing users of the ground. Clause 4 formally effects the vesting. Clause 5 passes the committee's property to the council. Clause 6 makes formal provision for

the winding up of the committee and the preservation of any actions by or against the committee in its capacity as such. Clause 7 enables the Registrar-General to give effect to the vesting by appropriate entry in his records. This Bill has been considered and approved by a Select Committee in another place.

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

### APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 24. Page 1632.)

The Hon. R. C. DeGARIS (Leader of the Opposition): Before speaking to this Bill, I take this opportunity of supporting the Hon. Mr. Kneebone in the welcome he extended to the Hon. Keith Russack to this Chamber. All of us who have known the Hon. Mr. Russack for a long time appreciate that he has in his time made his mark in his district. He has given devoted service to his district and is well-known in political circles. He is a highly respected man and a worthy successor to the late Colin Rowe. On behalf of all members, I extend to the Hon. Mr. Russack congratulations on his election and wish him a long and happy service in this Chamber.

Also, let me say how pleased we are to see the Chief Secretary back in his position of leading the Government in this Chamber. I sometimes think that he may have left us to avoid reading to honourable members the explanation of this Appropriation Bill, which was a long job! Also, I say how much we appreciated the way in which the Hon. Mr. Kneebone led the Government in this place during the absence of the Chief Secretary. I hope the Chief Secretary is fully restored to health and look forward to working with him for some years yet.

In dealing with this Bill, I make the point, first, that the estimated receipts for this financial year amount to \$372,000,000 compared with estimated receipts last year of \$326,000,000. This is an increase of \$46,000,000 (or over 14 per cent) in the estimated receipts to the State Treasury in this financial year. I emphasize here that I am dealing only with estimated receipts. During the debate on the Loan Estimates, several speakers pointed out, and indeed highlighted, the improved budgetary position that this Government had inherited. The reasons for this improved financial situation are, first, the strong financial position left by the previous Government and,



secondly (I have spoken before in this Council on this matter this year) the significant change in the Commonwealth Government's attitude towards the problems of State finances. Several speakers during that debate demonstrated that the Government was \$40,000,000 better off in actual cash than we were in the previous financial year.

I have already pointed out that I believe the Commonwealth Government has not been given sufficient credit for the position in which the State finds itself. Indeed, the Commonwealth Government has been subjected to trenchant criticism for its attitude. I believe the position has not been correctly assessed, as far as the public is concerned. I am not saying in any way that we should be satisfied with the position or with the system; at present the States are still financially tied too strongly to the waggon wheels of the Commonwealth, and I could quote cases to substantiate my belief. However, I am saying that, within the present system, John Gorton's approach needs praise, not criticism, from the States. Over a period I have offered strong criticism of the Commonwealth's approach to many matters of administration, and I will continue in that criticism where I believe the cause of centralism is being promoted to the detriment of the States. In his second reading explanation the Minister listed the following four points that illustrate this change of attitude by the Commonwealth Government:

(1) For 1970-71 an amount of \$40,000,000 is to be added to the total grants that would have been calculated by using the old formula. The \$40,000,000 is to be shared among the States in the same proportions as their shares of the formula grants. This amount represents a net increase of \$25,500,000 but, unlike the special supplements of \$14,500,000 made available in 1969-70, and which it may be considered to replace, the \$40,000,000 will form part of the base grant to be escalated in future years.

(2) The old "betterment" factor of 1.2 per cent is to be increased to 1.8 per cent for future years.

(3) Until the actual take-over of debt can be arranged by the Commonwealth following amendment to the Financial Agreement, the Commonwealth is to make grants to meet the debt charges on \$200,000,000 of State debt in 1970-71 and an additional \$200,000,000 in each subsequent year. Its immediate effect will be to relieve State Revenue Budgets by about \$11,500,000 this year.

(4) An interest-free capital grant of \$200,000,000 will be made available in 1970-71 and will increase in future years in proportion to the increase in works and housing programmes determined by Loan Council. This is not expected to give any relief to State

Revenue Budgets in this first year, but will have substantial and increasing effect in subsequent years.

