

LEGISLATIVE COUNCIL

Thursday, September 14, 1972

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

**PLANNING AND DEVELOPMENT ACT
AMENDMENT BILL (BOARD)**

His Excellency the Governor, by message, intimated his assent to the Bill.

QUESTIONS**BRINKWORTH AREA SCHOOL**

The Hon. L. R. HART: 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. L. R. HART: On August 12, 1969, in reply to a question about the proposed new buildings for the Brinkworth Area School, the Minister of Education said that a schedule of requirements had been prepared and sent to the Public Buildings Department, whose architects had carried out some design work. The Minister said that it was expected that some design and investigation work would be carried out during the 1969-70 financial year. I have a copy of a letter from the Land and Buildings Officer of the Education Department addressed to the Honorary Secretary of the Brinkworth Area School Committee stating that tenders for the proposed school buildings would close in June, 1972. As tenders have not been called for this new school, which is scheduled to be available in February, 1974, will the Minister ascertain from his colleague the exact position with regard to this proposed new area school?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply.

WHEAT QUOTAS

The Hon. A. M. WHYTE: I seek leave to make a statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. A. M. WHYTE: I have been requested by a growers committee, of which I am a member, to obtain the number of wheat quotas held in the following categories: under 100 bushels; between 100 and 200 bushels; between 200 and 300 bushels; between 300 and 400 bushels; between 400 and 500 bushels; between 500 and 1,000 bushels; between 1,000 and 1,500 bushels; between 1,500 and 2,000

bushels; between 2,000 and 3,000 bushels; between 3,000 and 4,000 bushels; between 4,000 and 5,000 bushels; between 5,000 and 6,000 bushels; between 6,000 and 7,000 bushels; between 7,000 and 8,000 bushels; between 8,000 and 9,000 bushels; and between 9,000 and 10,000 bushels.

The Hon. T. M. CASEY: I remember posing a similar question several years ago, and I am still waiting for the reply, but I hope that the honourable member will have better luck than I had. I will refer the question to the Wheat Advisory Committee and see whether it is prepared to release the information. However, it is entirely up to the committee and, if it accedes to the request, I will bring down the required reply.

**CONSERVATIONISTS TRAINING
COLLEGE**

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Minister of Agriculture, representing the Minister of Environment and Conservation.

Leave granted.

The Hon. C. M. HILL: When in Sydney recently I heard discussions concerning the proposed establishment of a nature-training college for conservationists. I understand (although my information may be incorrect) that such a college (which would be the only one of its kind in Australia) is to be established in the Blue Mountains and, in some way, the various States have agreed to its establishment and may contribute towards its cost. Will the Minister ascertain whether this college is to be established; whether it is to be established with the approval of each State; whether South Australia has agreed to its establishment in the Blue Mountains of New South Wales; whether officers from the Minister's department will be able to attend the college for training; and whether the college will be open to members of the public to attend courses therein?

The Hon. T. M. CASEY: I will refer the question to my colleague and bring down a reply.

**CRIMINAL LAW CONSOLIDATION ACT
AMENDMENT BILL (PAROLE)**

Read a third time and passed.

**STATUTES AMENDMENT (PUBLIC
SALARIES) BILL**

(Second reading debate adjourned on September 13. Page 1258.)

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

LAND TAX ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 13. Page 1259.)

The Hon. L. R. HART (Midland): Bills amending the Land Tax Act come before Parliament at least once every five years. Indeed, it is sometimes necessary to amend the principal Act more often than that. On this occasion, honourable members have before them a Bill that introduces some new principles into the Act. The Bill inserts two definitions, one of which is brought about by the amendments to section 12c. The two new amendments introduce a definition for "improvements", which has never been in the Act previously, and a definition for "site improvements". Clause 4 extends the classes of land exempted from the payment of land tax. The Hon. Mr. DeGaris raised the point that grants may no longer be made available to certain associations which use land for the purpose of promoting conservation on a non-profit basis. However, this matter is covered in section 10 of the principal Act, subsection (1) (e) of which reads as follows:

Land which is—

- (i) owned by an association which receives an annual grant or subsidy from money voted by Parliament; and
- (ii) in the Commissioner's opinion, solely or mainly used for the purposes for which the grant or subsidy is made:

That remains in the Act, so it would seem that in some circumstances there may still be forthcoming to certain associations grants that have been available in the past.