So, for the third time this year I emphasize that not enough credit has been given to the Commonwealth Government for its significant change of attitude in respect of State financial difficulties. In his second reading explanation, after detailing these new arrangements, the Minister said that there was a need for a greater taxation effort in respect of South Australia. I strongly remind the Government that the State, in its taxing effort, relies almost completely on capital taxation of some form or another. Without any increases in this form of taxation and without any promises being made in regard to such increases, the Grants Commission, in examining the peculiar case of South Australia, has already made an advance grant of \$5,000,000 to this State. As I read the report on this matter, it is an interim grant. Because the Grants Commission has not yet fully assessed South Australia's claim, there is a strong probability that a further grant will be coming to the State from the Grants Commission. Further, we are expecting increases in receipts of between \$40,000,000 and \$46,000,000. Not only is there this increase in actual receipts but also there are hidden benefits to the budgetary position that are not reflected in the actual receipts.

Where grants, not loans, are made, there is less outgoing in the servicing of the loans that come to us. I think \$27,000,000 this year is being made available to the State as a direct grant for capital works and will not be included in the Loan programme. There are hidden benefits to the Budget in this arrangement, yet in his second reading explanation the Minister talks about increasing taxation at the State level and increasing the only avenue that is available—capital taxation. Also, the second reading explanation refers to increased social services. I suggest that the best form of social service that the Government can put forward at present is some relief for the very hard pressed section of the community that is suffering from the burden of capital taxation. I again remind the Government of one of the fundamental principles of taxation—ability to pay. Many people today do not have the ability to pay capital taxation. I have recently seen cases where the incidence of capital taxation on certain properties is of such a level that there is no income left after the impost of capital taxation. So, with all these facts in the papers before us, the 14 per cent estimated increase in receipts, and the fact that the Commonwealth

Grants Commission has made only an interim advance, I cannot follow the suggestions contained in the second reading explanation that there is a need for the State to increase its income by increasing the incidence of capital taxation—a form of taxation that is not based on ability to pay.

I am pleased to see that the Government is following the excellent forward planning that was devised by the previous Government in relation to the training of nurses in this State. No doubt every honourable member would agree that up until 12 months ago there was a need for a completely new design for nurse training in South Australia. After considerable work had been done by various committees in the Hospitals Department and elsewhere, proposals were put forward for a completely new arrangement for training. However, I am a little concerned at some of the information in the Budget. I find in Parliamentary Paper No. 9 that last year Government hospitals received \$13,700,000 in income, whereas the estimate for this year is \$14,200,000, representing a 4 per cent rise. I assume this means that the Government does not intend to increase charges in the Government hospital system this year. The Chief Secretary might like to comment on this matter.

The Hon. A. J. Shard: This matter is being looked into.

The Hon. R. C. DeGARIS: Thank you. I can only assume that, as it is being looked into, the increased income to hospitals of any proposed rise in charges has not been included in the Budget.

The Hon. A. J. Shard: No decision has been reached on what will be done.

The Hon. R. C. DeGARIS: This means that there is a possibility of a rise in hospital charges, and that it has not been allowed for in the Budget. Regarding estimated expenditures, there is an increase from \$28,000,000 to \$34,300,000, which means a 23 per cent increase in expenditure on our hospital services. One thing that concerns me is that, while there appears to be no contemplated increase in hospital charges (although the Chief Secretary has said that this matter is being looked into), the increase in maintenance subsidies to the subsidized hospitals has not kept pace with the increase in costs for providing services in Government hospitals.

To me, that is obvious in analysing some of the figures in Parliamentary Paper No. 9. For example, for the Kimba Hospital, the actual payment of maintenance subsidy was \$14,023 last year, whereas this year it is expected to be

\$14,500; Millicent Hospital, \$21,300 last year, and an estimated \$24,500 this year; and Murray Bridge Hospital, \$22,000 last year, and an estimated \$24,000 this year.

It appears to me that, as a result of this 23 per cent increase in the costs of providing services in Government hospitals, subsidized hospitals will be completely unable to meet their commitments to the community because of their very small increases in maintenance subsidies. I believe that only two courses will be open to the Government in this matter: either the bed charges in Government hospitals must increase dramatically, say, by \$2 or \$3 a bed day, or, to maintain the subsidized hospitals on an equal standard of charges to the Government hospitals, much greater maintenance subsidies will need to be made available to them; otherwise we shall find ourselves in the situation where a subsidized hospital will have a bed charge of, say, \$14 or \$15 a day and the Government hospital next door, as a result of support from the pool of tax funds in the State, will have a bed charge of probably \$10 or \$11 a day. This would be undesirable. On the figures before me, I believe that this could be the only result.

The Chief Secretary might have some information on how this problem could be overcome. However, there is no doubt in my mind that, unless there are significant alterations to the figures that have been presented to us, the subsidized hospitals will have to increase their charges by \$2 to \$4 a bed day to balance their budgets in the next 12 months. If the subsidized hospitals have to do this, there is only one sensible way to approach it: either increase charges in Government hospitals so that they are not competing for taxpayers' money with subsidized hospitals, or make available to the subsidized hospitals much greater maintenance subsidies to allow them to operate at the same bed charges as do the Government hospitals. I do not know whether the Chief Secretary has any information on this question. I do not think the Government intends that the situation should develop where a person who goes to a subsidized hospital should have to pay a good deal more than a person does for similar services in a Government hospital.

The Hon. A. J. Shard: Such a situation has never been allowed to exist.

The Hon. R. C. DeGARIS: Yes it has!

The Hon. A. J. Shard: It must have been a long time ago.

The Hon. R. C. DeGARIS: Yes. I assure the Chief Secretary that, when this situation arose, it caused a great deal of bitterness between the subsidized hospitals and the Government hospitals throughout the State. The only figures available to us are those contained in this Parliamentary Paper, and on those figures, it seems that this is the only possible outcome.

The Hon. A. J. Shard: The position you are talking about has arisen since that Parliamentary Paper was prepared.

The Hon. R. C. DeGARIS: I disagree with the Chief Secretary on this point. I believe the situation should have been foreseen in this financial year, when the original increase occurred in April of this year, some six months ago. It was perfectly obvious that this situation would develop and that there would have to be an increase in Government hospital charges or much larger increases in maintenance payments to the subsidized hospitals. Since then, following on the nurses' award in Canberra there has been another award which has aggravated the position still further. I do not believe that the figures before us took into account even the April increase in nurses' salaries. I should like the Chief Secretary to look at this point. I do not want to see the situation arise again where there is a very marked disparity between the ward charges in Government hospitals and in subsidized hospitals, because it means that people then start moving away into Government hospitals and beds are left vacant in subsidized hospitals. This creates a strain on the Government hospital system and does not fully use the resources of the subsidized system.

I turn now to the Police Department. The increase in total expenditure in the Budget amounts to over 15 per cent, and the increase in Police Department expenditure this year is just below parity with the overall increase in the Budget. I consider that this State can be justly proud of the record and the standing of its Police Force. I often wonder whether the South Australian public or, indeed, the Australian public in general fully appreciates the contribution that has been made to police work not only in this State but throughout Australia by the present Commissioner of Police in South Australia, whose influence is not limited only to this State. Having worked for two years as the Commissioner's representative in Parliament and not as his political boss, I can speak with some knowledge of this subject. I do not

intend to give merely my own views on this matter. I have an extract from the *Current Affairs Bulletin* called "Police in Australia" by Chappell and Wilson, and I recommend this small pamphlet to honourable members. Dealing with our Commissioner of Police, the authors say:

Brigadier McKinna's influence on Australian policing has yet to be fully documented but it has undoubtedly been profound. While more will be said in a subsequent section about the innovation and change he has implemented in the South Australian force since taking office, it is interesting to note at this point that of the 10 Police Commissioners in Australia four are "McKinna proteges" from South Australia: the Commissioners of the A.C.T., Northern Territory, Queensland, and the Commonwealth Police. By making the initial choice of a commissioner or of his deputy or deputies, and using criteria other than those of seniority, considerable potential is given to a Government to influence the general tenor of policing within its force, even if it cannot influence directly the daily operations of the police service.

I will have something to say on that point later. It is interesting to note the standing our Commissioner has, not only in this State but throughout the whole of Australia, and the influence he has had on developing the Police Forces of Australia. I think we are lucky to be able to say that the Police Force is removed from political control. Indeed, this Council has a very vital role in this matter.

I think that nowhere in the free world up to now have we seen a situation quite like the present situation where authority is being directly challenged. We have seen around the world and in Australia leading politicians advising people to break the law. We have seen leading politicians talking to people who are deliberately setting themselves out to be obstructive and to confront the police; these people are being told by leading people that they are the only democrats left in Australia. Against this, I believe the police in Australia have acted magnificently, and I believe that the South Australian Police Force has acted more than magnificently. With regard to the question of the control of the Police Force, it is interesting to note the opinion of Prof. A. L. Goodhart, who provided an opinion for the United Kingdom Royal Commission on the police in 1960. I believe this is a matter that should concern every member in this Council. Prof. Goodhart said:

It has been suggested that the recent dictatorships on the Continent ought to be a warning against the establishment of a strong, centrally controlled Police Force here. I believe that the lesson is the exact opposite.