I agree, too, that it is a wise decision to exempt from the payment of land tax private landowners who use their land for the regeneration of flora and fauna of various types. Every encouragement should be given to people who are prepared to lay aside some of their land for this purpose. This may even enhance the value of certain country when that same country comes up for assessment for various purposes; the fact that it has been regenerated may make it more valuable. Today people are continually saying that too much land is being cleared, that too little is being planted to trees, shrubs, bushes and other plants, and that we are not maintaining our country in a state that makes it attractive from an aesthetic point of view. If encouragement were given to private landowners to do these things it would be for the good of the community generally.

Clause 5 amends section 12c of the principal Act, which deals with the deferment of tax in the case of land used exclusively for primary production in certain declared areas. This section was introduced into the Act in 1961 because subdivision was extending into rural areas and the value of such land for subdivisional purposes was increasing considerably. We had a situation where some landowners who still wished to retain their land for primary producing purposes were faced with having to pay rates on that land at values assessed for subdivisional rather than for primary producing purposes. At that time certain areas of land were declared as primary producing areas and have since been required to pay a rate not assessed on subdivisional prices.

Since 1961 the area of subdivision has extended considerably, and indeed the metropolitan area itself has been extended by Statute, and therefore I believe a very good case exists for the extension of these areas declared under section 12c. Not only should it be extended further out, but much larger areas of land should come into this category. Some aspects in relation to section 12c concern me. One is the deferred tax that can be taken back for five years from the point of sale of that property, or even a portion of it. We can have the situation where a property or a portion of it is sold, not at a price assessed on the subdivisional value but at a price assessed on primary producing values; yet, when a transfer is effected, the deferred tax operates—a deferred tax assessed on subdivisional values, but not on primary producing values, on the price at which it was sold. That is quite unfair.

Then we get the situation where a property or a portion of it may change hands once every five years, for instance, and each time it changes hands it may well change hands at a price based on the value of that land used as a primary producing unit, but each time it pays deferred tax on the price calculated on its value as a subdivisional area. That is unfair and unreasonable. If the land is still being transferred at a price based on its value as a primary producing unit, the deferred tax should not be collected on a basis of subdivisional value. The Hon. Mr. DeGaris has given an example of a partnership where a member of that partnership sells his share in that land to another person: in that case the deferred tax is applicable. However, in the case of a company where a member of that company sells his share or shares in the company to another person, it appears that the

tax is then not applicable. These are matters that we should look into closely when the Bill is being dealt with in Committee.

The other portion of the Bill deals with the \$2 levy that is imposed on all subdivisions in the metropolitan area. It appears there are some cases where people are unable to meet this levy, and the Bill provides that those people may be relieved of paying the levy. They are referred to as people who fit into certain classes, and I presume that reference is to pensioners in necessitous circumstances. If that is the case there is no complaint about it, but it would seem that the collection of this \$2 levy probably creates more work than the benefit that the Government gets from it.

In the main, this Bill is probably necessary. As such, it does not go far enough, because it should extend the declared areas where the deferred tax applies. I wonder whether even at this stage the Government could consider extending these areas. It could be done by regulation or proclamation. I should be pleased to hear the Minister's views on that aspect of the matter. Generally, I support the Bill and hope to look at it more closely in the Committee stage.

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

ENVIRONMENTAL PROTECTION COUNCIL BILL

Adjourned debate on second reading.

(Continued from September 13. Page 1263.)

The Hon. V. G. SPRINGETT (Southern): Terms such as "environment" and "pollution" can very easily become a bandwagon. If too many people jump on that wagon for their own ends, the initial impulse is lost. On the other hand, if too few jump on it, the whole process can go out of business altogether. In either case, the destiny of the bandwagon is not reached. The fight against pollution is in danger of suffering because the public tends to get sick of the sound of the word "pollution" used loosely. Often we are in danger of polluting the aural media with it. So many people are calling "wolf" out of context that we are in danger of forgetting that there really is a wolf. Every aspect of life is liable to be polluted in some way.