The danger in a democracy does not lie in a central police that is too strong, but in local police forces that are too weak.

Chappell and Wilson go on to say:

The fact that our basic liberties in Australia are not affected by the current police structure may, in part, be accounted for by the type of political control exercised over the various police forces. In Australia, the various elected governments of the day bear overall responsibility for controlling police.

Therefore, this whole question bears very close examination. I hope that we do not see the day when our Police Force in this State can be directly influenced in what it does by any political Party that may be in power at that time. I turn now to the question of police training. I believe—and this is borne out once again by Chappell and Wilson—that our system of training of our police in South Australia is outstanding. Speaking of this system, Chappell and Wilson say:

Recruitment for the South Australian Police Force is principally from young men leaving school between the ages of 16 and 17. At the age of recruitment each youth has had at least three years of secondary education and many of them have had more than this period. The recruiting process itself involves a thorough screening of the applicant, his family, and his associates. The applicant's school record is also checked and he is given a preliminary education or intelligence test. This test serves the purpose of eliminating applicants considered unsuitable for presentation to a recruit selection panel. Applicants who survive this procedure are then called before the panel for further testing in intelligence and for personal interviews and medical examinations.

Throughout this document it is obvious that the South Australian system stands alone in regard to other systems of recruitment in Australia, and the survey shows that the Police Force here has the highest public standing of any force in Australia. Whilst we have an academy that stands alone as a training establishment in Australia, I believe that the top graduates should be encouraged to continue training at university level, and I recommend to the Government that these graduates should be given this chance. The appropriations in regard to the Police Department are on a par with the increase in expenditure in the total Budget, but I believe that, in the present situation, much more must be done. Whilst our Police Force stands extremely high in the regard of all South Australians, there is a need in these rather difficult times for greater emphasis on the standing of our force and on its training.

As most people realize, the Commissioner of Police, the Chairman of the Public Service Board, and the Auditor-General are all protected

by the two-House system. In other words, they cannot be interfered with at a political level. In my view, for appointments to these positions the Government of the day should not have the power of appointment, but should recommend to Parliament and Parliament should ratify the appointments. This follows closely the American system, but it is obvious to me that a person could be appointed by the Government (and I am not saying that it would be this Government or any particular Government) with the sole purpose of allowing direct political control of these offices. This is a matter that should be considered seriously by every member: the appointment should be ratified by the Parliament of the State.

The Hon. A. J. Shard: God help us if that day ever comes.

The Hon. R. C. DeGARIS: Perhaps I could say something about the reverse situation.

The Hon. A. J. Shard: I say that with the greatest respect for your thoughts.

The Hon. T. M. Casey: He made a great speech until then.

The Hon. A. J. Shard: Yes.

The Hon. R. C. DeGARIS: It seems from these interjections that this is the only point on which the Minister disagrees with my remarks. One can point to the question I have raised in the procedures in America.

The Hon. A. J. Shard: You would not like us to go American, surely to God!

The Hon. R. C. DeGARIS: No, I am not saying that at all.

The Hon. A. J. Shard: That is what you suggested.

The Hon. R. C. DeGARIS: One could not say, either, that the full democratic process and control of Parliament exist when the Government itself has the right of appointment. I am not criticizing any Government: I am suggesting this as what I term a logical expansion of democracy and a logical role for Parliament to play, in that this system would protect certain people from political interference. Parliament should have the same rights in regard to ratifying their appointments. In America this type of person is protected by Parliament, and Parliament has some say in his appointment.

The Hon. A. J. Shard: Recently, they had three tries to get a judge.

The Hon. R. C. DeGARIS: That may be so, but then we do not know why judges were objected to. I am not saying for one moment—

The Hon. A. J. Shard: In one of these cases it was purely political.

The Hon. T. M. Casey: They are mostly political appointments in America.

The Hon. R. C. DeGARIS: Surely we should have the position where an appointment could be made that was not a purely political appointment. I am trying to point out that one way of overcoming a completely political appointment, when an office is protected by Parliament, is to allow Parliament to have some say in that appointment. I do not think that anyone would disagree that in this particular instance a strong case could be made out for Parliament's having some say in the appointment of these particular officers.

I now turn to the expenditure allocated to the Mines Department. We all accept the fact that South Australia is the driest State. The philosophy that has been followed in this State for many years is that, in order to allow us to expand and have a high standard of living, we must develop, and develop by keeping our costs below those of other States. Everyone agrees that avenues for expansion of growth and development in this State are limited, but two avenues must be expanded as quickly as possible in order to allow us to achieve these higher standards. We must consider upgrading our services concerning the mining industry and increase our ability to supply services in the highly technical fields that the Australian mining industry requires. Mineral exploration should be the first priority, and it is disappointing to me to see that the 8 per cent increase in the expenditure of the Mines Department is only half the average increase of expenditure in the total Budget.

With the inflationary factor to be considered, this means (and the Chief Secretary must agree with me) that there will be less work done this year than has been done previously. In the last two years we have seen unprecedented activity in the search for minerals in South Australia, both by the Government and by private enterprise, and we have seen the development of Mount Gunson, Kanmantoo, Burra, and an oil flow in the North of South Australia, but there is a need to maintain this search programme and enlarge the departmental programme of assisting the search in the private sector and pressing on with searching for geological knowledge of the whole of South Australia. As I have pointed out, the Budget indicates to me a downturn in this activity. Let me quote two lines from the Estimates:

Prospecting and encouragement of mining, testing and development of mining prospects . . . Aerial and ground surveys.

There is a reduction of about \$50,000 in this financial year on those lines. There is also

a need to press on as quickly as possible with the mineral science centre at Glenside. This will provide services that all Australia needs.

I have touched briefly on the portfolios of which I have some knowledge. Other speakers will, no doubt, touch on areas of interest to them and other portfolios in which they have been directly involved. To sum up, the Budget reflects, to me, the present strong financial position of South Australia. The Government has the responsibility of maintaining that position. I emphasize again the new financial arrangements that have been agreed to by the Commonwealth and the fact that sufficient credit has not been given to the present Commonwealth Government for its changing attitude towards State finances. I believe the climate is there for a wider field of co-operation from the States to make federation work. There is a climate at present in which the States can strengthen their sovereign rights by resisting further inroads of the centralist philosophy. In reading the Australian Labor Party platforms and principles, I fully appreciate that the A.L.P. has a straight centralist philosophy but, irrespective of that, any actions taken in the short term by the Government to strengthen the States' situation will be strongly supported by me, and any actions taken that tend to sell out the sovereignty of the States will be strongly resisted by me. The sovereign States are the most effective check and balance built into our system and any inroads that are made into the sovereignty of the States will, as I say, be strongly resisted by me. With these comments, I support the second reading.

The Hon. E. K. RUSSACK secured the adjournment of the debate.

#### RIVER TORRENS ACQUISITION BILL In Committee.

(Continued from September 23. Page 1572.)

Clause 3—"Plan to be prepared, etc."—to which the Hon. Sir Arthur Rymill had moved the following amendment:

In subclause (2) after "bank" to insert "and shall not extend further than 100yds. from the top of the river bank".

The Hon. Sir ARTHUR RYMILL: I seek leave to withdraw my previous amendment with a view to moving my amendment now on file.  
Leave granted; amendment withdrawn.

The Hon. Sir ARTHUR RYMILL: I move:

At the end of subclause (2) to insert "and shall not, at any point, exceed a lateral distance of 200ft. from the top of the river bank."

I think this amendment is self-explanatory. It has an effect similar to that of the amendment

I moved previously but it is more expertly drafted, by the Parliamentary Draftsman. I do not think it needs any explanation unless some honourable member wishes to know what "lateral" means. It means "from the side", or something like that. I understand the amendment is acceptable to the Government. Amendment carried; clause as amended passed.

Clause 4 passed.

Clause 5—"Rights and obligations of Minister."

The Hon. H. K. KEMP: I move:

At the end of subclauses (1) and (2) to strike out "or any other purpose".

The purpose of this amendment is to impose some restriction on the use to which this land can be put, as the Bill is giving power to the Minister to acquire land and to do anything he likes with it without reference to any other authority. There is no reference in the clause to any town planner or to the use to which this land can be put. It is desirable that some restriction be placed on what happens to this land after it has been vested in the Minister.

The Hon. T. M. CASEY (Minister of Agriculture): I oppose this amendment, for two reasons. The first is that the phrase "or any other purpose" is incorporated in many Bills coming to this place. It is necessary in many cases, as it certainly is in this case. According to the explanation given in the second reading stage, clause 5 obliges the Minister to execute and perform such works as are necessary. If we are to restrict him, we shall not allow him to undertake what the Bill sets out to do in the first place, and it may not be in the interests of councils, either, that the work that is to be undertaken should be impeded in any such way. The removal of "or any other purpose" would do just that, and we do not want to restrict the Minister or, for that matter, any other body, in works that are to be carried out under this Bill. I ask honourable members to think carefully before accepting this amendment, because it does not do the Bill any good: in fact, I think it takes away powers that may be needed by the Minister or some other body.