Pollution is any form of biological undesirability. The extent of man's self-destructiveness along these lines is almost infinite. The extent to which he can sabotage his own potential and make his environment miserable must create despair and humiliation as he looks around him. The ways in which man destroys himself prematurely and creates dis-

harmony in his environment are legion. The rising suicide rate, vehicular accidents, alcoholism, drug dependence and other forms of compulsive behaviour offer nothing of value, but they all make man's environment unworthy of his possible nobler self.

Man seems deliberately to seek out ways of aggression against himself. At the same time he has shown an inability or unwillingness to protect himself from the environmental hazards that surround him, for the majority of which he himself is responsible. The degree to which man can co-exist at peace with his fellow men seems to be very limited. He has to adopt protective mechanisms—solitude, reading books, playing or listening to music, holidays away from it all, visits to the theatre, sport, or entertaining friends. All these things are protective mechanisms to make man's life bearable. Man has passed from the stage of tribal living and has become a creature of urbanized isolation, while retaining many of the fundamental needs of the gregarious animal.

Since the earliest days, when cave men lived in a primitive manner and threw their rubbish outside the entrance to the cave, man has consistently fouled his own nest. Today, his refuse is collected by garbage disposal services but, in bulk, there is so much of it that we do not know what to do with it. The quantity is so vast that it is difficult to dispose of all of it, especially plastic containers. So much for his rubbish! Man has never tried to cope with life without water. He knows he cannot do so because of his conscious awareness of his basic need for water. Man can go for so long without food, but his limit of existence without water is fractional. A noted French health authority who has very deep feelings on this subject has said that we of the Western world deserve to run out of potable water if we continue to be profligate with this vital source; I agree with that statement.

We cannot ignore the fact that the population by the year 2000 will be double what it is today, but our ultimate water resources, in total, will not be double what they are today. Our demands will rise faster, because of the needs of increased agriculture and more diverse industries. However, we behave as if we are oblivious of the fact that the total of the world's water resources is not limitless. The availability of water is vital not only for drinking purposes, washing, and industrial processes but also for bearing and maintaining forms of life that are the base of one of the food chain

pyramids upon which depend the existence and survival of mankind. On these pyramids depends for survival much of the food that man eats.

Whenever man has settled in an area, the first thing he has done is ensure a good water supply. Then, by his way of life and his social and industrial demands, he has allowed vast quantities of water to run to waste, usually after he has first polluted it. Much of the pollution of water can be prevented. What is more important, much of the water that is polluted should never be allowed to run to useless waste: it should be recycled and used again (admittedly, some is dealt with in this way). Man is at last recognizing that he is reaching the stage where he cannot afford to be profligate with his water; it must be recycled. I make it clear that not just a little of it must be recycled; the day has come when no water should run to unnecessary waste if it is capable of being recycled. This is an expensive practice, but it must be measured against the permanent shortage of water for an ever-growing population. We will consider the method cheap at almost any price in a few years time.

Water gets polluted biologically; we recognize this, and it can cause cholera, typhoid, paratyphoid, infective hepatitis and dysentery. Thanks to our public health system and preventive medicine, things like cholera do not now disturb us very much. However, on the African continent and in South America and in large tracts of Asia one can see what polluted water really can do. Water may also be polluted chemically; this is an ever-increasing problem in our community and it is a problem involving a growing variety of pollutants as industrial processes increase and use more and more diverse chemicals. Agriculture is doing the same thing, whilst in the home man has a complexity of chemical products that are poured down the drain. These go into the sewerage system, where disposal may or may not be complete.

In all too many cases the presence of one chemical may not in itself be harmful, but it may set off a chain reaction that has serious consequences for the ecological system. In some countries where detergents are heavily used, laws forbid types of chemical being used that are not 80 per cent biologically disposable. The world is very much aware of the third form of water pollution, namely, by radioactivity. Rigorous checks and surveys have kept this risk low, but one requires no crystal ball to recognize that concern and fears encircle

the world when one country explodes a nuclear device without complete precautionary measures. Similarly, the risk of fall-out from an atomic reactor mishap is well guarded against but, should there be such an accident, heaven knows what the result would be.

We have already learnt by numerous examples the result of oil pollution of water, with its devastating effects on marine and bird life. Potable water for human consumption must be free from dangerous organisms and chemicals, but it must contain beneficial substances. This can open up a new avenue of discussion regarding the comparative qualities of water from various sources. The protection and conservation of water and its supply to mankind depend on and must have co-operative measures at national and international levels: for example, the need for sharing rivers and tributaries equitably. But what a problem this can be at the international level!