The Hon. C. M. HILL: Has the Minister any examples of the work that the Minister of Works would concern himself with or be interested in carrying out, other than work for the actual improvement of the land? It seems to me that he may well wish, for example, to alter the course of the main stream for some reason, but that reason would have to be related to improvement of the land. I there-

fore ask the Minister whether he has any purpose in mind other than the improvement of the land. If other purposes cannot be stated, it would seem that the amendment simply deletes unnecessary words.

The Hon. T. M. CASEY: I think it would be rather hypothetical to anticipate what may be done in the future. I could suggest, for example, that a footbridge might be necessary across the river at some stage; if it was, and if the words "or any other purpose" had been deleted, such a project would be impracticable under this Bill. Probably the honourable member could think of other things that could be needed in the future.

The Hon. C. M. Hill: I cannot.

The Hon. T. M. CASEY: It would be folly to delete these words, because of circumstances that might arise later.

The Hon. H. K. KEMP: The whole purpose of this Bill is to reinstate the tremendously valuable asset that the course of the Torrens River through the city presents. Leaving unrestricted the uses to which the river and its banks can be put could result in a terrible exfoliation on its course. Some of this has been done in the name of reclamation of land and some of it in the course of straightening the river, but the effect has been to make a terrible mess of what could have been one of the most beautiful parts of the Adelaide Plains.

We must ensure that the work done is truly for the improvement of the land. Leaving in the words "or any other purpose" makes it possible for future Ministers to create rubbish dumps. Consequently, we must impose a limitation.

The Committee divided on the amendment:

Ayes (10)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, C. M. Hill, H. K. Kemp (teller), E. K. Russack, Sir Arthur Rymill, V. G. Springett, and C. R. Story.

Noes (8)—The Hons. D. H. L. Banfield, T. M. Casey (teller), R. A. Geddes, L. R. Hart, A. F. Kneebone, F. J. Potter, A. J. Shard, and A. M. Whyte.

Majority of 2 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 6—"Exemption from rates, etc."

The Hon. C. R. STORY: I should like to ask the Minister whether this clause sets a precedent in respect of this type of acquisition or whether he can cite cases where such a matter has come directly under the control of a Minister who acquires land for a

specific purpose. I know that such provisions are sometimes inserted in legislation, but I am not aware of a piece of legislation where this actually fits in at present. I disagree to this new provision because, in the Fences Act, special provisions are included regarding unalienated Crown land, on which a person who erects a fence does not get anything from the Crown but, when the land is subdivided, he is entitled to pass the charge on to the new owner of the land. However, in this case, in all probability there is a boundary fence on the property. The Crown will acquire so many feet of the land, and this will make for a complete hiatus because there will be no fence on the rear portion of the land, assuming that the Crown will buy back only from the front of the bank of the area stipulated.

I cannot see why a person who has erected a fence to protect not only his property but also other people's property should be in the position that he must erect a fence because the Minister or a council has acquired a piece of land. I have not been assured that this question will be taken into consideration in the payment of compensation. I do not think that this would be done, when it is specifically exempted from the provisions of the Fences Act by subclause (2). Can the Minister explain this matter?

The Hon. T. M. CASEY: I have not been advised on this matter by the Minister who introduced the Bill. However, I take it that, when land is acquired, it will be acquired in the normal fashion and that any improvements made to the land will be taken into consideration. I trust that they will be the circumstances under which land is acquired in any case. If the honourable member is not satisfied with my explanation, I am prepared to obtain further information for him. I ask that progress be reported.

Progress reported; Committee to sit again.

#### PROHIBITION OF DISCRIMINATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 23. Page 1574.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I desire to speak very briefly to this Bill in support of the Hon. Mr. Whyte and in endorsing some of the views he put forward. I think it is fair to say that Mr. Whyte would have as wide a practical knowledge of the problems involved in legislation of this kind as would any other honourable member. Some 12 months ago when a similar

Bill was before us, Mr. Whyte opposed it very strongly and gave his reasons for doing so.

In the present situation, Mr. Whyte has said that he will not oppose this Bill and has given the reasons for his attitude. However, he quoted Lord Stonham's views on the same problem in Great Britain. If one studies Lord Stonham's statement, one can see that what he is saying is that one cannot overcome prejudice by harsh laws of this kind. I believe that Mr. Whyte's approach to the problem is quite right. This Bill will do nothing to improve the present situation. I consider that the Government should give urgent consideration to the suggestions Mr. Whyte made in this debate.

He has placed on file a certain amendment that goes some way along the road he has advocated. In addition, the Government should consider Mr. Whyte's suggestion that a conciliation board, or some other means of conciliation, should be established by the Government instead of a heavy-handed system of prosecutions. No-one can doubt Mr. Whyte's knowledge or motives. I believe that his suggestion of some form of conciliation is one means of overcoming the problem, and one must admit that problems in this area exist on both sides.

I believe that in Great Britain no prosecution can be launched under the prohibition of discrimination legislation there unless the conciliation board recommends such a prosecution. In other words, all other avenues must have been fully explored by the board to try to overcome the problems before prosecutions are launched. This is a sensible suggestion that would do more good than would prosecutions. I cannot see that the Bill will do any good whatsoever. As I have pointed out, I believe that the opposite effect could indeed be the case.

I ask the Minister in charge of the Bill not to proceed for the time being but that the matter be taken up at Cabinet level for decision before the Bill is passed. There is no need for haste, as there is no great urgency for the Bill to be passed but, if there is a better approach (and I believe the Hon. Mr. Whyte has put his finger on it), the matter should be thoroughly investigated by Cabinet before a step is taken that could cause greater tensions and do no great good in the community. Therefore, I support Mr. Whyte's attitude. His amendment is an earnest attempt to overcome the problem that exists. However, I believe the problem is a larger one than the Bill can cover, and the

Government should fully investigate the whole question in an effort to find a solution.

The Hon. H. K. KEMP (Southern): In speaking to the Bill and to the Act it amends, I think nothing can be said but that many tragic mistakes have been made. They are mistakes that arose from complete ignorance of the position and of the difficulties that face the Aborigines in finding their place within our community; which seems to be almost certainly the only destination for the great majority of them.

This is not a subject to be lightly dismissed, for it is one that is frightfully important to the Aboriginal section of our community. I am afraid the general feeling is that this legislation is not aimed really and sincerely at helping these people in the task of finding their place in a community which is strange to them, but that it is rather a tool for the people who want to raise trouble while this process is going on.

These may sound hard words. However, this is typical of the tool that is asked for by those people who just want to raise a fuss without really healing the wounds that have been inflicted on these people in the process of white settlement in this country. We cannot put history back, and I think that in many cases it would be undesirable even to think of that. However, we should consider the circumstances which face the Aboriginal today, particularly the Aboriginal who is only half-way down from a bush to an urban environment, where inevitably in the future the great majority must find their place.

This is the crux of the problem, and it is a very difficult subject indeed. I do not know whether many honourable members had the opportunity to listen to the very good talk given last Sunday night by Pastor Albrecht, a man who I think can talk more authoritatively on Aboriginal problems than can many others in this State. He is the pastor in charge at Hermannsburg Mission, which has done an enormously good job for these people. Although he is looking at this very subject with great enlightenment, he still has great difficulty in seeing a way through the problem.

The alternative that has been given to our Aborigines is to stay in their own environment with assistance at Amata and elsewhere in the Far North. However, this seems to be impracticable because of the difficulty of these people in maintaining themselves with self-respect under those conditions. The

alternative is for them to come to the cities with very little training indeed and try to find their place in the community, and inevitably when this happens friction must arise.

This Bill gives no recognition at all to the point of view of the Aboriginal himself as he comes through this complex channel. Does the Minister who originated this Bill really understand the relationships between the Aboriginal as an individual and the Police Force, through which much of the administration of this Act must go? I do not think he does, and the Bill does not show much sign of it at all. I thoroughly endorse the approach the Hon. Mr. Whyte has brought to this subject by bringing in the British ideas. Whether they will work here in Australia is possibly open to question, but certainly his suggestion is a great improvement on the provisions of this Bill and the Act it modifies. I am not in favour of the Bill, and I intend to vote against it.

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

#### PASTORAL ACT AMENDMENT BILL Adjourned debate on second reading.

(Continued from September 24. Page 1634.)