Indeed, even sister States with a common national bond are not free from problems when they rely on a common source of good water. In Europe, for example, where the River Rhine is shared by several foreign powers and where pollution has reached considerable depths, the rule of "Whoever pollutes must pay" applies.

Food can be polluted by many natural hazards, and there is risk from certain added refinements. Some food processes incur risk of carcinogenesis, which is the ability to set up and stimulate cells so that they become cancer-forming. Food, like water, can be polluted with pathogenic organisms and with fungi, and it can be contaminated by chemicals. This Council has recently been concerned with the mercury content in shark. Yesterday, the Hon. Mr. Russack referred to the United Nations Conference on the Human Environment held in Stockholm last June, and the group of pollutants to which he referred was extensive.

One pollutant to which mankind is subjected increasingly is noise; this includes the peace-shattering scream of a jet passing overhead, the factory's perpetual rattle and grind, the non-stop high-pitched music in some shopping centres, whether or not it is wanted, and the constantly nagging member of the family at home. These and many more sources are playing untold havoc with the hearing capacity of folk of all generations.

It was with all these points in mind, I assume, that the Jordan committee was set up three years ago and now, after appropriate work and study, I understand that its report has been submitted. It seems somewhat absurd

that we should be debating measures dealing with the setting up of an Environmental Protection Council without our having the slightest idea of what this carefully selected expert committee had to say about environmental control. The committee's terms of reference were to inquire into and report on all aspects of pollution in South Australia, including pollution of the land, sea, air, and water and all manner of things associated therewith. Did the Jordan committee recommend a permanent council such as the one we are discussing? All that effort, and not a word available for our help and guidance in dealing with this Bill! It is vital that the terms of reference of this council be sufficiently wide. Clause 3 of the Bill states:

"The environment" in relation to the State, includes any matter or thing that determines or affects the conditions or influences under which any animate thing lives or exists in the State.

It seems to me that that definition literally covers anything which can be done or which can happen and, in the wrong hands, what problems such power could cause. To whom does the citizen have the right of appeal against any act or decision of the council? Is it the Minister, to whom the council is also responsible? If not, to whom?

Before concluding, I refer to one item that has vital influence and effect on the environment of the whole of this planet: this brings me back to a statement I made at the beginning of my speech this afternoon. By the end of this century the world's population will have doubled. What is the good of purifying water, cleansing the air and ridding the land of noxious products if we are going to populate the world so heavily that there will be too many people on earth for the resources that are available? When people are so densely settled they get very little, if any, vital solitude and peace, which are the inalienable rights of human beings even as they are for the lesser animals. It is no good talking about Augean stables and cleaning our living quarters and facilities if there are too many of us seeking a share of the available land, food and water.

Doing away with nuclear bombs may be one thing, but we would still be left with the more problematic population bomb. Surely it is not amiss in a debate such as this to draw attention again, as I did earlier in this session in the Address in Reply debate, to the need that will come sooner or later to control the rate of population growth; that must be every bit as vital as making the earth fit for man to inhabit.

We need to crusade against over-population and start by controlling the local stork, as one poster exhorts.

The Hon. R. A. Geddes: Clip its wings!

The Hon. V. G. SPRINGETT: Yes, if that is sufficient. Certain points need emphasizing, not only in advanced and developed countries but even more so in the emerging countries. First, Governments must be constantly pressed and urged to admit and realize that a population problem exists. Secondly, it is important that extensions of the family planning services be made readily available, not at prices beyond the means of the poorer folk, who are the first and major victims of over-population. Thirdly, included with family planning there must be a place in the global picture for other means of limiting families, and this may even include abortion. Japan, for instance, has reduced the birth rate of its densely crowded islands from 38 to 19 a thousand over the past 10 years by means of widespread family planning coupled with appropriate abortion laws. Africa, the subcontinent of India, South America and eastern Europe have also grasped the fact that, if there is to be more than a mere existence in the future, the population rate must be controlled.