The Hon. R. A. GEDDES (Northern): When I sought permission of the Council to continue my remarks at a later date I had just about covered every facet of the Bill. However, today's *News* contains a report that reminds me of problems we might have in the future. The International Mining Corporation has discovered another nickel deposit near Kalgoorlie, and it has put up signs indicating that trespassers will be shot. According to the newspaper, there are aircraft buzzing the drilling rig all the time and there are people continually trying by stealth in the middle of the night or by other means to get near to discover the secrets of this mine. We can imagine the problem if stock were in the vicinity trying to get water. In the pastoral country especially, stock are a little more man-shy than they are in the inside country. Although I support the Bill and do not intend to introduce any further amendments, I point out that this illustrates that, no matter what we do to try to help, other problems can always arise. Let us hope, for the economy of the State if not for the economy of the pastoralists, that we can find some nickel in South Australia.



In conclusion, I wish to welcome the Hon. Mr. Russack to this Council. He succeeds the late Hon. Colin Rowe, who took a very great interest not only in the principles of the Legislative Council but also in all members within the Council. He was always a very good friend and adviser to us all. Although we all miss the Hon. Mr. Rowe, we look forward not only to the friendship and companionship but also to the legislative acumen the Hon. Mr. Russack can bring to the Council in future years. I notice that he has taken the adjournment on the Appropriation Bill. Therefore, we can look forward with interest to his maiden speech tomorrow, and we will give him every encouragement. With those few remarks, I support the second reading.

The Hon. A. F. KNEEBONE (Minister of Lands): I thank honourable members for the way they have dealt with the Bill. I do not think any honourable member who has spoken has opposed the general principle of the Bill. Some of them have offered certain criticism.

The Hon. R. A. Geddes: Constructive criticism.

The Hon. A. F. KNEEBONE: Yes, some honourable members have offered constructive criticism regarding some of the matters in the Bill. The Hon. Mr. Story said he thought that the amendments to the Mining Act should have been considered at the same time as the amendments to this Bill, and I think that is probably fair comment. However, the Mining Act Amendment Bill contains many more amendments than this Bill does and discussions that have been held with various people in regard to the provisions of the Mining Act have caused some delay in the introduction of the Bill to amend that Act. However, I am sure that such a Bill will not be very long delayed.

Another matter referred to by the Hon. Mr. Story and by other honourable members concerned the fact that the Minister had discretion in regard to giving approval for mining operations within 440yds. of certain improvements on a lessee's property. One honourable member suggested that the approval of the Minister should only be granted under certain conditions. However, as the Minister has a discretionary power he also has the power to apply conditions to such approval.

The Hon. C. R. Story: I think the point was that some honourable members thought it would be done in consultation with the lessee.

The Hon. A. F. KNEEBONE: These amendments are for the protection of the pastoralists. The Minister would, in all circumstances, consult at least with the Pastoral Board and also with the lessee, because he has this discretionary power. I am sure that he would consult with those people who were concerned with the matter before agreeing to any proposition. I hope that honourable members will pardon me if I do not refer to them individually when answering the constructive criticisms that have been made. It was suggested that a miner could erect a building or shed to the value of \$200 so that other mining operations could be stopped within 440yds. of that building. The Parliamentary Draftsman states that the Act and the Bill refer to the improvements of pastoralists and, therefore, there is no problem in regard to the erection of such a shed. I think I have covered most of the comments made by honourable members, but if I have not I shall reply to them when we reach the Committee stage. The Hon. Mr. Whyte has placed an amendment on the file that provides that there shall be access of stock to a watering place. As I am in my most co-operative mood today I indicate that the Government is prepared to accept this amendment.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Mining operations on pastoral lands."

The Hon. C. R. STORY: I am grateful to the Minister for his explanations, but I must stress that many people are concerned about these matters. I ask the Minister to ensure that the Mining Act and the Petroleum Act are amended so that they come into line with the amendments with which we are now dealing, so that the provisions of this Bill will function satisfactorily.

The Hon. A. M. WHYTE: I move:

In new subsection (2) to insert the following new paragraph:

(a1) so situated that such operations will prevent the access of stock to any watering place;

This provision will allow access to a watering point, and is inserted because the Bill does not stipulate that the watering point will not be completely ringed, and may thus stop access by stock.

The Hon. A. F. KNEEBONE: As I have indicated, the Government accepts this amendment.

Amendment carried; clause as amended passed.

Clause 6 and title passed.

Bill reported with an amendment. Committee's report adopted.

LOCAL GOVERNMENT (CITY OF WOODVILLE WEST LAKES LOAN) BILL

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

ADJOURNMENT

At 4.43 p.m. the Council adjourned until Wednesday, October 14, at 2.15 p.m.