I accept the need for all this, not just because I want South Australians to have a more satisfying life (although, in itself, that is not wrong), but because I have lived in backward countries for years and have seen hungry, and even starving, little old men and women of four and five years of age who look wizened creatures, merely because there is not enough for them to eat—not just on one day but all the time. They therefore die gradually in misery, want, and degradation. Equally horrible is the fact that their short, unwanted lives are a squalid hell on earth.

This Bill is concened with bettering South Australia. I am all for our people living lives of higher quality and not squandering recklessly our heritage and possessions. This Bill, which will become law if it passes both Houses, will, in due course, not directly better to any extent the lot of people overseas but it will become part of a world-wide recognition of man's need to provide for those yet to come. May we also ensure that those who do come are not beyond the resources we can provide. I am sure that any Bill of this kind carries with it immense powers and responsibilities for those who have to implement it. I will therefore watch with considerable interest the debate in the Committee stage. I support the Bill.

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

STATUTES AMENDMENT (VALUATION OF LAND) BILL

Adjourned debate on second reading.

(Continued from September 13. Page 1268.)

The Hon. A. M. WHYTE (Northern): I rise to comment on this Bill, which, as the Minister said in his second reading explanation, tidies up six Acts. I find it extremely difficult to handle so much amending legislation with the amount of research assistance that is available to back-bench members. I know the Chief Secretary has previously said that it is not a good way to introduce legislation when so many Acts are amended at one fell swoop. However, I have done the best I can in the time available to me. As far as I can see, the Bill is necessary to tidy up, as it does, many Acts. However, I am concerned about the centralization of authority in contrast to the strong efforts that are made from time to time to encourage decentralization. One finds in this respect that the whole authority is to be vested in one central body. Clause 12 inserts in the Land Tax Act new section 56a, which provides:

The Commissioner shall, upon receipt of a request in writing made by a taxpayer, render to him a full and detailed statement of his liability to pay the amount of tax shown in a particular notice served upon him.

That is a worthwhile provision, which gives the taxpayer due notice of his obligations. I am confused about clause 18, which amends section 5 of the principal Act by striking out from subsection (1) the definition of "annual value" and inserting a new definition thereof. Section 5 lays down the manner in which valuations were previously computed—on a basis of 5 per cent of the capital value of the land involved, and included in the value of the land are certain equipment and prescribed plant. Is there a similar provision in the Bill to take into consideration depreciation of such prescribed plant? No doubt the Minister will be able to answer the questions I am asking.

Clause 24 repeals section 185 of the Local Government Act, which, in its present form, prescribes the manner in which an assessment is adopted, and fixes the date for the adoption of the assessment. This is an important feature of the legislation, and I am surprised that this provision is to be repealed. Although this section is being repealed, the corresponding section 175, which also deals with assess-

ments, is being retained. Although this is confusing, there is perhaps a reason for it.

The Bill contains other amendments that lead to the situation in which an occupier of land has no right of appeal to the relevant council, the Valuer-General or the Land and Valuation Court in cases where a council decides to adopt the Government assessment. I think this has been the position in the past regarding Government assessments, but it seems unjust to deny a right of appeal to a person who is truly the only person responsible for the payment of all rates. This arises because the Valuer-General is required to give notice of assessment only to the owner of the land, and it could happen that the occupier who is required to make the payment would not have any avenue of appeal. This seems an anomaly.

Section 178 of the Local Government Act requires a new assessment to be made every seven years, but under the provisions of the Bill the Valuer-General is required to make a new assessment every five years. The existing system has worked quite well with the seven-year term, and I see no reason for the reduction to five years. The valuation of land is an extremely important matter in the well-being of country and city people alike. In some of the smaller rural towns where vacant allotments are held and on which rates and taxes are paid every year no concession applies, even though the land is unsaleable and has been for many years, and will become more so as the exodus from rural areas continues.

Many of the vacant building allotments and workmen's paddocks, as they were called, are now quite valueless, yet the people holding them are compelled to pay substantial rates. This could be taken into consideration in legislation such as that we are now discussing. The minimum water rate on a town block in a country area is \$16, and over a period of time these rates amount to a considerable sum on land that is virtually valueless. Having made those points, I hope to receive an explanation covering the queries I have raised. I believe the legislation is necessary, and I support the second reading.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

ADJOURNMENT

At 3.15 p.m. the Council adjourned until Tuesday, September 19, at 2.15 p.m.